A regular meeting of the City Council of the City of Newburgh was held on Tuesday, October 11, 2016 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Prayer/Rezo

The Prayer was led by Pastor John Borden of Holy Trinity Church.

Pledge of Allegiance/Juramento a la Alianza

Roll Call/ Lista de asistencia

CARRIED

*** Councilwoman Mejia not present for roll call**

COMMUNICATIONS

Approval of the minutes of the meeting of September 26, 2016

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Rayford, Kennedy - 5
Carried

City Manager Update/ Gerente de la Cuidad pone al dia la audiencia de los planes de cada departamento

MOTION TO DEVIATE FROM SCHEDULED AGENDA

Councilman Harvey moved and Councilwoman Rayford seconded that the presentations be moved ahead of the City Manager's 2017 Proposed Budget.
CARRIED BY MAJORITY VOTE

CITY MANAGER UPDATE

City Manager Michael Ciaravino rpovided an update on the cameras and the lights. Central Hudson repaired all of the (133) lights that were reported out. This brings us to a total of 4000 street lights that are now operational in the city. Also we have developed some protocol for managing the lights, including regular surveys and GPS mapping for easier identification of street light location.We are also analyzing crime data to determine whether additional lighting can be installed in particular areas in the community.

Nick Crispino in our IT Department reports that we are one day away from the final wireless street camera being installed. There was a problem with it and we are expecting

delivery of it tomorrow. Speaking of the replacement camera project, all of our equipment has been ordered. The cost was $55K. The installer is going to be Perreca Electric, and they estimate that the timeframe for completion of this project will be 1-2 weeks. There will be 14 cameras replaced altogether.

Ciaravino spoke about the Eyes on Newburgh Project whereby we utilize all of the allocated CDBG funding that was slated for the skate board park. We are currently designing an RFP for vendors to provide bids.

In the Engineering Department we continue to address items that are outlined in (5) separate consent orders that we are required to comply with by NYS DEC and US EPA.Also the final design for the new bar screens at the wastewater treatment plant have been submitted.This is one of the required upgrades that we are required to comply with in our Long Term Control Plan. Sludge Thickener Support Bridge. The old bridge presented a hazard due to corrosion.
The new stainless steel bridge allows the sludge thickener to be put back into service.The department continues to make progress on an extensive list of no less than several hundred outstanding projects, while operating with limited staff and resources.

In the Recreation Department, fall sports have already begun with football, baseball and soccer in full swing. Registration for winter basketball and indoor soccer is open. Both programs are for boys and girls in Grades K-6 at a cost of $20 per player. The Annual Trunk or Treat will be held on Monday October 31st. This is where people gather and park their decorated cars and hand out cany to children. Please contact Maritza Wilson @ 845-569-7373 for more information or to register your car for the event. The fall hours for the boat launch are Mon-Thurs from 12 Pm to 7:00 PM; and Fri-Sun from 5 to 7. The launch will close for the season on October 30th. The City of Newburgh and the School District are collaborating to have Open Gym at the Armory when school is either closed or on a half-day schedule. Check the city's website for further details.

There being no further updates, this portion of the meeting was closed.

slideshow presention...some pics were throughout Orange County. BOCES has programs throughout the county.

Corey Allen presented Habitat's A Brush with Kindness Program. Revitalizing neighborhoods. Part of the program is to reinvigorate people's pride in Newburgh. Homeownership program is for persons within median incomes that enable people to have homes for their children. If anyone wants to invest in this City, please send them to Habitat for Humanity....supplemental program that enables Habitat to help others with exterior needed repairs. What it does is help to invigorate the entire neigborhood.

Closed at 7:40 P.M.

Michael Ciaravino announced that he is pleased to submit the proposed 2017 budget for t he council's review. This is the quintessential legislative function of the year for our city council. He proposed a balanced budget with the same tax levy that has been set for the last two years. He stated that he is open to any suggestions, modifications or changes that the council may have concerning the budget. We continue to focus on code enforcement, blight elimination and best practices throughout all of our municipal functions. The budget represents a balance between the desires of the administrative departments and the realities of the finances our for our community and the taxpayers. We continue to operate under the guidance and approval of the budget by the State Comptroller. Ciaravino stated that we will continue to make great financial strides in controlling our expenses while improving core services to the residents within the given resources of the city.

Key points of the 2017 Budget include, a $19.4M tax levy for this year, $11.5M in non-property related items, $5.4M in State Aid and $2.8M in Inter Fund Transfer. He pointed out that both the proposed total revenue and total expenditure for 2017 is set at $44,410,285. This does not reflect a number of items that we had to forgo in the interest of not raising the taxes for taxpayers.

Some of the objectives, in terms of our fiscal approach for 2017, include more RFPs for city-owned property, an increased collaboration amongst departmental resources; increased use of grants to supplement our limited capacity on the General Fund budget; a reexamination of CDBG funding to create new programs; and a continued focus on code enforcement to help eliminate blight in our community by providing clean and safe neighborhoods that will eventually increase property values and attract business.

He continued to discuss the Enterprise Fund, which includes the Water and Sewer, and stated that there are no planned rate increases for these funds although there has been an increase in water-related activity. He mentioned that he informed City Comptroller Kathryn Mack to be prepared to discuss Base Proportion Adjustment should the council wish to engage further discussion.

Today is the submission of his budget to the city council. Tomorrow he will submit the proposed budget to the State Comptroller for its review and approval. The following proposed dates are Oct. 20th fori the budget work session with council, followed by a public hearing set for Nov. 14th to elicit public input after the council has concluded its work on the budget. It is our goal that on Nov 28th the council would reach a consensus and thereby adopt the 2017 Budget.

Kathryn Mack spoke to last Thursday's discussion of the $300K shortage in the budget. She explained what she did to close the gap without raising the taxes, including having early communications with one another, capturing all of the expenditures, reviewing all of the revenue and the trends and looking closely at the grants and solicitation of those funds. She thanked her staff, the council and the city manager for the collaborative effort.

In discussing the closing of the gap she highlighted some of the revenue points. The last time that the Inter Fund Transfer levels were looked at was in 2013. This needs to be looked at every year to identify things that warrant substantial increases that she feels confident in submitting to the Comptroller's Office. Second, there is roughly $698K worth of city property that has been passed by the council but hasn't come into fruition due to

things, such as title issues. Perhaps we could generate even more money by holding a selective auction. Also a big help to generate revenue was the negotiated contracts for health insurance contributions.
This has helped us add $160K to the budget, and with the rising costs of health insurance we can't take zeros any more for the life of people's employment with the city.

Mack discussed the expense side of the budget, which is $44,410,285. 60% of that is going toward public safety, which include police and fire and all of the retirees of those departments, followed by general government at 17%. We can use these breakdowns as a guide for next year when we focus on our grants.

Councilman Harvey pointed out that there is a dire need for a new public safety building for the police department. We walked through the current building with Chief Cameron about a month ago, and wanted to know where we are with that. There are health and safety concerns.

Michael Ciaravino stated that the prospect of a new safety building is not included in this budget. The repairs that are there now are temporary. The supports that are in the locker room are monitored, as they are in City Hall, by our engineering teams periodically. We didn't include anything for Capital repairs. We have done the bare bone minimum, and we are trying to live within our means in so many ways so that we are not going on these wild spending sprees that we can't afford.

Councilwoman Mejia stated she does not want to lose sight of the necessity of repair at the DPW site. The roof is leaking in the mechanics area.

Ciaravino stated that the problem with the DPW has already been identified in the budget. We are not happy with what we allocated for it. Yet we are trying to prevent the taxes from being raised.

Mack discussed the base proportions for the council. She stated it is an option for the council if it decides it wants to implement it during the budget process or not. In addition to this she broke down all of the funds. Some of the fixed charges include those mandated by the DEC. It is better to fix things than be fined.

Harvey was surprised that bulk garbage pickup was not included in the budget, because they requested it. We had that service in the city until 2009 and it was never put back into the budget. We actually pay more money to deal with all of this illegal dumping that occurs here. This is the one service that was removed when the taxpayers incurred a tax hike.

Mack suggested that they look at a closer in the upcoming work sessions. The council has to figure what it doesn't want to fund in sanitation in order to be able to add a service like bulk-pickup at no charge for residents. Next she discussed grants. There is a lot of cleanup we have to do with old grants still sitting in our books.

Councilwoman Holmes and Councilman Harvey stated that the CDBG grant should be included in this budget. They asked that it be included in last year's budget too. Harvey requested that Dierdre Glenn speak about the CDBG grant.

Glenn stated that we haven't received anything from HUD yet, but we are assuming we will have $800K for next year. The CDBG committee is meeting tomorrow at 3:00 P.M.to look at the first round of budget. They will schedule a public hearing for CDBG. All of the department's staffing numbers have been figured out with the help of the Comptroller. She addressed Holmes' concerns. As far as she knows, no grants were ever included in the city's budget.

Mayor Kennedy spoke to concerns of the council regarding CDBG grant money. Typically we don't get the allocation until June, so we are on a whole different fiscal calendar.

Mack went on to state that while taxes are a sore subject, our inability to raise money differently may put us in a different place next year. Health insurance costs have increased. If we don't get a handle on it, it could create a bad situation where we could end up with lay-offs. She doesn't want to create a panic, she just wants to get us thinking about it ahead of time for next year.We have to meet 1-2 more times over the course of the budget process. She suggested that the council look at their department request book. She pointed out that most of the new requests did not make it. She encouraged the council to call her if there is anything they would like to see specifically. Overall this is where we are with it now.

Councilman Harvey stated that hopefully we can get a handle on the crime now that the lights and cameras are up, which will begin to attract new business and homeowners to the community.

Councilman Mejia wanted to discuss the base proportion adjustment. She asked when was the last time we used it.

Katie remarked that we used the base proportion adjustment for the first time last year.

Mayor Kennedy commented that she hopes that everyone appreciates how difficult the budget process is. We have one pot of money, and yet we want all of these new things. It is challenging because the insurance costs have risen and the new labor contracts have increased. We would love to grant many of these things that people request to help move the city forward. But we can't tax our taxpayers any more. They are carrying a heavy tax burden as it is. We have to find ways to bring more revenue in and get more development going, especially our key property at the Bluff. She thanked Katie for all of the hard work she has put into this.

The budget presentation was closed.

PRESENTATIONS

Certificates of Appreciation will be presented to Downing Park Volunteers & Video

Mayor Kennedy had all of the members of the Downing Park Planning Committee come forward, as well as Larry Gotham representative of BOCES. A slideshow entitled *Summer Youth 2016* was presented. The slideshow showcased the Downing Park Volunteers. The program highlights the fact that young people are accomplishing things and learning new skills. Kennedy thanked DPPC for working hard to preserve the park. All of the young people who participated in the BOCES summer program were presented with Certificates of Appreciation tonight.

A Presentation of a Proclamation to name October 2016 as National Youth Substance Use and Substance Use Disorder Prevention Month

Mayor Kennedy proclaimed October 2016 as *National Youth Substance Use and Substance Use Disorder Prevention Month*. Too mnay precious lives are being taken from us due to overdose, leaving families devastated and heartbroken. Substance use can lead to lower academic acheivement and a variety of physical and emotional consequences. It is crucial that America's youth learn and understand the risks connected with this problem. We can all play a part in prevention efforts.

Team Newburgh, associated with Catholic Charities, has been a key organization in our city. They have been on the streets everyday, and all of the time, working on this issue. Mayor Kennedy thanked the organization publicly for all of its efforts. Regina Cieslak of Team Newburgh invited everyone who feels that this problem is a large one in our city to come out and rally against substance abuse. The rally will be held on Saturday October 22nd, at the brand new park next to the Ritz Theatre from 11:00 AM to 1:00 PM.

A Presentation will be given by Corey J. Allen from Habitat for Humanity of Greater Newburgh on their A Brush with Kindness Program

Corey J. Allen, New Neighborhood Revitalization Coordinator for Habitat for Humanity, spoke. Part of that revitalization that Habitat is striving for includes working to reinvigorate people's pride in their hometown. Newburgh is rich in history and rich in community, so why wouldn't someone want to live here. Newburgh is changing and Habitat provides an outlet to enable people to stay in their homes through these changes. If you know anybody that wants to invest in Newburgh and live here then send them to Habitat. They are seeking volunteers too, as their workforce consist of volunteers.

Also Habitat has a program entitled A Brush With Kindness. This is a supplemental program for homeowners who may have exterior problems, such as porch stairs, windows, etc. This program helps the surrounding community get some of these repairs done. What we are trying to do is invigorate entire neighborhoods to become better. Allen encouraged people to feel free to reach out to him if they have any questions.

Councilman Harvey asked if there are any income stipulations for the Brush With Kindness Program. That is always a challenge because there are always income stipulations for homeowners in this city when it comes to grants and programs that make them ineligible. Yet when it comes time to pay the tax bill, *everybody* has to pay. So this is something that

this legislative body needs to review for future. But if we could get more information on A Brush With Kindness program, then that would be helpful.

Allen responded that as of now there are no income stipulations. He is trying to reach out to folks that may have minor code violations who may not be able to afford to pay the fine, as well as those folk who may not have the manpower in their homes to make repairs..This would a great tool for them. Habitat has the workforce, the volunteers and the supplies to help out with some of the repairs.

COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Barbara Smith spoke about Resolution #264-2016. Recently she has read articles about more money coming into the city for specific things, such as State funds for combat zone properties in the region. Perhaps since we are receiving money, we can move things out of the budget so the taxpayers can get something back, such as bulk garbage pickup. This could make life easier for the already burdened taxpayers.Second she addressed CDBG funding. It is specified "not for your working fund." It is to be used for specified and needful areas of use. You cant just take that and put it into the budget. It doesn't belong there.

Drew Kartiganer addressed an article he read about a $30 Million lawsuit by Mill Street Partners. He stated the company is playing on the City of Newburgh's fear, and he feels there is no basis for the lawsuit. Kartiganer feels that Mill Street is the only one responsible for the delays on the project. He pointed out that one member of the Planning Board abstained from voting on site plan approval because she wanted clarification from Corporation Counsel on required variances. He assumes that this legal clarification will be in writing , and part of the official record. In his opinion, the project doesn't conform to zoning requirements. He mentioned that the article states that the company is also suing on racial grounds. Kartiganer stated that racism is a heavy charge. If there is any proof to this claim, he wants the evidence turned over to the District Attorney's Office, exposed and he wants the involved parties to be prosecuted. If Mill Street and their lawyers don't turn over the evidence claiming racism, and they are just throwing stuff on the wall to see if it sticks, then they are just playing us in the most vile and disgusting way.

A resident spoke about the *Lights, Camera, Action* for Keyshan Gayle, and for anyone who has lost a loved one throughout this battle in Newburgh. He recited some words of wisdom based in Rastafari and spoken by King Haile Selassie in California, c.1968. He summarized that until we are all on one accord "without regard for race or color or creed," there will continue to be war. The man wished everyone *One Love* in Newburgh. Love is what brings and bind us together. And we can't achieve that without equal rights and justice for everybody.

Michelle Basch voiced her concerns about Resolution #273-2016. This project will produce a thirty-year PILOT equal to $45K in lieu of taxes. Newburgh's portion of taxes will be almost $500K, when you figure into it that it costs $22K to educate in this school district. Basch stated that it is the small businesses and the homeowners that will have to essentially pay for the cost of this project. As both a homeowner and a business owner, she finds this added burden unfair for taxpayers. Second, she suggested the city could keep taxes the

same for those homeowners who are making improvements on their property, because they are the ones who are trying to make the city beautiful.

Tammie Hollins spoke in honor of the late Mr. Richard "Dickie" Peterson. She recalled being able to raise her two sons at the Varick Homes, and she spoke fondly o Shef the housing complex. It is a community within a community, characterized by a safe place for the children to play, and neighbors watching each others children while parents worked. She stated that there were so many good experiences she had living there. This honor tonight is very befitting for the family to acknowledge all of the work and dedication that Mr. Peterson had for the City of Newburgh.

Hannah Walsh stated that she is currently in contract with the LandBank to purchase property at 18 Lander Street, which is adjacent to the Mid-Broadway site. She attended the work session when Councilwoman Mejia asked the developer what type of amenity would be offered for the community, such as a community center or swimming pool, to which Mejia was told that a grocery store would be offered to give residents job training and jobs. These are often required for the benefit of the community when projects of this scale are undertaken. Walsh has a problem with for-profit businesses pretending that they are doing a public service by hiring employees. There is a better way to build a project without having to grant a thirty year PILOT. Walsh felt that the developer strongly implied that the City is not going to get a better deal. But for the first time in a long time, the City of Newburgh is in a better position to demand more out of the deal. She encouraged us to continue to fight for our city, because we deserve better and we should not be afraid of litigation.

Michael Lebron stated that he supports those members of the community that are opposed to Mill Street project, mainly because it doesn't create any needed tax revenue for our city. It is going to create another giant hole in the tax pool if we move forward on it. Lebron feels there are other ways. He mentioned that his sister-in-law, who originally emigrated from the Dominican Republic, after working forty years she has retired on a modest salary. If she is able to purchase a building, locate a contractor to fix it up, obtain the financing to live in it and pay her fair share of taxes, then he feels that this developer can do the same and pay his fair share of taxes.

William Mann made his presence known and spoke on behalf of the death of his best friend Keyshan Gayle. He thanked the council for ensuring that the cameras are up. He feels that this is the first step. He encourages the police to be more active in the community. He asked how are we going to trust someone when we really don't know who is protecting us.

Dr. Bernilda Jones stated that Hollins said it all when she spoke about the late Richard "Dickie" Peterson and the Varick Homes. Jones stated that she had a vision of a road being named in his honor since 2014, and now it is coming to fruition. She recalled how she joked with Peterson at the time and how he stated that he didn't want a street named after himself. Jones stated that he is more than deserving of this honor. With so much going on in the world, and with all of this foolishness with the elections, she feels that there is still something good to feel about in this city.

There being no further comments, this portion of the meeting was closed.

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

There were no comments at this time.

CITY MANAGER'S REPORT

Resolution No. 264 - 2016 Scheduling Public Hearing for November 14, 2016 Concerning Adoption of the 2017 Budget

ADOPTED

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 265- 2016 Extension of Time to Close Title on 70 Liberty Street W.H.

ADOPTED

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 266 - 2016 Purchase of 80 Clinton Street

ADOPTED

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 267 - 2016 Purchase of 266 Carpenter Avenue

ADOPTED

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 268 - 2016 Purchase of 37 City Terrace

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 269- 2016 Approve the Naming of Second and Colden Streets in honor of Richard F. "Dickie" Peterson

ADOPTED

Councilman Harvey remarked that it is an honor and pleasure for him to vote in favor of this resolution. Mr. Peterson was his frat brother in the Alpha Phi Alpha Fraternity. He was a mentor to him, and he was like a father to him, his twin brother and to so many young people in the City of Newburgh. If anyone ever knew the late Mr. Peterson, he

always had seeds of wisdom to drop on people. Harvey thanked Mr. Peterson's family and friends for being here this evening.

Councilwoman Angelo remarked that she knew Richard for a long time. He was involved in the art shows, and he would visit her shop and buy items. He really lived a wonderful life, and he gave a part of his life to all persons. She stated that she missed him.

Councilwoman Rayford remembered when her late Pastor Frank Jones entrusted the property to Mr. Peterson. She thanked the Peterson family and Benilda Jones for hanging in there and turning that property around. She remembers what the Varick Homes looked like before. To see that it was once in the Red, to where it has become livable now is astonishing. If only our entire city could be like the Varick Homes. If that love and care that one person had for his community could rub off on the rest of us, going westward, then our city would prosper.

Councilwoman Mejia stated that Mr. Peterson always said that he has eye on her. It is very befitting that we call the street "Way".

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 270 -2016 NYS Senate Initiative SFY 2016-2017 Grant for $75,000 from Senator Larkin

ADOPTED

Councilman Harvey thanked the City Manager, Chief Cameron and all of the staff for moving on this initiative. He thanked George Garrison and his staff for doing an assessment of the broken lights. To the Gayle family and the people that came out to rally behind this in the wake of Keyshan's tragedy, Harvey can't say enough about how much this city has been lit up. People already feel a change in the community. He has been getting calls and emails regarding it, and this is the beginning of a new Newburgh. He expressed his gratitude to everyone involved in this process, including his colleagues on this legislative body.

Mayor Kennedy publicly thanked Senator Larkin for his support, and others who have offered to help us as well. There is an energy shift on this, and we are moving the city in a new direction. She encouraged everybody to continue pushing forward, and not to stop because we are making progress.

Councilwoman Mejia pointed out that we have to have it our work plan in order to do this consistently, at least on a monthly or quarterly basis. She encouragd the public to report any outages by providing the pole numbers. There are a couple that are already out, and she is going to pass the list onto George.

Councilwoman Rayford asked that since we have spent $55K on the cameras so far, if we receive this grant funding would it go toward the 14 or 15 cameras that still need to be repaired?

Katie pointed out that we haven't actually spent the $55K yet, but we have open POs encumbered stating that that is where that money is going. But all of these will be in the same grant that will go toward the cameras.

Councilman Harvey asked how soon after the resolution carries can the $75K be utilized.

Mack replied the funds are available immediately. In the next quarter, as soon as we receive the equipment and spend the money then that next quarter we go for submission. The next submission will be in December.

Mayor Kennedy commented that sometimes State funds are not available for six months, in terms of reimbursement.

Mack replied that she hasn't seen this as an issue, with a few exceptions with the police vehicles. But these smaller grants she has never seen an issue.

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 271 - 2016 DCJS Byrne Justice Assistance Grant for Non-Fatal Shootings Initiative Program

ADOPTED

Councilwoman Rayford requested Lt. Richard Carrion to explain what this grant entails.

Lt. Richard Carrion remarked that this is a pilot program offered by DCJS, as they realized that we were having a problem getting victims to come forward with crucial information. This grant funds various positions in law enforcement to work to develop independent evidence, so that the District Attorney can go forward and prosecute cases where the victim is not going to be cooperative. To assuage Rayford's concerns, Carrion stated that this is not just for new cases. The department is going to go back and look at open cases and determine those that have solvability factors independent of the victims involved. The only limitation would be statute of limitations on a felony, which is five years. There is no required City match for this grant either.

Councilman Harvey commented that he just heard about it on the radio this morning. Newburgh has been selected for this grant. If the resolution carries, he asked how soon would these law enforcement individuals be ready to be on board.

Carrion pointed out that there is always Red Tape involved in these matters; but he is hoping that, by the very least, by the end of the year to have everybody in place.

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 6

Resolution No. 272 - 2016 Assistant Chief position to 2016 budget

Holmes asked why are we getting an assistant chief position when we don't even have a

permanent chief yet, as Terry Ahlers is Acting Chief now. The assistant chief position is charged to do a large range of operations in the fire department, and it is a lot of work. Presently we would like to separate the work load again using assistant chiefs instead of deputy chiefs to show how much smoother things will run. This would give us six people in the Fire Prevention Unit. There is one assistant chief for each group.

Katie stated that this is not in 2017 budget, because she did not want to assume the council would vote to carry the resolution tonight. But it fits into the whole idea of codes enforcement. We're not backfilling it with another position, and it is not going to add to the budget. We are anticipating a retiree that would ease the 2017 budget. Also she feels that this is going to help move the codes department further with the additional position.

Ahlers further explained that right now he is one person doing three jobs. The salary above a top-grade fireman to make an assistant chief is about $18K. With the anticipation of a retirement of benefits in Fire Prevention, we are looking to drop the number down to $8K, for the assistant fire chief to do the scheduling and run the Fire Prevention program. He assuaged the Mayor's concerns that the department is not top-heavy.

Michael Ciaravino explained where he and staff were with the hiring of a new permanent fire chief. He and Michelle Kelson have discussed qualifications for the position, and they are hoping to put some final touches on the decision-making process. He pointed out that Ahlers has worked in an exemplary fashion. Ciaravino is going to be making some recommendations with respect to modifications to current Civil Service rules in order to accommodate Chief Ahlers.

Councilwoman Mejia asked why the code compliance supervisor positions answers to the fire chief. She has reservations about it.

Ahler replied that it is due to the codes supervisor position being in the Non-bargaining unit; whereas the assistant fire chief position is still in the union.

Councilwoman Rayford felt the resolution should be tabled until they determine if a certain individual would be retiring. Since the council is going over the 2017 budget, she felt they should have some time to see what is what.

Councilwoman Holmes agreed with Rayford. She stated there are so many permanent department head positions that need to be filled in this city. She loves the fire department and what they do, but she feels like this is just going in a whirlwind circle. Here we have an amendment to the 2016 budget, whereas she is trying to work on the 2017 budget. She would agree to table the resolution so she could get more information. But she doesn't understand the concept of adding another Assistant Fire Chief position.

Katie explained the impact this position would have in the 2016 budget. This person moving up to the higher position would cost us $4800. This money would be coming from monies that she put aside from the savings that wasn't used. It is not backfilling a new position. She hopes that the savings from the retiree will offset the budget in the end. But she didn't put this into the 2017 budget because she knew it was being voted on tonight.

After being asked by council what are the ramifications for tabling this tonight until the budget work sessions, Ahlers mentioned the overtime costs that would potentially be involved.

Councilman Harvey stated this is one of the challenges the city face when dealing with overtime costs in police and fire departments. He asked Ahlers how quickly would the department exceed that $4800 in overtime costs? When he received answers, such as "definitely be the time the budget is passed" or "by the end of the year," Harvey stated that he knew what his decision would be.

MOTION TO TABLE RESOLUTION #272-2016

Councilwoman Rayford moved and Councilwoman Holmes seconded to table to resolution.
Ayes- Councilwoman Angelo, Councilwoman Holmes, Councilwoman Rayford-3
Noes- Councilman Harvey, Councilwoman Mejia, Mayor Kennedy-3
TABLE DEFEATED (*See Legal Note Below)

Substituted counsel for the City of Newburgh, Paul Ernenwein, Esq., explained that "a tie" vote on a table simply doesn't pass. You would need four votes in order for the table to pass.

Upon deferring to the original vote Michael Ciaravino pointed out that we are trying to move the Fire Prevention Bureau over to 123 Grand Street, to eliminate the community's need to go back and forth to different offices depending on what their needs are. By coordinating this with the Assistant Chief that is available during the day, Monday through Friday, we eliminate the additional overtime costs.

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Mejia, Kennedy - 4
Nays: Rayford-1

Resolution No. 273 - 2016 Mid Broadway Project Mill St. Partners

Councilman Harvey commented that grave concerns have been brought up by the citizens regarding this project. He reminded the public that this project was inherited by city's legislative body going back to 2012.

Councilman Harvey moved and Councilwoman Angelo seconded.
Ayes: Angelo, Harvey, Holmes, Rayford - 4

NEW BUSINESS

Councilwoman Rayford remarked that department heads should attempt to cross-train their employees so that the council is not put on the spot to fund new positions nor make hasty decisions. She felt that the overtime concerns were not mentioned in the work session, and it is unfair that the council had to decide the matter tonight. Issues such as

these, in which the weight of some have to be carried by other people, should be dealt with within the department itself. It made her look bad, and she doesn't like to be made to feel that way. may be some job cuts or salary freezes. because we do not want to raise taxes on the homeowners. The council is going to be looking at possible job cuts or salary freezes in the future. They are going to look at the Grade book and see if salary cuts are in order too, because we do not want to raise taxes for the homeowners and businesses. She pointed out that if individuals notice they are at a grade level that they are not supposed to be at, she encouraged them to seek other employment, as a back up.

Councilman Harvey commented that Rayford's points were well noted. We are going to be doing a critical analysis on overtime in all of the departments. The overtime subject is a significant issue when we discuss how to move forward in the new fiscal year. We are going to be looking at ways to scale back on the overtime costs, while trying to find creative ways to still be able to perform the work in the city.

There was no other new business to come before the council.

OLD BUSINESS

There was no old business to discuss.

PUBLIC COMMENTS REGARDING GENERAL MATTERS OF CITY BUSINESS

Barbara Smith asked the council who will be writing the letter to express "conceptual support" for the Mill Street Partners project? She feels that the council will have the ability to state that there is a split support on the project with regards to tax and PILOT concerns. Honestly, you can write a letter in any manner you want, and how you truthfully see it to be; but will they accept it that way or will they come back with their own letter of how they see the matter.

Paul Ernenwein explained that the resolution already passed that "conceptually approves the project," in concept. The resolution already contains its wording, and its "whereas" clauses. Individual council members, going forward, can address the project in any way they want.

Ms. Garcia reminded everyone that the last day to register to vote is October 14th. People can go to the YWCA-Orange County building at 21 West Street to register. They have been registering people for the last six weeks, and they have registration forms in English and in Spanish. The organization will deliver the registrations to directly to the Orange County Board of Elections in Goshen.

Hannah Walsh stated she is not surprised that the resolution passed. Clearly if we lose $31 Million due to the lawsuit, then the issue of the PILOT will be a moot point anyway. She asked where we are with the project and can we renegotiate? What does that mean for the taxpayers if the City of Newburgh is sued?

Ernenwein stated that the land developer wrote a letter to the council, in which several demands and threats were made. Here we have a private limited liability company demanding that a democratically-electedlegislative body act in a certain manner. He expressed the absurdity of this claim.He stated that is non sensical that $31 Million in punitive damages can be assessed to a municipal body because it prevented a private land developer and company from developing land. There is no impending lawsuit, nor is there any action before a court of any jurisdiction. Also he mentioned the zoning issues. He pointed out that a private land developer could bring an action if he or she feels that a public body, such as the Zoning Board, acted improperly in its decision. When asked by the council if a lawsuit could be initiated, he pointed out that there could always be a lawsuit. He stated that money invested in this development project and reliance upon a contract that they do indeed have, there may be viable claims of compensable damages. But, in his assessment, the $31 Million figure is ridiculous. Ernenwein is in no position to estimate what a viable of claim would be, as there a Notice of Claim, the requirement to bring suit to a municipality, hasn't been filed.

Booker Curtis asked Ernenwein what the long term effects of a lawsuit would have on the City of Newburgh, if one was initiated.

Ernenwein explained that the Notice of Claim would be sent to the city's insurance carrier. The insurance carrier would assign the defense of the litigation to counsel, who would then defend the action. The great majority of claims are within insurance coverage, in which the insurance carrier would potentially pay the fees and expenses of the litigation, as well as the settlement if there was to be a verdict against the city. He pointed out though that punitive damages are often *not* covered by insurance coverage.

Mayor Kennedy remarked that there is a lot of speculation without any known facts. This is where we are with it. All citizens have the right to write letters to whomever. This is all dependent upon State funding.

closed at 8:55 PM

FURTHER COMMENTS FROM THE COUNCIL

Councilwoman Angelo thanked all city staff for presenting the budget. Now we have work hard to find cuts. Next Sunday, there will be a fundraiser hosted by Trestle, Inc. opposite UNICO park, to raise money to preserve the murals. Also, she announced the Friends of the Library project to have a small library accessible for children.

Councilman Harvey commented that the council is willing to answer any questions after the meeting regarding the Mill Street Partners. On October, the 100 Men Group will host an event hosting event at Hudson Hall at Mount St. Mary's College entitled *How to Handle a Police Encounter,* so we can educate all people in the community. The keynote speaker is Eric Newton, a former FBI agent who is part of the 100 Men Group. There will be free food and beverages.Lights, cameras and roads are being repaired. He thanked all of his constituents. Newburgh is truly being revitalized and he is happy to see that.

Councilwoman Holmes announced that there will be two *Trunk or Treat* events in the city.

One will be at Gidney Avenue Memoral School parking lot, and one will be at the Recreation Center. Many parents have expressed their concerns and fears of taking their children trick-or-treating this year, especially in the wake of recent tragedies. There will be prizes for the person who has the most decorated trunk.

Councilwoman Mejia thanked everyone for coming out. She pointed out that one of the reasons she really loves this city, is in the recognition of that notion "Home is where the heart is," which was truly embodied by the late Richard Peterson. Varick Homes is the type of development that she knows we can have in the city. In speaking of the Mid-Broadway project, for the record, she reminded everyone that this is a project that was approved by previous councils. Our city has the responsibility of honoring agreements that have been made. It breaks her soul when any person uses divisive language instead of language that unites us. This is a project that presents a huge burden on the taxpayers of the city. We have to have more communications, and they have to be open for the public. Her vote shouldn't come as a surprise to anyone, as she has been forthcoming with her feelings about. This is a project that, under different circumstances, would be most welcomed. Thirty years is a long time. But if there is a need in the community for it, then we will have to figure out how to balance it and move forward with it. Know that the lights, cameras and road repairs all lend to the fact that we are headed in the right direction. We wouldn't be able to accomplish this without a sound budget. She stated that there needs to be more discussion on building revenue streams for next year. She knows that not everyone would agree with her, but she thanks God for the Tax Cap. Without it, many people would not be able to afford to stay in their homes. The last thing she mentioned, she would like to do, in a collective community effort, a fundraiser/care package for the people affected by the Hurricane Matthew in Haiti.

Councilwoman Rayford wanted to discuss the water situation. Now that we have switched sources, are we going to see debris coming out of the faucet.atskill Aqueduct.

The City Manager commented that the City of New York DEP is working on repairs and testing of the Catskill Aqueduct. Over the next couple of weeksthere will be periods of shut on and shut off for issues, such as various flow rate adjustments. We just had one over the weekend in which we were shut off for thirty-two hours, during which time we were drawing water from Brown's Pond. We had already preestablished the chemical profile for Brown's Pond, and we are ready to make the adjustments for treatment at our water treatment plant.

Rayford further stated that we need to discuss the curfew for *Trunk or Treat*, but this will be discussed, in detail, at the next meeting. She stated that our Open Container law needs to be reviewed because there is an upcoming event at the park. Also she pointed out that some of the local businesses and establishments need to adhere to the the open container laws too. Also Rayford is grateful for all of the paving that is occurring in the city.

She announced that St. Mary's Church is in need of volunteers every 3rd Thursday of the month to assist with the food pantry, unloading of the truck, etc. The church services between 300-500 families, and if we could volunteer it would really help them out. She thanked everyone for coming out each time this city opens its doors for meetings. She thanked the City Manager, department heads and staff, as well as the City Council for all of the work they do in trying to move the city forward. She realizes that many of the

decisions they make are not easy ones. She ended that the remedy for everything we do in the city is found in the biblical verse II Chronicles 7:14.

Mayor Kennedy stated she is grateful for the movement on the *Lights Camera Action*. We have had so much support at the county, state and federal levels for all of our grants. The support is growing, and it starting to manifest now. She reiterated the *Trunk-or-Treat* events. These events offer a safe and fun place to bring your children to trick-or-treat. She thanked the city staff for presenting a balanced budget for the third year in a row without any increase to the tax levy. It took a lot of effort for us to get that far, and she thanked all of the staff for their work on it. Next, she agreed with Councilwoman Rayford about the Open Container law. It is a rampant problem all over the city. People sit on their front porches, they play cards and they walk around outside with open bottles. We need to work on it. And to the public, everyone needs to be mindful that you are not supposed to be carrying open bottles.

She thanked DPW for the work the department is doing. She is amazed at the number of streets that are being repaved this year. Last, she thanked all of the people who have been praying for her health. She stated that the prayers are working, and she has been feeling better.

This portion of the meeting was closed.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 10:10 P.M.

Respectfully Submitted,

KATRINA COTTEN
DEPUTY CITY CLERK

RESOLUTION NO.: 264 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION SCHEDULING A PUBLIC HEARING FOR NOVEMBER 14, 2016 TO RECEIVE COMMENTS CONCERNING THE ADOPTION OF THE 2017 BUDGET FOR THE CITY OF NEWBURGH

BE IT RESOLVED, by the Council of the City of Newburgh, New York that pursuant to Charter Section C8.15 a public hearing will be held to receive comments concerning the adoption of the 2017 Budget for the City of Newburgh; and that such public hearing be and hereby is duly set for a City Council meeting of the Council to be held at 7:00 p.m. on the 14th day of November, 2016, in the Third Floor Council Chambers, 83 Broadway, City Hall, Newburgh, New York.

RESOLUTION NO. 265 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION AUTHORIZING THE EXTENSION OF TIME TO CLOSE TITLE ON THE PROPERTY LOCATED AT 70 LIBERTY STREET WH (SECTION 48, BLOCK 5, LOT 35) SOLD AT PRIVATE SALE TO LAMONT STAPLES

WHEREAS, by Resolution No.: 103-2016 of April 25, 2016, the Council of the City of Newburgh, New York, authorized the sale of 70 Liberty Street WH (Section 48, Block 5, Lot 35) to Lamont Staples; and

WHEREAS, the City Manager granted the sixty (60) day allotted extension to close title on said premises on or before September 22, 2016; and

WHEREAS, we have been advised by the purchaser's attorney that the lender requires additional time to close; and

WHEREAS, Mr. Staples shall be an owner-occupant of such premises; and

WHEREAS, this Council has determined that granting the requested extension would be in the best interests of the City of Newburgh and the future homeowner;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that an extension of time to close title for the property located at 70 Liberty Street WH is hereby authorized until December 31, 2016.

RESOLUTION NO.: 266 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN AS 80 CLINTON STREET (SECTION 10, BLOCK 1, LOT 19) AT PRIVATE SALE TO CAINE BUDELMAN FOR THE AMOUNT OF $28,000.00

WHEREAS, the City of Newburgh has acquired title to several parcels of real property by foreclosure *In Rem* pursuant of Article 11 Title 3 of the Real property Tax law of the State of New York; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law the City may sell properties acquired by foreclosure *In Rem* at private sale; and

WHEREAS, the City of Newburgh desires to sell 80 Clinton Street, being more accurately described as Section 10, Block 1, Lot 19 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh to sell said property to the prospective buyer for the sum as outlined below, and upon the same terms and conditions annexed hereto and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH,** such sums are to be paid on or before January 13, 2017, being approximately ninety (90) days from the date of this resolution; and

Property address	**Section, Block, Lot**	**Purchaser**	**Purchase Price**
80 Clinton Street	10 – 1 – 19	Caine Budelman	$28,000.00

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the parcel is not required for public use.

Terms and Conditions Sale
80 Clinton Street, City of Newburgh (10-1-19)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2016-2017, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2016-2017, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE**. **The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of $250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration**.
6. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
7. Notice is hereby given that the property lies within the East End Historic District as designated upon the zoning or tax map. This parcel is being sold subject to all provision of law applicable thereto and

it is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance with same.

8. Notice is hereby given that the property is vacant and unoccupied. This parcel is being sold subject to the City's Vacant Property Ordinance and all provisions of law applicable thereto. At closing, the purchaser will be required to register the property and remit the vacant property fee. It is the sole responsibility of the purchaser to redevelop such parcel in accordance with same.
9. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
10. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
11. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
12. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before January 13, 2017. *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of $250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
13. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall <u>not</u> be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
14. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
15. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, buyer's premium, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**
16. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City

may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

17. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least ten (10) days in advance of closing title and approved by the City's Engineer.
18. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
19. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

Purchase Proposal Summary

Location:	**80 Clinton Street (between Grand & Liberty)**
Tax Map Number:	10-1-19
Property Class:	210—One Family Residential
Zoning:	RL—Residential Low Density; East End Historic District
Description:	Detached single family home—Year built: 1900; 1088sf; 2 bedrooms; lot size: 25 x 118
Condition:	Poor
Assessed Value:	$ 37,300
Annual Taxes:	$ 1,958+/-
Selling Price:	$ 26,110 @ 70%

The city acquired this property: March 2016

Offer Information:

Name:	Caine Budelman
Offer Price:	**$ 28,000**
Proof of Financing:	Charles Schwab brokerage accounts.
Comments:	The purchaser currently lives in Brooklyn but plans to relocate to Newburgh and reside at 80 Clinton Street.

The house is in poor condition and needs to be completely renovated. There are mold issues in the partially finished basement area. The kitchen and baths need to be redone. The windows and roof need to be replaced. There is a large tree in the rear yard that needs to be removed or trimmed.

The house is relatively compact (only 1088sf) and has only two bedrooms, but it has great potential. Plus, it is located in the heart of the East End Historic District.

Interior Photos

Rear of house

Rear Yard

RECEIVED 9/19/16

Proposal Form

Contact Information:

Name: Caine Buckelman
Business Name (If Applicable): _____
Address: 941 Decatur St. Apt. 1B
City, State & Zip: Brooklyn, NY 11216
Home phone: _____
Business Phone: _____
Mobile Phone: 303 931 0098
E-mail: caineb@gmail
Federal I.D. No. (If Available): _____

Property Ownership Information:

Do you own – as an individual, member of an LLC, partner in a partnership or officer in a corporation - any properties in the City of Newburgh? Yes___ No X

Are any of these properties vacant and/or currently listed on the City of Newburgh's Vacant Building Registry? Yes ____ (attach explanation) No X

Please list **all** of the addresses of properties you own in the City of Newburgh. Also indicate if any of these properties are vacant. (You may attach a list of the properties if the space below is inadequate.):

_____
_____
_____
_____
_____
_____
_____

Are you current on all municipal obligations (taxes, water charges, etc.)?
Yes X No ___ (attach explanation)

Do you have any outstanding code violations for properties owned in the City of Newburgh?
Yes_____ (attach explanation) No X

Have you had a previous tax foreclosure on a property owned by you in the City of Newburgh? Yes _____ (attach explanation) No X

Individual Property Bid Sheet

Information on Bid Property:
(If you are bidding on more than one property, please submit a completed copy of this page for **each** bid property. Only one copy of the other pages in this application is required even if you are bidding on multiple properties.)

Property Address: 80 Clinton St.

S-B-L#: 10-1-19

Type of Project:

X Single Family

____ Multi-Family (# of Units____)

____ Mixed Use (Commercial & Residential - # of Residential Units ____)

Will the property be occupied by the purchaser: Yes X No____

____ Commercial ____ Industrial

____ Vacant Land (Proposed Use:_____)

Offer Purchase Price: $ 28,000
(An offer of at least the minimum purchase price is recommended. The "Offer Purchase Price" cannot be left blank.)

Does or will your proposal conform to existing zoning? Yes X No____

Renovation Estimate - How much do you anticipate investing in this project for renovations? Please consider in your estimate that most vacant properties need significant repairs before they can be occupied again. This estimate can be revised once you have obtained entry to the property. A more detailed repair cost estimate will be required after interior access. Do not include renovation cost estimate in the "Offer Purchase Price" listed above: **$** 83,000

Who will be doing the work? ____Self X Other (complete below)

Please keep in mind that the City of Newburgh requires electrical and plumbing work to be performed by City of Newburgh licensed electricians and plumbers.

General Contractor: TBA
Architect: _____
Engineer: _____

Finances:
(Applicant should provide not only sources of funding for the purchase of the property but also sufficient funding for the rehabilitation and/or development of the property.)

I am providing:
___ Personal Financial Statement
___ Letter from Lender/Investor
_X_ Personal or Business Bank Statement
___ Evidence of project funding
___ Developers should provide three years financial statements

What You Should Attach:

- Description of renovation plan with preliminary budget
- Verification of financial capacity
- Explanation of any tax delinquency/code violations/vacant building (if applicable)

Business Relationship:

Have you had a "business relationship" as defined in Chapter 34, Article 2 (B) (2) of the municipal code, with any City elected official in the 12 months prior to the due date of this proposal? Yes____ No__X__

INFORMATION RELEASE:

It is our intent that all personal financial information submitted with this proposal to the Department of Planning and Development shall be considered confidential. I hereby authorize the City of Newburgh Department of Planning and Development to obtain credit reports (by completing a PathStone Credit Report Authorization Form) and verify information supplied as part of this proposal. All information provided is true and accurate to the best of my knowledge.

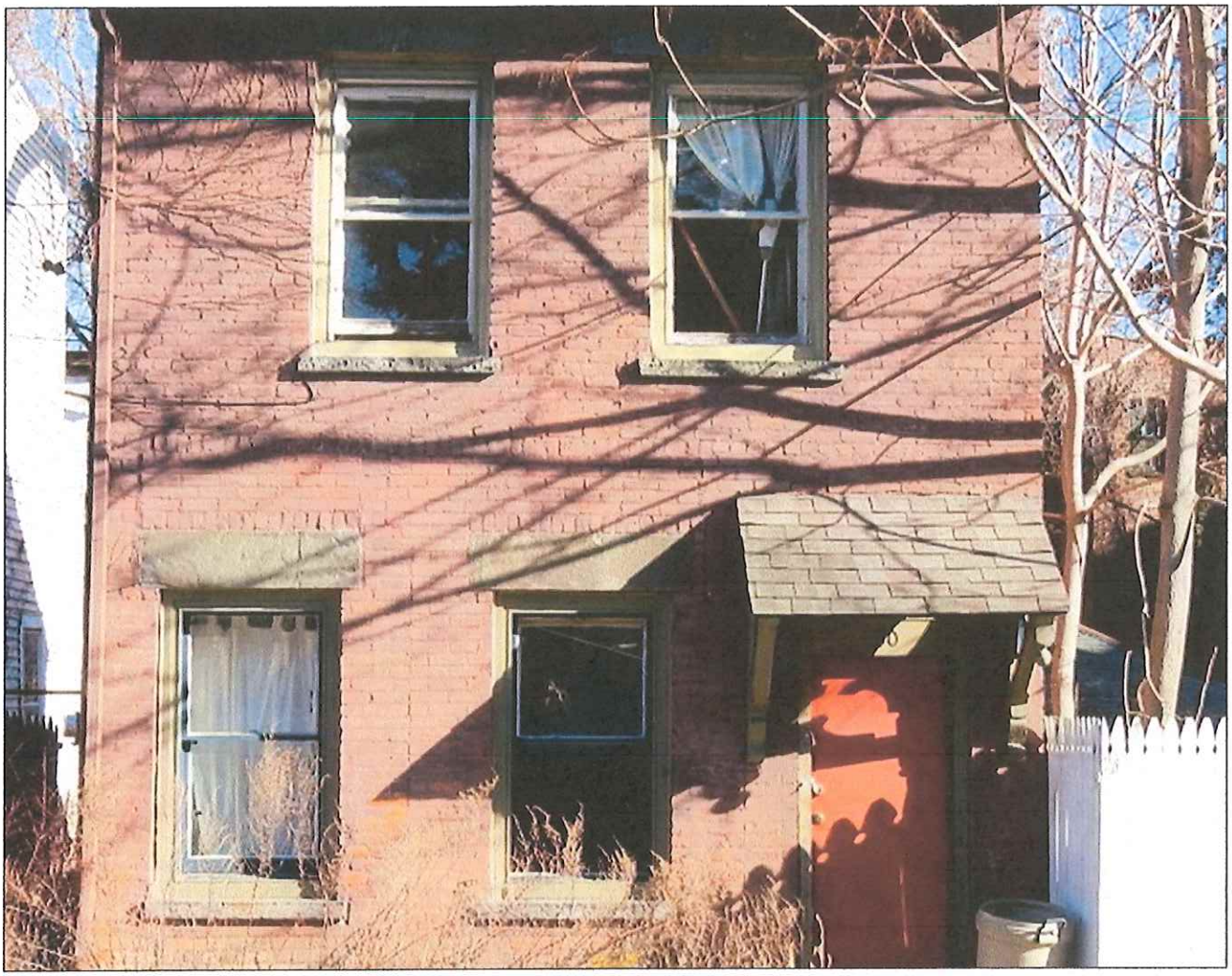
Caine Budelman 9/13/16
Signature Date

Caine Budelman Social Security #[redacted] Date of Birth[redacted]
Print Name

Submit Application to:

Department of Planning & Development
City Hall – 83 Broadway
Newburgh NY 12550

CAINE BUDELMAN



Project Proposal

Prepared for: City of Newburgh
Prepared by: Caine Budelman
September 13, 2016
80 Clinton St.
Newburgh, NY

SUMMARY

Objective

Return 80 Clinton to a habitable and aesthetically pleasing residence.

Goals

A six to eight month gut renovation involving every component of the building.

Solution

Assembling a team of qualified subcontractors to complete a partial renovation of the specialized components of the project. This would include: demolition, roof, electrical, plumbing and possibly windows. The remaining renovation would be completed by myself, including most of the interior of the home (not including plumbing and electrical) once the exterior has been weather proofed. Im a working fabricator specializing in carpentry and metal work.

Project Outline

My plan would be to close on the property as soon as possible to expedite exterior work before the first snow fall.

- The demolition, roof and windows would be completed first, ideally before December 1 or the first snow. This would insure a dry and weather proof structure for the coming winter.
- Next, the electrical, plumbing, and heating systems require a complete renovation.
- The remaining carpentry, flooring, most of the landscaping and the finish details would be completed by myself.
- A summer completion date is targeted

BUDGET

Estimated Cost

Below is an itemized estimate of the costs of the renovation. These numbers were approximated with the help of a fellow Newburgh homeowner currently restoring a home.

Description	Cost	
Roof	$	6,000
Windows	$	12,000
Heating	$	7,000
Electrical	$	9,000
Plumbing	$	7,000
Interior Fixtures	$	3,500
Kitchen (including appliances)	$	7,500
Flooring	$	5,000
Demolition	$	3,000
Landscaping	$	3,000
Foundation	$	5,000
Drywall/Insulation	$	6,000
Baths	$	4,000
Porches and Decks	$	5,000
Total	**$**	**83,000**

Show All Schwab Accounts

Page last updated: 09:51 AM ET, 09/06/2016 Refresh Print

All Brokerage Accounts

Total Accounts Value *	Total Cash & Cash Investments	Total Market Value	Day Change **
$262,414.90	**$1,691.85**	**$260,723.05**	**+$344.03 (0.13%)**

Brokerage Accounts

Name	Account	Cash & Cash Investments	Account Value	Day Change **	Next Steps
Caine Invest.	[redacted]	$58.91	$58.91	+$0.00 (0%)	
Caine IRA	[redacted]	$190.11	$190.11	+$0.00 (0%)	
Individual	[redacted] IA	$253.69	$260,976.74	+$344.03 (0.13%)	
Individual	[redacted] IA	$1,189.14	$1,189.14	+$0.00 (0%)	
Totals		**$1,691.85**	**$262,414.90**	+$344.03 (0.13%)	All Positions

Account Services

Statements & Reports
Change mailing address
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*Total Accounts Value includes the value of all accounts, which may include PCRA, that are presented in the Account Selector brokerage account list or in the Brokerage Accounts module displayed on this page.

**The Account Day Change ($) and (%) are based on the difference between the sum of the current market value of all positions plus the current cash balances less the previous closing values for positions and cash balances. The Account Day Change will be available until one hour prior to the next market open.

1. Annuity contract values appearing on the Balances page have been prepared by the insurance company issuing the Annuity. Although this contract value information was received from reliable sources, Charles Schwab cannot guarantee the accuracy of the information. In addition, annuity contract values may be different from those shown on the websites of the annuity's issuing insurance company, accessible though Schwab.com due to variations in the timing of system updates.

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Unlike a CD that is an FDIC-insured bank product, an insurance company product is not FDIC-insured and its guarantees are only as strong as its future claims-paying ability. Consult an insurance company's ratings for financial strength and read its contract before investing.

(0316-0509)

Brokerage Products: Not FDIC Insured No Bank Guarantee May Lose Value

Account: 6106-3416
Today's Date: 09:51 AM ET, 09/06/2016

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RESOLUTION NO.: 267 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN AS 266 CARPENTER AVENUE (SECTION 7, BLOCK 7, LOT 42) AT PRIVATE SALE TO SUZANNE TIMMER FOR THE AMOUNT OF $30,500.00

WHEREAS, the City of Newburgh has acquired title to several parcels of real property by foreclosure *In Rem* pursuant of Article 11 Title 3 of the Real property Tax law of the State of New York; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law the City may sell properties acquired by foreclosure *In Rem* at private sale; and

WHEREAS, the City of Newburgh desires to sell 266 Carpenter Avenue, being more accurately described as Section 7, Block 7, Lot 42 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh to sell said property to the prospective buyer for the sum as outlined below, and upon the same terms and conditions annexed hereto and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH,** such sums are to be paid on or before January 13, 2017, being approximately ninety (90) days from the date of this resolution; and

Property address	**Section, Block, Lot**	**Purchaser**	**Purchase Price**
266 Carpenter Avenue	7 – 7 – 42	Suzanne Timmer	$30,500.00

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the parcel is not required for public use.

Terms and Conditions Sale
266 Carpenter Avenue, City of Newburgh (7-7-42)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2016-2017, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2016-2017, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE**. **The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of $250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration**.
6. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
7. Notice is hereby given that the property is vacant and unoccupied. This parcel is being sold subject to the City's Vacant Property Ordinance and all provisions of law applicable thereto. At closing, the

purchaser will be required to register the property and remit the vacant property fee. It is the sole responsibility of the purchaser to redevelop such parcel in accordance with same.

8. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
9. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
10. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
11. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before January 13, 2017. *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of $250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall <u>not</u> be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
13. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
14. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, buyer's premium, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**
15. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least ten (10) days in advance of closing title and approved by the City's Engineer.
17. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
18. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

Purchase Proposal Summary

Location:	**266 Carpenter Avenue (between Gidney & Marne)**
Tax Map Number:	7-7-42
Property Class:	210—One Family Residential
Zoning:	RL—Residential Low Density
Description:	Detached single family home—Year built: 1900; 1432sf; 3 bed rooms with 2 baths; lot size: 75 x 211 x 75 x 219
Condition:	Fair/Poor
Assessed Value:	$ 64,700
Annual Taxes:	$ 3,396+/-
Selling Price:	$ 19,410 @ 30%

The city acquired this property: October 2013

Offer Information:

Name:	Suzanne Timmer
Offer Price:	**$ 30,500**
Construction Estimate:	$ 49,500
Proof of Financing:	Orange Bank & Trust account; American Funds Investment ac count.

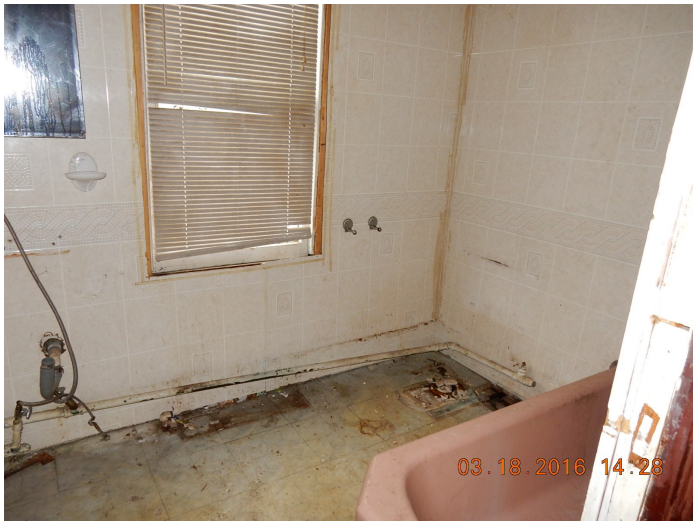
Comments: The house needs extensive renovation: the heating system has been removed; plumbing pipes torn out; roof and soffits need repair; kitchen needs to be renovated; the baths need extensive repairs; there are some settlement issues along the rear side of the house and several windows need to be replaced. The house has been sitting vacant for a few years now. It has become an eyesore for the neighboring properties and is deteriorating more each month.

The purchaser and her husband operate a construction company called Balanced Builders. They are currently renovating 37 Hasbrouck Street to be a home for their business. Since they have been doing more and more work in the City of Newburgh, they wanted to move to Newburgh. They plan to reside in this house on Carpenter Avenue. They are experienced building contractors and have submitted a solid renovation proposal for this home.

03.18.2016 14:27

03.18.2016 14:27

03.18.2016 14:27


03.18.2016 14:28

03.18.2016 14:27

RECEIVED 9/14/16

Proposal Form

Contact Information:

Name: Suzanne Timmer
Business Name (If Applicable):
Address: 20/22 Garden Place
City, State & Zip: Beacon, NY 12508
Home phone: 845.551.9955
Business Phone: "
Mobile Phone: "
E-mail: smarietimmer@gmail.com
Federal I.D. No. (If Available):

Property Ownership Information:

Do you own – as an individual, member of an LLC, partner in a partnership or officer in a corporation - any properties in the City of Newburgh? Yes ✓ No ___

Are any of these properties vacant and/or currently listed on the City of Newburgh's Vacant Building Registry? Yes ___ (attach explanation) No ✓

Please list **all** of the addresses of properties you own in the City of Newburgh. Also indicate if any of these properties are vacant. (You may attach a list of the properties if the space below is inadequate.):

37 Hasbrouck, purchased June 2016
41 Hasbrouck, purchased August 31, 2016

Are you current on all municipal obligations (taxes, water charges, etc.)?
Yes ✓ No ___ (attach explanation)

Do you have any outstanding code violations for properties owned in the City of Newburgh?
Yes ✓ (attach explanation) No ___ We have a side walk violation @ 41 Hasbrouck. We are meeting w/ Dept. of Health and City Building Inspector to follow up.

Have you had a previous tax foreclosure on a property owned by you in the City of Newburgh? Yes ___ (attach explanation) No ✓

Information on Bid Property:

Property Address: 2666 Carpenter

S-B-L#: 7-7-42

Type of Project:

✓ Single Family

____ Multi-Family (# of Units___)

____ Mixed Use (Commercial & Residential - # of Residential Units ___)

Will the property be occupied by the purchaser: Yes ✓ No____

____ Commercial ____ Industrial

____ Vacant Land (Proposed Use:_____

Revised Offer Purchase Price: $ 30,500
(Revised Offer Purchase Price must be rounded to the nearest $500.)

Suzanne Timmer
Signature

Suzanne Timmer
Print Name

9/28/16
Date

Individual Property Bid Sheet

Information on Bid Property:
(If you are bidding on more than one property, please submit a completed copy of this page for **each** bid property. Only one copy of the other pages in this application is required even if you are bidding on multiple properties.)

Property Address: 266 Carpenter

S-B-L#: 7-7-42

Type of Project:

✓ Single Family

____ Multi-Family (# of Units___)

____ Mixed Use (Commercial & Residential - # of Residential Units ___)

Will the property be occupied by the purchaser: Yes ✓ No____

____ Commercial ____ Industrial

____ Vacant Land (Proposed Use:_____)

Offer Purchase Price: $ 19,410 REVISED
(An offer of at least the minimum purchase price is recommended. The "Offer Purchase Price" cannot be left blank.)

Does or will your proposal conform to existing zoning? Yes ✓ No____

Renovation Estimate - How much do you anticipate investing in this project for renovations? Please consider in your estimate that most vacant properties need significant repairs before they can be occupied again. This estimate can be revised once you have obtained entry to the property. A more detailed repair cost estimate will be required after interior access. Do not include renovation cost estimate in the "Offer Purchase Price" listed above: **$** Please see Attachment I

Who will be doing the work? ✓ Self ✓ Other (complete below)

Please keep in mind that the City of Newburgh requires electrical and plumbing work to be performed by City of Newburgh licensed electricians and plumbers.

General Contractor: Michael Conners, Balanced Builders
Architect: _____
Engineer: _____

Examples of Purchaser's Previous Renovation or Development Experience:
(Alternatively, applicants can attach a list of renovated properties or development experience that contains the information listed below.)

	Property/Project No. 1	Property/Project No. 2
Property Address: Please list all addresses (not merely project name). Include street number, street, city and zip code.	20 Garden Place Beacon, NY 12508	Old Forge Road Kent, NY 10512
Role (i.e. owner, partner, general contractor, architect, investor.)	Owner	General Contractor
Type of Project: (i.e. new construction, existing building requiring substantial rehabilitation or moderate rehabilitation.)	Existing structure requiring substantial renovation and new construction	Existing structure requiring substantial renovation and new construction
Property Type: (i.e. single-family, multi-family rental or commercial.)	Single Family	Single Family
Number of Buildings in Project	1	1
Total Number of Residential Units in Project/Building	1	1
If commercial, total square footage of project		
Total Estimated Development/Rehabilitation Costs	$200,000	$500,000
Current Status of Building (Pre-development, under construction/renovation or completed - include date completed.)	Under construction	Complete
Government Program, if any (provide name of program and agency, name and current phone of reference.)		

Finances:
(Applicant should provide not only sources of funding for the purchase of the property but also sufficient funding for the rehabilitation and/or development of the property.)

I am providing:
___ Personal Financial Statement
___ Letter from Lender/Investor
___ Personal or Business Bank Statement
✓ Evidence of project funding
___ Developers should provide three years financial statements

What You Should Attach:

- Description of renovation plan with preliminary budget
- Verification of financial capacity
- Explanation of any tax delinquency/code violations/vacant building (if applicable)

Business Relationship:

Have you had a "business relationship" as defined in Chapter 34, Article 2 (B) (2) of the municipal code, with any City elected official in the 12 months prior to the due date of this proposal? Yes____ No✓

INFORMATION RELEASE:

It is our intent that all personal financial information submitted with this proposal to the Department of Planning and Development shall be considered confidential. I hereby authorize the City of Newburgh Department of Planning and Development to obtain credit reports (by completing a PathStone Credit Report Authorization Form) and verify information supplied as part of this proposal. All information provided is true and accurate to the best of my knowledge.

Suzanne Timmer _____ 9/1/16
Signature Date

Suzanne Timmer Social Security #[redacted] Date of Birth: [redacted]
Print Name

Submit Application to:

Department of Planning & Development
City Hall – 83 Broadway
Newburgh NY 12550

Attachment I

266 Carpenter Renovation Plans - Suzanne Timmer

Phase I – From 3-6 months

Address Roof Leaks • Remove Asphalt Roof – Approximately 14sq. o Install 4-6" SIPS on ceiling for insulation o Reroof and trim	$7,000.00
Install New Electric Service (from 150amps to 200amps)	$1,500.00
Plumbing • Re plumb kitchen and 2nd Fl bathroom	$2,500.00
Install New Heating System • Navien Combi Unit (150amps)	$10,000.00
Replace Entry & Kitchen Floor	$1,500.00
Gut and Renovate Kitchen • Appliances • Cabinets	$6,000.00
Gut and Renovate 2nd Fl Bath • New sink and toilet	$5,000.00
Replace Windows (where needed)	$2,000.00
Floors Sanded and Oiled	Homeowner Labor
Phase I Total:	**35,500.00***

Phase II – within 18 months

Replace Aluminum Siding with Clapboard • Add exterior insulation	$8,000.00
Renovate Rear Addition • Restore Foundation • Renovate Bathroom • Renovate Bedroom/Office	$6,000.00
Project Total:	**49,500.00****

* Home will be occupied at end of Phase I
* Cost includes materials only. We will provide labor.

ORANGE Bank&Trust COMPANY Member FDIC

**********AUTO**SCH 3-DIGIT 125
393 0.3980 AT 0.399 2 1 5

SUZANNE TIMMER
20 GARDEN PLACE
BEACON NY 12508-2906

08/10/16

[redacted]

PG 1

CYCLE-009

*** CHECKING *** MONEY MARKET ACCT 12
ACCOUNT NUMBER 0008460943

PREVIOUS STATEMENT BALANCE AS OF 07/31/16			.00
PLUS	2	DEPOSITS AND OTHER CREDITS	64,002.99
LESS	2	CHECKS AND OTHER DEBITS	15,643.80
CURRENT STATEMENT BALANCE AS OF 08/10/16			48,359.19

NUMBER OF DAYS IN THIS STATEMENT PERIOD 10

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
08/01	DEPOSIT		64,000.00
08/02	CANADIAN ITEM COLLECTION FEE	15.00	
08/09	CAN. ITEM EXCHANGE RATE 8/1/16	15,628.80	
08/10	INTEREST PAYMENT		2.99

	TOTAL FOR THIS PERIOD	TOTAL YEAR-TO-DATE
TOTAL OVERDRAFT FEES	.00	.00
TOTAL RETURNED ITEM FEES	.00	.00

*** BALANCE BY DATE ***

07/31	.00	08/01	64,000.00	08/02	63,985.00	08/09	48,356.20
08/10	48,359.19						

PAYER FEDERAL ID NUMBER..... 14-0945678
INTEREST PAID YEAR TO DATE..... 2.99

*** INTEREST EARNED THIS STATEMENT PERIOD ***
INTEREST EARNED 2.99
ANNUAL PERCENTAGE YIELD EARNED 0.18%

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NEW YORK NY 10004-1607

AB 01 006289 17076 H 34 C

SUZANNE TIMMER
20 GARDEN PL
BEACON NY 12508-2906

Account Statement

March 31, 2016

PLAN ID
[redacted]

SSN
XXX-XX-5678

PLAN SPONSOR
Internationals Network 401K Plan

YOUR FINANCIAL PROFESSIONAL
Vasilios K Danas
(718) 688-3944

PRUCO SECURITIES, LLC
8212 151ST AVE
HOWARD BEACH NY 11414-1793

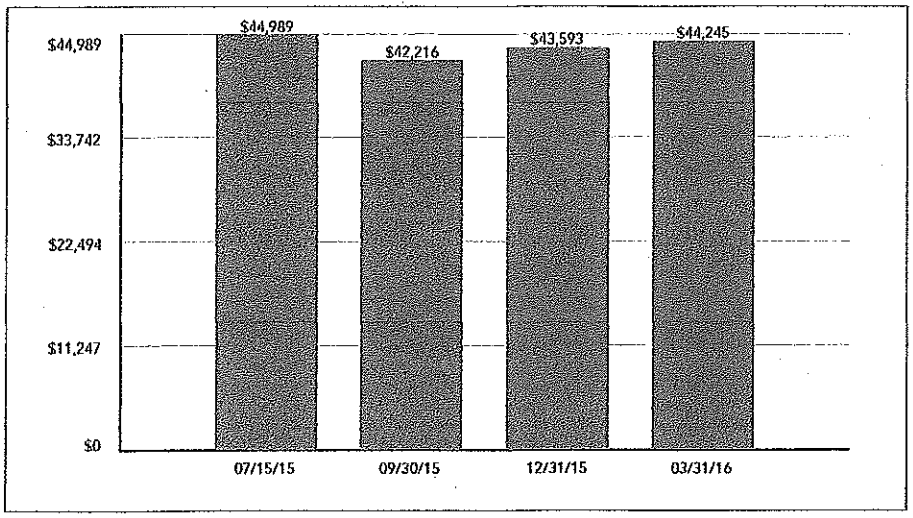
Total value of your account $44,245.06

Vested balance as of 03/31/16 $44,245.06

	Since initial investment on 07/15/2015	Year-to-date since 01/01/2016
Beginning balance	$44,988.72	$43,592.70
+ Contributions	$0.00	$0.00
± Investment gain/decline	-$743.66	$652.36
– Withdrawals	$0.00	$0.00
– Plan fees	$0.00	$0.00
Ending balance as of 03/31/16	**$44,245.06**	**$44,245.06**
	Annualized	
Personal rate of return	**-1.75%**	**1.50%**

Need help reading your statement or defining key terms? Go to **americanfunds.com/retire**, log in to your account and click on the "View My Statements" link to access more helpful information.

Your account value history



Understanding Your Investments

Learn more about reviewing your retirement goals and contributions, considering what mutual fund mix is right for you and seeing if there's a simplified approach to retirement investing in the enclosed issue of "Retirement News."

For more account information

By Internet
americanfunds.com/retire

Automated phone service
(24 hours/day)
(877) 833-9322

Retirement plan services representative
8:00 a.m. to 8:00 p.m.
Eastern time, M-F
(800) 421-6019

Call your financial professional
Vasilios K Danas
(718) 688-3944

RESOLUTION NO.: 268 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN AS 37 CITY TERRACE (SECTION 29, BLOCK 4, LOT 14) AT PRIVATE SALE TO KENT DIEBOLT FOR THE AMOUNT OF $12,500.00

WHEREAS, the City of Newburgh has acquired title to several parcels of real property by foreclosure *In Rem* pursuant of Article 11 Title 3 of the Real property Tax law of the State of New York; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law the City may sell properties acquired by foreclosure *In Rem* at private sale; and

WHEREAS, the City of Newburgh desires to sell 37 City Terrace, being more accurately described as Section 29, Block 4, Lot 14, on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh to sell said property to the prospective buyer for the sum as outlined below, and upon the same terms and conditions annexed hereto and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchasers be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH,** such sums are to be paid on or before January 13, 2017, being approximately ninety (90) days from the date of this resolution; and

Property address	**Section, Block, Lot**	**Purchaser**	**Purchase Price**
37 City Terrace	29 – 4 – 14	Kent Diebolt	$12,500.00

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the parcel is not required for public use.

Terms and Conditions Sale
37 City Terrace, City of Newburgh (29-4-14)

STANDARD TERMS:

1. City of Newburgh acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The property is sold subject to unpaid school taxes for the tax year of 2016-2017, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2016-2017, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE**. **The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of $250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration**.
6. Notice is hereby given that the property lies within the East End Historic District as designated upon the zoning or tax map. This parcel is being sold subject to all provision of law applicable thereto and it is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance with same
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before January 13, 2017. *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of $250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
11. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall <u>not</u> be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
12. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
13. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, buyer's premium, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**
14. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.
15. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
16. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed.

17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

Purchase Proposal Summary

Location:	**37 City Terrace (between Van Ness & First)**
Tax Map Number:	29-4-14
Property Class:	439—Small parking garage
Zoning:	RL—Residential Medium Density; East End Historic District
Description:	Detached Garage (440sf)—lot dimensions: 22 x 95
Condition:	Fair
Assessed Value:	$ 13,500
Annual Taxes:	$ 795 +/-
Selling Price:	$ 10,800

The city acquired this property: March 2016

Offer Information:

Name:	Kent Diebolt
Offer Price:	**$ 12,500**
Construction Estimate:	$ 5,200 +/-
Proof of Financing:	CFCU Community Credit Union statement.

Comments: The purchaser owns and lives at a condominium unit in the Foundry in the City of Newburgh. The purchaser wants to acquire 37 City Terrace for its additional storage space. The building appears to be a two-bay garage but one of the bays is sealed by concrete blocks. Only one bay is useable for car storage. There are several abandoned cars on the property which must be removed by the purchaser. There is also some debris in the building.

Interior photos

Proposal Form

RECEIVED 9/23/16

Contact Information:

Name: Kent Slater Dieboldt
Business Name (If Applicable): _____
Address: 70 Johnes St., #401-S
City, State & Zip: Newburgh, NY 12550
Home phone: _____
Business Phone: _____
Mobile Phone: 607.227.3366
E-mail: kent@vertical-access.com
Federal I.D. No. (If Available): _____

Information on Bid Property:

Property Address: 37 City Terrace, Newburgh, NY 12550

SBL#: 29-4-14

Order of Preference: (If submitting more than one proposal): _____

Type of Project:

____ Single Family Yes____ No____

____ Multi-Family Yes____ No____ # Units:____

____ Commercial ____ Industrial

Offer Purchase Price: $ 12,500

Does your proposal conform with existing zoning? Yes X No____

Renovation Estimate - How much do you anticipate investing in this project for renovations? Do not include offer purchase price: $ 5-7000

Who will be doing the work? X Self ___Other (complete below)

Please keep in mind that the City of Newburgh requires electrical and plumbing work to be performed by City licensed electricians and plumbers.

General Contractor: _____
Architect: _____
Engineer: _____

Examples of Purchaser's Previous Renovation or Development Experience:
(Alternatively, applicants can attach a list of renovated properties or development experience that contains the information listed below.)

	Property/Project No. 1	Property/Project No. 2
Property Address: Please list all addresses (not merely project name). Include street number, street, city and zip code.	369 Asbury Rd Freeville, NY 13068	See attached
Role (i.e. owner, partner, general contractor, architect, investor.)	owner / G.C.	G.C.
Type of Project: (i.e. new construction, existing building requiring substantial rehabilitation or moderate rehabilitation.)	Exist'g building w/ substantial add'n. new office, shop & storage bldg. (3872 sq. ft.)	New construction, Remodel, additions
Property Type: (i.e. single-family, multi-family rental or commercial.)	single family + "home office"	Single family
Number of Buildings in Project	3, total	many
Total Number of Residential Units in Project/Building	One	
If commercial, total square footage of project	3872 s.f. new con	
Total Estimated Development/Rehabilitation Costs	250,000	
Current Status of Building (Pre-development, under construction/renovation or completed - include date completed.)	In use completed 2015	in use
Government Program, if any (provide name of program and agency, name and current phone of reference.)	none	none

Do you (or your contractor) have a history of tax delinquency or code violations in the City of Newburgh? No X Yes_____ (attach explanation)

Finances:

I am providing:
___ Personal Financial Statement
X Letter from Lender/Investor (home equity L.O.C)
X Personal or Business Bank Statement
___ Evidence of project funding
___ Developers should provide three years financial statements

Business Relationship:

Have you had a "business relationship" as defined in Chapter 34, Article 2 (B) (2) of the municipal code, with any City elected official in the 12 months prior to the due date of this proposal? Yes____ No X

What You should Attach:

- Description of renovation plan with preliminary budget
- Verification of financial capacity
- Explanation of any tax delinquency/code violations (if applicable)

INFORMATION RELEASE:

It is our intent that all personal financial information submitted with this proposal to the Department of Planning and Development shall be considered confidential. I hereby authorize the City of Newburgh Department of Planning and Development to obtain credit reports and verify information supplied as part of this proposal. All information provided is true and accurate to the best of my knowledge.

KDeBoit
Signature

9.15.16
Date

Kent DeBoit
Print Name

SS# [redacted]

Date of Birth [redacted]

Submit Application to:

Department of Planning & Development
City Hall – 83 Broadway
Newburgh NY 12550

September 15, 2016

Kent Slade Diebolt
70 Johnes Street, #401E
Newburgh, NY 12550

To:
David Kohl
Department of Planning & Development
City Hall – 83 Broadway
Newburgh, NY 12550

Re: Renovation plan for a two-car garage at 37 City Terrace, Newburgh, NY

Description of renovation plan with preliminary budget:

Renovation of the building, which will be used for storage, is relatively straight-forward.

Phase of work	Cost
Clean out building and back yard	$2,000.00
Install electric service (100 Amp)	$1,500.00
Repair overhead door (rear)	$300.00
Install new overhead door	$1,200.00
Improve security at windows and doors	$200.00
Total for immediate renovations	$5,200.00

Verification of financial capability attached:
A letter from CFCU, confirming $150,000 line of credit and current checking account statement from Tompkins Trust Company, showing a balance of $65,851.

Explanation of tax delinquency/code violations:
Outstanding School Taxes are $462.04 and there are no outstanding codes violations on the property.

Sincerely,

KDiebolt

Kent Slade Diebolt

KSD Checking (13xxx7883)

Balance as of 09/13/2016

CURRENT BALANCE	AVAILABLE BALANCE	YTD INTEREST	INTEREST PAID LAST YEAR
$65,851.07	$65,851.07	$9.62	$5.42

AVAILABLE OVERDRAFT PROTECTION AMOUNT	INTEREST RATE	LAST INTEREST PAID
$0.00	0.046%	$1.89

08/12/2016 to 09/13/2016

Summary

Opening Balance		4 Deposits		12 Withdrawals		Unreported Deposits		Unreported Withdrawals		Closing Balance
$56,982.57	+	$32,393.24	-	$23,524.74	+	0	-	0	=	$65,851.07

There are 4 deposits totaling $32,393.24 and 12 withdrawals totaling $23,524.74

Date	Description	Withdrawal	Deposit	Available Balance
09/12/2016	AC-REI VISA -CR CD PMT CK-000000000001637	$2,683.46		$65,851.07
09/09/2016	AC-ROCKYMTN/PACIFIC-POWER BILL	$22.30		$68,534.53
09/07/2016	CHECK # 1636 View Check Image	$300.00		$68,556.83
09/06/2016	CHECK # 1632 View Check Image	$200.00		$68,856.83
09/06/2016	AC-Utah Property Ma-C PARKING	$105.00		$69,056.83
09/06/2016	DEPOSIT View Deposit Slip Image		$17,052.00	$69,161.83
09/01/2016	CHECK # 1634 View Check Image	$10,312.17		$52,109.83
08/30/2016	DEPOSIT View Deposit Slip Image		$5,000.00	$62,422.00
08/29/2016	XFER TO ACCT CK-XXXXXXXX1917	$4,325.00		$57,422.00
08/29/2016	DEPOSIT View Deposit Slip Image		$5,341.24	$61,747.00
08/22/2016	DEPOSIT View Deposit Slip Image		$5,000.00	$56,405.76
08/18/2016	AC-Alta Club -AltaClub	$85.74		$51,405.76
08/18/2016	CHECK # 1631 View Check Image	$50.00		$51,491.50
08/17/2016	WD FROM CK 8049 08/17 9:16 NEWBURGH NEWBURGH NY	$203.00		$51,541.50
08/16/2016	AC-CENTRAL HUDSON -WEB_PAY	$26.30		$51,744.50
08/15/2016	AC-REI VISA -CR CD PMT CK-000000000001630	$5,211.77		$51,770.80

Print Transactions

Pending transactions are marked with

Note: Transactions marked with a ! are 'memo' transactions that have not yet been officially posted to your account. Memo items may not post in the order shown. When these items officially post to your account, we will follow our regular posting order - We will first pay all Cash Items (Wires, checks cashed at our branches, ATM/Debit Card transactions from lowest to highest dollar amount), followed by Other Debits (ACH and remaining checks in lowest to highest dollar amount order), and lastly any fees and other charges. Credits will continue to be processed before debits. If you have questions regarding your account transactions, please call us at 888 273 3210. If you have questions regarding your Internet banking account, please call us at 888 300 0110 or click on the email button at the top of the screen

- "Use the print icon located at the bottom of the data table to ensure all rows are printed."

RESOLUTION NO.: ___269_____ - 2016

OF

OCTOBER 11, 2016

A RESOLUTION DEDICATING A PORTION OF SECOND STREET FROM MONTGOMERY STREET TO COLDEN STREET AND A PORTION OF COLDEN STREET FROM SECOND STREET TO THE RIVER ROAD AS RICHARD F. "DICKIE" PETERSON WAY

WHEREAS, Richard Frank "Dickie" Peterson, Jr. 1944-2016, was a Newburgh businessman, artist, sportsman and community friend. A graduate of Newburgh Free Academy, Dickie attended St. Augustine College and went on to law school at North Carolina Central University in Durham, NC, SUNY, Old Westbury, NY and the Quality Institute of Detroit, MI. He married Hattie Mae Carter Peterson in 1969 and moved back to Newburgh, NY where he worked for Allstate Insurance for over 30 years; and

WHEREAS, Mr. Peterson dedicated his life to serving the City of Newburgh in many capacities including the Newburgh Enlarged City School District Strategic Planning Committee, and the Community Redevelopment Planning Committee. He was Deputy Mayor of the City and at one time Chairman of the Community Block Grant. In recent years he headed the "Colored" Cemetery Planning Committee for the archaeological study of and re-interment of skeletal remains uncovered in the renovation of the City Court House. He was a lifetime member of the NAACP and served as Vice President and was named Man of the Year. He took the helm at Varick Homes HDFC when it was in crisis in 1992. He turned the properties around to be debt free by 2012, the first African American owned HUD property in New York State to hold that distinction and he maintained an inspection score of 90%; and

WHEREAS, Mr. Peterson was dedicated to the youth of Newburgh, contributing leadership to the Tennis League, Pop Warner and the Hook Incorporated Boxing Club among others. He was a key member of many sports teams including the Road Runners Men's Softball team; and

WHEREAS, Mr. Peterson was a Mason Shriner, and Past President Emeritus of Alpha Phi Alpha Fraternity Inc., Kappa Epsilon Lambda chapter, where he was a charter member for more than 50 years. He strived to be a model to the minority community through his businesses which included Peterson Insurance and Investments, Peterson Half Court Bar and Grill, Owner/Operator ALLSTATE Neighborhood Sales Office, Southern Comfort Soul Food Restaurant and Catering and Dickie's Quick Stop Wine and Liquor Store; and

WHEREAS, Mr. Peterson was a prolific artist. Since the age of nine he participated in various art presentations and contests. His work has been displayed at the Saratoga Summer Arts Festival, Newburgh Free Library, Newburgh City Hall, and the Ann Street Gallery;

NOW, THEREFORE, BE IT RESOLVED, in recognition of Mr. Peterson's outstanding service to the Newburgh Community, that the portion of Second Street from Montgomery Street to Colden Street and that portion of Colden Street from Second Street to the River Road be named in his honor, as the Richard F. "Dickie" Peterson Way, and that an unveiling of signage indicating this change be held, with appropriate ceremony, at a date to be designated by Mr. Peterson's family; and that a copy of this resolution be forwarded to Mr. Peterson's family, with greatest respect, from the entire Newburgh City Council; and

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized to effectuate the necessary and appropriate signage in keeping herewith.

Richard Frank “Dickie” Peterson, Jr. 1944-2016, was a Newburgh businessman, artist, sportsman and community friend. A graduate of Newburgh Free Academy, Dickie attended St. Augustine College and went on to law school at North Carolina Central University in Durham, NC, SUNY, Old Westbury, NY and the Quality Institute of Detroit, MI. He married Hattie Mae Carter Peterson in 1969 and moved back to Newburgh, NY where he worked for Allstate Insurance for over 30 years.

Dickie dedicated his life to serving the City of Newburgh in many capacities including the Newburgh Enlarged City School District Strategic Planning Committee, and the Community Redevelopment Planning Committee. He was Deputy Mayor of the City and at one time Chairman of the Community Block Grant. In recent years he headed the “Colored” Cemetery Planning Committee for the archaeological study of and re-interment of skeletal remains uncovered in the renovation of the City Court House. He was a lifetime member of the NAACP and served as Vice President and was named Man of the Year. He took the helm at Varick Homes HDFC when it was in crises in 1992. He turned the properties around to be debt free by 2012, the first African American owned HUD property in NY State to hold that distinction and he maintained an inspection score of 90%.

Mr. Peterson was dedicated to the youth of Newburgh, contributing leadership to the Tennis League, Pop Warner and the Hook Incorporated Boxing Club among others. He was a key member of many sports teams including the Road Runners Men’s Softball team.

Dickie was a Mason Shriner, and Past President Emeritus of Alpha Phi Alpha Fraternity Inc., Kappa Epsilon Lambda chapter, where he was a charter member for more than 50 years. He strived to be a model to the minority community through his businesses which included Peterson Insurance and Investments, Peterson Half Court Bar and Grill, Owner/Operator ALLSTATE Neighborhood Sales Office, Southern Comfort Soul Food Restaurant and Catering and Dickie’s Quick Stop Wine and Liquor Store.

Dickie was a prolific artist. Since the age of nine he participated in various art presentations and contests. His work has been displayed at the Saratoga Summer Arts Festival, Newburgh Free Library, Newburgh City Hall, and the Ann Street Gallery.

In recognition of Mr. Peterson’s outstanding service to the Newburgh Community we propose naming Second Street from Montgomery to Colden, and Colden from Second to the River Road in his honor, as Richard F. “Dickie” Peterson Way.

RESOLUTION NO.: 270 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED A SFY 2016-2017 NEW YORK STATE SENATE INITIATIVE GRANT IN THE AMOUNT OF $75,000.00 FROM SENATOR LARKIN FOR THE POLICE SURVEILLANCE CAMERA PROGRAM OF THE CITY OF NEWBURGH POLICE DEPARTMENT

WHEREAS, the City of Newburgh Police Department wishes to apply for a SFY 2016-2017 New York State Senate Initiative Grant in the amount of $75,000.00 from Senator Larkin for the Police Surveillance Camera Program; and

WHEREAS, funding will be utilized to purchase and install surveillance cameras in statistically higher violent crime areas; and

WHEREAS, such funding requires no City match; and

WHEREAS, this Council has determined that applying for such grant and accepting if awarded is in the best interests of the City of Newburgh and its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager be and he is hereby authorized to apply for and accept if awarded SFY 2016-2017 New York State Initiative Grant from Senator William Larkin in the amount of $75,000.00 for the Police Surveillance Camera Program by the City of Newburgh Police Department, with the appreciation and thanks of the City of Newburgh; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute any documents and to take appropriate action to effectuate the purposes of the grant and the program funded thereby.

Res for
10-6-16 WS

City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:
Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Coordinator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR		
NAME OF PROJECT FOR GRANT: Police Surveillance Camera Program	NAME OF DEPARTMENT REQUESTING GRANT: Police Department	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Daniel C. Cameron Chief of Police
NAME OF GRANT/NAME OF AWARDING AGENCY: NYS Senate Initiative SFY 2016-2017 (Senator Larkin) Administered by DCJS	GRANT SUBMITTAL DATE: September 19, 2016	AMOUNT OF AWARD: $75,000.00
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) NO	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: NONE	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS:
PROJECT PLAN: To utilize funding to purchase and install street surveillance cameras in locations shown statistically to have the highest number of violent crime incidents. Scope of Project: **Coordinate with City of Newburgh I.T. and outside vendors to purchase and install cameras.** Project Timeline: (ex. Dates) Dependent on the selection of camera vendor and installation vendor.		
SECTION B. FOR REVIEW BY CITY COMPTROLLER		

City of Newburgh

GRANT APPLICATION FORM

GRANT MATCH REQUIREMENT REVIEWED? YES/NO: **COMMENTS:**
IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO **COMMENTS:**
STAFFING ISSUES REVIEWED? YES/NO: **COMMENTS:**
ANY ADDITIONAL COMMENTS:
→ APPROVED BY CITY COMPTROLLER? YES/NO **CITY COMPTROLLER SIGNATURE:** Kathryn Mack **DATE:** **NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.**
SECTION C: FOR REVIEW BY CITY MANAGER
→ APPROVED BY CITY MANAGER? YES/NO **CITY MANAGER SIGNATURE:** **DATE:**
SECTION D: FOR REVIEW BY CORPORATION COUNSEL
→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO **CORPORATION COUNSEL SIGNATURE:** 9/20/14

City of Newburgh

GRANT APPLICATION FORM

DATE: 9/20/16

DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING:
Resolution will be prepared for 10/16 work session — Item must be entered int. Novus by ~~9/28~~ 9/28/16

Council approval at 10/11/16 meeting

Chapter No. of 2016 Page No. Line No.

SFY 2016-2017
NEW YORK STATE SENATE
INITIATIVE FORM

Legally Incorporated Name of Organization: City of Newburgh

Federal Employer Identification Number (EIN): 14-6002329

New York State Charities Registration Number:

Location of Project: City of Newburgh

County/Counties Served: Orange County

Description of Project: The City of Newburgh Police will utilize funding to purchase and install pole mounted street surveillance cameras. The police department, along with all of our project partners and our crime analyst, meet weekly to assess incidents of gun related violence and determine hotspot areas of increased incidents. Surveillance camera technology would be installed, as indicated by the crime data and intelligence, into these areas to provide real-time surveillance capabilities. The same analytical methods used to determine gun violence hotspots for targeted law enforcement interventions will be used to determine locations for cameras to optimize results. With cameras in place in areas determined to be at highest risk for violent crime, the Police Department will be able to more efficiently monitor these areas for violence, and in the event violent crime occurs, coordinate an appropriate and timely response while also utilizing video footage to aid in investigations.

An approximate cost for each site of $5,635.00 includes the camera, pole mounting equipment, camera license, support for cameras, weatherproof box and media converter. Additional cost of $3.20 per foot for fiber optic cable will be dependent on the locations of the cameras, which have yet to be determined.

Funding Level: $75,000

Requested State Agency to Administer Program: DCJS

Program Contact Information:

Name: Richard Carrion
Title: Lieutenant
Address: 55 Broadway

City: Newburgh **State:** New York **Zip: 12550**

Phone: (845) 569-7537 **Ext.**

Fax: (845) 562-5662

e-mail RCarrion@cityofnewburgh-ny.gov

Senator's Name: Larkin

Date: September 19, 2016

RESOLUTION NO.: 271 - 2016

OF

OCTOBER 11, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF $143,139.00 TO FUND A CITY OF NEWBURGH POLICE DETECTIVE IN SUPPORT OF THE NON-FATAL SHOOTINGS INITIATIVE PROGRAM

WHEREAS, the City of Newburgh has been awarded a New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant in the amount of $143,139.00; and

WHEREAS, such grant funding will be used to fully fund a City of Newburgh Police Detective position including fringe benefits and overtime to work with the Orange County District Attorney Investigator and the City's Crime Analyst in support of the Non-Fatal Shootings Initiative Program; and

WHEREAS, this Council has determined that accepting such grant would be in the best interests of the City of Newburgh and the City of Newburgh Police Department;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept from the New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant in the amount of $143,139.00 to fund a City of Newburgh Police Detective position in support of the Non-Fatal Shootings Initiative Program; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute any documents and to take appropriate action to effectuate the purposes of the grant and the program funded thereby.

City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:
Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Coordinator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR		
NAME OF PROJECT FOR GRANT: Non-Fatal Shootings Initiative Program	NAME OF DEPARTMENT REQUESTING GRANT: Police Department	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Daniel C. Cameron Chief of Police
NAME OF GRANT/NAME OF AWARDING AGENCY: Byrne Justice Assistance Grant (JAG) DCJS #BJ16637372	GRANT SUBMITTAL DATE: September 20, 2016	AMOUNT OF AWARD: ~~$132,272.00~~ 142,272.00
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) NO	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: NONE	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS:
PROJECT PLAN: Grant funding will be utilized to fully fund a City of Newburgh Police Detective position (including fringe and overtime) to work with an O.C. District Attorney investigator and crime analyst to support the Non-Fatal Shootings Initiative Program Scope of Project: **Assign a Detective to the position.** Project Timeline: (ex. Dates) Funding period is for one year. Funding period runs from 10/01/16 through 09/30/2017		
SECTION B. FOR REVIEW BY CITY COMPTROLLER		

City of Newburgh

GRANT APPLICATION FORM

GRANT MATCH REQUIREMENT REVIEWED? YES/NO:
COMMENTS: n/a
IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO
COMMENTS: n/a
STAFFING ISSUES REVIEWED? YES/NO:
COMMENTS: n/a
ANY ADDITIONAL COMMENTS: NO paperwork was submitted only award.
→ APPROVED BY CITY COMPTROLLER? YES/NO
CITY COMPTROLLER SIGNATURE: Kathryn Mahl
DATE: 9/27/16
NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.
SECTION C: FOR REVIEW BY CITY MANAGER
→ APPROVED BY CITY MANAGER? YES/NO
CITY MANAGER SIGNATURE:
DATE:
SECTION D: FOR REVIEW BY CORPORATION COUNSEL
→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO
CORPORATION COUNSEL SIGNATURE:

City of Newburgh

GRANT APPLICATION FORM

DATE: 9/28/16

Resolution for 10/6/16 W.S. + 10/11/16 Council meeting

DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING:

Byrne Justice Assistance Grant (JAG) Award
Grant Award Information Sheet

Grantee:	Newburgh, City of
Implementing Agency:	Newburgh City Police Department
GMS Project ID Number:	BJ16-1024-D00
DCJS #:	BJ16637372
Award Amount:	$132,272

Project Description: Funds to be used to support the Non-Fatal Shootings Initiative Program.

Important JAG regulations to remember when completing your application budget:

JAG funds cannot supplant existing expenses.

DCJS Contact: Katie Nastars
NYS Division of Criminal Justice Services
Office of Program Development and Funding
80 S. Swan Street
Albany, NY 12210
Phone: 518-457-6030
Fax: 518-485-2728

Federal Award Identification Information
Federal Fiscal Year of Funds: 2016
Catalog of Federal Domestic Assistance (CFDA) Title: Byrne Justice Assistance Grant (JAG)
CFDA Number: 16.738
Federal Agency: U.S. Department of Justice, Bureau of Justice Assistance

NEW YORK STATE | Division of Criminal Justice Services

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

September 16, 2016

Chief Daniel Cameron
Newburgh City Police Department
55 Broadway
Newburgh, NY 12550

Dear Chief Cameron:

I am pleased to notify you that a grant award in the amount of $132,272 is being offered to your agency to support the Non-Fatal Shootings Initiative Program for the period October 1, 2016 through September 30, 2017. This grant is provided through the appropriation of FFY 2016 Byrne/JAG funding in the 2016-2017 State Budget.

As a recipient of federal Byrne JAG funds, you are required to assure and certify compliance with all Federal and State statutes, regulations, policies, guidelines, and requirements. More specifically, as detailed by August 18, 2016 correspondence from DCJS Deputy Commissioner Jeffrey Bender, in order for DCJS to execute the contract for this grant award, your jurisdiction will have to have first certified its compliance with Title 8, United States Code, Section 1373.

Additionally, as a recipient of contracts supported by the Byrne/JAG funds, you are responsible for additional federal reporting requirements, as well as the standard quarterly progress reports filed in the NYS Division of Criminal Justice Services' (DCJS) Grants Management System (GMS). Federal award grant recipients are required to report quarterly in the federal Performance Measurement Tool (PMT) system to the federal Bureau of Justice Assistance on the required performance measures.

To receive this funding, applications for funding must be completed and submitted through the GMS within 30 days. Please contact DCJS Criminal Justice Program Representative Katie Nastars at (518) 457-6030 or by email at Katie.Nastars@dcjs.ny.gov to submit the application. Once the application and certification is received, DCJS will begin the grant contracting process.

Should you have any questions or need additional information, please contact Joann Tierney-Daniels at (518) 457-0002 or email Joann.TierneyDaniels@dcjs.ny.gov. We look forward to working with your office throughout this year.

Very truly yours,

Michael C. Green
Executive Deputy Commissioner

MCG/jtd/kmc
Attachments

Byrne Justice Assistance Grant (JAG) Award
Grant Award Information Sheet

Grantee:	Newburgh, City of
Implementing Agency:	Newburgh City Police Department
GMS Project ID Number:	BJ16-1070-D00
DCJS #:	BJ16632768
Award Amount:	$10,000

Project Description: To support a program that is within Byrne JAG guidelines.

Important JAG regulations to remember when completing your application budget:

JAG funds cannot supplant existing expenses.

DCJS Contact: Jamie Brough
NYS Division of Criminal Justice Services
Office of Program Development and Funding
80 S. Swan Street
Albany, NY 12210
Phone: 518-457-3776
Fax: 518-457-1186

Federal Award Identification Information
Federal Fiscal Year of Funds: 2016
Catalog of Federal Domestic Assistance (CFDA) Title: Byrne Justice Assistance Grant (JAG)
CFDA Number: 16.738
Federal Agency: U.S. Department of Justice, Bureau of Justice Assistance

Kelson, Michelle

From: Mack, Kathryn
Sent: Tuesday, September 27, 2016 4:22 PM
To: Kelson, Michelle
Cc: Cameron, Daniel; Reilly, Helen
Subject: Grant
Attachments: DCJS - Byrne JAG BJ16637372.pdf

Hi Michelle-

Attached is a routing for the latest grant that we were awarded. I have sent a number back to them for an increase to the budget which would equal $143,139 however I am not sure if that is going to come through since it appears that some award letters were already sent with a total of $142,272.

I am not sure if you already have information to quickly update into Novus or if I can do something to help.

Katie

RESOLUTION NO.: __272____-2016

OF

OCTOBER 11, 2016

A RESOLUTION AMENDING THE 2016 PERSONNEL ANALYSIS BOOK TO ADD A FULL-TIME ASSISTANT CHIEF IN THE FIRE DEPARTMENT

WHEREAS, the City staff has recommended adding a full-time Assistant Chief position in the Fire Department; and

WHEREAS, the City Council has determined that adding a full-time Assistant Chief position in the Fire Department will promote economy and efficiency within the Department; the same being in the best interests of the City of Newburgh; and

WHEREAS, a full-time Assistant Chief position in the Fire Department requires the amendment of the City of Newburgh Adopted Personnel Analysis Book for 2016 and funding for such positions will be derived from A.3620.0499.0000.0000- FINANCIAL PLAN SAVINGS;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for 2016 be and is hereby amended to add a full-time Assistant Chief position in the Fire Department with funding to be derived from A.3620.0499.0000.0000- FINANCIAL PLAN SAVINGS.

RESOLUTION NO.: __273____ - 2016

OF

OCTOBER 11, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH EXPRESSING CONCEPTUAL SUPPORT FOR THE APPLICATION OF MILL STREET PARTNERS, LLC TO NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR FEDERAL, STATE, AND LOCAL FINANCIAL ASSISTANCE TO DEVELOP AND CONSTRUCT A MIXED-USE WORFORCE HOUSING PROJECT AT THE MID BROADWAY REDEVELOPMENT SITE

WHEREAS, the City of Newburgh wishes to develop the City-owned .66 acre Lander Street surface parking lot (between Chambers Street and Lander Street) as well as the 1.8 acre principal site that fronts on Broadway (the "Mid-Broadway Site"); and

WHEREAS, by Resolution No. 78-2012 of May 29, 2012, the City Council of the City of Newburgh authorized the City Manager to negotiate a development and land disposition agreement with Mill Street Partners, LLC for the development of the Mid-Broadway site and the City; and

WHEREAS, by Resolution No. 194-2012 of October 22, 2012, the City Council authorized the City Manager to execute the development agreement between the City and Mill Street Partners, which development agreement formally designated Mill Street Partners as the Developer of the Mid-Broadway Site; and

WHEREAS, the development agreement designates the Mid-Broadway redevelopment as a "Priority Project" of the City of Newburgh; and

WHEREAS, Mill Street Partners is seeking various financial assistance through an application to the New York State Homes and Community Renewal to create a mixed-use development consisting of ninety-one apartment homes for working individuals and families and approximately 13,800 square feet of retail commercial space fronting Broadway;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Newburgh expresses its conceptual support for the application of Mill Street Partners to the New York State Homes and Community Renewal for Federal, State, and local assistance to develop and construct the Mid Broadway Redevelopment project.