

A regular meeting of the City Council of the City of Newburgh was held on Monday, November 13, 2017 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 Ron Truncali of the Hudson Valley Christian Church, followed by the Pledge of Allegiance.

Pledge of Allegiance/ Juramento a la Alianza

Roll Call/Lista de Asistencia

Present: Councilwoman Mejia, presiding; Councilwoman Abrams, Councilwoman Angelo, Councilwoman Holmes, Councilwoman Rayford-5

Absent: Councilman Harvey*, Mayor Kennedy-2

**Councilman Harvey arrived after roll call*

COMMUNICATIONS

Approval of the minutes of the meeting of October 23, 2017/ Aprobación del acta de la reunión del 23 de Octubre de 2017

Councilwoman Abrams moved and Councilwoman Rayford seconded.

Ayes: Abrams, Angelo, Holmes, Mejia, Rayford - 5

Carried

PRESENTATIONS

Public Hearing to receive comments on the 2018 budget

Councilwoman Mejia opened the public hearing at 7:05 P.M., but it was closed immediately due to no one wishing to speak for or against the matter.

COMMENTS FROM THE PUBLIC REGARDING AGENDA AND GENERAL MATTERS OF CITY BUSINESS

Jonathan Jacobson thanked everyone in the Third Ward for their support in the past Election. He vowed that he would represent all of the residents in the City of Newburgh once he takes the Oath of Office. He publicly thanked his opponents for running a spirited campaign. Jacobson is looking forward to working with everybody on the council. The way he plans to do things is if someone on the council has a good idea then he is going to support it. He hopes that his colleagues will do the same. He plans to work on two key issues in the city. One issue is a multi-year plan to pave all of the streets in the city. The second issue is the water crisis so that we do not have to pay for the crisis.

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. 308-2017 Extension of Temporary Sanitation Worker

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 309-2017 Self Insurance Budget Reallocation

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 310-2017 Creation of temporary Sergeant through 12-31-17

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 311-2017 Release of covenants for 32 Benkard Avenue

Councilwoman Abrams moved and Councilwoman Rayford seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 312-2017 Satisfaction of Mortgage for 30 Benkard Avenue

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 313- 2017 Satisfaction of Mortgage for 158 & 160 Washington Street

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 314-2017 Satisfaction of Mortgage for 119 South Clark Street

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 315-2017 Release of covenants for 40 Hasbrouck Street

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 316-2017 Purchase of 40 Flemming Drive

Councilwoman Holmes motioned that the council decrease the sell price to \$25,000. She looked at this property, and she looked at the one on Johnston Street. She feels that they are both only worth \$25K. She pointed out that the council discussed decreasing the price at the last work session.

Councilman Harvey supported Holmes' motion to reduce the sell price. Significant remediation is needed on the property. He feels that there are certain cases that justify

this sort of modification.

MOTION TO AMEND THE PURCHASE PRICE TO \$25,000

Councilwoman Holmes moved and Councilman Harvey seconded that the purchase price be reduced to \$25,000

Ayes-Councilwoman Abrams, Councilwoman Angelo, Councilman Harvey, Councilwoman Holmes, Councilwoman Mejia, Councilwoman Rayford-6

CARRIED

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford -- 6

Adopted, As Amended

Resolution No. 317-2017 Purchase of 110 Johnston Street

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 318-2017 Purchase of 120 West Parmenter Street and 15 Sequestered Road

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 319-2017 Skartados Grant for \$125,000 for Restoring Downing Park & Local Roads

Councilwoman Holmes publicly thanked Assemblyman Skartados for helping the city acquire this grant, and for bringing it to the table for our administration. She hopes that Mandigo Place and Prospect Street are paved the way they should be in Ward Four.

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 320-2017 Support for a Main Street Technical Assistance Grant

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 321-2017 for Municipal Certificate of Need for the Provision of Ambulance Service

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 322-2017 To Execute a Payment of Claim with Anthony Capson in the Amount of \$24,000.00

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

Resolution No. 323-2017 To Authorize the Settlement of Litigation Regarding the Tax Foreclosure of 284 Grand Street

Councilwoman Abrams moved and Councilman Harvey seconded.

Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford - 6

Adopted

RESOLUTION NO.: 308 -2017

OF

NOVEMBER 13, 2017

**A RESOLUTION AMENDING THE 2017 PERSONNEL ANALYSIS BOOK
TO CONTINUE ONE TEMPORARY POSITION IN THE SANITATION DIVISION
IN THE DEPARTMENT OF PUBLIC WORKS THROUGH DECEMBER 31, 2017**

WHEREAS, by Resolution No. 152-2017, the City Council of the City of Newburgh authorized an amendment to the Personnel Analysis Book for 2017 to add 2 seasonal positions in the parks division and 3 temporary sanitation worker positions in the sanitation division in the Department of Public Works from June 2017 through September 2017 to offset an unforeseen shortage of personnel; and

WHEREAS, the Department of Public Works is requesting to continue 1 temporary sanitation worker position in the sanitation division through December 31, 2017; and

WHEREAS, the City Council has determined that continuing 1 temporary sanitation worker position in the sanitation division in the Department of Public Works will promote economy and efficiency within the Department; the same being in the best interests of the City of Newburgh; and

WHEREAS, the continuation of the temporary position requires the amendment of the City of Newburgh Adopted Personnel Analysis Book for 2017 and funding for such temporary position will be derived from savings in the salary budget lines;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for 2017 be and is hereby amended to continue 1 temporary sanitation worker position through December 31, 2017 in the sanitation division in the Department of Public Works with funding to be derived from the savings within the salary budget lines.

308-17
RESOLUTION NO. 152 -2017

OF

JUNE 12, 2017

A RESOLUTION AMENDING THE 2017 PERSONNEL ANALYSIS BOOK
TO ADD TWO SEASONAL POSITIONS IN THE PARKS DIVISION AND THREE
TEMPORARY POSITIONS IN THE SANITATION DIVISION
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, due to unforeseen circumstances, there is a shortage of personnel in the Department of Public Works; and

WHEREAS, the Department of Public Works is requesting 2 seasonal positions for the parks division from June 2017 through September 2017 to assist with various summer maintenance activities and 3 temporary sanitation works positions in the sanitation division; and

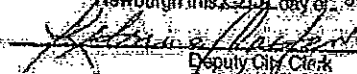
WHEREAS, the City Council has determined that adding 2 seasonal positions in the parks division and 3 temporary sanitation worker positions in the sanitation division in the Department of Public Works will promote economy and efficiency within the Department; the same being in the best interests of the City of Newburgh; and

WHEREAS, the addition of the seasonal and temporary positions requires the amendment of the City of Newburgh Adopted Personnel Analysis Book for 2017 and funding for such seasonal and temporary positions will be derived from savings in the respective salary budget lines;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for 2017 be and is hereby amended to add 2 seasonal positions in the parks division and 3 temporary sanitation worker positions in the sanitation division in the Department of Public Works with funding to be derived from the savings within the salary budget lines.

I, Katrina Cotten, Deputy City Clerk of the City of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held on 6/12/17 and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this 13th day of June 2017.


Deputy City Clerk

RESOLUTION NO.: 309 - 2017

OF

NOVEMBER 13, 2017

RESOLUTION AMENDING RESOLUTION NO: 310A-2016,
THE 2017 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK
TO TRANSFER \$344,858.67 WITHIN THE SELF INSURANCE FUND

WHEREAS, it has become necessary to reallocate available funds in the Self-Insurance Fund from Insurance Recoveries to offset expenses and to pay current bills and provide funding to the end of FY 2017;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No.: 310A-2016, the 2017 Budget of the City of Newburgh, is hereby amended as follows:

	<u>Decrease</u>	<u>Increase</u>
M.2680.0005 Insurance Recoveries WC	\$326,499.67	
M.1722.0400 Excess Insurance	\$ 8,359.00	
M.9050.0400 Unemployment Insurance	<u>\$ 10,000.00</u>	
M.1420.4100 General Legal Liability		\$ 80,000.00
M.1420.4200 Police Liability		\$ 10,000.00
M.1420.4300 Employment Liability		\$ 10,000.00
M.1930.0400 Judgment and Claims		\$ 15,000.00
M.1710.0004 Administration		\$ 6,793.21
M.9040.0408 Self-Insurance Worker's comp		<u>\$223,065.46</u>
TOTALS:	\$344,858.67	\$344,858.67

RESOLUTION NO.: 310-2017

OF

NOVEMBER 13, 2017

A RESOLUTION AMENDING THE 2017 PERSONNEL ANALYSIS BOOK
TO ADD ONE (1) SERGEANT POSITION ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH POLICE DEPARTMENT

WHEREAS, the Police Department has advised the City Manager that the department is in need of an additional individual to perform the duties of "Sergeant;" and

WHEREAS, the creation of the additional Police Department Sergeant position will be on a temporary basis; and

WHEREAS, the City Council has determined that adding one temporary Sergeant position in the Police Department will promote economy and efficiency within the Department; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2017 be amended, and that there be and hereby is created one (1) additional position on a temporary basis in the job title "Sergeant" in the Police Department.

RESOLUTION NO.: 311-2017

OF

NOVEMBER 13, 2017

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO A. CONTRERAS PROPERTY MANAGEMENT, INC.
TO THE PREMISES KNOWN AS 32 BENKARD AVENUE
(SECTION 45, BLOCK 4, LOT 16)

WHEREAS, on July 22, 1999, the City of Newburgh conveyed property located at 32 Benkard Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 4, Lot 16, to A. Contreras Property Management, Inc.; and

WHEREAS, the property subsequently was conveyed to various other parties; and

WHEREAS, Fannie Mae ultimately acquired title to said real property through foreclosure; and

WHEREAS, Fannie Mae, by its attorney, has requested a release of the restrictive covenants contained in the deed from the City of Newburgh to A. Contreras Property Management, Inc.; and

WHEREAS, it has been determined that such release be granted; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh and its further development to grant such request;

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 execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3 and 4 of the aforementioned deed.

31-17

Dated: _____, 2017

By:

RECORD & RETURN TO:

RESOLUTION NO.: 312 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A SATISFACTION IN CONNECTION WITH
A MORTGAGE ISSUED TO ALDO R. OCOMPO
FOR PREMISES LOCATED AT 30 BENKARD AVENUE
(SECTION 45, BLOCK 4, LOT 15)

WHEREAS, by Resolution No.: 234-2015 of September 14, 2015, this Council authorized the conveyance of real property known as 30 Benkard Avenue, more accurately described as Section 45, Block 4, Lot 15 on the official tax map of the City of Newburgh, to Aldo R. Ocompo, subject to certain terms and conditions; and

WHEREAS, Paragraph 5 of said Terms and Conditions of Sale provided that the City, as seller, hold a Purchase Money First Mortgage and Note for the balance of the purchase price; and

WHEREAS, said Note and Mortgage were executed by the mortgagor on October 29, 2015; and

WHEREAS, the terms of the mortgage instrument have been satisfied by the mortgagor, and the issuance of a Satisfaction of Mortgage, a copy of which is annexed hereto, is necessary and appropriate; and

WHEREAS, this Council has determined that executing said Satisfaction is in the best interests of the City of Newburgh;

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 execute the attached Satisfaction in connection with a mortgage issued to Aldo R. Ocompo for premises located at 30 Benkard Avenue (Section 45, Block 4, Lot 15).

312-17

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT

The City of Newburgh, a municipal corporation with a principal place of business at 83 Broadway, City Hall, Newburgh, New York 12550;

Does hereby certify that the following mortgage is paid, and does hereby consent that the same be discharged of record:

MORTGAGE bearing the date of October 29, 2015, made by Aldo R. Ocompo to the City of Newburgh, given to secure payment of the principal sum of Thirty-Three Thousand Two Hundred Three and 34/100 (\$33,203.34) Dollars, and duly recorded in the Orange County Clerk's Office on February 29, 2016 in Liber 14015 at page 38;

which mortgage has not been further assigned of record.

Dated: November _____, 2017

CITY OF NEWBURGH

By: Michael G. Ciaravino, City Manager
Per Resolution No.: _____-2017

STATE OF NEW YORK)

)

ss.:

COUNTY OF ORANGE)

On the _____ day of _____, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Notary Public

RECORD & RETURN TO:

RESOLUTION NO.: 313 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
SATISFACTION IN CONNECTION WITH A MORTGAGE
ISSUED TO COURTYARD ESTATES, INC. FOR PREMISES LOCATED AT
158 WASHINGTON STREET AND 160 WASHINGTON STREET
(SECTION 36, BLOCK 5, LOTS 11 AND 12)

WHEREAS, by Resolution No.: 105-2010 of May 10, 2010, this Council authorized the acceptance and assumption of all the assets and liabilities of the Newburgh Community Development Agency ("NCDA"), all without consideration, pursuant to Section 554(19) of the General Municipal Law; and

WHEREAS, Resolution No.: 105-2010 of May 20, 2010, further authorized the Acting City Manager to execute and accept delivery of any and all deeds, assignments, instruments, agreements, and any and all other necessary documents to effect such acceptance and assumption by the City; and

WHEREAS, the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency issued a mortgage to Courtyard Estates, Inc. in the principal sum of \$50,000.00 for premises located at 158 Washington Street and 160 Washington Street (Section 36, Block 5, Lots 11 and 12, respectively), dated September 9, 1998, and recorded in the Orange County Clerk's Office on November 6, 1998, in Liber 6891 of Deeds at Page 262; and

WHEREAS, such amount was paid in full, and a Satisfaction of Mortgage was issued on November 23, 1999 but the original instrument was lost and never recorded; and

WHEREAS, this Council has determined that executing a new Satisfaction, a copy of which is annexed hereto, as successor in interest to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency is necessary and appropriate and in the best interests of the City of Newburgh;

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 execute the attached Satisfaction in connection with a mortgage issued to Courtyard Estates, Inc. for premises located at 158 Washington Street and 160 Washington Street (Section 36, Block 5, Lots 11 and 12, respectively).

#313-17

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT

The City of Newburgh, as Successor in Interest to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency, a municipal corporation with a principal place of business at 83 Broadway, Newburgh, New York 12550;

Does hereby certify that the following mortgage is paid, and does hereby consent that the same be discharged of record:

MORTGAGE bearing the date of September 9, 1998, made by Courtyard Estates, Inc. to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency, given to secure payment of the principal sum of \$50,000.00, and duly recorded in the office of the Orange County Clerk's Office on November 6, 1998, in Liber 6891 of Deeds at Page 262; and

further described in Assignment and Assumption of Mortgage Without Covenant from the Newburgh Community Development Agency formerly known as the Newburgh Urban Renewal Agency to the City of Newburgh, dated November 15, 2010, and recorded on November 22, 2010, in Liber 13085 Page 0839.

Dated: November _____, 2017

CITY OF NEWBURGH

By: Michael G. Ciaravino, City Manager
Per Resolution No.: _____-2017

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the _____ day of November, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Notary Public

RECORD & RETURN TO:

RESOLUTION NO.: 314 - 2017

OF

NOVEMBER 13, 2017

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
SATISFACTION IN CONNECTION WITH A MORTGAGE ISSUED TO
MANNY PEREIRA FOR PREMISES LOCATED AT 119 SOUTH CLARK STREET
(SECTION 45, BLOCK 14, LOT 17)**

WHEREAS, the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency issued a mortgage to Manny Pereira in the principal sum of \$26,250.00 for premises located at 119 South Clark Street (Section 45, Block 14, Lot 17), dated November 3, 1988, and recorded in the Orange County Clerk's Office on November 16, 1988, in Liber 3251 of Deeds at Page 176; and

WHEREAS, the terms of the mortgage instrument have been satisfied by the mortgagor, and the issuance of a Satisfaction of Mortgage, a copy of which is annexed hereto, is necessary and appropriate; and

WHEREAS, this Council has determined that executing said Satisfaction as successor in interest to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency is in the best interests of the City of Newburgh;

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 execute the attached Satisfaction in connection with a mortgage issued to Manny Pereira for premises located at 119 South Clark Street (Section 45, Block 14, Lot 17).

314-17

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT

The City of Newburgh, as Successor in Interest to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency, a municipal corporation with a principal place of business at 83 Broadway, Newburgh, New York 12550;

Does hereby certify that the following mortgage is paid, and does hereby consent that the same be discharged of record:

MORTGAGE bearing the date of November 3, 1988, made by Manny Pereira to the Newburgh Community Development Agency f/k/a the Newburgh Urban Renewal Agency, given to secure payment of the principal sum of \$26,250.00, and duly recorded in the office of the Orange County Clerk's Office on November 16, 1988, in Liber 3251 of Deeds at Page 176;

which mortgage has not been further assigned of record.

Dated: November _____, 2017

CITY OF NEWBURGH

By: _____
Michael G. Ciaravino, City Manager
Per Resolution No.: _____-2017

STATE OF NEW YORK)

)

ss.:

COUNTY OF ORANGE)

On the _____ day of November, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Notary Public

RECORD & RETURN TO:

RESOLUTION NO.: 315-2017

OF

NOVEMBER 13, 2017

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO EDWIN TOLENTINO
TO THE PREMISES KNOWN AS 40 HASBROUCK STREET
(SECTION 38, BLOCK 3, LOT 48)

WHEREAS, on September 4, 2001, the City of Newburgh conveyed property located at 40 Hasbrouck Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 38, Block 3, Lot 48, to Edwin Tolentino; and

WHEREAS, Mr. Tolentino, by an attorney, has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, the appropriate departments have reviewed their files and advised that the covenants have been complied with, and recommends such release be granted; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

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 execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, 5 and 6 of the aforementioned deed.

315-17

Dated: _____, 2017

By: _____
Michael G. Ciaravino, City Manager
Per Resolution No.: _____-2017

On the _____ day of _____ in the year 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RECORD & RETURN TO:

RESOLUTION NO.: 316 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 40 FLEMMING DRIVE (SECTION 2, BLOCK 9, LOT 1)
AT PRIVATE SALE TO ALBERTA BROWN FOR THE AMOUNT OF \$25,000.00

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 40 Flemming Drive, being more accurately described as Section 2, Block 9, Lot 1 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 February 16, 2018, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
40 Flemming Drive	2 - 9 - 1	Alberta Brown	\$25,000.00

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

40 Flemming Drive, City of Newburgh (2-9-1)

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 properties are sold subject to unpaid school taxes for the tax year of 2017-2018, 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 2017-2018, 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. The 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 receipt 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 February 16, 2018. Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *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 not 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 thirty (30) days in advance of closing title and approved by the City's Engineer.
17. Evictions, if necessary, are solely the responsibility of the purchaser 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.

RESOLUTION NO.: 317 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 110 JOHNSTON STREET (SECTION 18, BLOCK 10, LOT 11)
AT PRIVATE SALE TO JUAN GALAVIZ FOR THE AMOUNT OF \$25,000.00

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 110 Johnston Street, being more accurately described as Section 18, Block 10, Lot 11 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 February 16, 2018, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
110 Johnston Street	18 - 10 - 11	Juan Galaviz	\$25,000.00

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

110 Johnston Street, City of Newburgh (18-10-11)

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 properties are sold subject to unpaid school taxes for the tax year of 2017-2018, 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 2017-2018, 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. Notice is hereby given that the property is vacant and unoccupied. The 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 February 16, 2018. Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *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 not 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 thirty (30) days in advance of closing title and approved by the City's Engineer.
17. Evictions, if necessary, are solely the responsibility of the purchaser 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.

RESOLUTION NO.: 318-2017

OF

NOVEMBER 13, 2017

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN
AS 120 WEST PARMENTER STREET (SECTION 38, BLOCK 2, LOT 42) AND
15 SEQUESTERED ROAD (SECTION 7, BLOCK 1, LOT 14)
AT PRIVATE SALE TO AAMIR MUMTAZ FOR THE AMOUNT OF \$22,830.00

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 120 West Parmenter Street and 15 Sequestered Road, being more accurately described as Section 38, Block 2, Lot 42 and Section 7, Block 1, Lot 14, respectively, on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase these properties 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 properties 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 February 16, 2018, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
120 West Parmenter Street	38 - 2 - 42	Aamir Mumtaz	\$ 8,070.00
15 Sequestered Road	7 - 1 - 14		\$15,760.00

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

Terms and Conditions of Sale
120 W. Parmenter Street, City of Newburgh (38-2-42)
15 Sequestered Road, City of Newburgh (7-1-14)

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 2017-2018, 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 2017-2018, 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 properties are vacant and unoccupied. The parcels are 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 properties and remit the vacant property fee. It is the sole responsibility of the purchaser to redevelop such parcels 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 February 16, 2018. Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *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 not 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 ten (10) days in advance of closing title and approved by the City's Engineer.
16. Evictions, if necessary, are solely the responsibility of the successful bidder 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.

RESOLUTION NO.: 319 - 2017

OF

NOVEMBER 13, 2017

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
A DASNY STATE AND MUNICIPAL FACILITIES CAPITAL PROGRAM GRANT
FROM ASSEMBLYMAN FRANK SKARTADOS IN AN AMOUNT
NOT TO EXCEED \$125,000.00
FOR DOWNING PARK AND LOCAL ROAD IMPROVEMENTS

WHEREAS, the City of Newburgh is requesting to apply for a Dormitory Authority of the State of New York State and Municipal Facilities Program Grant from Assemblyman Skartados in the amount of \$125,000.00 for Downing Park and local road improvements; and

WHEREAS, if awarded, the funds will be used to reconstruct the Veterans Memorial located within Downing Park; improvements to the Downing Park Shelter House; to install lighting and benches; for tree removal, pruning and replacement; and for local road improvements in the City's north end, including ADA compliant curb ramps; and

WHEREAS, the grant requires no City match; and

WHEREAS, it is deemed to be in the best interests of the City of Newburgh and its citizens to re-apply for and accept such grant;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to accept if awarded a State and Municipal Facilities Capital Program Grant administered by the Dormitory Authority of the State of New York from Assemblyman Skartados in the amount of \$125,000.00 for Downing Park and local road improvements, with the appreciation and thanks of the City of Newburgh; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager is authorized to execute all such contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

#319-17

Capital Project Description and Nomination Form

From the State and Municipal Facilities Program

Please complete the fields below and submit as a digital form to Steve Gold: goldsk@nysa.us

Contact the office of Assemblyman Frank Skartados with any questions. 845-562-0888

Legally Incorporated Name, Address and Telephone Number of Grant Recipient:

Organization Name: City of Newburgh

Mailing Address: 83 Broadway, Newburgh, New York 12550

Phone Number: 845-569-7321

Tax Identification #, (Federal Employer ID# or 501(c) #): 14-6002329

Project Director: Helen Reilly, Grants Administrator

I have read the accompanying document Capital Guidelines (please type in "y/n"): Y

Purpose of Project Funds. Complete this section in general terms – Funds will be used to:

Restore Downing Park and local roads

Project	Cost
Monument	12000
Shelter House	6500
Lighting/benches	47500
Tree removal, pruning, replacing	6000
North End Paving and ADA curb ramps	53000

Total 125000

Total Grant Amount: \$125,000

Date: 10/05/17

STATE AND MUNICIPAL FACILITIES PROGRAM GUIDELINES

GRANTS ARE SUBJECT TO THE ESTABLISHED ELIGIBILITY CRITERIA OF THE RESPECTIVE CAPITAL PROGRAM FROM WHICH THE PROJECT WILL BE FUNDED. IN ADDITION, CAPITAL COMMITMENTS MUST ADHERE TO THE FOLLOWING MINIMUM FUNDING RECOMMENDATION THRESHOLDS:

ELIGIBLE ENTITIES:

- The State of New York and counties, towns, cities and villages located herein;
- water and sewer districts;
- the Metropolitan Transportation Authority;
- colleges and universities;
- public school districts;
- public housing authorities;
- public libraries and library systems;
- public parks and conservancies;
- not for profit fire districts, departments and commissions; and
- volunteer rescue and ambulance squads.

ALLOWABLE USES:

- Construction, improvement, rehabilitation or reconstruction of facilities owned by eligible entities;
- the acquisition of capital facilities and assets by eligible entities, including fixed capital assets; and
- acquisition of certain equipment, including heavy duty road maintenance and construction vehicles pavers, snow plows, street sweepers and heavy duty fire, emergency response and law enforcement vehicles.

RESOLUTION NO.: 320 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING BEST RESOURCES INCORPORATED IN ITS APPLICATION TO
NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR FUNDING UNDER
THE NEW YORK MAIN STREET TECHNICAL ASSISTANCE GRANT PROGRAM

WHEREAS, the Best Resources Incorporated desires to apply for \$20,000 in financial assistance through the 2018 Consolidated Funding Application (CFA) under the New York Main Street Technical Assistance (NYMS-TA); and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings on William Street between Washington Street and Renwick Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh approves and endorses the 2018 New York Main Street Technical Assistance (NYMS-TA) application for assistance prepared and to be submitted by Best Resources Incorporated.

Passed by the following vote of all City Council Members voting in favor thereof:

Affirmative City Council Members:

Affirmative: #

Negative: #

Abstain: #

I, _____, do hereby certify that Resolution No. _____-2017 was passed at a meeting of the City Council held on November 13, 2017, and is incorporated in the original minutes of said meeting and on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

[Official Seal of Municipality]

RESOLUTION NO.: 321 -2017

OF

NOVEMBER 13, 2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
FOR A MUNICIPAL CERTIFICATE OF NEED FROM
THE NEW YORK STATE DEPARTMENT OF HEALTH FOR
THE PROVISION OF AMBULANCE SERVICE

WHEREAS, Public Health Law Section 3008(7) permits a city to establish and operate an ambulance service; and

WHEREAS, the City of Newburgh, Orange County, New York (hereinafter "City") has determined that it is in the best interest of the City to establish and operate an ambulance service and/or contract for the operation of the ambulance service pursuant to General Municipal Law Section 122-b; and

WHEREAS, the City Council has determined that all property, property owners and interested persons within the City will be benefited by the establishment and operation of an ambulance service; and

WHEREAS, the City Council has determined that a need for such combined BLS and ALS service exists in the City;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh as follows:

The City of Newburgh, finding need for ambulance service in the City of Newburgh, declares that the City establish and operate an ambulance service, or contract with a qualified third party for operation within the City's boundaries, as shown on the attached map; and it is further resolved, that

The boundaries to be reflected upon the ambulance service certificate shall be the entire limits of the City of Newburgh;

Such ambulance service shall be a basic and advanced life support service; and

The Mayor and City Manager of the City of Newburgh shall be empowered to take all steps necessary to obtain ambulance operating authority, including forwarding this resolution to the New York State Department of Health, Bureau of Emergency Medical Services.

This service shall take effect immediately upon approval by the SEMSCO or state.

RESOLUTION NO.: 322 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PAYMENT
OF CLAIM WITH ANTHONY CAPSON IN THE AMOUNT OF \$24,000.00

WHEREAS, Anthony Capson brought a claim against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the amount of Twenty-four Thousand and 00/100 Dollars (\$24,000.00) in exchange for a release to resolve all claims among them; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to settle the matter for the amount agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the claim of Anthony Capson in the total amount of Twenty-four Thousand and 00/100 Dollars (\$24,000.00) and that the City Manager be and he hereby is authorized to execute documents as the Corporation Counsel may require to effectuate the settlement as herein described.

RESOLUTION NO.: 323 - 2017

OF

NOVEMBER 13, 2017

A RESOLUTION TO AUTHORIZE THE SETTLEMENT OF
LITIGATION REGARDING THE TAX FORECLOSURE OF
284 GRAND STREET (SECTION 10, BLOCK 2, LOT 24)

WHEREAS, the City of Newburgh commenced and completed a proceeding for the foreclosure of certain tax liens, such action being designated as Orange County Index Number 2014-8858; and

WHEREAS, by its attorneys Greenberg Traurig, HSBC Bank USA (HSBC), a holder of a mortgage on the property known as 284 Grand Street, being more accurately described as Section 10, Block 2, Lot 24 on the official tax map of the City of Newburgh, has established that it was not properly served in the tax foreclosure action by the City of Newburgh; and

WHEREAS, HSBC's attorneys have asked to settle this matter without litigation; and

WHEREAS, the City Council has determined that it would be in the best interests of the City of Newburgh to settle this matter by accepting all taxes, interest and penalties owed;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of 284 Grand Street, Section 10, Block 2, Lot 24, to HSBC Bank USA be and hereby is confirmed and that the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of all past due tax liens, together with all interest and penalties accruing thereon, and all currently due taxes and charges are paid, in full, for a total amount of \$28,121.13, no later than November 31, 2017 or the amount of \$28,332.01, no later than December 31, 2017; and

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

NEW BUSINESS

Councilwoman Rayford commented about the overtime in the police and fire departments. She is going to continue to comment about it because the overtime costs are horrendous. She understands that individuals with seniority, and who are already at the maximum pay scale, are able to get overtime. But individuals in the lower paying positions do not get the opportunity for overtime. Rayford understands that individuals with certain skills should be compensated, but, this is why cross-training is necessary. We could at least minimize the overtime costs so that it is not such a heavy burden on the taxpayers.

OLD BUSINESS

There was no old business to discuss.

FURTHER COMMENTS FROM THE COUNCIL

Councilwoman Abrams announced an upcoming jazz concert scheduled for Saturday, November 18, 2017. The concert is comprised of a wonderful group of nationally-recognized musicians named *WeFreeStrings*. The concert, which showcases strings instruments- viola, cello, and violin, bass cello- will begin at 8:00 P.M. at *Jazz at Atlas*, located at 11 Spring Street. The cost is \$15.00. Abrams encouraged any interested students to reach out to her because she has few free tickets. This is a great thing for our city.

Councilwoman Angelo stated that we made over \$82,000 with the property-purchase agreements on tonight's agenda. She thanked Deirdre Glenn and staff for their efforts. She read an article that tore her heart apart last week. She has been running the city's festival for twenty-nine years, and never has she taken one cent from its proceeds. She, along with the carnival vendors had a policy, in which at the end of the festival she would collect the money, which was placed very carefully into a popcorn box. She then had a police escort her home safely. This was at a time when the festival drew in large crowds and had big name acts. The festival helped put Newburgh on the map. There were some nights, in which the festival raised \$17K-\$18K per night, but, there was never any issue. In fact, she put a lot of her own money into the festival.

Angelo commented that perhaps she read the article wrong, but she wanted to speak publicly about it. She felt extremely hurt by the article. She was raised in a time where you didn't even take one penny from your parents without punishment.

Councilwoman Rayford pointed out that she appreciated everything that Angelo has done over the years regarding the city's festivals and parades. Without them, perhaps she and her family members would not have been able to experience the fun times they have had in Newburgh.

Councilwoman Mejia continued to thank Angelo for all of her contributions to this community. The festival is a wonderful asset to Newburgh, and she is sure that there will be more discussion about it going forward.

At this time Mejia deviated from this portion of the meeting to provide the City Comptroller Kathryn Mack with a confirmation on the positions savings that the council discussed last Thursday night. Mack recapped the amount of savings in the budget by moving some of the positions from fulltime to part-time. Also she pointed out that the council's desire to have a grants writer position is included in the savings. She did the research, and there is a company that the city could hire that would go out and research certain grants for our city. The company has its own manpower, and it would be a non-staff position. The company would essentially be an extension of the City of Newburgh, and we wouldn't have to pay Benefits.

Councilwoman Angelo resumed her comments about the article she read. She thanked Mack for the new system put in place for the collection of money. She pointed out that when she and a former employee worked together on the festival they had a fool-proof system that worked well.

Councilwoman Mejia felt that no one has any doubt about the way Angelo handled the festival. She encouraged her to wipe away any negative thoughts from her mind, because no one in this city thinks otherwise. Mejia stated that it is important to continue to focus this discussion on the budget topic at this time.

Councilman Harvey commented that the consensus of the council was for it to take the option that would potentially save jobs.

Kathryn Mack pointed out that the other piece of the budget discussion is the health insurance condition proposed in the City Manager's budget. He proposed that new council members coming onboard would be required to serve at least two (2) terms before becoming eligible for health insurance.

Councilwoman Rayford commented about how the discussion had transitioned from Councilwoman Angelo's comments to the budget discussion, and that it was done in a disrespectful manner because Angelo was not finished talking. She has sat on this council far too long to be ignored and for people not to listen to what she has to say. Rayford pointed out that Angelo's integrity was never in question, and that the council trusts her wholeheartedly. Rayford apologized for how the article was written, however, she stated that she did not have anything to do with it. Rayford asked Angelo if she was finished with her comments entirely before the council moved on to further discussion.

In response to Councilwoman Rayford's comments, Councilman Harvey pointed out that Councilwoman Mejia made a decision, as the presiding officer, to move the council into the budget discussion. He supports the issue of respect, but, he stated that the City Manager does not respect the council. He stated that all of the city departments get to put in their "wish lists" when it comes to department requests. The council put in its own request for an increase in salary of at least \$1000, which would come out to roughly \$20 per paycheck. Some individuals, like himself, don't use the health insurance option because they already receive it from their full-time job. Yet there is no buy-out incentive for those individuals. For the council to be totally ignored of this request, and now upon learning of this new health insurance condition for new councilmembers, Harvey feels that this was done sneakily, and he does not support it.

Kathryn Mack clarified some concerns from a financial perspective. Health insurance was not always provided to the city council, it was always provided to the Mayor. The cost for health insurance is anywhere from \$25K-\$35K per year for a brand new member. That means, for three new members there is the possibility that \$100K has to be added to the budget for health insurance alone. She is simply providing the council with numbers. The idea is, if you want to change the term requirements and provide it for three new members then you will have to sacrifice on something else. Mack stated that that was in the proposed budget, and it was in the work session books. Perhaps she could try to work differently in how it is communicated to the council in the future.

Councilwoman Holmes stated that she and her colleagues are not going to change it, and if Mack needs four councilmembers to vote right now on the provision of health insurance to new councilmembers, then they are prepared to do that right now.

Harvey stated that they could rework the numbers, because the council is not going to pass the proposed budget with the health insurance stipulation in there. From what he understands, the reason for the tax increase is due to some funds that have been reallocated from the Water Department. The other concern that he has is that the council asked for repaving to be included in the 2018 budget, and he noticed that no funds were budgeted for it. This council specifically asked for it, and he feels that anything this council asks for continues to be ignored.

Ms. Mack clarified that there are no increases in water fees for taxpayers, and there are only CHIPS funds available for repaving.

Councilwoman Mejia interjected and explained her facilitation style of communication. It appears as though the council has a lot of open-ended questions concerning the budget. We need to have a special meeting to address them. There is limited time because we are scheduled to vote on the budget by the second meeting in November.

Councilman Harvey agreed that we need to pause on these budget talks until the City Manager is available to answer their questions. Also the public needs to have another opportunity to speak, as there may be questions that need to be answered.

Michelle Kelson explained that, by law, if the council does not pass a budget by November 27, 2017, then the City Manager's Budget automatically goes into effect. You essentially have the rest of this week, and Monday, Tuesday and Wednesday of next week to address all of these issues.

Councilwoman Mejia pointed out that there were no comments from the public about the budget. It is extremely important that people come out and provide their input to the

council, as we have been discussing it since the summer.

Councilman Harvey pointed out that there is a scheduled Work Session for Monday, November 20, 2017 already. He asked his colleagues if it was possible to schedule the Special Meeting on the same day.

The council agreed to hold a joint Work Session/Special Council Meeting on Monday, November 20, 2017, beginning at 5:00 P.M. They encouraged everyone to come out and attend.

The council resumed its final comments.

Councilman Harvey announced a couple of community events. There will be a *Know Your Rights* event at the Newburgh Armory on Nov. 14, 2017 from 4:00 P.M.- 8 P.M. On Sunday, November 19th, the organization *We Are Newburgh* is hosting a Thanksgiving event, complete with food, barbers, clothing, a food drive, etc. The event will be held at the Recreation Center at 11:00 A.M. Second, he has received numerous complaints about the road work that Precision Pipeline Solutions and Central Hudson are doing throughout the city. He is not happy about the way they are handling the work. They are continuously tearing up and blocking off all of the roads in the city. Also they are patching up openings, and using large metal sheets to cover holes, that whenever cars ride over them terrible loud noises occur. The experience has been horrible. Harvey would like to sit down with the Plumbing Inspector, who is overseeing the project, and discuss with him his perspective on the overall project.

Councilwoman Holmes remarked that *We Are Newburgh* is still seeking donations for Sunday's holiday dinner. The doors of the Activities Center will be open on Wednesday, November 15th, from 5 P.M.-8 P.M. to collect necessities. They are in need of new and gently used clothing, personal hygiene products, non-perishable foods, turkey breasts, etc. Second, she announced that there will be a *Black Lives Matter* meeting on Tuesday, November 14th at 7:00 P.M. on Ann Street. Last, she reminded everyone about the street naming ceremony for Virginia Bowman. The ceremony is scheduled for November 22nd at 2:00 PM. There will be a singing performance, and light refreshments will be served too.

Councilwoman Rayford thanked everyone for coming out. She told the residents that we have to take back our city. Look at the situation. She stated that we don't have crucial department heads that live in the City of Newburgh, and it makes a difference. There is a

residency requirement in order for individuals to be in these positions. She feels that people who don't live here and pay taxes, they receive their paychecks and then they are gone. Positions are created and jobs are filled; yet, as it is proposed now, councilmembers have to serve two (2) terms in order to get health insurance while employees get it from the start. Rayford stated that her heart is heavy, but she is not at liberty to discuss it now. We have to pray for our city, and one person can't do it all. We have to come together in unity. Her service on the city council, and to this city, is a 24/7 job. You can't pay a person enough to do this job. She got elected because she cares enough. The job is strenuous. She loses sleep some nights, and she is constantly threatened. It is a time out for games. These are peoples' lives that matter. We have to remain serious. She encouraged everyone to stay current and discover what is going on in the community. Everything is at stake- the homeowners, churches, businesses, and the youth. She stated that the remedy for our problems is found in the Biblical verse II Chronicles 7:14.

Councilwoman Mejia thanked everyone for coming out this evening. It is extremely interesting to sit behind this table. Throughout the year, you have seen all of us take the gavel at one point. When she proposed that resolution for each councilmember to take a turn presiding over the meeting in the Mayor's absence, it was so that everyone could see the potential in each member of the council. Each of us has our different strengths that we bring to this table. She hopes that every single person, whether it be members of the council, staff, the city manager, etc., bring their best qualities forward to help move our city in the direction she knows it deserves to move. She encouraged every one of us to send prayers and condolences to anyone who may be hurting, especially as we enter a Season that can be difficult for many people. She encouraged everyone to take this into account and take time to get to know people. She concluded her comments by stating that we have a lot to discuss at the next meeting. She encouraged everyone to attend.

This portion of the meeting was closed.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 8:10 P.M.

Respectfully Submitted,

KATRINA COTTEN

DEPUTY CLERK