

A regular meeting of the City Council of the City of Newburgh was held on Monday, February 26, 2018 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 Maldonado from Dare to Dream Christian Ministries followed by the Pledge of Allegiance.

Pledge of Allegiance/Juramento a la Alianza

Roll Call / Lista de Asistencia

Present: Mayor Kennedy, Presiding; Councilman Harvey (arrived at 7:12 after roll call), Councilman Jacobson, Councilwoman Mejia, Councilwoman Rayford, Councilwoman Sofokles - 6

Absent: Councilwoman Monteverde - 1

COMMUNICATIONS

Approval of the minutes of the meeting of February 12, 2018

Councilwoman Sofokles moved and Councilman Jacobson seconded.

Ayes: Jacobson, Mejia, Rayford, Sofokles, Kennedy - 5

Carried

City Manager Update/ Gerente de la Ciudad pone al día a la audiencia de los planes de cada departamento

In the Recreation Department we have the Positive Image Teen Program that will resume on March 2, 2018 which is designed to promote health and personal development for High School aged youth. The Program meets from 5:00 p.m. to 9:00 p.m. on Fridays and 1:00 p.m. to 5:00 p.m. on Saturdays. For more information please contact Goldie Mercado at the Recreation Department at (845) 569-7379. Registration for the City of Newburgh Summer Playground is now open. This is our annual Summer Camp for boys and girls in grades 1 through 6 and will run from June 25th through August 30, 2018 Monday through Friday from 8:00 a.m. to 4:00 p.m. The cost is \$350.00 for City of Newburgh residents and \$450.00 for non-residents which includes all trips and you must register in person at the City of Newburgh Activity Center. Registration is ongoing for our Adult Co-ed Softball League which will begin on May 5th with games played on Saturday mornings at Delano Hitch Recreation Park. The cost is \$400.00 per team and you can contact Alex Alvarez at (917) 370-5193 or the Recreation Department for additional information. The Newburgh Cal Ripken Baseball is seeking players for their upcoming spring season and if interested you can call (845)264-2950 or the Activity Center. Registration for Youth Soccer is now

open for boys and girls ages 3 to 7 and the cost is \$65.00 per player which includes a team uniform and an award at the end of the season. The Hook Elite Boxing Club will host their second Annual Gloves Up Guns Down Boxing Tournament featuring the Erne Boxing Club from Belfast, Ireland on Sunday April 8, 2018 at the Boys and Girls Club with the first bout beginning at 6:00 p.m. Admission is \$10.00 for balcony seats and \$15.00 for floor seats and for more information you can contact Leonard Lee at (845) 857-0612. The Recreation Department will host its Annual Easter Egg Hunt on March 24th at Delano Hitch Recreation Park for children ages infant through 11 years and for more information you can contact Maritza at (845)569-7373. They are also hosting a trip to the newly opened Resorts World Catskills Casino on April 21, 2018. The bus will depart at 9:00 a.m. from the Activity Center and will return at 9:00 p.m. The cost is \$30.00 which includes transportation and a casino package so please reserve seats early at the Activity Center as there are limited seats. The Recreation Department Brochure is available online at cityofnewburgh.recdesk.com.

We are very excited about the leadership that Chief Solomon brings to the table. We knew when he started last week that he would get right into a number of very important operations that the City of Newburgh has been investigating. The relationship that is being established between the Police Department and our community cannot be overstated as it has resulted in some of the best information and intelligence that has resulted in a lot of criminal activity being addressed. Chief Solomon is experienced and he understands that when you enter into a leadership model that works and has proven to be functional that he is coming in to an impressive team. We are asking him to go slowly with the leadership model and take a look at how we are driving our statistics based on targeted enforcement. The Newburgh Police Department has established relationships and trust in the community so those leaders on each of the blocks that silently watch and try to safeguard their community have come forward to give information that was needed. There was a recent raid in the Town of Newburgh and many of the individuals involved were listed as residents of the City of Newburgh and what we find interesting is that the chatter from those who want to continue their illegal activity in our City feel that it's getting too hot here. We are turning an important corner when we emphasize that absolutely nothing gets done in our community unless we feel safe. We must feel safe and for us to do that our Police Department must also feel safe so through a number of initiatives such as the body worn vest cameras or just supplying them with basic needed equipment to do their work we have sent a message to our Police Department that we value them. We believe that Chief Solomon with his experience and past accomplishments as well as awards received speaks to his work in communities that establish relationships and trust to continue the momentum that we believe was originally started under Chief Dan Cameron. He thanked Lt. Weaver for the work he has done to maintain the continuity as well as all of our Lieutenants in the department. The other announcement he wanted to make about safety is being assured that we have clean drinking water so the City of Newburgh has issued notices to a number of entities including the United States of America, the State of New York and a number of others as it relates to the contamination that is still in our water. He issued a statement earlier to a local Reporter that the departments who are responsible need to sort out their relative liabilities amongst each other. We are here to protect the legal interest of the community and to send a message that this is an environmental justice issue in this community and it is important for us to name all of the parties including the land owner, which is the State of New York in our initial filing. The rules are harsh because if you do not name a party within a specific time period at the inception of a lawsuit, you can be

barred from naming them later. We believe there is a strong disagreement between the Federal Government and the State of New York as to where the relative liabilities lie. At the end of the day we are talking about millions of dollars in damages suffered from the past and in the future. Who will pay for the water and all of the various related contamination issues, judgement issues, possible continuation of using the Catskills Aqueduct and the maintenance issues for our brand new state of the art treatment plant and activated carbon tanks that will ultimately require annual maintenance and replacement in the future? This is an issue for this community and it is a key tool for economic development because we have been told we have some of the cleanest water in the State of New York and if we can maintain this then the City of Newburgh will be on the map. What we are asking for ultimately is for the contamination to be stopped at its source.



**City of Newburgh
City Comptroller's Office**

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TO: Michael Ciaravino, City Manager
Mayor - Judy Kennedy

Councilman – Torrance Harvey
Councilman – Jonathan Jacobson
Councilwoman – Karen Mejia
Councilwoman – Ramona Montverde
Councilwoman – Hillary Rayford
Councilwoman – Patricia Sofokles

FROM: Kathryn Mack, City Comptroller

DATE: February 26, 2018

SUBJECT: City of Newburgh Financials – January 2018

Below are the highlights for the City of Newburgh revenue and expense activity for the period of January 2018.

General Fund Revenue

During the month of January 2018, the City of Newburgh collected \$5.8 million compared to the annual revenue budget of \$44.7 million. Of the \$5.8 million collected, \$5.2 million was for Real Property Taxes and PILOT Payments. The remaining \$600k was a combination of departmental income and inter-fund transfers. Compared to this time last year we have collected approximately \$1 million more in FY2018. This is primarily due to timing on tax deposits in 2018.

Some highlights are:

Metered Fines	\$6,422	Increase of \$5k from PY
Parking Violation Fines	\$49,646	Increase of \$22,860 from PY

Some areas of concern are:

Consumer Utility Fees	\$10k	Down \$105k from PY
Safety Inspection Fees	\$1k	Down \$7k from last year
Vacant Registry Fees	\$250	Down \$12k from last year

General Fund Expense

For the month of January, the City of Newburgh expended \$2.3 million or 5.06% of the FY budget.

Overall Departmental expenses are in-line with the approved budgets;

Police and Fire Overtime:

The Finance department has worked with the Police and Fire department to develop a process for identifying overtime drivers, which we have used to present the hours and pay in a summarized way. While both department overtime expenses are within the 2018 budgets, year-end projection at the current activity levels are over budget.

Enterprise Fund Revenue

For the month of January 2018, the Enterprise Funds (Water, Sewer and Sanitation) generated \$764k in revenue.

Water and Sewer bills for FY2018 1st quarter are scheduled to go out April 2018.

The Sanitation 1st quarter billing was \$749k, which is on trend for the \$3m revenue budget.

Enterprise Fund Expense

For the month of January 2018, Enterprise Funds expended \$677k. Overall Enterprise department expenses are in-line with the approved budgets.

Trust and Agency Accounts

- **Misc Donations**
 - CAC (former Shade Tree) - \$1371
- **Police**
 - Police Evidence - \$80,493
 - Federal Seizure - \$20,249
 - State Seizure - \$27,517
 - Police Bicycle - \$552

- Police Donations - \$187
- Misc. Fire Dept. - \$2,634
- Auxiliary Police - \$2,035

- **Celebrations**

- Puerto Rican Day - \$80
- International Festival - \$9,036
- Fireworks - \$2,634
- Memorial Day - \$91

- **Other**

- City Youth –Programs and Events - \$2,500
- Fencing for City Owned Properties - \$2,500
- Civil War Monument - \$25,000
- Vacant Building Bonds - \$720k
- Landlord Registry -- \$354,833

Current and Upcoming Projects

Finance

- *FY 2017 Audit*
 - The auditors will begin their official full review Monday, April 2, 2018 and the audit should take approximately two to three weeks.
- *Accounts Receivable Module*
 - *Implementing Accounts Receivable module that will allow for automatic billing for City Business as well as CDBG loans.*
- *OCC – Intern through May 2018*
- *Reminder – State Retirement Tracking/Renewals*
- *Water Emergency Expenses and Reimbursement*
 - *Purchase of Aqueduct Water*
 - *Jun to Dec 2016 – \$3,550,950*
 - *Jan to Nov 2017 – \$1,968,102*
 - *We should be receiving the 2017 Dec billing shortly*

- Other PFOS Emergency related expenses
 - FY 2016 - \$279k
 - FY 2017 – \$171K

Our Legal team is working with the DEC to finalize a continued O&M related to continuing costs of the PFOS emergency.

- *BIDs/RFPs/RFQs*
 - *Currently under Review*
 - Alcohol and Drug Testing Services
 - Real Estate - Brokerage Services
 - 109 S. William Street - Development
 - Upcoming RPF/BIDs
 - Civil War Monument – Downing Park
 - Vacant Lands – City Wide
 - 83 Broadway - Building
 - 4th of July Fireworks
 - Supplies and Cleaning Products
 - Pest Control

Assessor's Office

- Deadline due date for all exemptions is March 1st 2018
 - Applications available in assessor's office or on the city's website under
 - Assessors Department
 - Enhanced Star
 - Aged Exemption
- Reviewing assessments for 2018 – we expect to send Change of Assessment Notification letters in April

Information Systems

- No updates at this time

Tax Collectors office

- Installment Payment Agreement collections and calculations with current KVS (financial system) currently functioning we are completing a review of all IPAs.
- Water/Sewer/Sanitation Credit cards about \$3.50/transaction (Poughkeepsie Model)

PRESENTATIONS

Swearing In Ceremony for Chief Douglas Solomon

Provisional Police Chief, Douglas Solomon was sworn in by Mayor Kennedy.

Presentation by Dovetta Beaman and Grace Bowles

A Public Hearing will be held on Monday, Feb. 26, 2018 to hear public comment on a proposed local law amend the Sewer Use Rents

Mayor Kennedy called for a public hearing that was advertised for this meeting to hear public comment on a proposed local law to amend Section 248-1(B)(1) of the City of Newburgh Code of Ordinances entitled "Sewer Use Rents" to increase Sewer Use Rents to 104 Percent of the Customer's Annual Water Bill.

Katie Mack, City Comptroller explained that this is a public hearing for a 4% increase on the sewer rates. This was proposed in the Manager's Proposed Budget and was adopted in the Council's Adopted Budget. At that time she was not aware that we needed to pass legislation in order to push it through so we are now asking for the legislation. This will impact the average homeowner's sewer rate by about \$5.00 per quarter. We are trying to prevent sewer collapses and this allows us to do sewer maintenance on the lines and also allows for equipment for us to do work in-house. If we are able to fund ourselves to handle these equipment and sewer issues prior to them becoming catastrophes, then they are much cheaper and we don't have to borrow money. She provided the Council with the requested sewer rates and in comparison to neighboring communities the City of Newburgh is in line with Middletown, Fishkill and Kingston. Middletown and Fishkill are 0.64 cents per gallon and we are asking for the City of Newburgh to go to 0.64 cents per gallon. Kingston is slightly higher at 0.79 cents per gallon. That is a summary of where we are tonight.

Mayor Kennedy added that when the sewer collapsed in 2012 or 2013 on the Quassaick Creek we were not prepared and that was 1.78 million dollars that we had to come up with all at once. We have had collapses in various places throughout the City where these old bricks fall in creating a sinkhole and then we have a disaster. We are trying to get in front of it and have a way to take care of it without having to borrow money.

Barbara Smith, Powell Avenue, said when looking at her bill she has a sewer rate, a water rate, a sewer facility rate and a water facility rate. What do we add the .04 to?

Katie Mack, City Comptroller said it is just a .04 on the sewer rate. Facility rate is computed by looking at all of the outstanding debt that is due for this fiscal year. We are reviewing the sewer facility rates right now and that change has not finalized but that could change.

Ms. Smith continued that Resolution #45-2018 scheduling the public hearing for today states it is to amend Section 248-1(B) but she cannot find that. She only finds 1(A) so what is 1(B)? She wants to be assured that the Colleges, Hospital and large facilities that use

many, many gallons of water are being charged accordingly and not just the citizens of the City. How are they billed? Quarterly or annually?

Ms. Mack said that water and sewer are billed to any user including any non-profit. The facility rate we just discussed which, represents all of the debt due for this year in regards to sewer or water, is also shared with those agencies and they are billed quarterly as well with one exception.

Ms. Smith asked if the money comes in quarterly or do they pay it in one lump sum at the end of the year?

Ms. Mack said she would have to do some research to answer that but the assumption is that they are paying quarterly because they would be assessed the same 10% fee.

Ms. Smith said that if we have the Hospital, College and other entities that are using huge amounts of water why are we even bothering with the taxpayers? You can get more revenue from these entities.

Denise Costa, City of Newburgh said the Comptroller mentioned there was one exception and wonders what that is.

Katie Mack, City Comptroller said that recently the State passed legislation with regard to Land Banks being included in the sewer facility calculation so they are the only ones excluded at this time.

There being no further comments this public hearing was closed.

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

Mark Gamma, City of Newburgh, said in regard to 2 Montgomery Street that the proposal is for one hundred sixty eight units and one hundred and twenty five of those might have two children each. The cost to educate a child in New York State is \$24,206.00 per child per year. If we get two hundred and fifty new kids that will be attending our schools it will cost over six million dollars to educate them. The people in these one hundred and sixty eight units will also be using our sewer and water lines and depending on our understaffed Police Department. He applauded our Police for the tremendous job they did in the past few weeks and our Firemen who save our lives. Why would we even consider this proposal because it would add such a strain on our City services, our police, our firemen and our school district? Why aren't we thinking about an entity that would bring business and dollars to Newburgh? Something that will make people want to come here and live here.

Tom Roberts, City of Newburgh said he and his wife have lived here for seventeen years and have seen in the past few years that our City is coming back. They have seen more and more new businesses coming in breathing new life into the City and also a newfound

respect or all of the people in Newburgh no matter what race, religion or sexual preference. We now have a golden opportunity with the Dutch Reformed Church and property on the Hudson River so we have two choices. We can either give these properties away to companies who do not have the City's best interest at heart or sit down with the City Council and others to create and build tax ratables so we can all benefit. If the City Council votes to give our property away, then the demise of our hopes and dreams will be on their heads. We hope that the City Council will join hands with the citizens and do what is right to keep our hopes and dreams alive to move forward together. We need all of the business we can get in this City and we need the property facing the Hudson River to be built up to where we can bring in one to two million dollars in taxes. He added that he is not willing to lose one police officer or one fire person who put their lives on the line for the citizens of the City of Newburgh every day so how in good conscience can you justify giving such a valuable piece of property away and receive nothing in return but two cosmetic upgrades and no tax ratables?

Frank Licamelli with the Newburgh Preservation Association read a letter dated yesterday that he submitted to the City Council. *"Historically Newburgh Preservation Associations' partnership with the City primarily involved the restoration of the Dutch Reformed Church which was in line with our mission to preserve and promote architectural heritage and historic usage. While our organization supports mixed use development in the City of Newburgh, we urge you to separate the redevelopment and revitalization of the DRC and the City Club Projects from the Alembic Proposal because of the following serious concerns about Alembic's ability. Does Alembic have experience with the requirements of a National Landmark preservation? If so, it is not on their website. The DRC is a National Landmark and included on that list are Jefferson's Monticello, the Whitehouse and the Empire State Building. What is Alembic's proposed budget to stabilize and renovate the DRC? What is Alembic's proposal for funding the stabilization and renovation of the DRC? Is there a guarantee that Alembic can secure the funding to stabilize and revitalize the DRC and the City Club? What is the timeline to stabilize the DRC and build the interior of the City Club? Does Alembic intend to wait until after the completion of the 2 Montgomery Street Project before commencing work on the DRC and the City Club? Mixed use development and historic preservation are drastically different and require distinct skill sets. Alembic has not demonstrated their ability to stabilize and revitalize historic properties of this scale so we strongly urge the City to separate the DRC and the City Club from the 2 Montgomery Street RFP".*

Drew Kartiganer, 30 Meadow Street, said that Mid-Broadway and Alembic are very similar and they are bad Projects for Newburgh that are basically subsidized by local taxpayers. The City is going into a mediation with Mid-Broadway on the 28th and one of the issues they made a lot of noise about was the Deed restriction that was presented which they never knew about. It only took an hour and a half to find it so why didn't they do a title search? The other issue was that they were going before the Newburgh Housing Authority to remove this Deed restriction and they were making noise about resolutions that the City didn't give them but the City didn't have to give them a resolution. It is his understanding that they never made an offer to the Newburgh Housing Authority and that should be part of the mediation process. Alembic did a big presentation and they have a lot of people excited but he thinks it's a bad project. Once you take the Dutch Reformed Church there is no pressure on 2 Montgomery Street so you should do a new RFP.

Terry Maldonado, City of Newburgh, said the conversation they are having tonight is about more than the Alembic Project 2 Montgomery Street it is really about what kind of City we want to be. Do we want to be a City that promotes economic segregation or do we want to be a City that includes all of our people? We all know how Urban Renewal displaced hundreds of people in the past but now this City Council has an opportunity to begin to right the wrongs of the past by supporting the Alembic Project. Contrary to the false and misleading information that is being spread the Alembic Project is a forward looking, mixed income development project that will help revitalize our historic district and strengthen our tax base. Over the past few weeks he has heard borderline racist arguments on social media in opposition of this Project. One of those postings said that poor people should just stay where they are and they don't deserve a place on the waterfront which is wrong, immoral, irresponsible and unjust. He has seen hundreds of development projects across the Country and can say with confidence that the Alembic Project represents a model of what good development should look like. It would promote mixed income housing and create homeownership and rental opportunities for a broad range of Newburgh's working families. It would generate significant tax revenue and the bundling of the project would subsidize the revitalization of the Dutch Reformed Church and the City Club preserving two of the City's historic treasures. This is what he calls responsible development so he urged the City Council members to support the Alembic Project. They have the power to right the wrongs of Urban Renewal and demonstrate that a different more equal and more just Newburgh is possible.

Barbara Smith, Powell Avenue, said we are only as good as the people who come before Boards and get approved for things to move forward in the City of Newburgh. We cannot function without quorums and we need people on our Boards. She lost a member on the Board of Ethics and she needs a replacement. She knows there are people here who would love to sit on the Board of Ethics as it is a very interesting Board to sit on. The Charter states that we should have Provisionals that sit in case there are shortages to complete the business of the Board and keep the City moving forward. The city is not moving forward and improving things if we are putting them off month after month because we do not have a quorum. She feels she is being ignored so she is saying something tonight. If there is a list of people who are waiting to serve then we need to fill our empty Boards.

Stuart Sachs, 28 Lander Street asked for an explanation on resolution #55-2018 for a Vision Plan because he feels it should be a public process. The last Master Plan was done as a public charrette process which he feels was a productive process that involved a wide range of people in the City. He would like some clarification to know whether they are being hired to look at us and write a Plan or to run a charrette. He could not support someone else writing our Plan because it is something that the people of Newburgh must be involved in. Regarding Alembic he thinks that the Dutch Reformed Church is perhaps the most important historic building in the Hudson Valley and turning the restoration of it over to a Contractor who has done nothing in this specific field seems irresponsible. In a project that is estimated to be sixty nine million dollars, where are they going to come up with the seventeen million dollars to do it? They will burn through their profits plus a few million dollars more so it just doesn't make sense. We need to know a lot more about that before it happens and he cautioned people in this debate to maintain respect for each other. Decent people can disagree and be on both sides of this issue but we are one City and one family.

Beatrice Harris, City of Newburgh, said that she read an article concerning the City of Newburgh water contamination and Cuomo's take on it and personally she doesn't think he has any right to call out the City Manager for doing the right thing by filing an intent to sue the State of New York. She feels that is one of the best decisions that this City has ever made. Everyone is trying their hardest to make this City what it once was with the Urban Renewal displacing families and the years of corruption that followed. We are united and every race, religion and background stands to suffer even more. Every time a project takes place here she has noticed that it is the residents who have to foot the bill and that is not fair. There is funding available for certain projects so we have come up with different ways to keep the City running instead of putting it on the people once again.

Shaniqua McNeil, City of Newburgh, said in regard to transportation that we have buses that are not filled and there are no schedules so people don't know when the buses run. We have one Bus Shelter on Broadway and Liberty with no schedules there either so she is hoping we can get more information on the times and perhaps build more Shelters. She added that we know it is winter and there are a lot of potholes but Lake Street and Fullerton Avenue are the worst so hopefully DPW can get out there soon to fix these roads. On the Alembic Project, the City committed to a process to allow the public to have input and she thinks that should continue. We are the people of this community and this shouldn't be decided without us. She attended the meeting last week and felt it was great as they gave their input and questions were answered. Don't leave the community out of this decision because we are the ones affected.

Michelle Basch, Broad Street, said it is her understanding with the Alembic Project that 2 Montgomery is going to be built in part for Veterans in need of help. There are apartments in the City of Newburgh for Veterans currently that they cannot find Veterans to live in. She recently helped one of her customers find an apartment, which he does not have to pay for because he is a disabled Veteran and there are other apartments like this. This already exists so why do we need more? Statistically the City of Newburgh's poverty rate is way too high and it is a question of mathematics. The Alembic Project is not going to pull people from the City of Newburgh so they will get additional people with issues from outside who will be taxing our water, sewer and schools and will add to our taxes by not paying taxes. She doesn't understand how it is not possible to find someone who is interested in building either a Boutique Hotel or some luxury apartments on top of a hill with no traffic in front, no noise around, a Church to the back of it and a view that goes from West Point to the Mid-Hudson Bridge. You can't find someone who wants this, who will pay taxes and bring economy to the City? She doesn't think anyone has really been asked and they should be.

Richard Rosencrans, 88 Washington Street, asked in regard to resolution #55-2018 what this Newburgh Vision Plan is and how the process happens. What parts may or may not be for the public to comment on. When he sees Newburgh Vision Plan he feels that everyone here should have a say in that.

Fred Visconti, business owner, said in regard to the Alembic Project that we need transparency, development and tax revenue. Every year we struggle to balance budgets and we are currently in a reactive mode with crumbling infrastructure but we should be in a proactive mode to maintain it before it fails. When we have heavy rainstorms, the storm drains can't handle the water flow. On his way to the meeting tonight he had to maneuver numerous potholes and told Councilman Jacobson that part of his platform was to fix the

roads but that can't happen without a proper plan. In regard to the Dutch Reformed Church and the City Club there were two public meetings and the one they had last week was a disgrace. The Hester Street team didn't have a lot of time to state their case so why didn't they stay longer? Why didn't the Developer, Benjamin Warnke, get involved in the process instead of just standing in the back of the room? Is it fair that we have the highest property taxes in the region? Is it fair so many have disapproved of this Project but it still continues? Is it fair to the people of the City of Newburgh that the infrastructure is failing? Is it fair to the people of our City that they can't sustain their budget? Is it fair to the people that Alembic and Hester Street have used our City's employee's funds and resources to advance their project and propaganda? Is it fair to the people that if Alembic is chosen they will walk away with an eight million dollar development fee and never look back? Is it fair to the people that in June, 2013 Varick Homes was given another PILOT agreement without the City negotiating a better deal for the people who live there? Is it fair to the people that our City Management Team continues to focus on affordable housing instead of creating opportunities for people who are in need? A Petition was sent with these facts and the majority of the people have spoken so discontinue this Project, reject all RFP's and start a new process.

Michael Esposito, business owner of Orange Packaging said that for six generations his family has lived here in the City of Newburgh and their business has been here for sixty eight years. Our taxes keep going up, we employ one hundred and seventy people who reside in the City of Newburgh and we infuse approximately three and a half to four million dollars into the economy through payroll. We want to stay here but we feel like we are not being heard. In the last six years our taxes have gone up 32% and last year we paid \$72,000.00 in taxes. During the recession we did not lay off employees so we took cuts in pay ourselves. We care about the people who work for us here and we want to stay in the City of Newburgh but we are considering other areas that are friendlier to Orange Packaging.

Omari Shakur, 55 Liberty Street said he is not sure what Alembic is all about but everyone here wants what is best for the City of Newburgh and he is tired of fighting about it. Let Alembic get the Dutch Reformed Church and put a Hotel or something down by the river. We have six hundred houses here that could be fixed up for low income people so let's work this out. He is trying to work with everyone here and everyone knows how he feels about Newburgh. Let's make that Project work because we need money to lower our taxes here in the City. The Hospital, College and Riverfront have not been paying taxes for years. We all want to fix Newburgh so let's sit down and talk about it. Let's fix it and stop fighting with each other.

Martha White, City of Newburgh, said that poverty is a business here. Alembic talks a big game about doing good for the City but they are making money off of the struggling and the oppressed. She said she is a freelance Journalist and she wanted to tell everyone a quick money story about a Banker named Mark. Mark is a Wall Street guy and he wants to lend money to people with no money and make even more money for himself. He realizes there are countless number of poor communities and organizations that can't get a Bank to lend to them but they need money to build homes to restore neighborhoods. He now wants even more money so he decides to start a second company where he actually builds the projects he is lending the money for. So now he is building the homes with the money we pay him with, which is his own money that we are paying back to him with interest so he just got paid twice. In New Orleans there is a dilapidated School in a

struggling neighborhood that is about to be knocked down even though there is interest in putting an African American cultural Museum there but there is no Museum there today. The building still exists and it was supposed to be a fresh food distribution to serve the needs of the community that didn't work out either and the building is still open but don't feel bad for Builder Mark because he has plans to put his brand new office on the top floor of this Historic building. About a year ago Mark accepted an Award on behalf of his company, Alembic Development. Alembic is not looking at our best interests. It is a cynical Wall Street business that relies on poverty to make money and it will be worse for us.

Richard White, Johnes Street, said he heard someone basically say earlier that if you don't support this Alembic Project then you are a racist. For somebody to turn this into identity politics is insulting. We all want what is best for the City of Newburgh. We are homeowners and we pay a lot of taxes here. There was another option to build something different on that 2 Montgomery site and someone wanted a different style of condominium but that was shot down because there could be nothing obstructing the view there was an issue with the height of the proposed project. Because of the way the sewer runs there it would cost millions of dollars to dig that all up. They run diagonally across that property so they would have to gut the entire thing so it is virtually impossible to build anything there. We can't in good conscience allow a project to be built here that does not contribute to the taxes.

Joshua Russo, Powell Avenue, said he is an affordable housing developer and he developed 197 Lander Street but he is about to go bankrupt because of the taxes. He only gets a shoulder shrug when he asks the Tax Assessor, *"How do we make this work?"* He dumped all of his hard earned money into this project and he has a family to feed as well. He was born and raised here and has lived here all of his life but now he is going bankrupt because of the taxes. Now you want to bring in more affordable housing so are you going to tax them like you taxed him? He is right now in the middle of a lawsuit with his own City for the fourth time. He did what he thought was the right thing by taking the Grant money. He did what he thought was right but now he is being punished for it. We are all being taxed to death and it should be illegal.

Juanita Lewis, Community Voices Heard said that she is disappointed in the fact that Newburgh residents are not allowed to have a discussion about what the City should look like when it comes to development. People went to last week's meeting and they felt they couldn't be honest about how they felt about the process because they heard a lot of "dog whistle" comments around race and income. If that is the way that individuals who are opposed to this project want to portray what this will be, then that is a huge problem and it's bigger than the fact that the taxes are going to be increased. This is just an opportunity to engage in community conversation about an idea of a project. Nothing has been built, there is no shovel in the ground and nothing has been approved so this is the beginning of a community conversation by people who are impacted by what happened with Urban Renewal. There are a lot of landlords who own properties in the City of Newburgh and across Orange County who have buildings that are dilapidated so there needs to be improvement around housing and access to jobs that this project could bring but we won't know that until we have these conversations. This is a project that talks about jobs for community members who need jobs and affordable housing based on your income. Her Organization has been here for over five years and they want to see something different for people who are making \$40,000.00 and who were born and raised in the City of Newburgh.

They want to see something different and better. There are people who actually want to have that conversation about something for a whole community to thrive and survive and that is what this process allows. If there are recommendations to make it better, that is much better than saying to completely scrap the process or the project for something that hasn't actually been started yet.

Russ Vernon, 302 North Water Street believes that the conversation has begun but before we completed a conversation and decided what the needs are we awarded an RFP. If we knew we wanted a Hotel and affordable housing, then the RFP should have been very specific because then the right developer with the right qualifications could have been selected. By tying this Project to the City Club and the Dutch Reformed Church it eliminated the ability to get the best use and the right developer with the right skill set. Hester Street presented a lot of great statistics last week on poverty and other things in the City that came directly from the last Census. A few stats were left out so there is nine thousand and four households and ten thousand five hundred dwellings in the City of Newburgh today. There is a 12.7% National poverty average and Newburgh has 33% poverty which is a disgrace. The way out of that is through job creation, job training and lifting people up by giving us the ability to bring the poverty level down. The conversations we are now having are incredibly helpful and will bring this City together and he appreciates that the City Council is looking at this in a measured and smart way. He hopes they will kill the current RFP and issue a new one that separates all properties.

Ed Kennedy, City of Newburgh, said he sees a community that is penny wise and pound foolish. The first resolution on the Agenda for tonight is for 1.2 million dollars. Did anyone even talk to the Town of Wallkill or the Village of Walden which is where these guys did their last jobs? You are spending a lot of money on these guys and they are not the top company but you chose them. A Vision Plan for \$50,000.00? You are just going to throw that away? They should be paying you. The Council has the ability to get so much money in Grants and funding so they could be making money to do all of this work for you. A full time Grant Writer has to earn their own money. This company has done anything in New York so why are you hiring them? Every couple of years he hears about the Firemen and you have to think outside the box because whatever Grant you get is going to run out for these guys. You have a community that is taxed too high and over ten percent of the houses don't pay any taxes which is ridiculous. He said he came here tonight because of a parking violation and Milwaukee, Wisconsin runs the parking fines which is ridiculous.

Councilman Harvey said they only collect the money.

Rich Fracasse, City of Newburgh, asked Juanita who spoke earlier where she lives because she doesn't live in Newburgh and she is wearing a \$400.00 backpack which most of the people here can't afford. He said he is getting tired of being called a racist too because he is not one and he wants what is best for his friends and family. Ninety percent of us do not want this but some people are in cahoots with these guys and they want to throw this in our front yard. Many of the Habitat for Humanity house people are losing their homes because they can't afford to pay the taxes. We are all different and we are a rainbow of people so he doesn't want to hear anymore about black or white because we don't have time for this nonsense. Look at Beacon. They are putting up million dollar Condos on Main Street right across the River. We want to do the right thing for the people here so build it and they will come. Kill this thing now and don't waste our time anymore.

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

Mayor Kennedy thanked everyone for their input on every side of this story and it is important that they continue to have these conversations. This Council knows that their input is extremely important and they have decisions to make. We have more conversations coming up at the next Work Session and no decision will be made tonight.

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Councilman Harvey said that tonight was the very first time as a City Council member he heard an alternative point of view and perspective on the Alembic Project and he appreciated it because we need to hear all sides. He made a request at the last Work Session that we press the restart button and start this entire process all over again including all points of view, perspectives and community members. In respect to Councilwoman Mejia, she made a valid and important point that he thought about and she was right. We have not gotten any numbers and there has not been an official proposal for what Alembic plans to do financially with this particular Project so he wants to see the numbers. He went to a special meeting at the request of the Mayor with another Councilwoman and the three of them discussed some of the visions and the things that she wants to do and what some of the community members want to do in terms of creating ratables and commercial properties. We had a developer at the Waterfront where Gully's used to be and but Project was sandbagged because of the new Administration in the Whitehouse and all of the Immigration issues. Their numbers were working in terms of who was going to be helping construct that new development at the Waterfront but notice that that development then was sold to a very distinguished person in this community. Why? The numbers don't work for any developer that is going to come here, pay fair market value for the property and pay their fair share without asking for a tax break. With Alembic we need to see the numbers because we know they aren't going to work and there is no way they are going to come here and build affordable housing with mixed-use without asking for a PILOT because any developer that comes to the City of Newburgh has to get a tax break or a PILOT. There is no way the numbers are going to work when we look at the median income in the City of Newburgh, the taxes on properties and all of the economic elements the math doesn't work unless you get a tax break or PILOT. Omari Shakur mentioned earlier about the Waterfront. The Waterfront properties got developed because they had a ten year tax break and when that expired, Torches left. Now the people down there are paying taxes. The point is that numbers don't lie and we have not seen the numbers for this proposed development so he encouraged Deirdre Glenn and our City Manager to get those the numbers. Until they see those numbers and until there is a proposal put in front of them there is nothing to vote on.

Councilman Jacobson said he went to the Alembic meeting last week and it was pathetic because he couldn't get any answers. He went to six different tables and asked the same question about the Commercial Development listed and what is it but got no answer. Questions were raised about the process here and no one received a straight answer. At the last Work Session he asked our Economic Development Director, Deirdre Glenn to explain at the next Work Session her understanding of the process. We need numbers to make intelligent decisions. At this point he doesn't see why we couldn't have the restoration of the Dutch Reformed Church and the City Club be separate. He has been

told that people want to do that restoration separately and that would solve one of the problems. Concerning this Newburgh Vision Plan, he was told this was part of the need to redo the Planning and Zoning for the City which has to be done every ten years and this group was involved ten years ago.

Michelle Kelson, Corporation Counsel said not to confuse two items on the Agenda. The Vision Plan is a proposal from BFJ Planning for an update to the City's Comprehensive Plan. Millennium Strategies is a completely separate Organization that is providing a proposal to assist the City in Grant writing. These two things, while on some level may be related at some point, are not related now and they are not the same company. The General Municipal Law of the State of New York requires all municipalities to have a Comprehensive Plan which is supposed to be updated every ten years. The City last developed and adopted a Comprehensive Plan in 2008 and subsequent to that adoption the City has made two amendments to that Comprehensive Plan. One was a Future Land Use Plan which became the road map for the 2015 Zoning Code. BFJ Planning Consultants provided services to a group of residents who helped the City develop that Future Land Use Plan which then became the road map to developing the current Zoning Code. BFJ also provided consulting services to help the City develop an amendment to the Local Waterfront Revitalization Plan so that we can finalize that Plan and be able to develop the hillside, 2 Montgomery and all of the properties located within our local Waterfront zone. BFJ has provided consulting services to the City on those occasions and they are very much familiar with the planning documents that the City has created and developed over the last ten years. Their proposal to help the City develop this Vision Plan, which is the framework and road map to amend the Comprehensive Plan during 2018, does contain a public participation component and there are several items of public outreach that will be continuing as this Plan develops. They included Workshops for the public to provide their comment, interests and thoughts about the Comprehensive Plan. They proposed a Survey which will be administered online and in hard copy so that anyone in the community who has an interest in helping develop this Plan will have an opportunity to provide their input if you can't get out to a meeting, be part of a committee or attend a Workshop. There will also be Focus Groups developed involving different stakeholder groups in the City. We have people who are homeowners, people who are landlords and people who are business owners so everyone who is here has some kind of interest in helping the City of Newburgh develop. One of the things that BFJ would like to do is work with the different groups of stakeholders who all have a different perspective and a different vision for what their part of how they can benefit the City of Newburgh looks like. She has worked with BFJ several times over the past ten years and found them to be open, honest and truly interested in what we all think as staff and what you all think as the public. She hopes they give them an opportunity because this Comprehensive Plan is to help you decide what the City should look like and set goals for the next ten years of development.

Councilman Jacobson said in regard to resolution #56-2018 for Millennium Strategies that they are an outfit that gets Grants for municipalities. They showed us their history and they get paid on a flat rate so he feels this is something that will be good and useful.

Councilwoman Mejia thanked everyone for coming tonight and voicing their concerns and opinions because that is how we function as a democracy and a City we all want to live in. She was inspired by the music at the beginning of the meeting and the following words, *"Who is your rock in this weary land and where is your shelter in a time of storms?"* We are heading toward storms and they will continue to come but we must all be lifted by the water

those storms bring. She continued that we all need and want ratables to increase our tax base and to lower our taxes. Our taxes are too high which is not only a reality for Newburgh but for the state of New York. She is a taxpayer and mother and her child attends the Newburgh Enlarged City School District so she encouraged everyone to go to those meetings as well because a lot of decisions are made there about how our taxes are utilized and how our children are educated. When these economic development projects were bundled, that's what was envisioned. How do we make this project something that is positive for the entire City of Newburgh? Questions were asked at our December meetings which were answered and e-mailed back and they are on the City of Newburgh Website. One of those questions was who determined the usage of the 2 Montgomery Street site and who was that determined by? The response was that the final usage of the site will be determined by a market study and community engagement process. This is where we are right now and she gets very concerned when people start saying to kill the process when we haven't even gone through it. We need to continue the engagement process to see how we can make this have a positive impact for the City. There was a comparison made to the Mill Street Project which is misleading and non-factual. This is not a project that has asked for a thirty plus year PILOT. This is not that type of project. This is not the type of Administration that will approve such a project and she is not trying to sell anyone anything. She is trying to support the vision for the community so she hopes there is enough support to continue that process and adhere to the commitments that were made. If in the end it doesn't work or the numbers don't make sense, then it doesn't make sense. She thinks it is great that we are going to have an Agency to assist us in being competitive when applying for Grants but added that we have to expand our tax base.

Councilwoman Rayford thanked everyone for coming. She said that the Job we have is not an easy job and hearing from the community is a beautiful thing. She has questions concerning resolution #55-2018 for the Vision Plan. Where is this money coming from to do another Comprehensive Plan? How much of the other Plan from 2008 was accomplished? Since she has been on the Council, she has heard people say that our taxes are too high, which is true, and now we are talking about sewer going up by 4%. How are the elderly going to pay that extra \$5.00 dollars per quarter? She is grateful to have the Police Chief now and she hopes he can see about the overtime especially when there is no timeclock or accountability. She is concerned because the owner of Orange Packaging has come here begging so she wants to know what we are doing to lower these taxes. What can we do? The poverty rate is high here and she agrees with an earlier comment that poverty is a business here so what are we doing about it? They are bringing other people from other cities to live here with mental issues and former inmates to be housed here so what are we doing? We need to get a hold of this because she is annoyed and very upset. The jobs that are available here in Newburgh really should be for Newburgh residents. When she went to the Alembic meeting she heard someone ask about the jobs and if they are going to employ people who live here. We need to do something and we need to do it fast because if we don't lower the taxes the City is going to be deserted.

Councilwoman Sofokles said that one way we can lower taxes is not to vote on projects that aren't going to give us the tax base and tax ratables. She remembers Urban Renewal and how said she was because all of those beautiful buildings were gone and now after all of these years if we are going to use that property we have to use it correctly. She has always had a vision for a Hotel Conference Center and she wants a new Police Station which is why she is excited about this Grant writer. He wrote a Grant in Essex County for 1.8 million for their Police Department and she wants to try to save our Firefighters jobs

too. There are all these things we have to do but we have to get tax ratables and one way to do that is with no more housing and using Newburgh as a dumping ground. She pays a lot taxes here too and she knows they are high but one of the reasons she ran for Council was to make sure not to vote for anything else that is not going to give us tax ratables. She sees a lot of people and does their taxes and no one pays taxes like we do here plus water and sewer. It is expensive and there has to be an answer so the first thing is to get tax ratables.

Mayor Kennedy thanked everyone for being here and she also was inspired by the musical number. She is encouraged about swearing in the Police Chief and told him she knows he is going to pass the test. Numbers can lie too but we need them nevertheless to understand the current rate of poverty and to get the percent and number of current affordable housing already available which she happens to know is a little over two thousand. About twenty one percent of our current housing is now in some way subsidized and we are having a hard time filling units built by RUPCO. We need to understand where we are with vacancy rates and the number of people losing homes due to their taxes because it breaks her heart to take a building away from anyone. If we can talk about PILOTs or tax rates for new businesses, then we need to talk about how to keep our current businesses here and support them especially when they have been here for sixty eight years. Nobody talks to them or even encourages them so no wonder they feel discouraged. We need to talk with Orange Packaging straight away because they have had a hard time. When someone says poverty is a business she agrees, and with every non-profit there is someone making money. If we build more affordable housing, but we already have twenty one percent of affordable housing and can't fill those, then you can bet the County and State will send in additional people who need housing which will drive up the poverty rate. We need to understand the numbers from a lot of different directions and she told Councilman Harvey that he is correct because we also need to understand that if we are going to work with developers there will be a need for a 485B, which is a ten year gradual tax increase. There still may be a need for a PILOT but we need to define that PILOT instead of the project developer. Yes, developers do need some kind of incentive and we need to understand that but we also need to do but it has to make sense. We need to support our current businesses just as well and that is where she stands right now.

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

CITY MANAGER'S REPORT

Resolution No. 48-2018 - Award of Construction Bid for Regulator#2 Improvements

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 49- 2018 - Amend 2018 Budget Resolution - adjustment for insurance recovery funds for Fire Department equipment

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 50 - 2018 - Amend 2018 Personnel Book to add Temporary Personnel to Sanitation Department

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 51 - 2018 - Extend Temporary Sergeant position

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 52 - 2018 - Release of restrictive covenants for 169 Prospect Street

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 53 - 2018 Extension of time to rehabilitate 63 and 66 Carson Avenue

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 54 - 2018 Agreement with Mountain Valley Guides for Summer Kayaking Tours from the City Boat Launch

Councilman Harvey moved and Councilwoman Rayford seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

Resolution No. 55 - 2018 - Proposal for Newburgh Vision Plan

Councilwoman Rayford said she is not voting on this and feels it needs to be tabled. She wants to know where the money is coming from and how much of the 2008 Comprehensive Plan was already accomplished. She doesn't want to say yes on a resolution when we haven't heard from the public.

Councilman Harvey thanked Corporation Counsel, for the clarification as it helps him with this resolution because BFJ Planning Company will help us hear from the public so that we can get their input. A Comprehensive Plan for the City for a ten year period is super important and needed so we have a road map to accomplish the very things we talked about tonight. It was brought to his attention by a constituent who lives in the City of Newburgh that if we take on individual projects this plan will give us a road map and we will know specifically what the public wants to see happen with those properties. This will

be a plan and a road map so that we are not approaching these projects on a case by case basis.

Councilwoman Rayford said she still wants to know how much of that Comprehensive Plan from 2008 was accomplished and what was planned. How do we know we are not repeating some of that same Plan? Without that information she can't vote because it is not an informed decision.

Michelle Kelson, Corporation Counsel said to clarify that BFJ was not the City's Consultant in 2008 and did not create the 2008 Comprehensive Plan. The City had a different Consultant and what we received from that Consultant was not to the standards we expected so our in-house City Planner at that time had to rewrite the entire Plan before it was adopted. She doesn't want anyone to think that we are hiring the same Consultant who didn't complete that project in 2008 because that is not true. Whether we have met or achieved the goals and standards that were set in 2008, you still have a legal obligation to go back and review the Plan and update it every ten years. Part of developing your 2018 Plan is to review your previous Plan and identify those items that were or were not achieved. We can give you a copy of the 2008 Plan to read and draw your own conclusions about whether it was appropriate or successful but we still have to do update. As to where the \$50,000.00 is coming from, we set aside that money in the 2018 Budget. Originally the City tried to apply for a Consolidated Funding Application Grant to help us fund our Comprehensive Plan update but the City did not receive that Grant so we are transferring the money from what we set aside for the Grant match to hire this Consultant to help us continue and move this process along. Again, we do have a legal obligation to do this every ten years.

Mayor Kennedy said that she and a group of people became aware of a situation with the 2008 Plan after the Consultant who did it completed it and when they read it they said, "What is this?" She then organized a group of about thirty-five to fifty people to meet at her house every Saturday morning. They divided up into teams and each took a section of that Plan to go through it and she prepared a template with goals and objectives of what was to be laid out. It took us eight weeks to go through the whole thing and rewrite it with our input. The City Planner then took our input and incorporated them back into the Plan which he put together. We really need to have that input and there has to be a good facilitator for all of these public meetings. We have to get all that information and data consolidated into something that you can follow and read. They will earn every dollar they get because they have to write that Plan, put it together and facilitate all of these meetings. We do need to have that road map so that we stop just making decisions and that Plan needs to make some sense with concrete, reasonable, manageable, realistic and smart goals. We need to put something together that makes sense rather than some pie in the sky thing we think we can do.

Councilwoman Rayford asked the Mayor how much it cost her to have those meetings at your house. Was it \$50,000.00? Is this coming from the taxpayers again?

Mayor Kennedy said she did for free.

Councilwoman Rayford asked if this is coming from Grant money or the taxpayers.

Michelle Kelson, Corporation Counsel said this is in the Budget.

Katie Mack, City Comptroller said this was already in the Budget it was just under Special Items for a fifty percent Grant match. We didn't get that Grant so now we are reallocating that money to spend on getting this process started.

Councilman Harvey moved and Councilwoman Sofokles seconded.

Ayes: Harvey, Jacobson, Mejia, Sofokles, Kennedy - 5

Nays: Rayford-1

Adopted

Resolution No. 56 - 2018 Millennium Strategies

Councilman Jacobson said he is cautiously optimistic on this proposal because we will have a Grant person here. He thinks it will pay for itself but if it doesn't, this person won't get rehired again. They're going to be paid on a flat fee basis and not a percentage, which for this kind of thing he feels is good because otherwise it might be an easy Grant for the City to get.

Councilman Harvey added that from the time he was sworn in they have been pushing for this because any organization or government entity has to have an in-house Grant Writer or in-house person to seek out Grants that are available because there are millions of dollars in Grant funding that goes untouched. The Firemen had a Grant that was awarded to us twice and the funding ran out so we can't get it a third time. We can't even apply for it again so a Grant person will resolve some of those kind of issues.

Councilwoman Rayford said she is in favor of this proposal. She sat in training up in Albany and met some of these people for the Grant writing. When she was first elected she noticed this was something we needed and she is quite sure there is money out there.

Councilman Harvey moved and Councilwoman Mejia seconded.

Ayes: Harvey, Jacobson, Mejia, Rayford, Sofokles, Kennedy - 6

Adopted

NEW BUSINESS

Councilman Harvey said that the month of March is Women's History Month so we should have some sort of celebration commemorating and acknowledging the great accomplishments of women in our American History.

Mayor Kennedy asked that this be put on the Agenda for the next meeting and if anyone has any ideas to please bring that as a discussion item to the next Work Session.

There being no further new business this portion of the meeting was closed.

OLD BUSINESS

Councilman Harvey said that the My Brother's Keeper Grant has been awarded to our City School District and he received a phone call to partner with the School District for mentoring so the wheels are turning. He thinks the Council and the public need an update at the next meeting on where we are with that Grant. If you go on the My Brother's Keeper Grant Website, the City of Newburgh is listed as one of the recipients.

Mayor Kennedy just signed a letter for that and asked that this be put on the Agenda for the next meeting.

There being no further old business to discuss this portion of the meeting was closed.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Harvey thanked all of the concerned citizens and business owners who came out tonight to express their heartfelt sentiments regarding some very important items for the City. He congratulated Provisional Chief Solomon and the Police Department as he is excited about the excellent work they have done and continue to do. He acknowledged the Firemen here tonight and the great work that both the Fire Department and the Police Department do putting their lives on the line for us every day. To reiterate what Ms. McNeil said earlier, the winter season is coming to a conclusion so whatever we can do to fix these roads because they are really bad because of the weather.

George Garrison, DPW said that they have been out all winter and have probably put down sixty ton of asphalt.

Councilman Harvey added that he has been getting a lot of calls and experienced the potholes himself. In regard to the transportation, we definitely want to do what we can to get those schedules out. There are several buses running so getting the schedules out is very important.

Councilman Jacobson thanked everyone who came out tonight. There were good discussions and people got to say what they wanted to say but this is not the end of it. If we don't change the taxes and if we keep raising taxes, then people will just leave. He added that he always bugs George Garrison about the streets and he has a neighbor who wanted to get a sign put up saying "*Stop Ahead*". It was put up and he is happy about that. He congratulated the new Police Chief and wished him luck and the other thing we need is something on a National level concerning guns. We should never have weapons of mass destruction and if someone wants that kind of gun then they should join the Military. We have to work on that on a National level because we just can't do it on a local level.

Councilwoman Mejia thanked everyone for staying to the end and she hopes there is more uniting us than dividing us. In regard to taxes and ratables, everyone has screamed, vocalized and expressed but some have just silently listened to the different opinions. She encouraged everyone who continues to come to the meetings and who is doing their research to also voice their concerns, opinions and perspectives because everyone wants what is best for the City of Newburgh. That has to be a discussion around how we do economic development that is equitable and continues to honor and fix some of the mistakes that have been made in the past while providing some relief to all of us who are taxpayers.

Believe it or not you are a taxpayer whether you rent, own a home or just come into the City of Newburgh. She looks forward to what is to come in the future and we still have the discussion left on what to do with our Fire Department staff and the Safer Grant. We were fortunate enough to receive an additional increase of sales tax revenue because there are people coming into Orange County spending their hard earned money. This is not a guarantee but it is a good sign and we have to manage it properly to figure out what we do with it not only for the Fire Department but also the Police Department. She again thanked everyone for coming and wished them a good night.

Councilwoman Rayford thanked everyone for coming out and speaking. We need to hear from you, we appreciate you and you are the reason why we are here. We want what is best for Newburgh so we are here and we are approachable. She heard someone in the audience say, "*Numbers don't lie but some Council Members lie*". She heard it and some things are hurtful but we push those things off to the side because we are human and we are doing the best we can. For Black History Month she has been wearing head wraps which are a form of humility, submission and power for women of African descent. She noted that on February 28th, the Black History Committee will be having their last event at the Orange County Community College on Grand Street from 1:00 p.m. to 3:00 p.m. and it has something to do with Netflix. She thanked everyone again for coming and said they will all be in her Prayers.

Councilwoman Sofokles thanked everyone for coming, congratulated Chief Solomon and said thank you to the people who have taken a risk by opening a business here in the City of Newburgh. Please try to go to all of their businesses because that is what Newburgh is all about. The businesses are coming here because Newburgh is coming back. They could have gone anywhere but they took the risk and came here which is how Newburgh is going to come back.

Mayor Kennedy said that we as a City need to support our businesses. She asked if the Planning and Development Department can get in touch with the Transportation Department in the County because they are supposed to be posting bus schedules in various locations throughout the City and she wants to see that happen in the next thirty days. We need to talk about how we can support some of our businesses that are really struggling because we don't want them to move out of our City so we have to do something about it. Not just talk but do something.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 10:05 P.M.

LORENE VITEK
CITY CLERK

RESOLUTION NO.: 48 - 2018

OF

FEBRUARY 26, 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID AND THE EXECUTION OF
A CONTRACT WITH TAM ENTERPRISES, INC. FOR THE CONSTRUCTION OF
THE REGULATOR NO. 2 IMPROVEMENTS PROJECT
IN AN AMOUNT NOT TO EXCEED \$1,257,750.00

WHEREAS, by Resolution No. 219-2011 of October 24, 2011, the City Council of the City of Newburgh, New York authorized the City Manager to execute an Order on Consent with the New York State Department of Environmental Conservation ("NYS DEC") to resolve violations at the Wastewater Treatment Plant and for the development of the CSO Long Term Control Plan ("LTCP"); and

WHEREAS, Regulator No. 2 Upgrades are LTCP Phase I project with a notice to proceed date for construction of March 1, 2018; and

WHEREAS, the City of Newburgh has duly advertised for bids for the construction of the Regulator No. 2 Improvements Project; and

WHEREAS, bids have been duly received and opened and TAM Enterprises, Inc. is the low bidder; and

WHEREAS, funding for such project shall be derived from HG1.8197.0200.8166.2017 - Regulator No. 2 Upgrades;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the bid for construction of the Regulator No. 2 Improvements Project be and it hereby is awarded to TAM Enterprises, Inc. for the amount of \$1,257,750.00, and that the City Manager be and he is hereby authorized to enter into a contract for such work in this amount.



114 Hartley Road
Goshen, NY 10924
Phone: (845)-294-8882
Fax: (845)-294-8883

February 9, 2018

A.J. Brooks
855 Route 146, Suite 210
Arcadis of New York
Clifton Park, New York 10265

RE: Regulator No. 2 Improvements Bid Submission
City of Newburgh
Orange County New York

Dear Mr. Brooks:

Please find attached one original bid package with additional submittal items and copy of same.
Please contact us with any questions regarding this submission.

Sincerely,

Clifford Bell, CPG, Estimator

Cc: Brian Smith TAM Enterprises, Inc.

Attached: One (1) original bid submission
One (1) copy

BID FORM

**City of Newburgh
Regulator No. 2 Improvements
Bid No. 1.18**

TABLE OF ARTICLES

1. Bid Recipient
2. Bidder's Acknowledgements
3. Bidder's Representations
4. Bidder's Certifications
5. Basis of Bid
6. Time of Completion
7. Attachments to this Bid
8. Defined Terms
9. Bid Submittal

ARTICLE 1 - BID RECIPIENT

- 1.01 This Bid is submitted to:

City Comptroller
City of Newburgh
83 Broadway
Fourth Floor
Newburgh, New York 12550

- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into a Contract with Owner, by executing the Agreement form included in the Bidding Documents, to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for sixty days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda.

Addendum No.	Addendum Date
1	2/1/18

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and

conditions of the Bidding Documents.

- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 -- BIDDER'S CERTIFICATIONS

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of the Paragraph 4.01.D;
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 - BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.		
1	Lump Sum Bid Price for General Construction	\$ 1,100,000.00

Item No.	Allowances	
2	Lump Sum Contingency Allowance	\$100,000.00

Total of Lump Sum = Total Bid Price \$ 1,200,000.00

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
3	Tree Trimming	Days	3	\$ 8,000.00	\$ 24,000.00
4	Repair of Spalled Concrete	sqft	75	\$ 250.00	\$ 18,750.00
5	Repairing Cracks on Interior Structural Surfaces	lft	100	\$ 150.00	\$ 15,000.00
Total of All Unit Price Bid Items					\$ 57,750.00

Bidder acknowledges that (1) each bid unit price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Work will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 - TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages and special damages in the event of failure to complete the Work within the Contract Times. Bidder also accepts the provisions for performance damages, if any, included in the Contract Documents.

ARTICLE 7 - ATTACHMENTS TO THIS BID

7.01 The following documents are attached to and made a condition of this Bid:

- ✓ A. Required bid security.
- ✓ B. Required Qualifications Statement with supporting data.
- C. Listing of Subcontractors, Suppliers, and other individuals and entities required to be identified in this Bid.
- D. Waiver of Immunity / Non-Collusive Bidding Certificate.
- E. Worker's Compensation Affidavit.
- F. Apprenticeship Certification Form.
- G. Iranian Energy Sector Divestment Form.
- H. EEO Statement Policy.
- I. Documented Proof that EPA Form 6100-2 - DBE Subcontractor Participation Form was given to MWBE Subcontractors.
- J. EPA Form 6100-3, DBE Subcontractor Performance Form.
- K. EPA Form 6100-4, DBE Subcontractor Utilization Form.
- L. Certification of Contracts, Grants, Loans, and Cooperative Agreements.
- M. American Iron and Steel Contractor Certification.

ARTICLE 8 - DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 - BID SUBMITTAL

9.01 This Bid submitted by: TAM Enterprises, Inc.

BIDDER: [Indicate correct name of bidding entity]

TAM Enterprises, Inc.

By: [Signature]

[Printed name]

Anthony Lasaponara

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

Rosanna Antolino

[Printed name]

Title:

Admin

Submittal Date:

2/8/18

Address for giving notices:

114 Hartley Road, Goshen, NY 10924

Telephone Number:

845-294-8882

Fax Number:

845-294-8883

Contact Name and e-mail
address:

Rosanna Antolino

rosanna@tamentinc.com

Bidder's License No.:

(where applicable)

++ END OF BID FORM ++

QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT
PERMITTED BY LAWS AND REGULATIONS

1. **SUBMITTED BY:**

Official Name of Firm: TAM Enterprises, Inc.

Address: 114 Hartley Road

Goshen, NY 10924

2. **SUBMITTED TO:**

Arcadis of New York Inc.

3. **SUBMITTED FOR:**

Sewer Modifications

Owner: City of Newburgh

Project Name: Regulator No. 2 Improvements - BID No. 1.18

TYPE OF WORK:

Modifications to the existing Regulator No. 2 Structure,
construction of a permanent dry-weather bypass and
installation of slide gates.

4. **CONTRACTOR'S CONTACT INFORMATION**

Contact Person: Brian Smith

Title: Operations

Phone: 845-294-8882

Email: brian@tamentinc.com

5. **AFFILIATED COMPANIES:**

Name:

N/A

Address:

6. **TYPE OF ORGANIZATION:**

☐ **SOLE PROPRIETORSHIP**

Name of Owner:

Doing Business As:

Date of Organization:

☐ **PARTNERSHIP**

Date of Organization:

Type of Partnership:

Name of General Partner(s):

☒ **CORPORATION**

State of Organization:

New York

Date of Organization:

2/4/1994

Executive Officers:

- President:

Anthony Lasaponara

- Vice President(s):

- Treasurer:

- Secretary:

EJCDC® C-451, Qualifications Statement.

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☐ **LIMITED LIABILITY COMPANY**

State of Organization:

Date of Organization:

Members:

☐ **JOINT VENTURE**

State of Organization:

Date of Organization:

Form of Organization:

Joint Venture Managing Partner

- Name:

- Address:

Joint Venture Managing Partner

- Name:

- Address:

Joint Venture Managing Partner

- Name:

- Address:

7. **LICENSING**

Jurisdiction: _____
Type of License: _____
License Number: _____
Jurisdiction: _____
Type of License: _____
License Number: _____

8. **CERTIFICATIONS**

CERTIFIED BY: _____

Disadvantage Business Enterprise: _____
Minority Business Enterprise: _____
Woman Owned Enterprise: _____
Small Business Enterprise: _____
Other (_____): _____

9. **BONDING INFORMATION**

Bonding Company: Bondex Insurance Company
Address: 30 A Vreeland Road
Florham Park, NJ 07932
Bonding Agent: Dale Group
Address: 30 A Vreeland Road Suite 120 PO BOX 6
Florham Park, NJ 07932
Contact Name: Nina Baguley
Phone: 973-377-7000
Aggregate Bonding Capacity: \$10 Million
Available Bonding Capacity as of date of this submittal: \$4.5 Million

10. FINANCIAL INFORMATION

Financial Institution: Salisbury Bank
Address: 52 Rt 17K
Newburgh, NY 12550
Account Manager: Anthony Casillo
Phone: 845-562-6766

INCLUDE AS AN ATTACHMENT AN AUDITED BALANCE SHEET FOR EACH OF THE
LAST 3 YEARS

11. CONSTRUCTION EXPERIENCE:

Current Experience:

List on Schedule A all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately).

Previous Experience:

List on Schedule B all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☒ NO

If YES, attach as an Attachment details including project owner's contact information.

Has any corporate officer, partner, joint venture participant, or proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☒ NO

If YES, attach as an Attachment details including Project Owner's contact information.

12. **SAFETY PROGRAM:**

Name of Contractor's Safety Officer: Anthony Lasaponara

Include the following as attachments:

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) OSHA Form 300A - Summary of Occupational Injuries and Illnesses for each of the past 5 years. When requested by Owner or Engineer after receipt of Bids, promptly submit OSHA Form 300 - Log of Work-Related Injuries and Illnesses, for each of the past 5 years.

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all OSHA Citations & Notifications of Penalty (monetary or other) received within the last 5 years (indicate disposition as applicable) - IF NONE SO STATE.

****WILL BE PROVIDED IF LOW BIDDER****

Provide as an Attachment Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) list of all safety citations or violations under any state all received within the last five years (indicate disposition as applicable) - IF NONE SO STATE.

Provide the following for the firm listed in Section V (and for each proposed Subcontractor furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) the following (attach additional sheets as necessary):

Workers' compensation Experience Modification Rate (EMR) for the last 5 years:

YEAR	<u>2013</u>	EMR	<u>.87</u>
YEAR	<u>2014</u>	EMR	<u>.87</u>
YEAR	<u>2015</u>	EMR	<u>.86</u>
YEAR	<u>2016</u>	EMR	<u>1.05</u>
YEAR	<u>2017</u>	EMR	<u>1.25</u>

Total Recordable Frequency Rate (TRFR) for the last 5 years:

YEAR	<u>2013</u>	TRFR	<u>3.1</u>
YEAR	<u>2014</u>	TRFR	<u>9.2</u>
YEAR	<u>2015</u>	TRFR	<u>9.1</u>
YEAR	<u>2016</u>	TRFR	<u>13.25</u>
YEAR	<u>2017</u>	TRFR	<u>7.4</u>

Total number of man-hours worked for the last 5 Years:

YEAR	<u>2013</u>	TOTAL NUMBER OF MAN-HOURS	<u>64,776</u>
YEAR	<u>2014</u>	TOTAL NUMBER OF MAN-HOURS	<u>65,002</u>
YEAR	<u>2015</u>	TOTAL NUMBER OF MAN-HOURS	<u>69,128</u>
YEAR	<u>2016</u>	TOTAL NUMBER OF MAN-HOURS	<u>78,480</u>
YEAR	<u>2017</u>	TOTAL NUMBER OF MAN-HOURS	<u>129,560</u>

Provide Contractor's (and Contractor's proposed Subcontractors and Suppliers furnishing or performing Work having a value in excess of 10 percent of the total amount of the Bid) Days Away From Work, Days of Restricted Work Activity or Job Transfer (DART) incidence rate for the particular industry or type of Work to be performed by Contractor and each of Contractor's proposed Subcontractors and Suppliers) for the last 5 years:

YEAR	<u>2013</u>	DART	<u>3.1</u>
YEAR	<u>2014</u>	DART	<u>9.2</u>
YEAR	<u>2015</u>	DART	<u>8.8</u>
YEAR	<u>2016</u>	DART	<u>8.8</u>
YEAR	<u>2017</u>	DART	<u>7.4</u>

13. EQUIPMENT:

MAJOR EQUIPMENT:

- ✓ List on Schedule C all pieces of major equipment available for use on Owner's Project.

I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HERewith, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION:

TAM Enterprises Inc

BY:

TITLE:

Anthony Lamporena

DATED:

2/8/18

NOTARY ATTEST:

Ann M. KATA

SUBSCRIBED AND SWORN TO BEFORE ME

THIS

8

DAY OF

Feb

2018

NOTARY PUBLIC - STATE OF

New York

MY COMMISSION EXPIRES:

4-18-19

ANN M. KATA
Notary Public, State of New York
No. 01KA8239527
Qualified in Orange County
Commission Expires April 18, 2019

REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. Audited balance sheet for each of the last 3 years for firm named in Section 1.
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

TAM Enterprises, Inc Current Work On Hand

<u>Project</u>	<u>Engineer</u>	<u>Job Amount</u>	<u>Job % Complete</u>	<u>Projected End Date</u>
Joint Regional - Haverstraw NY Gravity Thickner Improvements Project	GHD One Remington Park Drive, Cassenovia, NY 12035 315-679-5741	\$445,571	5%	3/31/2018
City of Beacon - Beacon NY Rehab of Septage Receeiving Staion on WWTP	Bipin Ghandi, P.C. PO BOX 38 Goshen, NY 10924 845-294-54004	\$199,122	25%	4/1/2018
Town of Wallkill - Middletown NY Braeside Filter Project	KC Engineers 2142 NY 302 Circleville, NY 10919 845-361-4541	\$1,287,000	20%	3/31/2018
Town of Poughkeepsie- Poughkeepsie NY Manchester Garden Sewer Mnahole Replacement	Morris Associates, PLLC 9 Elks Lane, Poughkeepsie, NY 12601 845-454-3411	\$125,000	99%	12/15/2017
County of Rockland, Orangeburg NY Sludge Mixer Replacement	Martin J. Dolphin, P.E. County of Rockland Sewer District No. 1 845-365-6111 4 Route 340, Orangeburg, NY 10962	\$714,700	10%	5/28/2017

SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
Town of Wappingers NYCDEP Service Connections	Name: Town of Wappingers Address: 23 Middlebush Rd. Wappingers Falls, NY 12590 Telephone: 845-297-4158	Name: Mark Long Company: Morris Associates Telephone: 845-454-3411	10/15/2015	Water Service Connections	100% Completed	\$125,000.00
Village of Monroe High Street Pump House SUN-UP (SUB)	Name: Erik Augier Address: Rt. 376 Wappingers Falls, NY 12590 Telephone: 845-462-1800	Name: Mark Seales Company: Delaware Engineering Telephone: 518-452-1250	9/15/15	Water Tank Pump House-Mechanical	100% Completed	\$231,850.00
Town of Wappinger SUN-UP (SUB)	Name: Erik Augier Address: Rt. 376 Wappingers Falls, NY 12590 Telephone: 845-462-1800	Name: Mark Long Company: Morris Associates Telephone: 845-454-3411	10/15/15	Emergency Repairs	100% Completed	\$55,000.00
Village of Walden Belt Press	Name: Village of Walden Address: 1 Municipal Sq, Walden, NY 12586 Telephone: 845-778-2177	Name: John Queenan Company: Lane & Tully Telephone: 845-294-3700	10/15/2014	Self Press Building	100% Completed	\$407,075.00
Town of Wallkill Raw Sewage Project	Name: Town of Wallkill Address: 99 Tower Drive Bldg. A. Wallkill, NY Telephone: 845-342-1668	Name: Darren Doetsch Company: KC Engineering Telephone: 845-361-4541	5/15/2014	Raw Sewage Pumps	100% Completed	\$490,573.00
Village of Liberty Oxidation Ditch Phase 1/2/3	Name: Village of Liberty Address: 167 N Main St. Liberty, NY 12754 Telephone: 845-292-2250	Name: Dan Fagnini Company: Delaware Engineering Telephone: (607) 432-3073	6/15/2014	Oxidation Ditch Upgrades 1/2/3	100% Completed	\$1,463,919.00
Village of Highland Falls WWTP Upgrades	Name: Village of Highland Falls Address: 303 Main St. Highland Falls, NY 10928 Telephone: 845-446-3400	Name: Todd Atkinson Company: Todd Atkinson, PE Telephone: 845-274-9347	8/15/2013	WWTP Upgrades	100% Completed	\$324,000.00

SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years):

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
Village of Pawling Main Pump Station Rehab WTP	Name: Village of Pawling Address: 9 Memorial Ave Pawling, NY 12564 Telephone: 845-855-1122	Name: Joe Zarecki Company: Zarecki & Associates Telephone: 845-855-3771	3/1/2013	Pump Station Rehab	100%	\$71,900.00
Tri-Municipal Chlorine Contact Structure	Name: Mike Satz Address: 354 Sheeps Road Wappingers Falls Telephone: 845-297-5522	Name: Darren Doetsch Company: KC Engineering Telephone: 845-361-4541	5/1/2013	Chlorine Contact Tank Structure	100%	\$52,015.00
Village of Goshen Ministink Trail Pump Station	Name: Village of Goshen Address: 276 Main Street Goshen, NY 10924 Telephone: 845-254-6750	Name: Peter Manorecubes Company: LAN Associates Telephone: 845-615-0850	5/1/2012	Pump Station Rehab	100%	\$251,478.00
Village of Washingtonville Digester Mixer Replacement	Name: Village of Washingtonville Address: 9 Fairview Dr Washingtonville, NY Telephone: 845-496-3221	Name: Frank Russo Company: H2M Engineering Telephone: (851) 756-8000	9/1/2014	Digester Mixer Replacement	100%	\$122,081.00
DN Tanks (SUB) Village of Harriman Water Tank	Name: DN Tanks Address: 11 Teal Road Telephone: Wakefield, MA 0188 Telephone: 781-246-5141	Name: Don Fagnola Company: Delaware Engineering Telephone: (617) 432-8073	5/1/2013	Water Tank Sub Contractor	100%	\$300,703.00
Village of KI Sewer Improvements	Name: Village of KI Address: PO Box 566 Monroe, NY 10549 Telephone: 845-783-8300	Name: Mike Tremper Company: CAMO Pollution Control Telephone: 845-463-7310	3/1/13	Sewer Improvements	100%	\$526,599.00
City of Beacon Sewer Improvements	Name: City of Beacon Address: 1 Municipal Plaza Beacon, NY 12508 Telephone: 845-838-5000	Name: John Russo Company: Linc & Tully Telephone: 845-294-3700	5/15/12	City Wide Sewer Imp.	100%	\$418,517.88



Water & Waste Water Specialists

114 Hartley Road
Goshen, NY 10924

Phone (845)294-8882

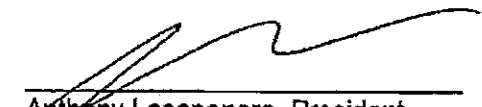
Fax: (845)294-8883

Corporate Resolution Authorization

Anthony Lasaponara, the undersigned, certifies that he is the President of TAM Enterprises, Inc, a corporation organized under the laws of New York having its principal office at 114 Hartley Road, Goshen, NY 10924 and that the following is a true copy of a resolution duly adopted by the Board of Directors of TAM Enterprises, Inc. at a meeting held by them on March 1, 2017, where a quorum was present.

Resolved, that Anthony Lasaponara, is hereby authorized to negotiate on behalf of TAM Enterprises, Inc.

The undersigned further certifies that there is no provision in the Articles of Incorporation or the bylaws of TAM Enterprises, Inc. limiting the power of the Board of Directors to pass the resolution described above and that the resolution is in conformity with the provisions of the Articles of Incorporation and the bylaws and this resolution has not been rescinded or modified.



Anthony Lasaponara, President
TAM Enterprises, Inc.

2/8/18
Date

Sworn to before me on this 08 day of
February 20 18.



Signature of Notary Public

ANN M. KATA
Notary Public, State of New York
No. 01KA6239527
Qualified in Orange County
Commission Expires April 18, 2019



114 Hartley Road
Goshen, NY 10924

Phone (845)294-8882
Fax: (845)294-8883

Employee descriptions and experience

Tony Lasaponara – President 20+ years experience in underground utility installation

Brian Smith – General Foreman 20+ years experience in underground utility installation

Dean Lamarca – Operator 30+ years heavy equipment operator experience

Matthew Coneen – Laborer 10+ years experience in underground utility installation

Edmund Conklin – Laborer 10+ years experience in underground utility installation

Michael Herbert – Operator 10+ years heavy equipment operator experience

We have many other operators and laborers with approx. 5-10 years of heavy equipment operator experience and labor experience installing underground utilities.



114 Hartley Road
Goshen, NY 10924
Phone (845)294-8882
Fax: (845)294-8883

List of Earth Moving Equipment

2005 Komatsu PC200 Excavator
2014 Volvo EC140BLC Excavator
2012 Komatsu PC120 Excavator
2015 Bobcat E85 Excavator
2015 Bobcat E85 T4 Excavator
2015 Bobcat E85 T4 Excavator
2013 Bobcat E60 Excavator
2002 Komatsu WA320 Wheel loader
2011 CAT IT38 Wheel loader
2003 Caterpillar Wheel Loader IT28G
1988 Komatsu WA180 Wheel loader
2016 Kubota R530-R43 Wheel loader
2011 Kubota R520 Wheel loader
2012 John Deere 310D Backhoe
2004 Caterpillar 416 backhoe
2012 Caterpillar D8E bulldozer
2014 Bobcat T750 Track loader
Dingo Model:425TX Track loader
Dingo Model:TX525 Track loader
2013 Bobcat T870 Skid Steer
2016 Freightliner Dump Truck
2016 Freightliner Dump Truck
2007 Sterling Dump Truck
2006 Mack Dump Truck

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Refer back to review the Log to verify that the entries are complete and accurately reflect the summary.

Using the Log, count the individual entries you made for each category. Then enter the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employers, former employers, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
97	0

Injury and Illness Types

Total number of...			
(1) Injuries	1	(4) Poisonings	
(2) Skin disorders		(5) Hearing loss	
(3) Respiratory conditions		(6) All other illnesses	

Printable Summary page Form 300A, February 1 to April 30 of this year, including this year, covered by this form.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and reviewing and revising the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington, DC 20503. Do not send this information to the Office of Management and Budget, Paperwork Project (0433-0043), Washington, DC 20503.

Make: Your own type input this form and save it. Because this form is in the recordkeeping package and "fillable" PDF documents, you can type into the form fields and then save your typed version as a PDF document.

Year 2013
U.S. Department of Labor
Occupational Safety and Health Administration
Form 300A-13 (Rev. 12/14/12)

Establishment Information

Your establishment name: Am ENT
Street: 324 Davis Ave
City: Newburgh State: NY Zip: 10958
Industry description (e.g., Manufacturing of motor truck trailers)

Standard Industrial Classification (SIC), if known (e.g., 3715)

OR

North American Industrial Classification (NAICS), if known (e.g., 336112)

Employment information (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees: 27

Total hours worked by all employees last year: _____

Sign Name

Meaningfully studying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Signature: [Signature] Date: 02/28/13
Title: Owner

Company contact: 324 Davis Ave

Save Input

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Do not leave this page blank. Review the Log to verify that the entries are complete and accurate before completing this summary. Using the Log, enter the information on this page for each category. Then enter the totals below, making sure you've added the entries from every page of the Log. If you had no cases, enter "0".

Employers, former employers, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.34. In OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Summary of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	3	0	0

Summary of Days

Total number of days away from work	Total number of days of job transfer or restriction
83	0

Injury and Illness Types

Total number of...	(a) Injuries	(b) Skin disorders	(c) Respiratory conditions	(d) Poisonings	(e) Hearing loss	(f) All other illnesses
	3	0	0	0	0	0

Part 1904. Summary page from February 1 to April 30 of this year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Washington, DC 20543. Do not send this collection of information to the Office of Management and Budget, Paperwork Project (0434-0188), Washington, DC 20503.

Make sure you enter the correct date for the summary page. Because the form is the recordkeeping package, you must enter the correct date for the summary page. If you have any questions, you can type the form into the Adobe PDF Reader.

Year 20 14

U.S. Department of Labor
Occupational Safety and Health Administration
Form 300A-100 (Rev. 01-2004)

Establishment Information

Establishment name

IBM Corporation Inc

Location

2000 N. 1st St. Suite 100

City

San Jose, CA 95128

Industry classification (e.g., Manufacturing of motor vehicles)

Computer and electronic products

Standard Industrial Classification (SIC), if known (e.g., 3719)

OR

North American Industrial Classification (NAICS), if known (e.g., 35212)

22212

Employment information (If you don't have these figures, use the information on the next page to estimate.)

Annual average number of employees

29

Total hours worked by all employees last year

66,272

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Name of authorized person

Alan A. Kahan

Title

VP of Operations

Date

12/31/14

Save Input

OSHA's Form 300 (Rev. 01/2009)

Log of Work-Related Injuries and Illnesses

Make sure you enter type of injury or illness on this form and save it. Because the form is the recordkeeping package and "OSHA-compliant" time, you can type the form from Section 1 and the form are programmed to auto-calculate as appropriate.

You must record information about every work-related injury and illness that requires medical treatment beyond first aid, or results in lost work time or job transfer or restriction. You must also record significant work-related injuries and illnesses that result in lost work time or job transfer or restriction. You must also record significant work-related injuries and illnesses that result in lost work time or job transfer or restriction. You must also record significant work-related injuries and illnesses that result in lost work time or job transfer or restriction.

Identify the person

Describe the case

(A) Name
(B) Employer's name

(C) Job title
(D) Date of injury or illness

(E) Where the incident occurred
(F) Description of the incident

(G) Date of recovery
(H) Date of return to work

Classification

OSHA Form 300-101 (Rev. 01/2009)

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 2014

U.S. Department of Labor

Row	Name	Employer's name	Job title	Date of injury or illness	Where the incident occurred	Description of the incident	Date of recovery	Date of return to work	Classification	OSHA Form 300-101 (Rev. 01/2009)
1	John Doe	ABC Corp.	Software Engineer	10/15/14	Office	Slipped on liquid spill	10/16/14	10/16/14	1	1
2	Jane Smith	XYZ Inc.	Marketing Manager	11/01/14	Client site	Lifted box incorrectly	11/02/14	11/02/14	2	2
3	Mike Johnson	DEF LLC	Construction Worker	12/01/14	Construction site	Fell from scaffolding	12/03/14	12/03/14	3	3
4	Sarah Lee	GHI Corp.	Customer Service Rep	01/05/15	Call center	Repetitive strain injury	01/06/15	01/06/15	4	4
5	David Kim	JKL Inc.	Warehouse Associate	02/10/15	Warehouse	Struck by forklift	02/11/15	02/11/15	5	5
6	Emily White	MNO Corp.	Human Resources	03/15/15	Office	Stress-related illness	03/16/15	03/16/15	6	6
7	Chris Brown	PQR LLC	Manufacturing Technician	04/20/15	Factory floor	Caught in machinery	04/21/15	04/21/15	7	7
8	Alex Green	STU Inc.	IT Support	05/25/15	IT Department	Electrocuted by server rack	05/26/15	05/26/15	8	8
9	Olivia Black	VWX Corp.	Sales Representative	06/30/15	Client meeting	Food poisoning	07/01/15	07/01/15	9	9
10	Noah Gray	YZA LLC	Warehouse Associate	07/10/15	Warehouse	Lifted box incorrectly	07/11/15	07/11/15	10	10
11	Isabella Blue	BCD Inc.	Customer Service Rep	08/15/15	Call center	Repetitive strain injury	08/16/15	08/16/15	11	11
12	Liam Red	EFG Corp.	Manufacturing Technician	09/20/15	Factory floor	Caught in machinery	09/21/15	09/21/15	12	12
13	Mia Yellow	HIJ LLC	IT Support	10/25/15	IT Department	Electrocuted by server rack	10/26/15	10/26/15	13	13
14	Nolan Purple	KLM Inc.	Sales Representative	11/30/15	Client meeting	Food poisoning	12/01/15	12/01/15	14	14
15	Oliver Pink	NOP Corp.	Warehouse Associate	12/10/15	Warehouse	Lifted box incorrectly	12/11/15	12/11/15	15	15
16	Penelope Gray	QRS LLC	Customer Service Rep	01/15/16	Call center	Repetitive strain injury	01/16/16	01/16/16	16	16
17	Quinn Blue	RST Inc.	Manufacturing Technician	02/20/16	Factory floor	Caught in machinery	02/21/16	02/21/16	17	17
18	Robert Green	UVW Corp.	IT Support	03/25/16	IT Department	Electrocuted by server rack	03/26/16	03/26/16	18	18
19	Sophia Red	XYZ LLC	Sales Representative	04/30/16	Client meeting	Food poisoning	05/01/16	05/01/16	19	19
20	Theo Yellow	ABC Inc.	Warehouse Associate	05/10/16	Warehouse	Lifted box incorrectly	05/11/16	05/11/16	20	20
21	Uma Purple	DEF Corp.	Customer Service Rep	06/15/16	Call center	Repetitive strain injury	06/16/16	06/16/16	21	21
22	Victor Pink	GHI LLC	Manufacturing Technician	07/20/16	Factory floor	Caught in machinery	07/21/16	07/21/16	22	22
23	Wendy Gray	JKL Inc.	IT Support	08/25/16	IT Department	Electrocuted by server rack	08/26/16	08/26/16	23	23
24	Xavier Blue	MNO Corp.	Sales Representative	09/30/16	Client meeting	Food poisoning	10/01/16	10/01/16	24	24
25	Yara Red	PQR LLC	Warehouse Associate	10/10/16	Warehouse	Lifted box incorrectly	10/11/16	10/11/16	25	25
26	Zoe Yellow	STU Inc.	Customer Service Rep	11/15/16	Call center	Repetitive strain injury	11/16/16	11/16/16	26	26
27	Adam Purple	VWX Corp.	Manufacturing Technician	12/20/16	Factory floor	Caught in machinery	12/21/16	12/21/16	27	27
28	Alice Green	YZA LLC	IT Support	01/25/17	IT Department	Electrocuted by server rack	01/26/17	01/26/17	28	28
29	Ben Red	BCD Inc.	Sales Representative	02/30/17	Client meeting	Food poisoning	03/01/17	03/01/17	29	29
30	Chloe Yellow	EFG Corp.	Warehouse Associate	03/10/17	Warehouse	Lifted box incorrectly	03/11/17	03/11/17	30	30

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Save Input

Add a Form Page

Page 1 of 1

OSHA Form 300-101 (Rev. 01/2009)

Summary of Work-Related Injuries and Illnesses

Number of Firms

Total number of deaths	Total number of cases with days	Total number of cases with job transfer or	Total number of other responsible
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

(a) (b) (c) (d)

Total number of days away from work	Total number of days of job transfer or restriction
0	0
1	0
2	0
3	0
4	0
5	0
6	0
7	0
8	0
9	0
10	0
11	0
12	0
13	0
14	0
15	0
16	0
17	0
18	0
19	0
20	0
21	0
22	0
23	0
24	0
25	0
26	0
27	0
28	0
29	0
30	0
31	0
32	0
33	0
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35	0
36	0
37	0
38	0
39	0
40	0
41	0
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71	0
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74	0
75	0
76	0
77	0
78	0
79	0
80	0
81	0
82	0
83	0
84	0
85	0
86	0
87	0
88	0
89	0
90	0
91	0
92	0
93	0
94	0
95	0
96	0
97	0
98	0
99	0
100	0

23

Injury and Illness Types

Total number of . . .

(10) Injuries

(2) Skin disorders

(2) Respiratory conditions 0

For this Summary-Range from February 1 to April 30 of the year following the year covered by the form.

Additional Supporting Information: The following additional information may be found in the online version of this article:
 Additional Supporting Information S1: Data from the study.
 Additional Supporting Information S2: Data from the study.
 Additional Supporting Information S3: Data from the study.
 Additional Supporting Information S4: Data from the study.
 Additional Supporting Information S5: Data from the study.
 Additional Supporting Information S6: Data from the study.
 Additional Supporting Information S7: Data from the study.
 Additional Supporting Information S8: Data from the study.
 Additional Supporting Information S9: Data from the study.
 Additional Supporting Information S10: Data from the study.

Because the forms in this recordkeeping package are "fillable" with the PDF documents, you can type into the input fields and then save your results using the free Adobe PDF Reader.

Year 205

U.S. Department of Labor
Occupational Safety and Health Administration
Form approved OSHA no. 171-107-10

Executive Summary: Find Out What's for

Your representative name: Tommy Thorsrud

159700010000

City OKLA State OK Zip 73107

Industry description (e.g., manufacturing of motor vehicles)

Industrial + Commercial Services
Standard Industrial Classification (SIC), If known (e.g., 3715)

CR

World American Industrial Classification (NAICS), if known (e.g., 336312)

23110

Example 2: Indeterminations (If you don't have these figures, use the Worksheet on the next page to estimate.)

Amount storage attribute of emphysema

Total bonus awarded by all employees last year

Expenditures

Summary *Subsiding claim documents may result in a fine.*

My knowledge of the entities was from, secondary, and contacts.

Thurs
Thru

645334-887 Date 12/31/15

Save Insect

Because the forms in this exciting package are "fillable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

Don't miss the new 1997 Dodge Stratus ES.

every page of the log, if you had no cases, with "0."

the most carefully. I've written 100 letters during, making sure you've added the entire form

For further details on the ongoing provisions for

Total number

(4) Poisonings	☐
(5) Hanging, leap	☐
(6) All other illnesses	☐

Keywords: DC 2818.1-D; oral seal; orthopedic dental; RDS office.

Standard Industrial Classification (SIC)

Name _____ The Engineering Co

SIC Code _____ 1440

City _____ Cincinnati State _____ OH Zip _____ 45201

Industry Description (e.g., Manufacturer of motor truck trailers)
Auto - Trailer Service

Standard Industrial Classification (SIC), if known (e.g., 39212)

OR _____

North American Industrial Classification (NAICS), if known (e.g., 39212)

_____ NAICS Code _____

Employment Status (If you don't have these figures, see the Worksheet on the next page to determine.)

Total average number of employees _____ 45

Total hours worked by all employees last year _____ 78,480

Signatures

I solemnly swear that this document may result in a fine.
I certify that I have examined this document and filed to the best of my knowledge the entries are true, accurate, and complete.

Signature _____ Title _____
H. W. ...

Company Name _____ Phone _____
Eng. Co. 513-633-1111

Date _____
2/17/77

Save Input

Log of Work-Related Injuries and Illnesses

Attendants: The form contains information relating to employees' health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 2016
U.S. Department of Education

U.S. Department of Labor

[illegible][illegible]

Save Input

Add a Fourth Page

Page 1 of 1

(3) 24 25 26 27

Summary of Work-Related Injuries and Illnesses

Monthly or Periodic			
Total number of deaths	Total number of cases with dry army from work	Total number of cases with job transfer or transaction	Total number of other transferable cases
0	4	0	0
(a)	(b)	(c)	(d)

3	4
1	0

Journal and Reference Types

(1) Inequalities	2	(4) Pointing out	2
(2) Substitutions	6	(5) Hearing from	0
(3) Rhetorical conditions	2	(6) All other theories	0

Printed under Government Printing from February 1 to April 28 of this year following the year covered by this issue.

Model: Your user type legend code table format and name is: **ECOMM**. Because the name in this recordkeeping package and 72tableviewer PDF documents, you can type left the input from fields and then save your input using the new Adobe PDF Reader.

Year 2017

U.S. Department of Labor

Occupational Safety and Health Administration

OSHA 3091 (Rev. 10-2016)

Form OSHA 3091-10-2016

Establishment: Industries
 New establishment name: TMA Enterprises
 Street: 114 Huxley Rd
 City: Sisheon State: NY Zip: 12924
 Industry description (e.g., Manufacturer of motor truck parts):
Steel
 Standard Industrial Classification (SIC), if known (e.g., 3723)
237116
 OR
 North American Industrial Classification (NAICS), if known (e.g., 336222)

 Employment: Number of employees (00 year end) have these figures on the
 Worksheet on the next page to submit.
 Annual average number of employees: 45
 Total hours worked by all employees last year: 168,740
 Single house
 Knowledge: Submitting this document may result in a fine,
 forfeit that I have signed this document and that to the best of
 my knowledge the official and true, accurate, and complete.

 Submitting signature: President
 Title: _____
 Date: 045-204-5552 Date: 1.8.18
 Save input

Log of Work-Related Injuries and Illnesses

occupational safety and health purposes.

U.S. Department of Justice

Environmental Issues

Name		Age	Sex	Color	Height	Weight	Build	Complexion	Scars	Other	Remarks
1	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
2	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
3	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
4	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
5	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
6	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
7	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
8	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
9	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
10	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
11	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
12	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
13	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
14	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
15	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
16	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
17	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
18	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
19	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None
20	Edward O'Neil	23	M	White	5' 10"	160	Medium	Fair	None	None	None

[illegible]

Spencer Lyndall

Add in Form Page

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

TAM ENTERPRISES INC.

114 Hartley Road

Goshen, NY 10924

SURETY (Name, and Address of Principal Place of Business):

Bondex Insurance Company

30A Vreeland Road

Florham Park, NJ 07932

OWNER (Name and Address):

City of Newburgh

83 Broadway, 4th Floor

Newburgh, NY 12550

BID

Bid Due Date: February 8, 2018

Description (Project Name— Include Location):

Regulator Number 2 Improvements/ Expansion of and Improvement to Existing System/ Newburgh NY

BOND

Bond Number: n/a

Date: February 8, 2018

Penal sum

Five Percent of the Amount Bid

\$ (5% of Amt. Bid)

(Words)

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

TAM ENTERPRISES INC.

(Seal)

Bidder's Name and Corporate Seal

SURETY

Bondex Insurance Company

(Seal)

Surety's Name and Corporate Seal

By:

Signature

By:

Signature (Attach Power of Attorney)

Print Name

Antonina Baguley

Print Name

Title

Attorney In Fact

Title

Attest:

Signature

Attest:

Signature Samantha Zak (Witness)

Title

Title Witness as to Surety

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

Bondex Insurance Company
30A Viscardi Road, Florham Park, New Jersey 07932

**POWER OF ATTORNEY
For Bid Bonds and Consents of Surety ONLY**

KNOW ALL MEN BY THESE PRESENTS:

That Bondex Insurance Company, a corporation duly organized under the laws of the State of New Jersey, and having a principal office in Florham Park, County of Morris, State of New Jersey, does hereby appoint:

Claudia Pereira, Branda Turfello, Antoinette Baguley, and Jaclyn Murphy

its true and lawful Attorney(s)-in-Fact, with full power and authority to execute on its behalf bid bonds and consents of surety in the nature thereof, issued in the course of its business and to bind the Company thereby, in an Amount not to exceed \$4,000,000.00

This Power Of Attorney is granted and is signed and sealed by the authority of the following Resolution adopted by the Board of Directors of Bondex Insurance Company at a meeting duly called and held on the 7th day of March, 2007.

**RESOLVED that the Chief Executive Officer, President or a Vice President, Secretary or Assistant Secretary, shall have the power and authority*

- 1. To appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writing obligatory in the nature thereof and,*
- 2. To resign, at any time, any such Attorney-in-Fact and revoke any authority given.*

**RESOLVED FURTHER, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached as though manually affixed"*

IN WITNESS WHEREOF, Bondex Insurance Company has caused its seal to be affixed hereto and executed by its President on the 11th day of October, 2016.



Bondex Insurance Company
By Matthew Semeraro
Matthew Semeraro, President

State of New Jersey
County of Morris ss

On this 11th day of October, 2016, before me, a notary public, personally appeared Matthew Semeraro, personally known to me, who being duly sworn did say that he is the President of Bondex Insurance Company, the Corporation described in the foregoing instrument, and that the Seal affixed to said instrument is the said Corporate Seal and that he executed the same in his authorized capacity, and that said instrument was signed and sealed on behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof I have set my hand and affixed my official Seal, the day and year first written above.

Philip S. Tobey
Notary Public

I, Philip S. Tobey, Chief Executive Officer of Bondex Insurance Company, do hereby certify that the Power of Attorney and the resolution adopted by the Board of Directors of said company as set forth above, are true and correct transcripts thereof and that neither the said Power of Attorney nor the resolution have been revoked and they are now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February, 2018.



Bond No. BID

Bondex Insurance Company
Philip S. Tobey, Chief Executive Officer
CLAUDIA MARTINS PEREIRA
NOTARY PUBLIC OF NEW JERSEY
I.D. # 2371680
My Commission Expires 4/2/2018

CITY OF NEWBURGH REGULATOR STRUCTURE #2 IMPROVEMENTS

C. LIST OF SUBCONTRACTORS, SUPPLIERS

1. **McCarey Landscaping, 80 Tower Dr., Middletown, NY**
2. **Hudson Valley Construction Services, LLC, 6 Bluestar Farm Road, Cornwall, NY 12518**
3. **A Alport & Sons, 5337 Rt 42, South Fallsburgh, NY 12779**
4. **Parson Environmental Products, Inc., PO Box 25, Wernersville, PA**

WAIVER OF IMMUNITY/NON-COLLUSIVE BIDDING CERTIFICATION
PURSUANT TO SECTION 103-D OF THE NEW YORK STATE
GENERAL MUNICIPAL LAW

A. By submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this Bid have not knowingly been disclosed by the Bidder and will not knowingly be disclosed by the Bidder, directly or indirectly, prior to opening, to any other Bidder or to any competitor;

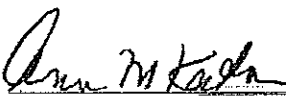
(3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition;

A Bid shall not be considered for award nor shall any award be made where (1), (2) and (3) above have not been complied with; provided, however, that in any case the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefore. Where (1), (2) and (3) above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

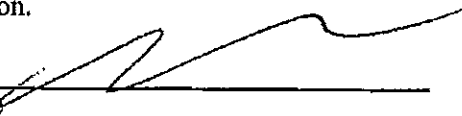
The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being Bid, does not constitute, without more, a disclosure within the meaning of paragraph A above.

B. Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive Bidding is required by statute, rule, regulation, local law, and where such Bid contains the certification referred to in paragraph A of this section, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the submission of the Bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Sworn to before me
this 8 day of Feb 2018



Notary Public

Signature 

Title

Company Name

President

Tam Enterprises Inc

ANN M. KATA
Notary Public, State of New York
No. 01KA6239527 00 45 19-1
Qualified in Orange County
Commission Expires April 18, 2019

04881009.0000

DOCUMENT 00 45 20
AFFIDAVIT - WORKER'S COMPENSATION

STATE OF: _____)

) SS: _____

County of: _____)

I, Anthony Lasaponara of the Town, Village, City of Goshen
in the County of Orange and the State of New York.

of full age, being duly sworn according to law on my oath depose and say that:

I am President, an officer of the firm of TAM Enterprises, Inc.
being duly sworn, deposes and says that he now carries or that he has applied for a Worker's Compensation Policy to cover the
operations, as set forth in the preceding contract, and to comply with the provisions thereof.

TAM Enterprises Inc

Contractor Name

Subscribed and sworn to

Anthony Lasaponara
Name of Affiant

President
Title of Affiant

[Signature]
Signature of Affiant

before me this 8 day of February, 20 18

Notary Public of Orange Co. New York

My commission expires: 4-18-19

Notary Signature: [Signature]

Affix Notary Seal or Stamp below

ANN M. KATA
Notary Public, State of New York
No. 01KA6239527
Qualified in Orange County
Commission Expires April 18, 20 19

DOCUMENT 00 45 21

APPRENTICESHIP CERTIFICATION FORM

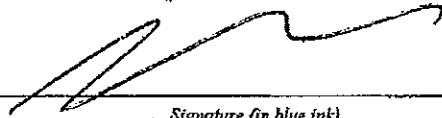
This form is required for all service contracts over \$250,000

I Anthony Lasaponara do hereby certify that I am authorized to sign a contract on behalf of TAM Enterprises, Inc. and that we currently have a New York State Certified Apprenticeship program.

As the prime contractor for the City of Newburgh contract entitled Regulator #2 Improvements + Expansion we also certify that the listing below constitutes all the sub-contractors we have hired for work on this public works contract. to existing system.

Each of the sub-contractors listed below attests that they currently have a New York State Certified Apprenticeship program.

Prime Contractor:


Signature (in blue ink)

Date:

2/8/18

Subcontractor Name:

Mc Carey Landscaping Inc

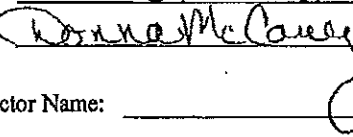
Address:

80 Tower Drive
Middletown NY 10941

Phone No.:

845-355-7500

Signature:



Title:

President

Date:

2-8-18

Subcontractor Name:

Address:

Phone No.:

Signature:

Title:

Date:

Subcontractor Name:

Address:

Phone No.:

Signature:

Title:

Date:

Subcontractor Name:

Address:

Phone No.:

Signature:

Title:

Date:

IRANIAN ENERGY SECTOR DIVESTMENT

Certification Pursuant to Section 103-g of the New York State General Municipal Law

- 1 By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- 2 A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph 1 above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph 1 above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
 - 2.1 The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
 - 2.2 The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

Name:

Anthony Lasaponara

Title:

President

Signature:

Date:

2/8/18

Company Name:

TAM Enterprises, Inc

Attachment 1
New York State Environmental Facilities Corporation
EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT
NEW YORK STATE REVOLVING FUND (SRF)

I, Anthony Lasparola am the authorized representative of TAM Enterprises, Inc.
Name of Representative Name of Contractor/Service Provider
I hereby certify that TAM Enterprises, Inc. will abide by the equal employment
Name of Contractor/Service Provider
opportunity (EEO) policy statement provisions outlined below.

- (i) The Contractor will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status against any employee or applicant for employment, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on Contracts relating to SRF projects.
- (ii) The Contractor shall state in all solicitations or advertisements for employees that, in the performance of the Contract relating to this SRF project, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.
- (iii) The Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status, and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein..
- (iv) The Contractor shall comply with the provisions of the Human Rights Law (Article 15 of the Executive Law), including those relating to non-discrimination on the basis of prior criminal conviction and prior arrest, and with all other State and federal statutory and constitutional non-discrimination provisions, including Titles VI and VII of the Civil Rights Act of 1964, 40 CFR Part 7, 41 CFR Part 60-1 Subpart A, 41 CFR Part 60-4, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. The Contractor and Subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status.
- (v) The Contractor will include the provisions of subdivisions (i) through (iv) in every Subcontract in such a manner that the requirements of these subdivisions will be binding upon each Subcontractor as to work in connection with the Contract.

X

Contractor/Service Provider Representative

cliff@tamentinc.com

From: cliff@tamentinc.com
Sent: Friday, February 09, 2018 1:26 PM
To: 'donna@mccareylandscaping.com'
Subject: DBE Subcontractor Participation Form/City of Newburgh Regulator Structure #2 Improvements General Construction
Attachments: EPA Form 6100-2 DBE Subcontractor Participation Form.pdf

Hello Donna: Please find attached form for the above project General Construction Bid No. 1.18.
Thank you

Clifford Bell | Estimator
TAM Enterprises, Inc.
114 Hartley Road, Goshen, NY 10924
cliff@tamentinc.com
P: (845)-294-8882
F: (845)-294-8883
www.tamentinc.com



OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Participation Form**

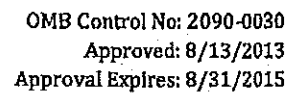
An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE¹ subcontractor² the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name		Project Name City of Newburgh Regulator Structure #2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)		Point of Contact
Address			
Telephone No.		Email Address	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services , Equipment or Supplies	Amount Received by Prime Contractor
1		

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



Please use the space below to report any concerns regarding the above EPA-funded project:

[illegible]

Subcontractor Signature	Print Name
Title	Date

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

cliff@tamentinc.com

From: cliff@tamentinc.com
Sent: Friday, February 09, 2018 1:28 PM
To: 'Leigh Nannini Rivas'
Subject: DBE Subcontractor Participation Form/City of Newburgh Regulator Structure #2 Improvements General Construction
Attachments: EPA Form 6100-2 DBE Subcontractor Participation Form.pdf

Hello Leigh: Please find attached form for the above project General Construction Bid No. 1.18. Please acknowledge receipt.

Thank you

Clifford Bell | Estimator
TAM Enterprises, Inc.
114 Hartley Road, Goshen, NY 10924
cliff@tamentinc.com
P: (845)-294-8882
F: (845)-294-8883
www.tamentinc.com



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Approved: 8/13/2013
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**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Participation Form**

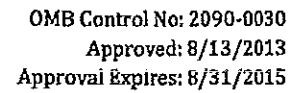
An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE¹ subcontractor² the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name		Project Name City of Newburgh Regulator Structure #2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)	Point of Contact	
Address			
Telephone No.		Email Address	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Amount Received by Prime Contractor
1		

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Please use the space below to report any concerns regarding the above EPA-funded project:

[illegible]

Subcontractor Signature	Print Name
Title	Date

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cliff@tamentinc.com

From: cliff@tamentinc.com
Sent: Friday, February 09, 2018 1:27 PM
To: dory@alport.com
Subject: DBE Subcontractor Participation Form/City of Newburgh Regulator Structure #2 Improvements General Construction
Attachments: EPA Form 6100-2 DBE Subcontractor Participation Form.pdf

Hello Dory: Please find attached form for the above project General Construction Bid No. 1.18.
Thank you

Clifford Bell | Estimator
TAM Enterprises, Inc.
114 Hartley Road, Goshen, NY 10924
cliff@tamentinc.com
P: (845)-294-8882
F: (845)-294-8883
www.tamentinc.com



OMB Control No: 2090-0030

Approved: 8/13/2013

Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Participation Form**

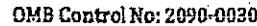
An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE¹ subcontractor² the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name A. Alport & Son, Inc		Project Name City of Newburgh Regulator Structure #2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)	Point of Contact Dory Alport	
Address 5337 State Route 42, South Fallsburg NY 12779			
Telephone No. 845-434-7500		Email Address dory@alport.com	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Amount Received by Prime Contractor
1	Supply ductile iron pipe, manholes, frames & grates	46,000

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² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



Approved: 8/13/2013

Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Participation Form

Please use the space below to report any concerns regarding the above EPA-funded project:

[illegible]

Subcontractor Signature	Print Name
	Dory Alport
Title	Date
President	2/9/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



OMB Control No: 2090-0030

Approved: 8/13/2013

Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name McCarey Landscaping, Inc.		Project Name City of Newburgh Regulation Structure No. 2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)		Point of Contact Donna McCarey
Address 80 Tower Drive, Middletown, NY 10941			
Telephone No. 845-355-7500		Email Address donna@mccareylandscaping.com	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
Item No. 1	Hauling of debris, soils, materials	\$20,000 (Est.)
DBE Certified By: ☒ DOT ☐ SBA ☒ Other: _____		Meets/ exceeds EPA certification standards? ☐ YES ☐ NO ☒ Unknown

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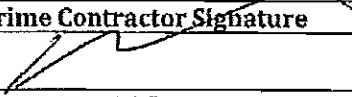
² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

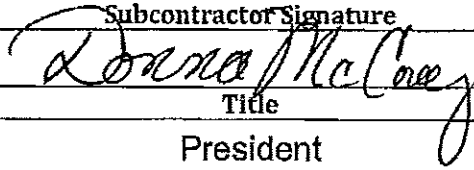


OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Tony Lasaponara
Title	Date
Owner	2/8/18

Subcontractor Signature	Print Name
	Donna McCarey
Title	Date
President	2/8/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



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**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name Hudson Valley Construction Services, LLC		Project Name City of Newburgh Regulation Structure No. 2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)		Point of Contact Leigh Nannini
Address 6 Bluestar Farm Road, Cornwall, NY 12518			
Telephone No.		Email Address leigh@hvcslc.com	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
Item No. 1	Provide Aggregates including Crushed Stone, select fill, granular fill, Item 304 Type 4, Backfill	\$ 15,000.00
DBE Certified By: ☒ DOT ☒ SBA ☒ Other: _____		Meets/ exceeds EPA certification standards? ☒ YES ☐ NO ☒ Unknown

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² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



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**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Tony Lasaponara
Title	Date
Owner	2/8/18

Subcontractor Signature	Print Name
Title	Date

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



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**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name A. Alport & Sons, Inc		Project Name City of Newburgh Regulation Structure No. 2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)		Point of Contact Dory Alport
Address 5337 Rt 42, South Fallsburgh, NY 12779			
Telephone No. 845-434-7500		Email Address dory@alport.com	
Prime Contractor Name TAM Enterprises, Inc.		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
Item No. 1	Ductile Iron Pipe, Manholes, frame and grates	\$ 46,091.00
DBE Certified By: ☒ DOT ☒ SBA ☒ Other: <u>WBE by Empire State Development</u>		Meets/ exceeds EPA certification standards? ☐ YES ☒ NO ☐ Unknown

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² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



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**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Tony Lasaponara
Title	Date
Owner	2/8/18

Subcontractor Signature	Print Name
Title	Date
President	2/9/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.



OMB Control No: 2090-0030
Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name TAM Enterprises, Inc.		Project Name City of Newburgh Regulator Structure No.2 Improvements	
Bid/ Proposal No. 1.18	Assistance Agreement ID No. (if known)	Point of Contact Tony Lasaponara	
Address 114 Hartley Road, Goshen, NY 10924			
Telephone No. 845-294-8882		Email Address tony@TAMentinc.com	
Issuing/Funding Entity:			

I have identified potential DBE certified subcontractors	☒ YES	☐ NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
Mccarey Landscaping, Inc.	80 Tower Dr., Middletown, NY 845-355-7500 donna@mccareylandscaping.com	\$ 20,000.00	Yes
Hudson Valley Construction Services, LLC	6 Bluestar Farm Road, Cornwall, NY 12518 845-527-3670 leigh@hvcsllc.com	\$ 15,000.00	Yes
A Alport & Sons	5337 Rt 42, South Fallsburgh, NY 12779 845-434-7500 dory@alport.com	\$ 46,091.00	Yes

Continue on back if needed

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

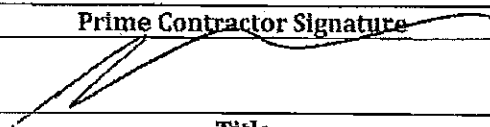
² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



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Approved: 8/13/2013
Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature 	Print Name Tony Lasaponara
Title Owner	Date 2/8/18

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Attachment 9
New York State Environmental Facilities Corporation
CERTIFICATION REGARDING LOBBYING
FOR
CONTRACTS, GRANTS, LOANS, AND
COOPERATIVE AGREEMENTS
40 CFR Part 34

SRF Project No.: _____

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By: TAM Enterprises Inc
Name: Anthony Laapinane
Title: President
Date: 2-8-18
Contract ID: Regulator No 2 Improvment

Bid No 1.18

Attachment 10
New York State Environmental Facilities Corporation
Contractor's American Iron and Steel (AIS) Certifications

To be completed by prime contractors for all construction contracts

AIS CONTRACTOR CERTIFICATION
FOR CONSTRUCTION CONTRACTS PAID FOR WITH FUNDS FROM
THE NYS CLEAN WATER STATE REVOLVING FUND OR
THE NYS DRINKING WATER STATE REVOLVING FUND VIA THE
NYS ENVIRONMENTAL FACILITIES CORPORATION

Project Title: Regulator No. 2 Improvements

Contractor's Name: TAM Enterprises Inc

Contract ID: Bid # 1618

SRF Project #: _____

SRF Recipient Name: _____

I certify that the iron and steel products that will be permanently incorporated into the public water system or wastewater treatment works project under this construction contract will have been produced in the United States, in accordance with the requirements of the US Environmental Protection Agency. I will also develop and maintain at the project location the necessary documentation to demonstrate that the iron and steel products incorporated into the project were produced in the United States, and make such documentation available to The NYS Environmental Facilities Corporation or their authorized representatives, upon request.

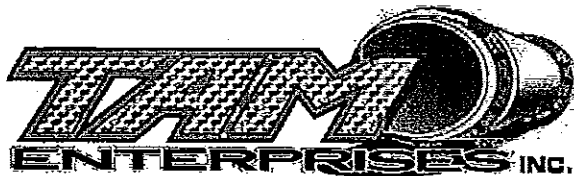
Signature: _____

Name (print): _____

Title: _____

Date: _____

Anthony Lasaponara
President
2/8/18



Water & WasteWater Specialists

114 Hartley Road
Goshen, NY 10924
Phone (845)294-8882
Fax: (845)294-8883

February 2018

City of Newburgh

Re: American Iron and Steel Step Certification for Project
City of Newburgh – Bid # 1.18
Regulator #2 Improvements

I, Anthony Lasaponara, certify that the following products and/or materials shipped and/or provided for the subject project is in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and/or Materials:

-Slide Gates

Such process will take place in Burlington, Washington.

If any of the above compliance statements change while providing material to this project we will immediately notify the prime contractor and the engineer.

Anthony Lasaponara
President



114 Hartley Road
Goshen, NY 10924
Phone (845)294-8882
Fax (845)294-8883

February 2018

City of Newburgh

Re: American Iron and Steel Step Certification for Project
City of Newburgh – Bid # 1.18
Regulator #2 Improvements

I, Anthony Lasaponara, certify that the cutting, welding, bending, etc. process for manufacturing the following products and or materials shipped or provided for the subject project is in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and or Materials:

-Slide Gates

Such process will take place in Burlington, Washington.

If any of the above compliance statements change while providing material to this project we will immediately notify the prime contractor and the engineer.

Anthony Lasaponara
President



Golden Harvest, Inc.

Golden Gates™



Phone: 360-757-4334
 Fax: 360-757-1135
 Email: sales@goldenharvestinc.com

Post Office Box 287
 Burlington, WA 98233
 Web: www.goldenharvestinc.com

QUOTATION #18-0223

PAGE 1 OF 1

FOR ANSWERS TO QUESTIONS REGARDING THIS QUOTATION CONTACT:

Frank Bazzano N'East Regional Sales Manager @ 412-888-9089 or @ 1-800-338-6238

PLEASE RESPOND TO:

GA Fleet Associates
 55 Calvert Street
 Harrison, NY 10528

ATTN:
 Mark Weller
 PHONE:
 941-381-7900

FAX:
 973-291-8158

EMAIL: mweller@gafleet.com

DATE: February 6th, 2018
 QUOTE EXPIRES: 30 days
 JOB: Regulator No. 2 Improvements
 Newburgh, NY
 BID DATE: 02/08/2018
 ENGINEERS: Arcadis
 Daniel Loewestien
 PHONE: 718-231-8470
 FAX:
 FOB: FACTORY (Full Freight Allowed)
 SHIPPING NOTE: Split shipments available. REQUEST QUOTE.
 TERMS: Net 30
 SUBMITTALS: 2-4 weeks following receipt of order.
 SHIPMENT: 12-16 weeks following submittal approval.
 ADDENDA REC'D: n/a

SCOPE

PECIFICATION: 43 26 23		SECTION:				
#	LOCATION	GATE	SIZE	TYPE	QTY	TOTAL
1	REGULATOR # 2	G-01	42" x 36"	MODEL GH-46 TYPE 316L STAINLESS STEEL SLIDE GATE. NON-SELF CONTAINED WALL MOUNTED FRAME. UHMW SEATS. J-BULB SEALS. TYPE 316 STAINLESS STEEL STEM WITH COLD ROLLED THREADS, UHMW STEM GUIDE BUSHINGS. PEDESTAL MOUNTED ELECTRIC MOTOR OPERATOR, 240V/3P/60HZ, MODULATING/OPEN/CLOSE SERVICE. CLEAR BUTYRATE STEM COVER WITH MYLAR STRIP INDICATOR. ANCHOR BOLTS.	1	
2	REGULATOR # 2	G-02	60" x 60"	MODEL GH-46 TYPE 316L STAINLESS STEEL SLIDE GATE. NON-SELF CONTAINED WALL MOUNTED FRAME. UHMW SEATS. J-BULB SEALS. TYPE 316 STAINLESS STEEL STEM WITH COLD ROLLED THREADS, UHMW STEM GUIDE BUSHINGS. PEDESTAL MOUNTED GEAR CRANK OPERATOR. CLEAR BUTYRATE STEM COVER WITH MYLAR STRIP INDICATOR. ANCHOR BOLTS.	1	
3	REGULATOR # 2	G-03	36" x 36"	MODEL GH-46 TYPE 316L STAINLESS STEEL SLIDE GATE. NON-SELF CONTAINED WALL MOUNTED FRAME. UHMW SEATS. J-BULB SEALS. TYPE 316 STAINLESS STEEL STEM WITH COLD ROLLED THREADS, UHMW STEM GUIDE BUSHINGS. PEDESTAL MOUNTED GEAR CRANK OPERATOR. CLEAR BUTYRATE STEM COVER WITH MYLAR STRIP INDICATOR. ANCHOR BOLTS.	1	
TOTAL:					3	

FIELD SERVICE:

To consist of two (2) TRIPS to the project with two (2) four (4) HR DAYS TOTAL on site. One (1) Trip Included for installation assistance and one (1) trip included for installation inspection, testing, startup assistance (including electric actuator startup), and training. If additional days are required they are available at \$750 per day plus actual travel and maintenance expenses. REQUEST IN WRITING SHOULD BE MADE 21 DAYS BEFORE SERVICE REPRESENTATIVE IS REQUIRED.

1. Stainless steel anchor bolts are included for concrete mounted frames.
2. Epoxy adhesive by contractor.

3. SALES TAX NOT INCLUDED IN PRICE.
4. Mill finish on stainless steel/aluminum surfaces.

RESOLUTION NO.: 49 - 2018

OF

FEBRUARY 26, 2018

RESOLUTION AMENDING RESOLUTION NO: 333-2017,
THE 2018 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK
TO ADJUST FOR INSURANCE RECOVERY FUNDS ALLOCATED TO
FUND BALANCE TO BE APPLIED TO FIRE DEPARTMENT HOSE REPLACEMENT

WHEREAS, the Fire Department received an insurance recovery in the amount of \$25,414.54 for damage to Department equipment incurred in November 2017 and most of the equipment was replaced in 2017; and

WHEREAS, the Fire Department delayed one order for a hose replacement to 2018 to capture a better unit price for the equipment by combining the purchase with the Department's yearly equipment replacement order; and

WHEREAS, it is necessary to adjust the 2018 Budget to reflect the allocation of the insurance recoveries in fund balance to the Fire Department equipment purchase; the same being in the best interest of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No.: 333-2017, the 2018 Budget of the City of Newburgh, is hereby amended as follows:

	<u>Increase</u>
A.0000.599.1000 - Appropriated Fund Balance	\$1,112.77
A.3412.0205 - Other Equipment	<u>\$1,112.77</u>
TOTAL:	\$1,112.77

RESOLUTION NO.: 50-2018

OF

FEBRUARY 26, 2018

A RESOLUTION AMENDING THE 2018 PERSONNEL ANALYSIS BOOK
TO ADD 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 3 temporary sanitation worker positions in the sanitation division for a period of 30 days; and

WHEREAS, the City Council has determined that adding 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 temporary positions requires the amendment of the City of Newburgh Adopted Personnel Analysis Book for 2018;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for 2018 be and is hereby amended to add 3 temporary sanitation worker positions in the sanitation division in the Department of Public Works for a period not to exceed 30 working days commencing on the date the sanitation workers are first employed by the City of Newburgh.

RESOLUTION NO.: 51-2018

OF

FEBRUARY 26, 2018

A RESOLUTION AMENDING THE 2018 PERSONNEL ANALYSIS BOOK
TO CONTINUE ONE (1) SERGEANT POSITION ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH POLICE DEPARTMENT

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

WHEREAS, by Resolution No. 310-2017 of November 13, 2017, the City Council authorized the amendment of the 2017 Personnel Analysis Book to create one additional Sergeant position in the Police Department Sergeant position on a temporary basis; and

WHEREAS, by Resolution No. 3-2018 of January 8, 2018, the City Council authorized an amendment of the 2018 Personnel Analysis Book to create one additional Sergeant position in the Police Department on a temporary basis through February 28, 2018; and

WHEREAS, the Police Department has advised the City Manager that the temporary Sergeant position will be needed until June 30, 2018; and

WHEREAS, the City Council has determined that continuing one temporary Sergeant position in the Police Department through June 30, 2018 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 2018 be amended to continue one (1) additional position on a temporary basis in the job title "Sergeant" in the Police Department through June 30, 2018.

RESOLUTION NO.: 52-2018

OF

FEBRUARY 26, 2018

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO CHERYLE BRANSON
TO THE PREMISES KNOWN AS 169 PROSPECT STREET
(SECTION 16, BLOCK 3, LOT 5)

WHEREAS, on February 8, 2016, the City of Newburgh conveyed property located at 169 Prospect Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 16, Block 3, Lot 5, to Cheryle Branson; and

WHEREAS, the owner has requested a release of the restrictive covenants contained in the deed from the City of Newburgh; 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, 4 and 5 of the aforementioned deed.



RESOLUTION NO.: 53 - 2018

OF

FEBRUARY 26, 2018

A RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO REHABILITATE
PREMISES OWNED BY HUDSON VALLEY REAL ESTATE PARTNERS, LLC
KNOWN AS 63 CARSON AVENUE (SECTION 45, BLOCK 7, LOT 5) AND
66 CARSON AVENUE (SECTION 45, BLOCK 6, LOT 35)

WHEREAS, the City of Newburgh did convey the premises located at 63 and 66 Carson Avenue, more accurately described as Section 45, Block 7, Lot 5 and Section 45, Block 6, Lot 35), respectively, on the official Tax Map of the City of Newburgh by deed dated June 8, 2016; and

WHEREAS, said deed included a provision requiring rehabilitation of the conveyed premises to be completed on or about December 8, 2018; and

WHEREAS, in accordance with Paragraph 5 of the Terms of Sale, the City Manager has granted the allowable 3 month extension from the original date of December 8, 2017, which will expire on March 8, 2018; and

WHEREAS, Robert Grunnah, Managing Member of Hudson Valley Real Estate Partners, LLC, the owner of properties located at 63 and 66 Carson Avenue in the City of Newburgh, has been unable to comply with the deadline, but has made a good faith effort and requests an extension to December 31, 2018 to complete the rehabilitation; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its continued development to grant the requested extension;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Robert Grunnah, Managing Member of Hudson Valley Real Estate Partners, LLC is granted an extension to rehabilitate the premises known as 63 and 66 Carson Avenue in the City of Newburgh until December 31, 2018.

RESOLUTION NO.: 54 - 2018

OF

FEBRUARY 26, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A LICENSE AGREEMENT WITH MOUNTAIN VALLEY GUIDES LLC
FOR ACCESS TO AND THE USE OF THE WASHINGTON STREET BOAT LAUNCH
AND UNICO PARK TO PROVIDE KAYAK RENTALS AND TOURS**

WHEREAS, by Resolution No. 54-2016 of March 14, 2016 and Resolution No. 93-2017 of April 6, 2017, the City Council of the City of Newburgh authorized the City Manager to enter into a license agreement with Mountain Valley Guides LLC for access to and the use of the Washington Street Boat Launch and Unico Park to provide kayak rentals and tours; and

WHEREAS, Mountain Valley Guides LLC and the City of Newburgh wish to renew the license agreement for the 2018 season; and

WHEREAS, the City Council has examined the license agreement annexed hereto and determined that entering into such license agreement 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 is hereby authorized to execute and enter into the attached license agreement, in substantially the same form and with other terms as Corporation Counsel may require, on behalf of the City of Newburgh, with Mountain Valley Guides LLC for access to and the use of the Washington Street Boat Launch and Unico Park.

AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 2018, by and between:

THE CITY OF NEWBURGH, a municipal corporation having its principal place of business at 83 Broadway, City Hall, Newburgh, New York 12550, hereinafter called the "City"; and

MOUNTAIN VALLEY GUIDES LLC, a limited liability company having its principal place of business at 2 Idlewild Avenue, Cornwall-on-Hudson, New York 12520 hereinafter called "Licensee".

WITNESSETH, that the City and Licensee, for consideration hereinafter named, agree as follows:

ARTICLE 1: Term.

This Agreement shall run from May 26, 2018 to October 8, 2018

ARTICLE 2: Obligation of the City.

A. The City shall grant to the Licensee a non-exclusive revocable license to access and the use of the Washington Street Boat Launch in the City of Newburgh for the purpose of launching kayaks in connection with providing kayak rentals and tours to the general public on Saturdays and Sundays and 3 Monday holidays during the period of time set forth in Article 1 above. The City will allocate parking spaces with parking passes for 2 trucks/trailers in the Washington Street Boat Launch parking area to the Licensee.

B. The City shall grant to the licensee a non-exclusive revocable license to access and the use of Unico Park in the City of Newburgh for the purpose of erecting a pop-up tent from which to sell tickets for the kayak rentals and tours during the time period set forth in Article 1 and Article 2, paragraph A above.

ARTICLE 3: Obligation of Licensee.

A. The Licensee shall ensure that all supplies, including the tent, are stored off-site each night.

B. The Licensee shall pay the cost of all personnel, supplies and equipment necessary and proper for the kayak rentals and tours as is required by their use thereof.

C. The Licensee agrees that he, she or it shall, at all times, comply with all rules and regulations adopted by the City for the operation of the Washington Street Boat Launch and Unico Park which are now in force or which may be hereafter adopted. The Licensee further agrees to comply with all rules, regulations, laws and ordinances promulgated the County of

Orange, State of New York including but not limited to the rules and regulations of the Orange County Department of Health. The Licensee further agrees to comply with all laws of the State of New York and the rules and regulations promulgated thereunder including but not limited to the Co-Operative Agreement between the City of Newburgh and the DEC dated June 6, 1997, as amended.

D. It is expressly understood and agreed by the parties hereto that the Licensee is an independent contractor and not an employee of the City and that any persons employed, retained or engaged by the Licensee to perform the services authorized hereunder shall be employees of the Licensee and not of the City. The Licensee shall inform persons so employed, retained or engaged of these facts.

E. The Licensee assumes all risk in the operation of this service and shall be solely responsible and answerable in damages for all accidents or injuries to persons or property and hereby covenants and agrees to indemnify and keep harmless the City and all Departments of the City of Newburgh and their officers and employees from any and all claims, suits, losses, damage or injury to persons or property of whatsoever kind and nature due to the negligence or improper conduct of the Licensee or any servant, agent or employee, which responsibility shall be limited to the insurance coverage herein provided for.

F. The Licensee shall cooperate with City authorities to provide necessary security and supervision of minors, participating in lessons or present as spectators, during the period of this agreement. The Licensee shall be liable for any damage done to the premises by its officers, agents, servants, employees or invitees during the period of this agreement.

ARTICLE 4: Payment.

A. The Licensee shall pay to the City, as and for a fee for access to and the use of the Washington Street Boat Launch and Unico Park during the period of this agreement \$750.00.

ARTICLE 5: Insurance.

The Licensee shall not commence activities nor perform any work under this agreement until it has obtained all insurance required under this paragraph and such insurance has been approved by the City.

A. Compensation Insurance - The Licensee shall take out and maintain during the life of this agreement such Workers' Compensation Insurance for its employees or members to be assigned to the work hereunder as may be required by New York State Law.

B. General Liability and Property Damage Insurance - The Licensee shall take out and maintain during the life of this agreement such general liability and property damage insurance as shall protect it and the City which shall be named as additional insured on all such policies from claims for damages for personal injury including accidental death, as well as from claims for

property damage which may arise from operations under this agreement. The amounts of such insurance shall be as follows:

1. General Liability Insurance in an amount not less than \$1,000,000.00 for injuries including wrongful death to any one person and subject to the same limit for each person, in an amount not less than \$3,000,000.00 on account of any one occurrence.

2. Property Damage Insurance in an amount not less than \$50,000.00 for damage on account of all occurrences.

The Licensee shall furnish the above insurance to the City and shall also name the City as an additional named insured in said policies. Such insurance shall be maintained in force during the entire term of this agreement.

C. Any accident shall be reported to the Office of the City Manager as soon as possible and not later than twenty-four hours from the time of such accident. A detailed written report must be submitted to the City as soon thereafter as possible as and not later than three (3) days after the date of such accident.

ARTICLE 6: Representations of Licensee.

The Licensee represents and warrants:

A. That it is financially solvent and that it is experienced and competent to perform the type of work, conduct the activities or to furnish the consideration to be furnished by it; and

B. That it is familiar with and will abide by and enforce all federal, state, municipal and department laws, ordinances and regulations which may in any way affect the work or play or those employed or engaged therein. It is understood and agreed between the parties that the Licensee shall have no right to control the actions of City employees nor any duty to supervise the actions of City employees.

ARTICLE 7: Permits and Regulations.

The Licensee shall procure and pay for all permits and licenses necessary for the services to be rendered hereunder.

ARTICLE 8: Termination of the Agreement.

Each party shall have the right to stop work or terminate this agreement under the following terms and conditions:

1. (a) A party refuses or fails to perform any of its obligations under this agreement; or

(b) A party fails or refuses to comply with all applicable laws or ordinances; or

(c) A party is guilty of substantial violation of any provision of this agreement.

2. Each party, at its sole discretion and, with or without cause, may, without prejudice to any other rights or remedy it may have, by fourteen (14) days' notice to the other party, terminate the agreement for the party's convenience.

ARTICLE 9: Damages.

It is hereby mutually covenanted and agreed that the relation of the Licensee to the City as to the work to be performed by it under this agreement shall be that of an independent contractor. As an independent contractor, it will be responsible for all damage, loss or injury to persons or property that may arise in or be incurred during the conduct and progress of said performances arising out of the negligent performance, other than those wholly caused by Acts of God. The Licensee shall make good any damages that may occur in consequence of the performances or any part of it. The Licensee shall assume all blame, loss and responsibility of any nature by reason of the Licensee's neglect or violation of any federal, state, county or local laws, regulations or ordinances applicable to the Licensee and/or the nature of its performance or arising out of its activities licensed hereby.

ARTICLE 10: Indemnity and Save Harmless Agreement.

A. The Licensee agrees to indemnify and save the City, its officers, agents and employees harmless from any liability imposed upon the City, its officers, agents and/or employees arising from the negligence, active or passive, of the Licensee, which responsibility shall be limited to the insurance coverage herein provided and consistent with Article 3(E) of this Agreement.

B. The City agrees to indemnify and save the Licensee, its officers, agents and employees harmless from any liability imposed upon the Licensee, its officers, agents and/or employees arising from the negligence, active or passive, of the City.

ARTICLE 11: No Assignment.

The Licensee is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement or of its right, title or interest in this agreement or its power to execute this agreement to any other person or corporation without the previous consent in writing of the City.

ARTICLE 12: Required Provisions of Law.

Each and every provision of law and clause required by law to be inserted in this agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or

otherwise, then upon the application of either party, this agreement shall be physically amended forthwith to make such insertion.

ARTICLE 13: Notices and Communication.

A. Any and all notices and payments required hereunder shall be addressed as follows or to such other address as may hereafter be designated in writing by either party hereto:

TO: The City of Newburgh
City Manager
City Hall, 83 Broadway
Newburgh, New York 12550
(845) 569-7301

TO: Bill Garrison, Licensee
Mountain Valley Guides LLC
2 Idlewild Avenue
Cornwall-on-Hudson, New York 12520
(845)

B. All communication concerning the Licensee's activities and programs provided under this Agreement shall be directed to the Licensee. The City shall not direct any official communication to those employed, retained or engaged by the Licensee to perform the services authorized hereunder unless otherwise directed in writing by the Licensee to the City.

ARTICLE 14: Waiver.

No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 15: Modification:

This agreement constitutes the complete understanding of the parties. No modification or any provisions thereof shall be valid unless in writing and signed by both parties.

Remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on the day and year first above written.

THE CITY OF NEWBURGH

By: _____
MICHAEL G. CIARAVINO
City Manager
Per Res. No.:

MOUNTAIN VALLEY GUIDES LLC

By: _____
Bill Garrison

Approved as to form:

MICHELLE KELSON
Corporation Counsel

KATHRYN MACK
City Comptroller

RESOLUTION NO. 55 - 2018

OF

FEBRUARY 26, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BFJ PLANNING FOR PROFESSIONAL PLANNING SERVICES AT A COST OF \$50,000.00 TO DEVELOP THE NEWBURGH VISION PLAN AS A FOUNDATION FOR THE CITY OF NEWBURGH 2018 COMPREHENSIVE PLAN AND AMENDING RESOLUTION NO: 333-2017, THE 2018 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK TO TRANSFER FUNDS FROM GRANT MATCH TO PLANNING AND DEVELOPMENT - OTHER SERVICES

WHEREAS, the City of Newburgh adopted its current Comprehensive Plan, Plan-It Newburgh, in 2008, and such Plan must be updated every 10 years; and

WHEREAS, it is necessary and appropriate to retain professional planning services to assist and advise the City in updating the Comprehensive Plan; and

WHEREAS, the firm of BFJ Planning previously provided professional planning services to the City of Newburgh in developing the Future Land Use Plan, adopted in 2011, as an addendum to the 2008 Comprehensive Plan, and in completing the draft Local Waterfront Revitalization Plan; and

WHEREAS, BFJ Planning has submitted a proposal to develop the Newburgh Vision Plan as a foundation for the update to the Comprehensive Plan with a scope of services to include overall project management, data collection and preparation of an existing conditions report, public outreach, and preparation of a visioning report; and

WHEREAS, the cost of the planning services shall not exceed \$50,000.00 and funding will be transferred from A.1918.0400 - Grant Match to A.8684.0448 to Planning and Development - Other Services; and

WHEREAS, after due consideration and evaluation the firm of BFJ Planning has been identified as qualified, able and cost-effective and the preferred firm to provide said services;

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 enter into an agreement with such terms and conditions as Corporation Counsel may require as necessary and appropriate under law, same as being in the best interests of the City of Newburgh with BFJ Planning for professional planning services in connection with the creation of the Newburgh Vision Plan to become a foundation of the 2018 update to the Comprehensive Plan of the City of Newburgh at a cost of \$50,000.00; and

BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No. 333-2017, the 2018 Budget of the City of Newburgh, is hereby amended as follows:

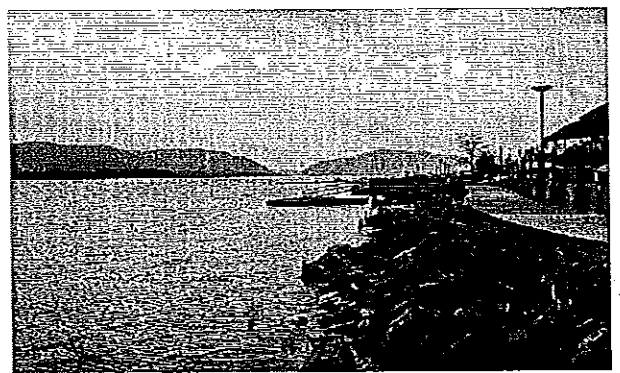
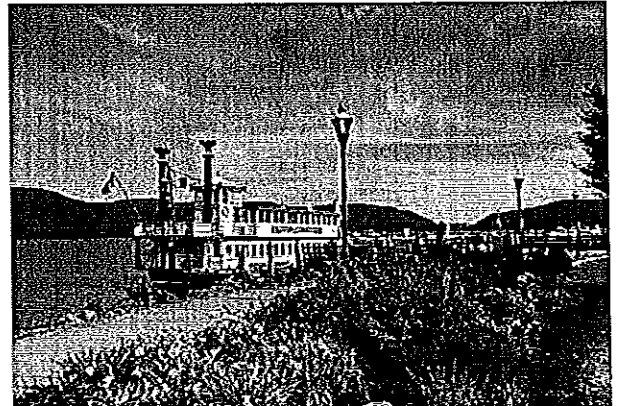
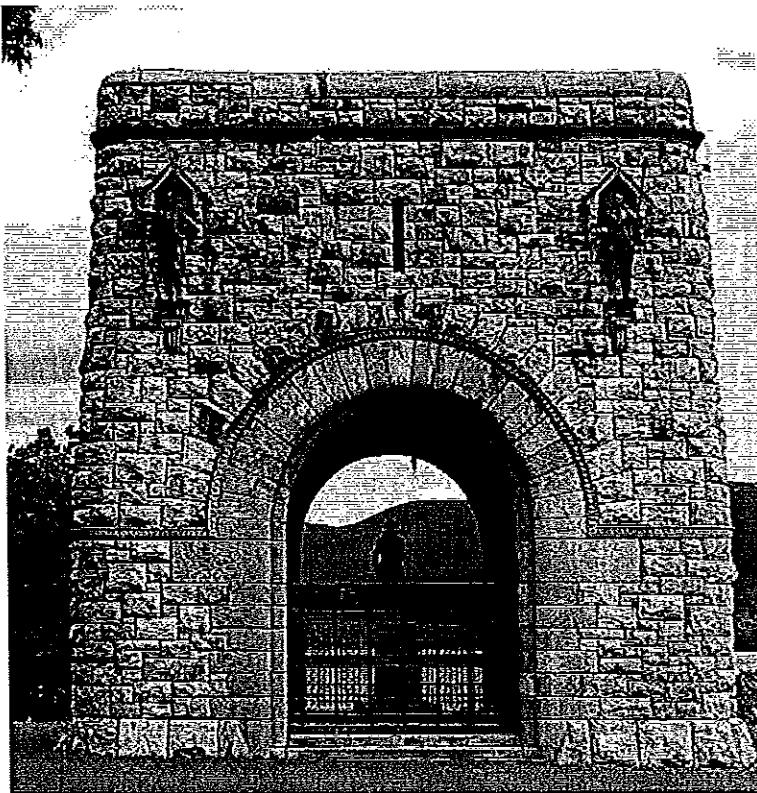
	<u>Decrease</u>	<u>Increase</u>
A.1918.0400 -Grant Match	<u>\$50,000.00</u>	
A.8684.0448 - Planning and Development - Other Services		<u>\$50,000.00</u>
TOTALS:	\$50,000.00	\$50,000.00

Proposal for:

Newburgh Vision Plan
Foundation for the Comprehensive Plan

NEWBURGH, NEW YORK

FEBRUARY 2, 2018



BEJ Planning

Proposal for:

**NEWBURGH VISION PLAN
FOUNDATION FOR THE COMPREHENSIVE PLAN**

Newburgh, New York

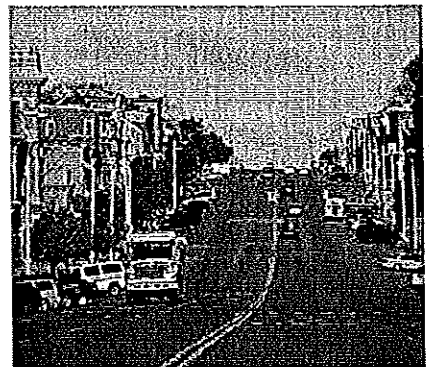
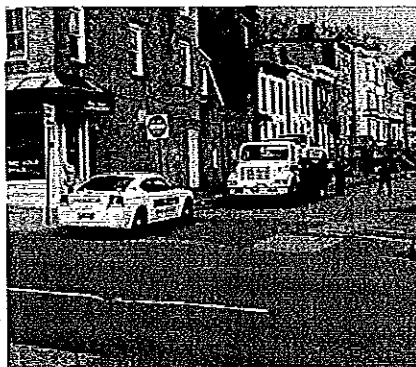
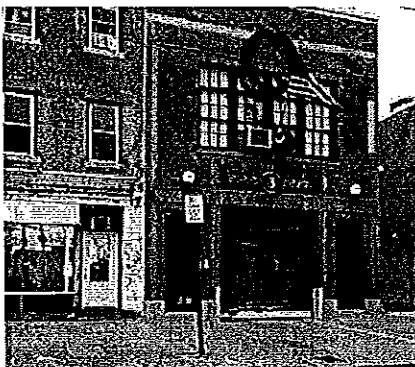
February 2, 2018

Frank Fish, FAICP
Principal
f.fish@bfjplanning.com
212.353.7476

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BFJ Planning

PLANNING
URBAN DESIGN
ENVIRONMENTAL ANALYSIS
REAL ESTATE CONSULTING
TRANSPORTATION PLANNING

February 2, 2018

Deirdre Glenn
Office of Economic Development
City of Newburgh
83 Broadway
Newburgh, NY 12550
(O) 845.569.7383
E-Mail: dglenn@cityofnewburgh-ny.gov

Dear Deirdre:

BFJ Planning (BFJ) is pleased to submit this proposal for the Newburgh Vision Plan to create a foundation for a Comprehensive Plan update. As we discussed last week, we see this Vision Plan as a first step in helping the City of Newburgh work towards a comprehensive plan update. The Vision Plan would help the City establish an overall Vision, along with supporting Goals and Objectives that will eventually help to guide development of your comprehensive plan in the future. The proposal includes BFJ's qualifications to complete the work as well as a preliminary scope, timeline and budget based on our initial understanding of the project. As you know, we have a strong working knowledge of Newburgh and the surrounding region from prior work both with you and with neighboring municipalities. We have also undertaken similar types of visioning projects throughout the region.

We strongly believe that as a team, we can foster a collaborative visioning process by involving a wide range of community stakeholders, including residents, community organizations, businesses, civic leaders, elected officials, and city staff. Our experience has shown that early and consistent involvement of the community inevitably enriches the study process and the content of the final plan.

We are pleased to be considered for this work. If you have any questions, please feel free to give me a call at 212.353.7476 or email me at f.fish@bfjplanning.com.

Sincerely,



Frank Fish FAICP
Principal
BFJ Planning

CHARLOTTE
CHICAGO
NEW YORK CITY
PITTSBURGH
STAMFORD

FRANK S. FISH FAICP
GEORGES JACQUEMART PE, AICP
SUSAN FAVATE, AICP, PP
SARAH YACKEL, AICP

BUCKHURST FISH
& JACQUEMART, INC.
115 FIFTH AVENUE
NEW YORK, NY 10003
T. 212.353.7474
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WWW.BFJPLANNING.COM

1.0 Scope of Services and Timeline

1.0 Scope of Services

PROJECT UNDERSTANDING

BFJ Planning is excited about the opportunity to work with the City of Newburgh on a Vision Plan that can serve as a foundation for the City to update its Comprehensive Plan. Newburgh's current Comprehensive Plan, Plan-It Newburgh, was adopted in 2008, with an addendum—the City of Newburgh Future Land Use Plan—adopted in 2011. Both of these documents can serve as a starting point, along with other recent planning work, for the Vision Plan.

However, 2018 is a good time to begin the process of updating the 2008 Comprehensive Plan by reaching out to the community to develop a Vision that can serve as a guide for a full Comprehensive Plan update in the near future. The Vision Plan would also incorporate an existing conditions section that would provide an overview of existing plans, updated demographics and existing land use and zoning. The past ten years have seen evolving trends in the local and regional economy, transportation options, and principles of smart growth, sustainability, and environmental justice. Many of these concepts have been addressed in prior plans for the City, so we hope to build on the work that members of the Newburgh community have created over the years so that the Vision Plan both incorporates ideas that are still relevant while also representing the most current goals of the City.

Public outreach is a central component of our planning process. We will look to residents, business owners, and other critical stakeholder groups for input on the most important issues facing the City, key priorities, and how the community envisions the future of Newburgh. We understand that it is essential to develop a consensus vision that is created with robust participation by local stakeholders to reflect the hopes of the City for a broad range of issues, including Social Well-Being, Sustainability and the Natural Environment, Housing, Economic Development, Transportation, Governance, and Municipal Services.

By working with City staff, local residents, community and neighborhood organizations, the business community, and other stakeholders, we can help to facilitate the creation of a Vision Plan that reflects your community's priorities for the City of Newburgh.

The goal of the Newburgh Vision Plan is not to develop a complete update of Plan-It Newburgh, but rather to gather community input to create the Vision, Goals, and Objectives that can serve as the foundation for a future Comprehensive Plan update. This framework is an important first step in the process and we hope will provide a strong foundation for Newburgh.

SCOPE OF WORK

Our work program is meant to represent a preliminary approach that we believe is comprehensive and reasonable given our understanding of the project. We are amenable to changes based on input from City staff and will work with staff to revise the scope of work and timeline as appropriate. Our proposed timeline follows the scope of work outlined below.

Task 1: Ongoing Coordination and Project Management

Task 1a: Ongoing Project Management

Close coordination with elected officials and planning policy-makers is an essential step in developing a Vision Plan that is consistent with City priorities. Throughout the planning process, BFJ will be involved in ongoing coordination with Office of Economic Development as the City's primary point of communication. We are open to a variety of strategies to achieve close coordination with staff, which could include some

1.0 Scope of Services

combination of monthly or bi-monthly meetings, regular conference calls, video conferences, and frequent email communications. We also encourage City officials to attend public workshops, to provide their own feedback and to hear constituent concerns in a public setting.

Task 1b: Meetings with City Staff

Prior to starting work, we will meet with the Office of Economic Development for a kick-off meeting. The meeting will include a discussion of the work program and project schedule, available data and existing reports/plans, outreach methods, and work being done by others to support the overall planning effort. We will also identify key issues and opportunities to address and set the dates for Community Visioning Workshops. In preparation of these meetings, we will discuss the invitation and announcement process, as well as the logistics for all of the focus group meetings.

We propose a total of four meetings with City Staff, including the kick-off meeting, scheduled at key junctures during the process. We envision the second staff meeting occurring after preparation of the Existing Conditions Report and around the time of the first Community Visioning Workshop. The third staff meeting would follow the final Community Visioning workshop to discuss the approach to producing the draft Visioning Report. The fourth and final staff meeting would be scheduled around the time that we produce the draft Visioning Report to discuss comments and revisions for inclusion in the final Visioning Report.

Task 2: Data Collection and Existing Conditions Report

Task 2a: Data Collection and Review of Existing Plans

As part of our data collection efforts, we will gather information pertaining to the City's regional context, recent population trends, and key regional growth issues. The existing conditions report will include:

- General land use and zoning framework.
- Overview of population and housing data.
- Existing and proposed plans.

Task 2b: Existing Conditions Report

The Existing Conditions Report provides an overview of the planning context—both local and regional—and existing conditions. This preliminary work will summarize what we learn in Task 2a and is meant to be a targeted look at the key issues that the plan addresses, along with a snapshot of conditions that the City can anticipate in the future.

Task 3: Public Outreach

3a: Community Visioning Workshops

Public workshops are helpful for us as consultants because they give us an opportunity to meet and hear from members of the public directly. We use public workshops throughout the visioning process as a way to identify aspirations for the community, develop goals that the City should strive to achieve, and test initial objectives that can help achieve the vision and goals.

As our project timeline indicates, we propose three Community Visioning Workshops during preparation of the Vision Plan. We envision the workshops to be structured events with a brief introduction by our team followed

1.0 Scope of Services

by interactive discussions that allow us to hear from the community. Before each session, we will prepare visual materials and participatory exercises to be used during the workshop. The workshop will begin with a brief presentation outlining the overall project, explaining its purpose and presenting the initial goals. After a short break, we would conduct a participatory exercise to encourage attendees to share issues, opportunities, and goals for the City. BFJ Planning will produce a summary report that memorializes the input.

In order to increase public awareness about each of the three workshops, BFJ, in conjunction with the City, can create a flyer inviting the public and will assist in other forms of outreach.

3b: Public Survey

BFJ will conduct a public survey, which will be administered both through an online tool, such as Survey Monkey, as well as with hard copies. The survey will include questions about community values and concerns for the Village, as well as wishes and wants for the future.

We have found the combination of providing options to take the survey online or on a paper copy can reach the broadest audience. Online surveys are relatively low cost and are convenient for many participants; however, we are careful not to exclude those who are still more comfortable with pen and paper. We will work with the City and local stakeholders to publicize the online survey and provide paper copies at conspicuous locations (such as City Hall, the public library, senior centers, religious institutions, etc.).

BFJ will tabulate the survey results which will help guide prioritization of certain action items based on the input received. Results will be shared with the City and will be included in the Vision Plan.

3c: Focus Group Meetings

As part of this task, BFJ will hold three Focus Group meetings involving different stakeholder groups in the City. We will work with City staff to identify inclusive groups so that we can get feedback directly from key groups in the City. We envision these meetings as informal sessions where we would debrief stakeholders on the study and ask for input on key aspirations. The meetings will also encourage stakeholders to be involved in the planning process, which will foster support for the Vision, Goals, and Objectives that come out of the Study.

Task 4: Visioning Report

Task 4a: Draft Visioning Report

Following the first two workshops, BFJ will use the results from each workshop to create a draft Vision Plan that can be tested at the third and final workshop. The draft report will discuss the Vision, Goals, and Objectives that are developed based on the Community Visioning Sessions, Public Survey, Focus Group Meetings, and input from City staff. This draft report will include a narrative description of major priorities and illustrations of maps and other graphics developed in each workshop. It will then discuss a consensus vision based on the common elements described by the workshop participants. This consensus vision will be submitted to the City in draft form for comment.

1.0 Scope of Services

We expect that the report will follow the same organization as Plan-It Newburgh, as follows, however we are open to revisions at the direction of City staff:

- Introduction
- Social Well-Being
- Governance
- Housing
- Natural Environment
- Economic Development
- Transportation
- Municipal Services
- Future Land Use Plan (note: although not included in Plan-It Newburgh, we would include goals and objectives related to the 2011 Future Land Use Plan, which is an addendum to the 2008 Sustainable Master Plan)

Task 4b: Final Visioning Report

At the conclusion of the project, BFJ will revise the Draft Report based on input from City staff and prepare a final Vision Plan that summarizes the public outreach process and presents the community's vision for the City of Newburgh. This report will be a useful tool for sharing the consensus vision for the area with community groups, residents and business owners as well as elected officials and other stakeholders. The City will then be able to build on this foundation to develop a full update of the Comprehensive Plan.

1.0 Timeline

Newburgh Vision Plan Foundation for the Comprehensive Plan							
Proposed Timeline							
	March	April	May	June	July	August	
Task 1 Ongoing Coordination and Project Management							
1a Ongoing Project Management							
1b Meetings with City Staff	1	2	3	4			
Task 2 Data Collection and Existing Conditions Report							
2a Data Collection and Review of Existing Plans							
2b Preparation of Existing Conditions Report							
Task 3 Public Outreach							
3a Community Visioning Workshops							
3b Public Survey							
3c Focus Group Meetings (3)							
Task 4 Visioning Report							
4a Draft Visioning Report							
4b Final Visioning Report							
4c Revisions and Printing							
 Meetings with City Staff (4)  Community Visioning Workshops (3)  Focus Group Meetings (3)  Project Deliverables							

2.0 Budget

2.0 Budget

Newburgh Vision Plan		
Foundation for the Comprehensive Plan		
Proposed Budget		
Task #	Task Name	Budget by Task
Task 1	Ongoing Coordination and Project Management	
1a	Ongoing Project Management	\$2,500.00
1b	Meetings with City Staff	\$6,000.00
Task 2	Data Collection and Existing Conditions Report	
2a	Data Collection and Review of Existing Plans	\$3,000.00
2b	Preparation of Existing Conditions Report	\$6,000.00
Task 3	Public Outreach	
3a	Community Visioning Workshops	\$12,000.00
3b	Public Survey	\$5,000.00
3c	Focus Group Meetings (3)	\$6,000.00
Task 4	Visioning Report	
4a	Draft Visioning Report	\$5,000.00
4b	Final Visioning Report	\$2,500.00
4c	Revisions and Printing	\$1,000.00
	Expenses	\$1,000.00
	Total Budget	\$50,000.00

3.0 Firm Overview and Resumes

3.0 Firm Overview

BFJ Planning is a consulting firm providing professional expertise in planning and related fields since its establishment in 1980. BFJ provides the following services for public, private, and non-profit clients throughout the country and overseas:

- Planning
- Urban design
- Environmental analysis
- Real estate consulting
- Transportation planning

This range of services enables BFJ to bring a project from the initial feasibility stage, through planning and approvals, to site design and implementation.

Principals and staff provide expertise in many areas, which is highly beneficial for complex development projects that require informed, innovative thinking from different professional points of view. This inclusive approach ensures that BFJ's planning and design recommendations are realistic and achievable within project constraints.

BFJ's expertise includes developer negotiations, impact mitigation, and government programs. The firm also has extensive experience with consensus building and the public participation process, conducting public meetings, workshops, and other community liaison programs aimed at public participation and review. These programs allow the firm to provide innovative solutions that fulfill the needs of clients and communities. BFJ has successfully completed more than 1,000 projects in the U.S., East Asia, Europe, and South America.

BFJ is supported by its affiliate, Urbanomics. Since 1984, Urbanomics has provided public- and private-sector clients with an array of economic development planning studies, market studies, tax policy analyses, program evaluations, and economic and demographic forecasts.

Planning and Zoning Experience

BFJ Planning has a long history of successfully completing complex planning processes throughout the New York City Metropolitan Region. Our philosophy is to provide principal- and senior-level staffing on all of our projects. As in all of our prior work with the City of Newburgh, the City will have direct access to the Principal-in-Charge, Frank Fish, the project manager, and Simon Kates. We have a record of completing projects on-time, on-budget, and with a special attention paid to developing an inclusive process that results in a plan that can be adopted by the City Council. Between the team of planners that we at BFJ have dedicated to this project we have adequate capacity to provide senior-level staffing throughout the course of the comprehensive planning process.

The following is a summary of the key areas of expertise that the BFJ team would bring to the Newburgh Vision Plan:

Planning

BFJ Planning brings more than 35 years of planning experience to this project, having prepared plans and planning studies at a range of scales, in municipalities throughout the region and around the world. We work closely with municipal staff and citizen advisory committees throughout the planning process, providing drafts for review prior to working meetings, taking comments and making revisions as necessary. This close working relationship allows us to be responsive to comments and make corrections promptly to ensure that the process continues to move forward at an appropriate pace.

3.0 Firm Overview

Zoning

Zoning is one of the principal means of implementing a community's comprehensive plan. BFJ has extensive experience preparing and updating zoning ordinances, subdivision regulations, historic preservation ordinances, and other land use regulations. The firm also designs land use policies that complement an area's environmental and historic features and promote sustainability while ensuring its economic viability.

Innovation and Creativity

The state of our built and natural environment is not, by nature, a static force, and a plan for those environments should not be either. The planning process requires innovative and creativity in developing goal and objectives—but just as importantly, the process also demands responsive strategies to gather public feedback, build consensus and develop a plan that can be adopted by the City Council and implemented by the City. We have assembled a team of planners, designers, and engagement experts who are well-versed in best practices for their respective specialties, but who will also each bring a fresh and tailored perspective to the process.

Sustainability

The BFJ Team has worked on sustainability action plans for municipalities throughout the Northeast, including Comprehensive Plans with an emphasis on principles of sustainability. In this work, we have identified action items to reduce carbon emissions, enhance energy efficiency, improve climate resilience, prioritize infrastructure improvements, promote transit, and increase awareness of and provide opportunity for residents to live healthier lives.

Public Outreach

Capturing community values and views that are representative of the public—while ensuring that this input is truly meaningful to the development of the plan—requires a diverse toolbox of outreach strategies. We have put together a Team that will develop a community outreach strategy that takes advantage of traditional outreach methods, new techniques and ideas that have proven to work in Newburgh.

Project Management and Quality Control

BFJ's project management policy includes regular contact by telephone and email. We keep the client informed of the work progress, sending drawings, draft memos and/or preliminary findings prior to formal client meetings. Team members' work is carefully scheduled and monitored through regular internal communication and reviews. At the project start-up meeting, administrative and procedural measures will be discussed and agreed upon with the client. The success of our approach is demonstrated by BFJ's timely, on-budget delivery.

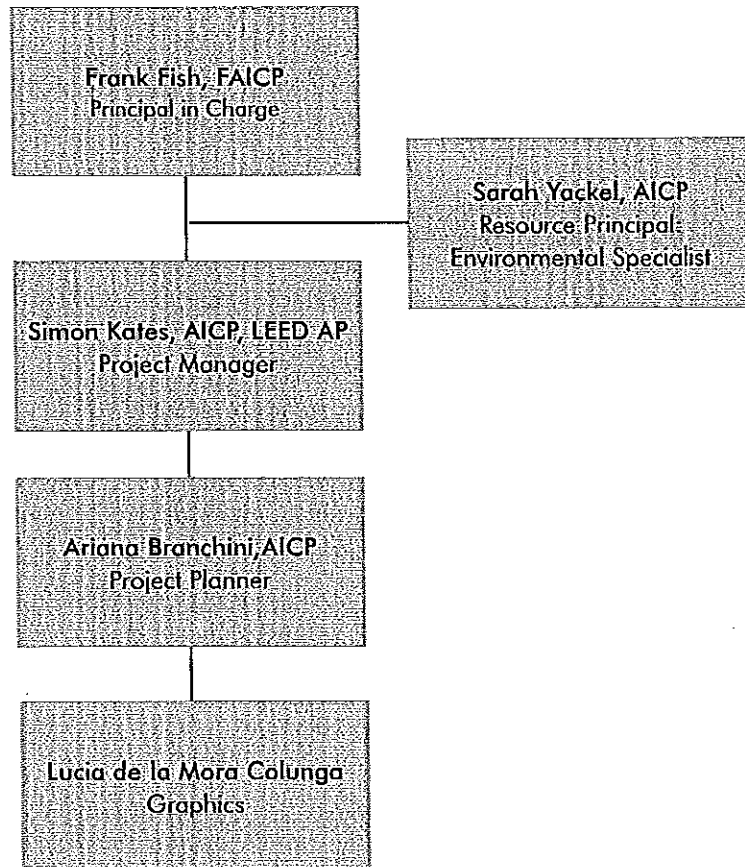
Flexibility and Availability

BFJ is committed to a planning process based on responding to and adapting to the client's needs as required to satisfactorily complete the scope of work. Our project manager and other members of the core Team will be available as needed for regular daytime meetings and evening meetings. Our Team's location within the region helps to ensure that we are capable of performing all the required tasks effectively and efficiently.

3.0 Organization Chart

CITY OF NEWBURGH

BFJ Planning



Frank S. Fish FAICP

PRINCIPAL



Frank Fish has over 40 years of experience in urban planning. He directs the firm's master planning, zoning, economic and development feasibility practice areas. He has worked on a range of planning projects from countywide master plans and statewide housing studies to large-scale development proposals for private sector clients.

PROJECT EXPERIENCE

Comprehensive Plans

BARD COLLEGE MASTER PLAN AND PERFORMING ARTS CENTER

Annandale-on-Hudson, New York
Role: Principal-in-Charge

BEDFORD COMPREHENSIVE PLAN

Bedford, New York
Role: Principal-in-Charge

BRIDGEPORT MASTER PLAN

Bridgeport, Connecticut
Role: Principal-in-Charge

BRONXVILLE MASTER PLAN AND ZONING ORDINANCE UPDATE

Bronxville, New York
Role: Principal-in-Charge

EAST FISHKILL MASTER PLAN AND ZONING CODE AMENDMENTS

East Fishkill, New York
Role: Principal-in-Charge

HARRISON COMPREHENSIVE PLAN

Town/Village of Harrison, New York
Role: Principal-in-Charge

IRVINGTON COMPREHENSIVE PLAN

Irvington, New York
Role: Principal-in-Charge

MAMARONECK MASTER PLAN UPDATE

Mamaroneck, New York
Role: Principal-in-Charge

PAWLING MASTER PLAN

Pawling, New York
Role: Principal-in-Charge

Zoning

GARDEN CITY ZONING STUDY OF COUNTY PROPERTIES

Garden City, New York
Role: Principal-in-Charge

GREATER NEW YORK METROPOLITAN AREA ZONING CODE REVISIONS

New York, New York
Role: Principal-in-Charge

PHILADELPHIA ZONING CODE UPDATE

Philadelphia, Pennsylvania
Role: Principal-in-Charge

YONKERS HOUSING REVITALIZATION STRATEGY

Yonkers, New York
Role: Principal-in-Charge

TARRYTOWN WATERFRONT

Tarrytown, New York
Role: Principal-in-Charge

Environmental Review

CHAPPAQUA CENTRAL SCHOOL DISTRICT SEVEN BRIDGES MIDDLE SCHOOL

ENVIRONMENTAL IMPACT STATEMENT
Chappaqua, New York
Role: Principal-in-Charge

GERMAN SCHOOL NEW YORK

White Plains, New York
Role: Principal-in-Charge

SCARSDALE ASSISTED LIVING FACILITY ENVIRONMENTAL IMPACT STATEMENT

Scarsdale, New York
Role: Principal-in-Charge

EDUCATION

Master of Science, Planning, Pratt Institute

Bachelor of Arts, Political Science, Boston College

Associate of Arts, Classics, St. Thomas Seminary

MEMBERSHIPS

Fellow, American Institute of Certified Planners

Board Member, New York Planning Federation

Past Commissioner, AICP Commission

Past President, New York Metropolitan Chapter APA

Past President, American Society of Consulting Planners

TEACHING

New York University, Robert Wagner School of Public Service, Adjunct Professor of Planning

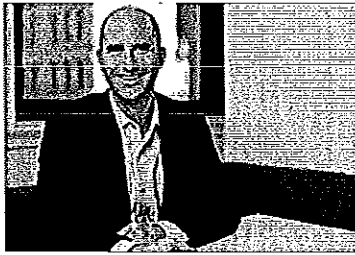
Pratt Institute, Graduate Planning Program, Adjunct Professor (1988-1999)

AWARDS

Andrew Haswell Green Award for Distinguished Service, 2009, APA New York Metropolitan Chapter

Simon Kates AICP, LEED AP

ASSOCIATE



Simon Kates has a background in architecture, urban planning, and energy finance. As an associate at BFJ, he has developed a focus in planning issues related to sustainability and resilience to climate change. With a strong belief in community-based planning, Mr. Kates has experience developing comprehensive plans and waterfront plans, addressing economic development issues, and applying complex zoning strategies, such as transfer of development rights. Prior to joining BFJ, he practiced architecture and conducted research on waterfront industrial regulations and the potential impacts of storm surge on adjacent environmental justice communities.

SELECT PROJECT EXPERIENCE

EDUCATION

Bachelor of Art, Tufts University
Somerville, MA

Master of Architecture, University of
Oregon
Eugene, OR

Master of Science City and Regional
Planning, Pratt University
Brooklyn, NY

REGISTRATION

LEED Accredited Professional

American Institute of Certified Planners

MEMBERSHIPS

American Planning Association

TEACHING

Visiting Assistant Professor, Pratt
Institute: Graduate Center for Planning
and the Environment

SOFTWARE

AutoCad, ArcGIS, Revit, Illustrator,
Photoshop, InDesign, SketchUp, SPSS

Comprehensive and Neighborhood Plans

RYE COMPREHENSIVE PLAN

Rye, New York
Role: Project Manager

MOUNT KISCO COMPREHENSIVE PLAN

Rye, New York
Role: Project Manager

NEW ROCHELLE COMPREHENSIVE PLAN

New Rochelle, New York
Role: Project Planner

NYACK COMPREHENSIVE PLAN

Nyack, New York
Role: Project Planner

DOWNTOWN REVITALIZATION INITIATIVE

Glens Falls, New York
Role: Project Manager

DOWNTOWN REVITALIZATION INITIATIVE

Watkins Glen, New York
Role: Project Manager

NY RISING COMMUNITY

RECONSTRUCTION PROGRAM
Staten Island, Southeast Queens, the Five
Towns, South Valley Stream, NY
Role: Project Planner

Waterfront Plans

NEW ROCHELLE LOCAL WATERFRONT REVITALIZATION PROGRAM

New Rochelle, New York
Role: Project Planner

NYACK LOCAL WATERFRONT REVITALIZATION PROGRAM

Nyack, New York
Role: Project Manager

PEEKSKILL LOCAL WATERFRONT REVITALIZATION PROGRAM

Peekskill, New York
Role: Project Planner

Zoning

NYACK WF DISTRICT ZONING AND DESIGN GUIDELINES

Nyack, New York
Role: Project Manager

CIVITAS C1-9X ZONING ANALYSIS

New York, New York
Role: Project Manager

NYSERDA TDR TOOLBOX

New York State
Role: Project Manager

CIVITAS C1-9X ZONING RECOMMENDATIONS

New York, NY
Role: Project Manager

VILLAGE OF TARRYTOWN HISTORIC COMMONS DISTRICT AMENDMENTS

Tarrytown, New York
Role: Project Manager

GREENWICH R6 ZONING CHANGES

Greenwich, CT
Role: Project Planner

ROCKVILLE CENTRE BUSINESS A-1 ZONING DISTRICT

Rockville Centre, NY
Role: Project Manager

Feasibility Studies

MOBILE NEW ROCHELLE - DOWNTOWN SHUTTLE FEASIBILITY STUDY

New Rochelle, NY
Role: Project Manager

FORMER WHITE PLAINS COMPLEX FEASIBILITY STUDY

Peekskill, New York
Role: Project Manager

GREATER JFK INDUSTRIAL BUSINESS IMPROVEMENT DISTRICT

Queens, New York
Role: Project Manager

Sarah Yackel, AICP

PRINCIPAL



EDUCATION

Master of Science in Urban Planning, Graduate School of Architecture, Planning and Preservation, Columbia University

Bachelor of Arts, Environmental Studies and Political Science, Binghamton University

REGISTRATION

American Institute of Certified Planners
The American Planning Association

MEMBERSHIPS

New York Metro Chapter of the American Planning Association

Sarah Yackel is an urban planner with more than seventeen years of experience in environmental review, land use planning and zoning. Ms. Yackel has extensive expertise in the preparation of comprehensive plans, waterfront plans, and zoning regulations throughout the Metropolitan and Mid-Hudson regions. In addition, Ms. Yackel heads up BFJ's environmental review practice group and has broad knowledge of the environmental impact review and assessment processes, including the management, preparation and review of environmental review documents at all levels of government, public consultation and scoping, and development of effective mitigation strategies. Ms. Yackel has managed a large variety of projects ranging in size and geography, from large-scale urban redevelopment projects to small scale projects in suburban/rural areas. Prior to joining BFJ, Ms. Yackel worked as a planner at the Municipal Art Society (MAS) of New York and at Environmental Science Associates, a San Francisco based environmental planning firm. Ms. Yackel served as the Chair of the New York Metro Chapter of the American Planning Association's (APA) Awards Committee from 2010 to 2015, as Vice President for Committees from 2012-2014, and as Vice President for Professional Development from 2006-2008. Ms. Yackel was awarded the "Floyd Lapp Award" for distinguished service by the APA NY Metro Chapter in 2008. Ms. Yackel has also been a guest lecturer in environmental planning at New York University Robert F. Wagner Graduate School of Public Service and Baruch College.

PROJECT EXPERIENCE

NY RISING COMMUNITY RECONSTRUCTION PLAN
New York, New York
Role: Project Manager

EAST 138TH STREET APARTMENTS
Bronx, New York
Role: Project Manager

WESTCHESTER PAVILION REDEVELOPMENT PROJECT
White Plains, New York
Role: Project Manager

ASHBURTON AVENUE
Yonkers, New York
Role: Project Manager

NEW ROCHELLE COMPREHENSIVE PLAN, ZONING CODE UPDATE, AND SEQR REVIEW
New Rochelle, New York
Role: Project Manager

42 BROAD STREET W. MIXED-USE DEVELOPMENT PROJECT
Mount Vernon, New York
Role: Project Manager

CHRISTIE PLACE MIXED-USE DEVELOPMENT
Scarsdale, New York
Role: Project Manager

9 AND 11-17 SECOND AVENUE
New York, New York
Role: Project Manager

3560 BROADWAY ENVIRONMENTAL REVIEW
New York, New York
Role: Project Manager

300 E. 34TH STREET EAS-CEQR
New York, New York
Role: Project Manager

300 E. 34TH STREET EAS-CEQR
Manhattan, New York
Role: Project Manager

BRIARCLIFF MANOR PLANNING SERVICES
Briarcliff Manor, New York
Role: Environmental Planner

BEACH GREEN NORTH
Queens, New York
Role: Environmental Planner

NEWBURGH PLANNING SERVICES
Newburgh, New York

STAPLETON SENIOR HOUSES
Staten Island, New York
Role: Environmental Planner

Ariana Branchini, AICP

PLANNER



Ariana Branchini has worked on a variety of planning projects for public and private sector clients. She has experience with every phase of the study process from data collection in the field to final report preparation. Ms. Branchini provides technical support to planning projects using geospatial modeling tools. In graduate school, she concentrated her studies in planning and economic development with a focus in public realm improvements and public private partnership.

PROJECT EXPERIENCE

EDUCATION

Bachelor of Arts, International Relations,
Johns Hopkins University

Master of Science In Urban Planning,
Graduate School of Architecture, Planning
and Preservation, Columbia University

MEMBERSHIP

American Planning Association, New York
Metro and Connecticut Chapters

COMPREHENSIVE PLAN UPDATE

North Castle, New York
Role: Project Planner

MASTER PLAN UPDATE

Rye, New York
Role: Project Planner

DOWNTOWN REVITALIZATION INITIATIVE

Middletown and Glens Falls, New York
Role: Project Planner

TRANSIT-ORIENTED DEVELOPMENT STUDY

Branford, Connecticut
Role: Transportation Planner

FREIGHTWAY SITE REDEVELOPMENT STUDY

Scarsdale, New York
Role: Project Planner

FAIRFIELD METRO TRANSIT-ORIENTED DEVELOPMENT SCHOOL IMPACT ANALYSIS

Fairfield, Connecticut
Role: Project Planner

PRIVATELY OWNED PUBLIC SPACE (POPS) FELLOWSHIP*

New York, New York
Role: Consultant to New York City Department
of City Planning

ENVIRONMENTAL PLANNING ANALYSIS*

New York, New York
Role: Intern

RE-IMAGINING AOYAMA STREET*

Tokyo, Japan
Role: Planner

* Designates work completed prior to
joining BFJ Planning.

Lucia De La Mora

GRAPHICS AND URBAN DESIGN



Lucia de la Mora Colunga recently joined BFJ, bringing a diverse range of experience working in architecture, planning and urban design in the public and private sectors. Much of her work has focused on design and use of public spaces. Prior to joining BFJ, Ms. de la Mora worked for the New York City Department of Transportation's Division of Transportation Planning and Management and for the Mexico City Public Space Authority, as well as in private practice in architecture and interior design.

PROJECT EXPERIENCE

EDUCATION

Master of Science in City and Regional Planning, Pratt Institute, 2017

Bachelor of Architecture, Universidad Nacional Autonoma de Mexico, 2008

SKILLS

Adobe Creative Suite (Illustrator, Photoshop, InDesign), ArcGIS, AutoCad, SPSS

COMPREHENSIVE PLAN

Mt. Kisco New York

Role: Graphics and Urban Design

FREIGHTWAY SITE REDEVELOPMENT STUDY

Scarsdale, New York

Role: Graphics and Urban Design

LAKE CARNEGIE BRIDGE TRAFFIC ANALYSIS

Princeton, New Jersey

Role: Graphics and Urban Design

DOWNTOWN REVITALIZATION INITIATIVE

Watkins Glen, New York

Role: Graphics and Urban Design

DOWNTOWN DESIGN GUIDELINES

Port Chester, New York

Role: Graphics and Urban Design

4.0 Relevant Experience

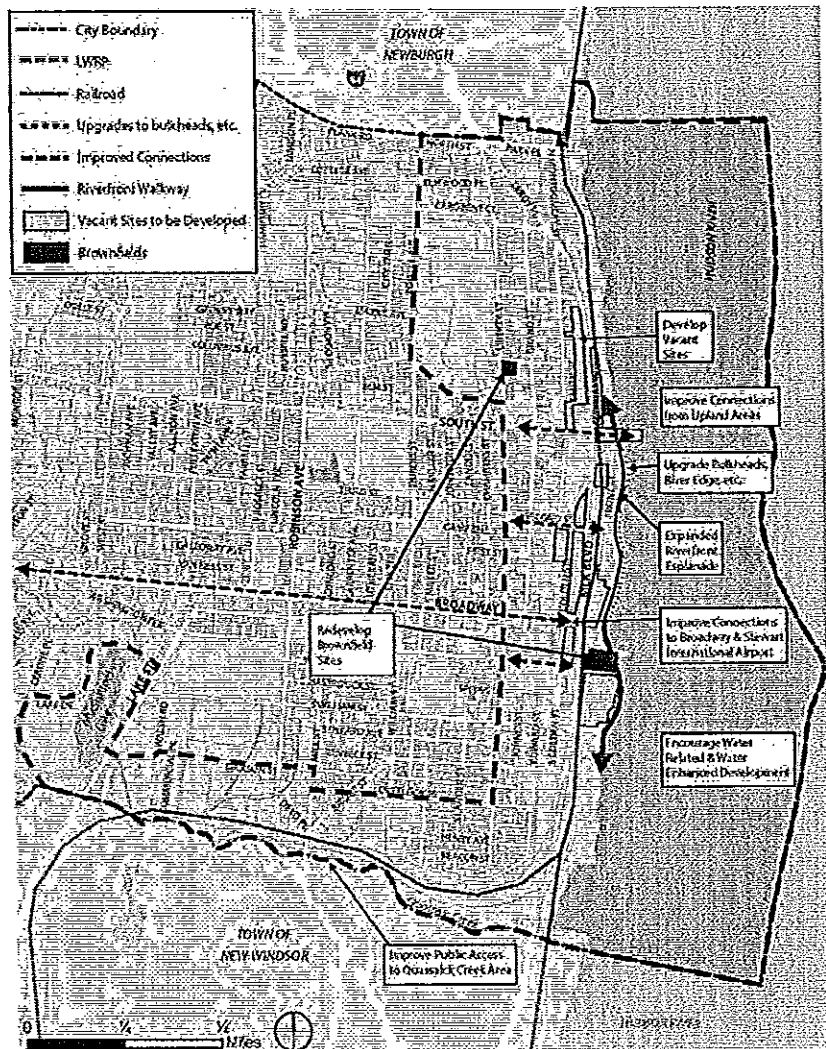
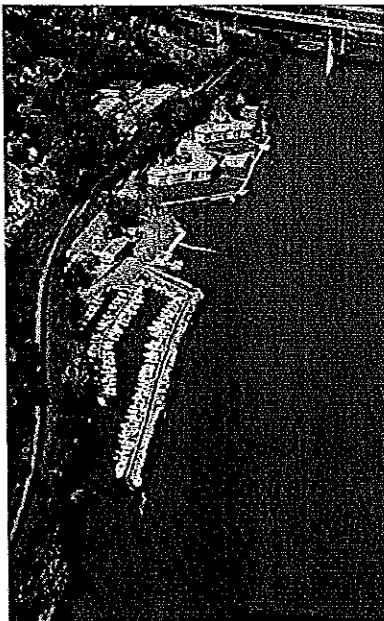
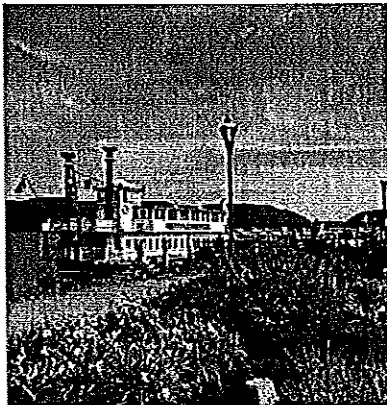
**Newburgh Future
Land Use Plan**
Newburgh, New York

Newburgh's Future Land Use Plan was prepared by BFJ Planning as an addendum to the City's 2008 Master Plan. As part of the study, BFJ surveyed and cataloged all of the City's parcels to develop an existing land use map. Collaboration with City staff, the Land Use Committee and the public helped establish areas of the city where there were opportunities for growth. BFJ used this input along with recommendations from the Master Plan to develop a map illustrating the location and the preferred intensity of future land uses. The report included recommendations for key development areas, parks, open space, plazas and greenways as well as recommendations for future zoning changes. As part of the project, BFJ also prepared environmental documents required under the State Environmental Quality Review (SEQR). The plan was adopted by the City Council in 2011.



Newburgh Local Waterfront Revitalization Program (LWRP) Newburgh, New York

The City of Newburgh, NY retained BFJ Planning to prepare a comprehensive update to the City's 1999 Local Waterfront Revitalization Program (LWRP). This update incorporated a harbor management plan focusing on environmental and recreational issues in the Hudson River and along the riverfront edge. The LWRP update also included an update to the LWRP policies and projects, identified changes in the regulatory environment (e.g. FEMA flood maps) and addressed the impacts of sea level rise and climate change on the City's waterfront. The LWRP focused on strengthening public access and upland connections to the waterfront, provision of additional waterfront recreational opportunities, providing sustainable development guidelines and best management practices for both public and private development sites, and water quality improvements.

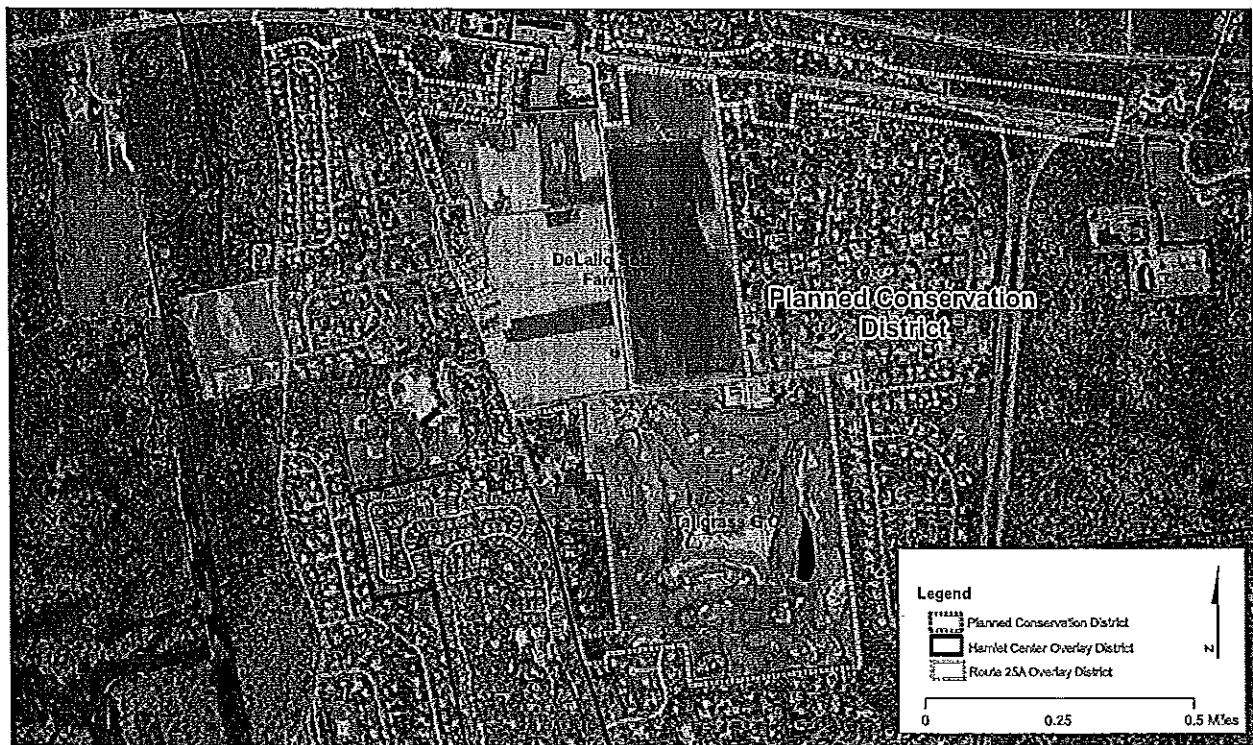


Route 25A Land Use Plan and Community Visioning Town of Brookhaven, New York

During the last 40 years, the character of the 10-mile long Route 25A corridor between Mount Sinai and Wading River has changed due to increases in population and development. BFJ Planning worked with five hamlets along the corridor on a Land Use Plan that addressed the above issues. The focus of the Plan was to create an overall zoning and land use strategy that would make the Route 25A corridor more environmentally and economically sustainable.

The Land Use Plan was preceded by a detailed visioning component that maximized citizen participation. BFJ held a series of community planning forums, which helped guide participants through a process of conceptual thinking to the identification of priorities and a vision for each individual hamlet and the corridor as a whole.

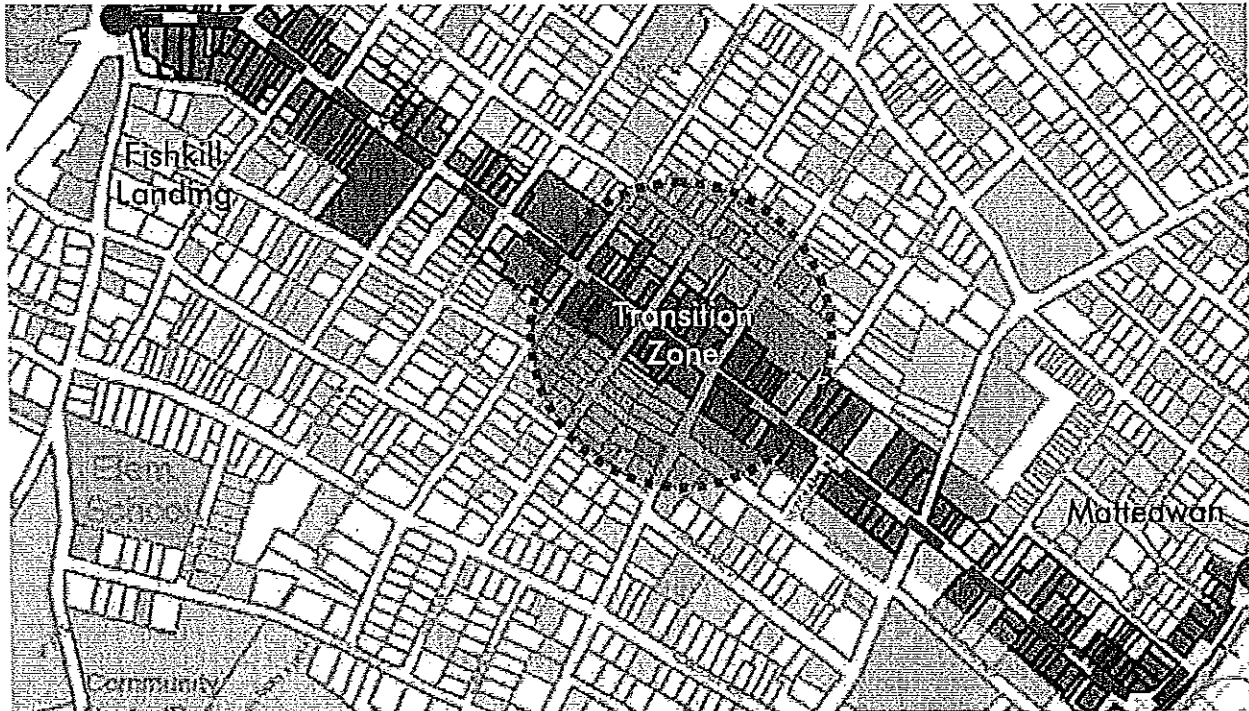
As a result of the visioning study, the Land Use Plan created three new zoning overlay districts that preserve the unique qualities of each hamlet, guide future growth to existing centers, and protect the corridor's remaining farms and open space.



Beacon Visioning Program Beacon, New York

In the summer of 2006, the City of Beacon in Dutchess County hired BFJ Planning to conduct a visioning process. The city had begun a comprehensive plan process with another firm, but realized that it needed to understand where the community wanted to go with its future. Beacon was turning the corner after a long post-industrial slump, experiencing major changes in its demographics, job base, tourism, real estate values and in its expectations. BFJ was brought in to conduct a public participation project. The end product was to be a vision statement, supported by community outreach. The comprehensive plan would then build on the vision statement and public goodwill generated by our process.

The project was an intensive six weeks. We obtained background material and spent time touring and photographing Beacon, researching comparable vision projects and talking with the plan committee. We then conducted three of four public workshops; the committee itself conducted the fourth due to the very tight budget. For each of the workshops, we presented a 20-minute slide show called Snapshots of Beacon, and then organized the attendees into discussion groups. Each table had questions to work through and a large-scale map to mark up. While participants provided a wide array of comments, four themes emerged: 1) Small Town in a City, 2) Main Street, 3) Government's Role: Community Services & Economic Engine Priming, and 4) Natural Beauty and Historic Heritage. Following the workshops, we prepared a report to document the workshop results and wrote a vision statement for the comprehensive plan committee to incorporate into their ongoing work. We supplemented the vision statement with a citywide concept map that annotated current land use with ideas for gateways and a renovated boulevard; pedestrian linkages among major cultural and retail locations, the Hudson River, and the train station; open space acquisitions, development areas; adaptive reuse of old mill buildings; new creek crossings; infill housing; and new zoning. The updated comprehensive plan was adopted in December 2007.



**City of Beacon
Comprehensive Plan Update
Beacon, New York**

The City of Beacon required consultant services to update its 2007 Comprehensive Plan to reflect current conditions, create a more user-friendly document and incorporate a special focus on the Hudson River waterfront and train station area.

BFJ Planning's involvement in Beacon goes back to 2006, when it led an intensive visioning process, on behalf of the City, to better understand the community's concerns and priorities as a foundation for preparation of the 2007 Comprehensive Plan. In 2008, the City again retained BFJ to develop a plan and set of strategies to improve linkages among the various travel generators and attractions on the waterfront, Main Street and the train station.

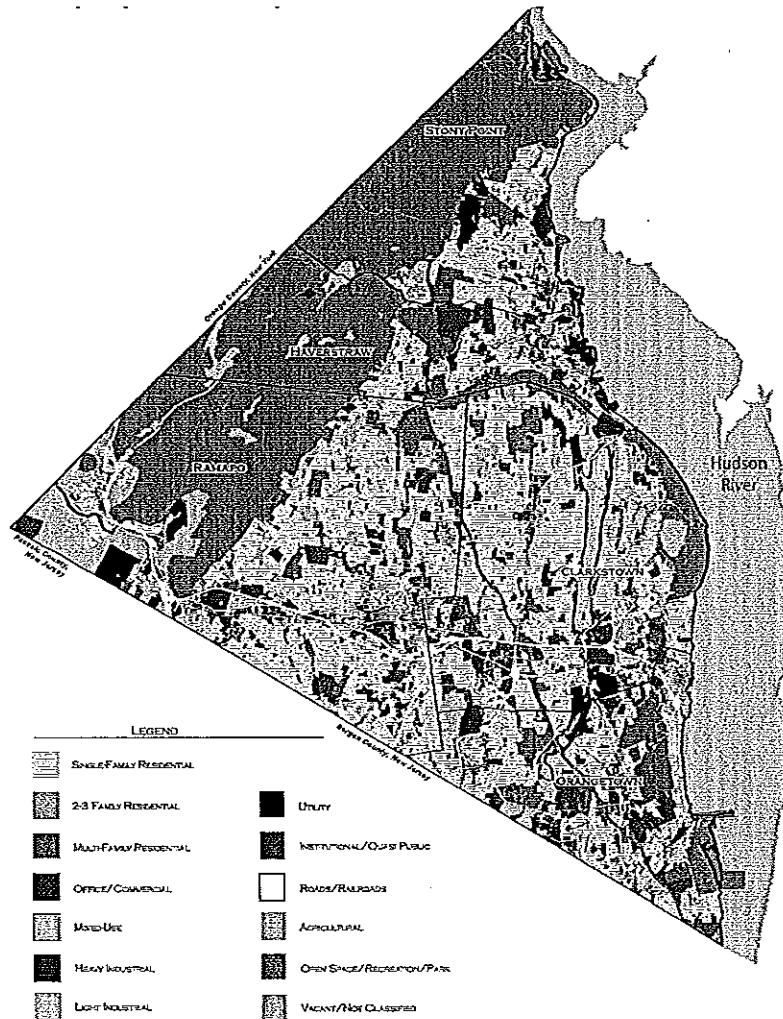
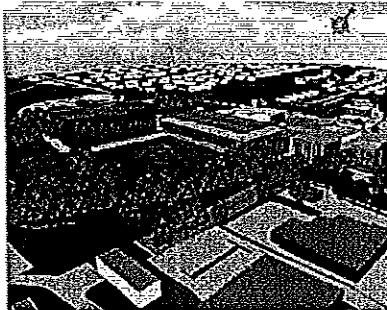
The update to the 2007 Comprehensive Plan focused on preserving Beacon's waterfront, leveraging its train station for TOD opportunities, and better linking the station area to its downtown core. The key approach was to maintain the park-like setting of the riverfront and target development into the City's Linkage Zone, to connect the train station to Main Street, Beacon's focus for commercial activity. The project included recommendations for zoning changes to ensure appropriately scaled development that preserves Hudson River views and complements the City's historic building pattern.



**Rockland County
Comprehensive
Development Plan**
Rockland County, New York

BFJ Planning worked with the Rockland County Legislature to develop an update to their Comprehensive Plan. The Plan provided general recommendations on future county land use issues and policies to implement these strategies, addressed key matters under direct County jurisdiction and identified specific land use and zoning conflicts among municipalities that should be resolved to allow for better functioning of zoning regulations.

The Plan emphasized preserving residential areas and open space, creating additional amenities for residents and visitors, reinforcing existing county centers, fostering and maintaining well-designed business and industrial corridors and clusters. Emphasis was also placed on identifying areas for business development, promoting sustainability and "green" technology, encouraging energy efficiency, and promoting integrated vehicular, mass transit, bicycle and pedestrian transportation infrastructure. Finally, the plan addressed current land use and transportation issues facing Rockland County, such as the arrival of sewer infrastructure to western portions of the county, the uncertain future of the county's fossil fuel power plants, and the lack of capacity on the Tappan Zee Bridge.



Nyack Comprehensive Plan Nyack, NY

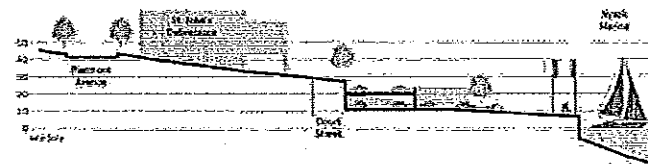
BFJ Planning prepared an update, funded by the New York State Energy Research and Development Authority (NYSERDA), of the 2007 Nyack Comprehensive Plan and Zoning Code. The plan update focused on incorporating demographic and economic conditions and coordinating them with the Sustainable Nyack Action Plan, potential impacts of the new Tappan Zee Bridge, other planning efforts within the Village and ongoing development activity in Nyack and along the Hudson River waterfront.

The Comprehensive Plan update incorporates sustainability principles by identifying goals and initiatives from the Sustainable Nyack Action Plan and coordinating with NYSERDA *Cleaner Greener Communities* efforts to develop a strategy for ongoing tracking through sustainability indicators and metrics. With a focus on the key opportunity areas of downtown, the waterfront and the "Gateway" area of the Village, the Plan also evaluates the potential for commuter or recreational ferry service.

BFJ led a multidisciplinary team of consultants including Perkins Eastman Architects and COWI North America, to cover specific aspects of the Plan such as waterfront opportunities and urban design. As part of the effort, BFJ has directed all public outreach aspects of the Plan update process, including seven public workshops and charrettes and a public survey taken by nearly 1,000 people. The plan was adopted in October 2016.



Seasonal Recreation/Tourism

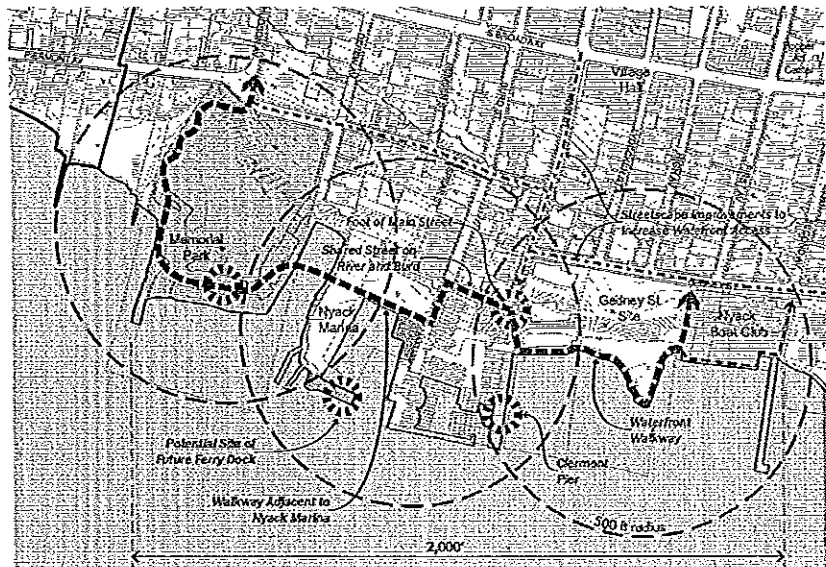
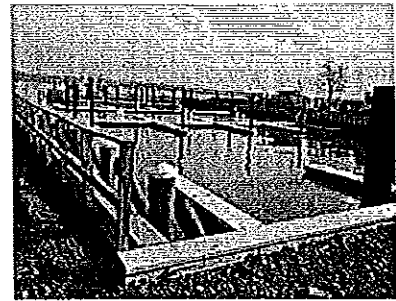
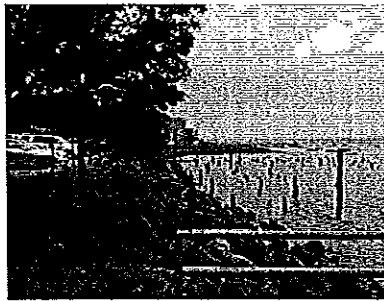


Nyack LWRP

Nyack, NY

BFJ Planning is currently updating the Village of Nyack's Local Waterfront Revitalization Program (LWRP), a plan and policy document to guide future uses of the Village's waterfront and increased public access. The Village last adopted an LWRP in 1992, and an update is needed to reflect existing conditions, outline policies that will guide future planning and incorporate harbor management policies that will focus on issues and opportunities to increase the diversity of uses beyond the water's edge.

Nyack's waterfront is largely built-out or currently provides waterfront open-space. However, the Village has an opportunity to create improved connections to the waterfront, Memorial Park, the Village Marina, historical attractions, and downtown. The Nyack LWRP includes an update to the Village's coastal policies, but the core of the plan is in the proposed projects. Some of the top project priorities include the Nyack Brook Improvement Project, a public waterfront walkway that connects downtown to the waterfront, improvements at Memorial Park and the Nyack Marina, and continuing to evaluate the potential for recreational or commuter ferry service.

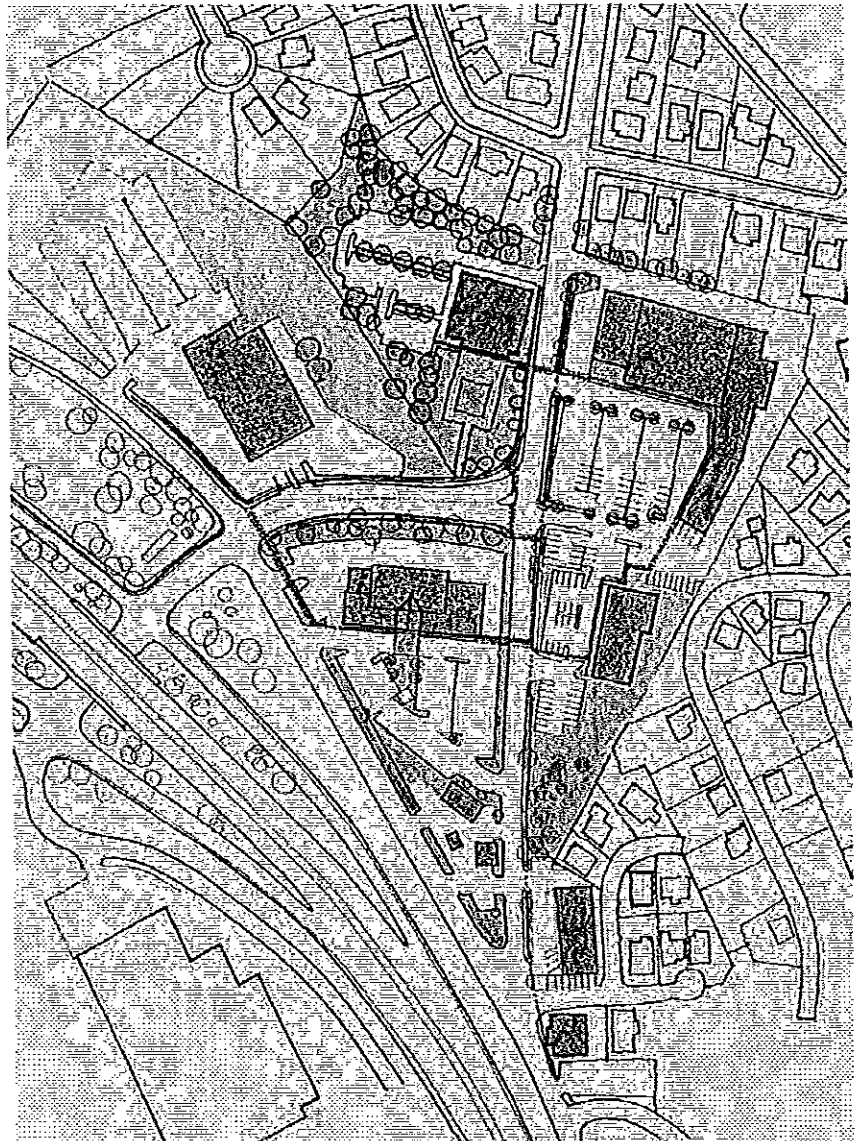


Croton-on-Hudson Comprehensive Plan

Village of Croton-on-Hudson,
New York

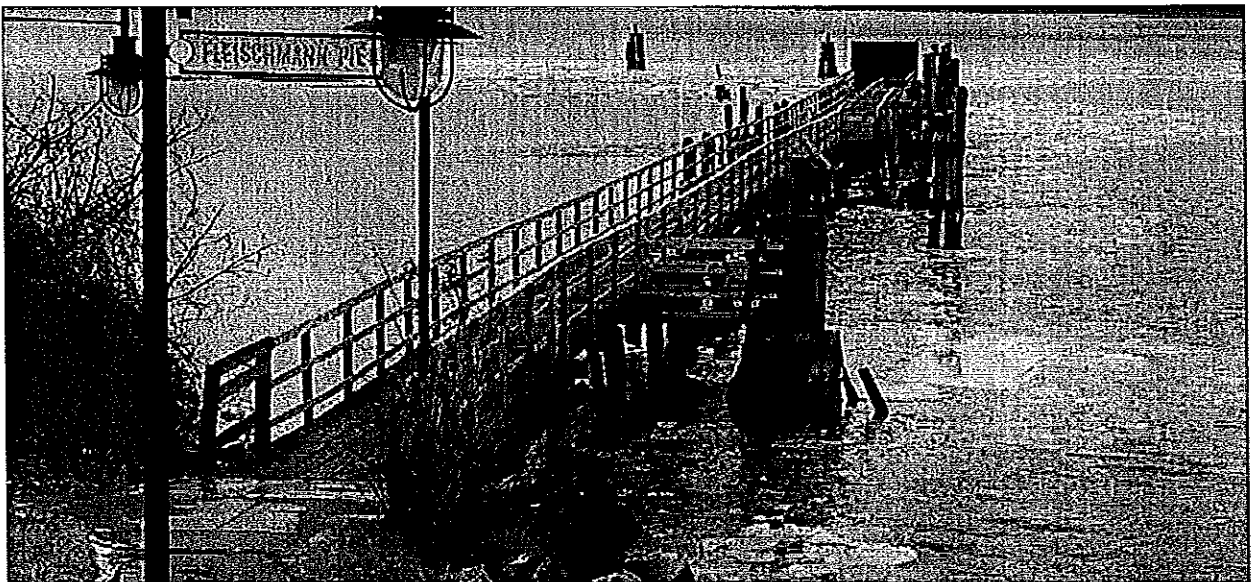
BFJ Planning prepared the Comprehensive Plan for the Village of Croton-on-Hudson. The Plan's goals centered on preserving and enhancing the Village's unique resources, including its waterfronts and open space, small-town quality and historic character, and economic diversity. To that end, recommendations included improving the mix and appearance of the Village's commercial centers, expanding access to waterfront and open space amenities, improving traffic flow and pedestrian safety, and preserving the character of residential areas.

The Plan reflects the ideas and recommendations of Village officials, trustees, the Comprehensive Plan Committee, and Village residents. BFJ obtained input from Croton residents during three public workshop discussions and a mail survey of all Village residents. The public input, along with the research on existing conditions within the Village, helped define the guiding vision and the particular issues that became the Plan's focus.



**Peekskill Local Waterfront
Revitalization Program**
City of Peekskill, New York

BFJ Planning updated the City of Peekskill's Local Waterfront Revitalization Program (LWRP), a plan for the future development and redevelopment of the City's Hudson River waterfront. The City last adopted an LWRP in 2004, and an update is needed to reflect existing conditions, outline policies that will guide future planning and incorporate a waterfront Blue Plan that will focus on issues and opportunities to increase the diversity of uses beyond the water's edge. Peekskill's waterfront has seen significant investment in parks, pedestrian amenities and cultural facilities, and new businesses are beginning to locate along the river. Meanwhile, the City's downtown business district is transforming with live/work artist lofts, residential development and new stores and restaurants. The LWRP update focused on ways to connect these two important areas of Peekskill to maximize economic development and quality-of-life for City residents.



Middletown DRI

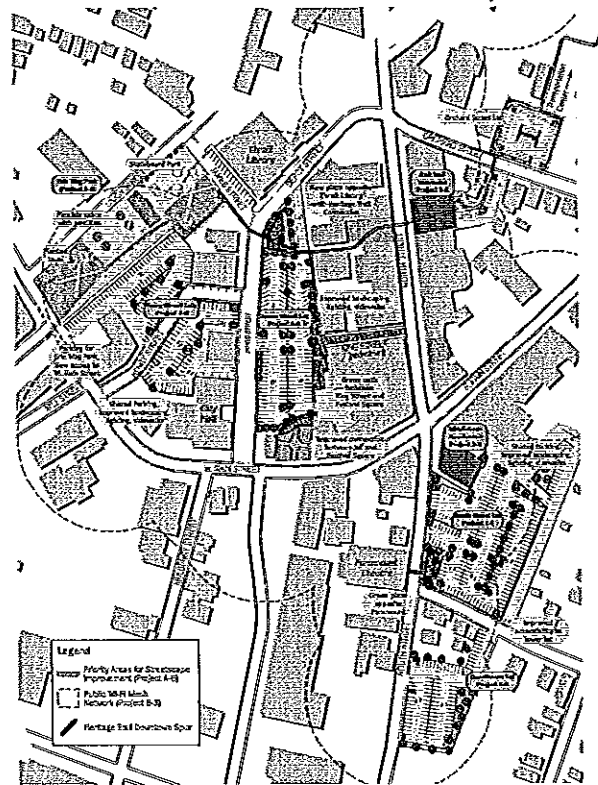
Middletown, New York

BFJ Planning worked with the City of Middletown, New York to develop a strategic investment plan for the Downtown area. The Plan is part of Governor Andrew Cuomo's Downtown Revitalization Initiative (DRI), which provides planning and financial support to help transform selected communities ripe for development. As part of the initiative, the City was awarded \$10 million in funds for projects that will best spur and leverage growth. The Plan includes a vision as established by the community and an implementation strategy, which details candidate projects with sufficient information for the community to make decisions about funding, potential partners and timeframe for implementation.

Developing the projects required close integration of many interconnected areas of expertise. As such, BFJ Planning's team included an interdisciplinary group of planners, engineers, architects, cost estimators, and designers. The eight-month long study was completed in March 2017.



Erie Way Park - Conceptual Sketch by Thread Collective



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RESOLUTION NO.: 56 - 2018

OF

FEBRUARY 26, 2018

A RESOLUTION AUTHORIZING AN AGREEMENT WITH
MILLENNIUM STRATEGIES, LLC FOR GRANT CONSULTING SERVICES
IN AN AMOUNT NOT TO EXCEED \$39,000.000 FOR A 12 MONTH PERIOD

WHEREAS, the City has obtained a proposal for professional grant consulting services to assist the City of Newburgh with grant research and writing support services; and

WHEREAS, Millennium Strategies, LLC has submitted a proposal with a scope of work to include, but not be limited to, creation of a strategic plan to evaluate the City of Newburgh's current funding efforts with key personnel to determine short and long-term funding goals and an analysis of how best to achieve them; notification and updates on all available governmental and non-governmental funding opportunities; research, preparation, submission and appropriate follow up for all targeted governmental and non-governmental funding applications and the maintenance of an accurate system to track grant programs; representation of the City of Newburgh as a liaison with all appropriate grant officials, both public and private, pertaining to grant funding services that Millennium undertakes on its behalf; and attendance at designated meetings as requested with appropriate notice; and

WHEREAS, funding for said professional grant consulting services will be derived from A.1230.0448 - Other Services; and

WHEREAS, this Council finds that entering into an agreement with Millennium Strategies, LLC for professional grant consulting services is in the best interests of the City of Newburgh and its further development;

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 enter into an agreement with Millennium Strategies, LLC for professional grant consulting services in an amount not to exceed \$39,000.00 for a 12 month period.

MILLENNIUM

STRATEGIES

February 16, 2018

Ms. Kathryn Mack
Comptroller
City of Newburgh
83 Broadway
Newburgh, NY 12550

RE: Proposal for Grant Consulting Services

Dear Kathryn:

Millennium Strategies, LLC is pleased to provide the City of Newburgh with this proposal for grant consulting services. Celebrating our 12th Anniversary, Millennium Strategies is the largest full-service grant consulting firm in the Mid-Atlantic region. We currently represent 83 municipalities, counties and non-profit entities in New Jersey, New York, Pennsylvania and Delaware. Since our inception, Millennium has procured over \$300 million in both public and private grant funding.

What sets Millennium Strategies apart is our comprehensive and aggressive approach to grant research, grant writing and grant management. We help our clients meet their complex challenges by securing funding for a wide range of projects which fall within the following categories:

- Arts and Culture
- Community and Human Services
- Disaster Recovery and Resiliency
- Downtown Revitalization
- Economic Development
- Environmental Planning/Restoration
- Historic Preservation
- Open Space Preservation
- Parks and Recreation
- Public Safety
- Sustainability
- Tourism
- Transit Oriented Development
- Transportation Infrastructure

COMPANY PROFILE

Formed in 2005, Millennium Strategies has enjoyed providing comprehensive grant consulting services to our public sector and private clients. Headquartered in New Jersey, we are pleased to announce that we will soon be opening an office in New York State. This growth has been driven by our more than sixty-four (64) years of collective experience working extensively to secure and administer various funding and financing opportunities for our clients in the Mid-Atlantic Region. We also share over thirty (30) years of experience working in the public sector at the highest levels of local, county, state and federal governments. This background has afforded us the opportunity to communicate not only with governmental entities, but also with private, corporate and philanthropic foundations to address our client's specific needs.

Millennium Strategies is uniquely qualified to serve as your grant consulting firm as we have extensive knowledge of existing grants of interest to your City, and are committed to aggressively seeking new grants that meet your goals and objectives. We also have an accomplished team that includes 1 research associate and 12 grant writers as well as the support staff necessary to meet the demands of timely, professional, and competitive submissions. Millennium would work closely with your administration as well as the City's contracted consultants to achieve Newburgh's strategic vision for growth.

EXPERIENCE

Through our work on behalf of a number of New York Municipalities, Millennium is well prepared to assist the City of Newburgh by providing grant research and writing support services. As highlighted, we have extensive experience assisting municipalities with data collection, preparation and the submittal of grant materials. Furthermore, we offer a comprehensive approach to the grant process centered upon providing thorough research and writing services. Our team commonly reviews thousands of grant opportunities and writes well over one thousand applications per year in order to foster the development of a wide range of projects. Over the last four years, we have also become quite knowledgeable of grant opportunities that are available through New York State's Consolidated Funding Application, and gained valuable insight relating to the issues facing local governments in your region. The following chart outlines examples of our recent success on behalf of New York Municipalities like the City of Newburgh:

CLIENT	COMPETITIVE GRANT PROGRAM	AWARD VALUE
Poughkeepsie	NYDOS Local Government Efficiency Program	\$315,000
Port Chester	NYDEC Urban Forestry Grant Program	\$92,250
Fallsburg	NYDEC Water Quality Improvement Program	\$110,500
Port Chester	NYDOS Local Waterfront Revitalization Grant Program	\$1,167,558
Fallsburg	NYDEC Engineering Planning Grant Program	\$30,000
Beacon	NYDEC Zero Emission Vehicle Infrastructure Program	\$15,104
Port Chester	EFC Clean Water Grant Program	\$468,837
Rockland County	Hudson River Valley Greenway Conservancy Grant Program	\$40,000
Harrison	NYS DOT 5310 Bus Grant Program	\$34,510
Port Chester	NY HCR CDBG Public Infrastructure Program	\$750,000

SCOPE OF WORK:

Millennium Strategies proposes to provide Grant Consulting Services to the City of Newburgh which will include but may not be limited to the following activities:

- Creation of a Strategic Plan -- this process centers upon an evaluation of Newburgh's current funding efforts and includes the coordination of necessary meetings with administrators, department heads, supervisors and key personnel to determine short and long-term funding goals and an analysis of how best to achieve them with an ongoing effort to monitor new grant funding sources wherever available.
- Notification and updates on all available governmental and non-governmental funding opportunities -- the City of Newburgh will receive detailed memoranda of potential funding opportunities and an outline of the requirements and responsibilities to complete the grant application to produce the best possible product for submission.
- Research, preparation, submission and appropriate follow up for all targeted governmental and non-governmental funding applications and the maintenance of an accurate system to track grant programs. Targeted funding programs will include various federal, state, local and charitable grants.
- Representation of the City of Newburgh as a liaison with all appropriate grant officials, both public and private, pertaining to grant funding services that Millennium undertakes on your behalf;
- Attendance at designated meetings as requested within 48-hour notice.

COST ANALYSIS:

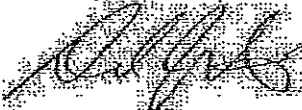
Millennium Strategies proposes to provide all of the services listed above for a monthly retainer of \$3,250 for a one-year contract all-inclusive. The total for this contract would not exceed \$39,000 over a twelve-month period. Our fees would include all travel time and expenses as well as attendance at all designated meetings. There are no hidden costs associated with our fee structure and our contract provides for a mutual 14-day opt out.

In addition to grant research and writing services, Millennium Strategies is also proposing to provide grant administration services at an hourly rate of \$120. Specific to grant administration services, activities might include but not be limited to coordinating and filing requisite grant reports, providing project updates to interested parties and providing cost reconciliation services to ensure accurate and timely grant closure. All grant administration services will be provided on a case-by-case basis as requested and directed by the City.

Millennium Strategies would enter into a contractual relationship with the City of Newburgh as an independent contractor and would remain such for the duration of our contract. All members of Millennium Strategies are in good standing with all state and federal grant agencies. There have been no judgments, claims or suits ever filed against our company.

Please do not hesitate to contact me at my office (973) 226-3329 or on my cell (201) 230-8545 should you have any questions or require further information.

Sincerely,



Dave Jenkins
Director of Business Development & Client Services

