

A Special Meeting of the City Council of the City of Newburgh was held on Thursday, June 28, 2018 at 6:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Prayer/Rezo

** The prayer was led by Councilwoman Rayford at the end of the meeting.*

Pledge of Allegiance/Juramento a la Alianza

Roll Call / Lista de Asistencia

Present: Mayor Torrance Harvey, presiding; Councilman Grice, Councilman Jacobson, Councilwoman Monteverde, Councilwoman Rayford, Councilwoman Sofokles-6

Absent- Councilwoman Mejia-1

COMMUNICATIONS

The City Manager deferred his usual report, and moved directly to the agenda items.

PRESENTATIONS

There were no scheduled presentations.

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

Mel Smith of Greenwood Lake, New York, spoke and submitted a petition on behalf of Dr. Chhabra, a surgical dentist at 191 Broadway, Newburgh, New York. They stated that Chhabra, who is losing his property due to back taxes, is willing to pay all of the back taxes, including the interest. The couple implored the council to show leniency in its decision making because the dentist does great work for this community.

Del Smith, wife of Mel Smith, remarked that there is a great need for the services that Dr. Chhabra provides. She asked the council to consider his request, and also consider its choice to give back the building to him, because there are so many abandoned buildings in Newburgh. She asked the council to see if this would fall under the city's vision of helping to uplift the community.

PETITION

This Petition is on behalf of Dr. N. Chhabra, D.M.D., who is a Surgical Dentist at 191 Broadway, Newburgh NY 12550.

We object to the fact that Dr. Chhabra's property has been taken away (lien) by the City of Newburgh for non-payment of back-taxes, even though Dr. Chhabra is willing to pay (and has even consented to pay the back-taxes with interest), but has been denied the opportunity to do so, by the City of Newburgh.

The persons listed below are patients of Dr. Chhabra and/or members of the community, who feels he has been a tremendous blessing and friend to everyone in the community with low-cost and even free surgical dental services; services which most of us would not have been able to afford without the benevolence of Dr. Chhabra.

Dr. Chhabra has also offered to allow Changing Sides Assembly.org. (which is a viable church group who gives away free; furniture, food, clothes and all household items to the community of Newburgh and the surrounding areas) the use his building at 182 Broadway, Newburgh, NY 12550 (free of charge). If the City of Newburgh would accept payment of his back-taxes, it would allow him to continue to be instrumental in helping a church organization and the people of our Newburgh community.

NAME	ADDRESS	EMAIL OR CELL NUMBER
Wilson Ann	230 Broadway	Wilson Ann
Terrence Wright	57 Carter	Terrence Wright
Nichols Zachary	95 City Terrace	Nichols Zachary
Wilbert Balkin	8, South Miller Street	W. Balkin 375 9632
Duane Stearns	27 South Miller St	Robert Kelly 845 561 2365
Dann Cornoff	221 Hickory Hill Lane	917 870 1935
Anthony Soto Jr	9 Johnston St	Anthony Soto Jr
Monica Nelson	25 Dubois St	347-847-2670
Roxie McClain	246 Liberty St	507 398 9457
Alonso Nthorpe	34 Chambers St	845 923 2995
Jim King	Jackson St	845 541 3239
Samuel Cain	25 Dubois St.	845 728 1660 Samuel Cain
Anthony Brower	4 South Miller	845-670-0475
Terineq West	164 Broadway	(311) 639-2567
Kimatta Boyling	202 Broadway	845 542-9139
Monica Boyling	4 S Miller St	845-670-0740
Danika Williams	106 Kent St	845 784-1436
Aaron Deslandes	36 Scotchman Drive	845 548-5016
John Lynch	11 Stuyvesant Ave	845 255 8383
Minister Debra Watson	30 Sunflower St Middleburgh, NY	Warmembraceministry@gmail.com
Deanna E. Eddy	154 Grand St Newburgh, NY	845 219 8848
Tanya Wase	13 Briarwood Dr	515 412 5460

NAME	ADDRESS	EMAIL OR CELL NUMBER
Wayne Polerom	163 Liberty St	718-744-1968
Anthony Polerom	51 South Miller	845-245-1529
Wesley Polerom	181-216-2751	St. NW
Alanae Flaws	103 Miller St	646 715 2229
Wanda Ware	401 1st St	914-755-5232
Tatshia Grice	41 DuBois St	845-827-1827
Andrew Johnson	41 DuBois St	845-245-1228
Daryl Smith	33 Campbell	
Andrew Johnson	41	
Adell Whigham	29 Cole St	845-245-0629
Josephine Dalcyn	241 Lufkin Ave	845-391-6948
Walter Dalcyn	226 1st St	845-787-9166
Joseph Robb	39 VAN NESS ST	845-591-0380
Sally Patterson	34 Van Ness	845-401-4729
Flora Gaudin	59 VAN NESS	845-210-5634
VIA	39 VAN NESS	845-260-4519
Quinn Green	33 Carpenter Ave	845-520-8489
Angel Delgado	208 CARSON AVE	(845) 309-7702
Wanda Currie	47 Linder St	845-761-0070
Jonny Baggett	47 Henry Ave	845-565-1097
Edward Bach	368 Liberty St	845-562-9029
Kevin Zachary	162 JOHNSTON ST	845-597-1097
Paul Spillers	35, Central C.	845-275-1017
Robert Jordan	86 Main St	" " 7545
Elisavetty Hughes	62 Van Ness	845-728-9282
Watford	107 1st St	845-541-4895
Harry Jackson	35 Carpenter Ave	845-541-4895
Carrel Patton	9 Johnson	845-541-4895
Amari Taylor	43 Carpenter Ave	845-541-4895
Joseph T. Jackson	101 Carter Ave	845-541-4895
Shante Sanchez	53 Carpenter	845-541-4895
Shaguna Patterson	101 Carter	845-541-4895
Shaguna Brown	41 Carpenter Ave	845-541-4895
James Dimpbeil	41 Carpenter Ave	845-246-4642
James Pittman	41 Carpenter Ave	Newburgh 845-2550
Maeola Ahi Gie	VARICK 2	NEWB 845-555-5099
Robert Karl	9 Johnson St	845-375-9773
Christina Anthony	124 West P	845-489-2737
Walter A. Brown	238 Broadway St	631-431-3317
Susan Ramsey	236 Broadway St	845-561-1109
Jeffery Williams	154 1st St	845-244-7915
Carace Pierce	107 Gidney Ave	845-244-7915
Nerissa Delatch	IN TRANSIT	845-200-0116

NAME	ADDRESS	EMAIL OR CELL NUMBER
NANA Marie Epps	228 Brookway	845-787-9031
XAVIER SMITH	116 rt 1	845-728-1002
GUSTAVO ARAVENA	44 GRAND ST	845-591-2175
Shawn Delgatch	IN TRANSIT	845-200-0666 670-0643
CHRIS BOYLAN	WASH JATO VILL, NY 10950	845-505-4628
Tim Bujar	Wash Vill NY 10950	845-496-4920
Theresa Brehm	88 High St. Chester NY 10915	845-469-4964
Eileen Restivo	25 Brewster Way, Westchester	
Joseph Hart	10 Clarkwood Dr Cornwall	845 742 2237
Regina Hart	10 Clarkwood dr Cornwall NY 11	
Monica C. Walls	1453 St Route 208	845 275 9053
Paula D. Hart	Green Meadows way Chester NY	(845) 787-7737
Jacqueline M Vaeelamel	38 Hubshop Road, Chester NY	(845) 638-6383
Andstasia Terraum	24 James Rd Monroe, NY	845 774-6794
M. GROICH	3 MARGE HORTONS WAY C.H 10916	845 675 7148
Robert Delbridge	72 Cherry Hill Rd, Hammondbrook	M. Delbridge @hotmail.com 492 6491
Michael Benedict	1314 Route 94 New Windsor	(845) 562-9248
Robert P. Corti, Jr.	2 Palmer Ct, Maybrook, NY	845-638-4116
Carmen Rodriguez	26 Collabar Rd. Montgomery NY	(401) 443-7300
Stacey Williams	15 Able Noble Dr. Chester NY	845-590-4743
Chris Cordero	P.O. Box 8 Rock Tavern, NY	125 75
Elsa Maldonado	6 Longlee Lane, Mills, NY	125 77 (914) 213-1330
Chloe Williams	15 Able Noble Dr. Chester	cwilli32@binghamton.edu

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COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

To streamline the process, the council discussed each item as it came up.

CITY MANAGER'S REPORT

Resolution No. 159-2018 - CFA 2018 - NYSDOS Local Government Efficiency Grant for Orange County Water Efficient Fleet Wash Project

Mayor Harvey pointed out that this is one of many items coming before them regarding Orange County Shared Services. The project is conceptual, and it has not been fully written out. The County is applying for a grant, and it is seeking ideas on how different municipalities within Orange County can share services. It may not necessarily be cost effective for us to have our city vehicles driven out to Goshen for free car-washing; but, there are other municipalities, geographically close to Goshen, that can benefit from it.

Councilman Grice thanked Harvey for the clarification. Similarly, the Newburgh City School District shares services, so he does look at the cost-effectiveness of things. Even with this, it is good to get it out there to show that we are cooperating with other agencies.

Councilwoman Monteverde asked her colleagues if there is a particular list of shared services available. Can recycling and garbage pickup be included?

Harvey stated that he brought that request forward. He was not able to attend that meeting in Goshen due to unforeseen circumstances. He reached out to Nicole Anderson, the point of contact for the county program. He proposed recycling and bulk garbage pickup to her. She stated that while there is not a whole lot of interest in that area, as they are not at the top of other municipalities' lists; it does nonetheless spark an interest with a handful of municipalities within Orange County. He is going to reach out to Anderson further to get a hold of the list so that he can share it with the rest of the council. Harvey pointed out that the council could either vote it up or down, as this particular resolution doesn't prove to be cost-effective for Newburgh. Yet it doesn't hurt to support what the county is doing in their efforts.

Councilman Jacobson moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Monteverde, Rayford, Sofokles, Harvey – 6

Adopted

Resolution No. 160 - 2018 - awarding a bid to A-Tech Concrete Co. Inc. for the ADA Curb Ramp Rehabilitation Phase 1A Construction Project

Councilman Jacobson has a problem with this, as the company did not attend the pre-bid meeting. He is concerned about it being an out-of-town company, as opposed to a local company. He would like to see the bid put out again. He realizes that we want to get the work done, but, he also wants to ensure that we get a fair price, we get somebody local doing the work, and that all the rules are followed so that we don't take one step forward and two steps backward because someone could bring a complaint later.

Mayor Harvey stated that Jacobson's concerns are well taken. But calling and foiling this information on the same day of the vote could have been preempted with these same concerns being brought forth weeks ago, had he followed the bid process closer. Our infrastructure and roads need immediate attention, and our constituents have expressed that over and over. Had we done some paving last summer, then he would be more understandable about his concerns. The bidding process has already happened, and this is not our first time at the rodeo. Jason Morris and his professional staff have bid things many years. Whatever the process entails, the council will survey and investigate so that they can become more efficient moving forward.

Councilwoman Monteverde would like to move forward with this, if possible. We could do a survey as to why we only received one bid. She has been telling the residents in her Ward the good news that we plan to pave shortly. So she would be hesitant to hold off on it any longer.

Councilwoman Rayford was also notified about the bidding process, and how this one company had submitted materials *after-the-fact*, which should be a factor for disqualification. Also, she felt that the council could wait the fifteen (15) days it would take to put the bid out again.

Jason Morris explained that we only received one bid, and that was from A-Tech Concrete, which is the bid before them tonight. There were no other bidders. He clarified that fifteen (15) days is the minimum amount of days that the bid has to be put out. There is time leading up to that fifteen days and time after that fifteen days, so in reality it is thirty-plus (30+) days before you can advertise a bid and then award it at a city council meeting. He spoke to Jacobson's concerns. The bid went out to five hundred sixty (560) companies, but only twenty-two of them downloaded the documents for consideration. But, we only received one bid, and that was from A-Tech Concrete. The nice thing about the bidding process is that we can track all of that information electronically. A lot of the companies that downloaded the documents were local. But for whatever reason, they decided not put in their bids.

Councilman Grice appreciated the explanation. He felt that time is of the essence. All of the councilmembers, as a body, promised residents that they would pave roads this summer. He does not want to hold up on that promise. He would like to sit down with Morris and look at the bid process closer to determine why only one bid was received. He planned to invite his colleagues to try to coordinate that at a later date.

Monteverde stated that Safe Harbors is currently bidding out for a major project. They had a big bid conference, in which five contractors showed up over the last several weeks. Only one contractor actually bid. It is a huge \$1 Million project. While it is great to get a couple of bids for comparison, it is not that unusual to receive one bid.

Councilwoman Sofokles feels that if we don't do it now, then we are going to miss a year. If we put it out for rebid, then we are talking about waiting until August or September, so she is ready to vote on it.

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Monteverde, Sofokles, Harvey - 4

Nays: Jacobson, Rayford-2

Adopted

Resolution No. 161 -2018 NYSDOT MOU for Route 9W paving

Councilman Grice asked if this was the same situation.

Councilman Jacobson congratulated the team for its efforts in getting the State to do the ADA cuts and paving. It is a big accomplishment of the lobbying efforts that they all did.

Mayor Harvey stated that many individuals were on the conference call with Mr. Epstein of NYS D.O.T. It was a tough debate and discussion of who would pay for the sidewalks versus the paving. He thanked everyone involved, including our engineering, corporation counsel departments, as well as the city manager and the comptroller. It took a concerted effort to move it forward.

Michael Ciaravino, in using basketball metaphor, stated that he saw an excellent opportunity for the way that the legislative body and the administration team moved the ball down the lane on two different sides of the court to get to the basket. It was a substantive team effort, in which each one of them contributed something. We are now going to have brand new paving from the Town of New Windsor border, all the way to Broadway.

Councilwoman Sofokles pointed out that it is important, because thousands of people travel that road every day. In part of her involvement with Downing Park, people see a viable park, and now they are going to see that the city roads are paved. It is a good project, because Route 9W is the gateway to our City. She pointed out that the County is also responsible for South Street too.

Harvey stated he has been working diligently with Steve Neuhaus to try to get the County to take care of Broadway, in which they have done in the past. He encouraged his colleagues to reach out to the County because it does take a collaborative effort.

George Garrison clarified that the city maintains South Street, as it is a State road. We do the snow plowing, sidewalks, any type of digs, etc. But the State does any reconstruction of the road itself.

**Councilman Jacobson moved and Councilman Grice seconded.
Ayes: Grice, Jacobson, Monteverde, Rayford, Sofokles, Harvey - 6
*Adopted***

RESOLUTION NO.: 158 - 2018

OF

JUNE 28, 2018

RESOLUTION AUTHORIZING THE CITY OF NEWBURGH TO PARTICIPATE IN THE
NEW YORK STATE DEPARTMENT OF STATE (NYS DOS) 2018-2019
LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION FOR
THE ORANGE COUNTY WATER EFFICIENT FLEET WASH PROJECT
AND SUPPORT THE JOINT APPLICATION BY THE COUNTY OF ORANGE,
THE CITY OF NEWBURGH, THE TOWN OF GOSHEN, THE VILLAGE OF GOSHEN
AND OTHER MUNICIPALITIES, FOR THE PURPOSE OF SEEKING FUNDING FOR
THE INSTALLATION OF A SHARED WATER EFFICIENT FLEET WASH
AT THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS COMPLEX

WHEREAS, the County of Orange, the City of Newburgh, the Town of Goshen, the Village of Goshen and other municipalities share a particular interest in the prospects of constructing a shared Fleet Wash facility which would serve multiple municipalities and county departments and would provide a vehicle washing system to accommodate motor pool vehicles, trucks and heavy equipment to extend the useful life of equipment and, ultimately, save taxpayer dollars in each of the involved municipalities, and

WHEREAS, the County of Orange will be the lead applicant for this grant application, and

WHEREAS, the Town of Goshen and the Village of Goshen will be co-applicants; and

WHEREAS, the County of Orange will be the source of the 10% cash match required in the application regulations by NYS DOS, and the maximum funding request to the Local Government Efficiency Grant Program to complete the construction of the shared Fleet Wash facility will not exceed \$700,000;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newburgh, New York that:

1. The City of Newburgh will participate as the co-applicant in the above specified application and the scope of work includes the construction of a 40' x 50' water efficient Fleet Wash building to provide vehicle washing operations while using green technology to reduce the water and prevent the discharge of various contaminants to nearby ground and surface water systems.

2. The City of Newburgh intends to enter into an inter-municipal agreement which will describe the scope of shared services in detail; and

3. The City Manager is authorized to execute any and all papers and agreements required in connection with such application, subject to review thereof by the Corporation Counsel for purposes of form and content.

A motion was made by _____, seconded by _____ to adopt the foregoing resolution.

Upon Roll Call Vote:

RESOLUTION NO.: 159 - 2018

OF

JUNE 28, 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID AND
THE EXECUTION OF A CONTRACT WITH A-TECH CONCRETE CO, INC. FOR THE
ADA CURB RAMP REHABILITATION PHASE 1A CONSTRUCTION PROJECT
FOR THE NORTHEAST SECTION OF THE CITY OF NEWBURGH
IN AN AMOUNT NOT TO EXCEED \$420,000.00

WHEREAS, the City of Newburgh duly advertised for bids in connection with the ADA Curb Ramp Rehabilitation Phase 1A Construction Project (the "Project") consisting of 11 intersections and 33 individual curb ramps along Grand Street and Montgomery Street in the northeast section of the City of Newburgh; and

WHEREAS, one (1) bid was duly received and opened and A-Tech Concrete Co., Inc. is the low bidder; and

WHEREAS, funding for such project shall be derived from A.5112.0206.0000.0000- Highway Resurfacing;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the bid for construction of the ADA Curb Ramp Rehabilitation Phase 1A Construction Project for the northeast section of the City of Newburgh be and it hereby is awarded to A-Tech Construction Co., Inc., in an amount not to exceed \$420,000.00, which includes the base bid in the amount of \$370,000.00 and contingency in the amount of \$50,000.00, and that the contract work shall continue, if necessary, based upon site conditions as funded by the contingency on a per-unit basis for the bid quantities as listed in section 5 of the bid; and

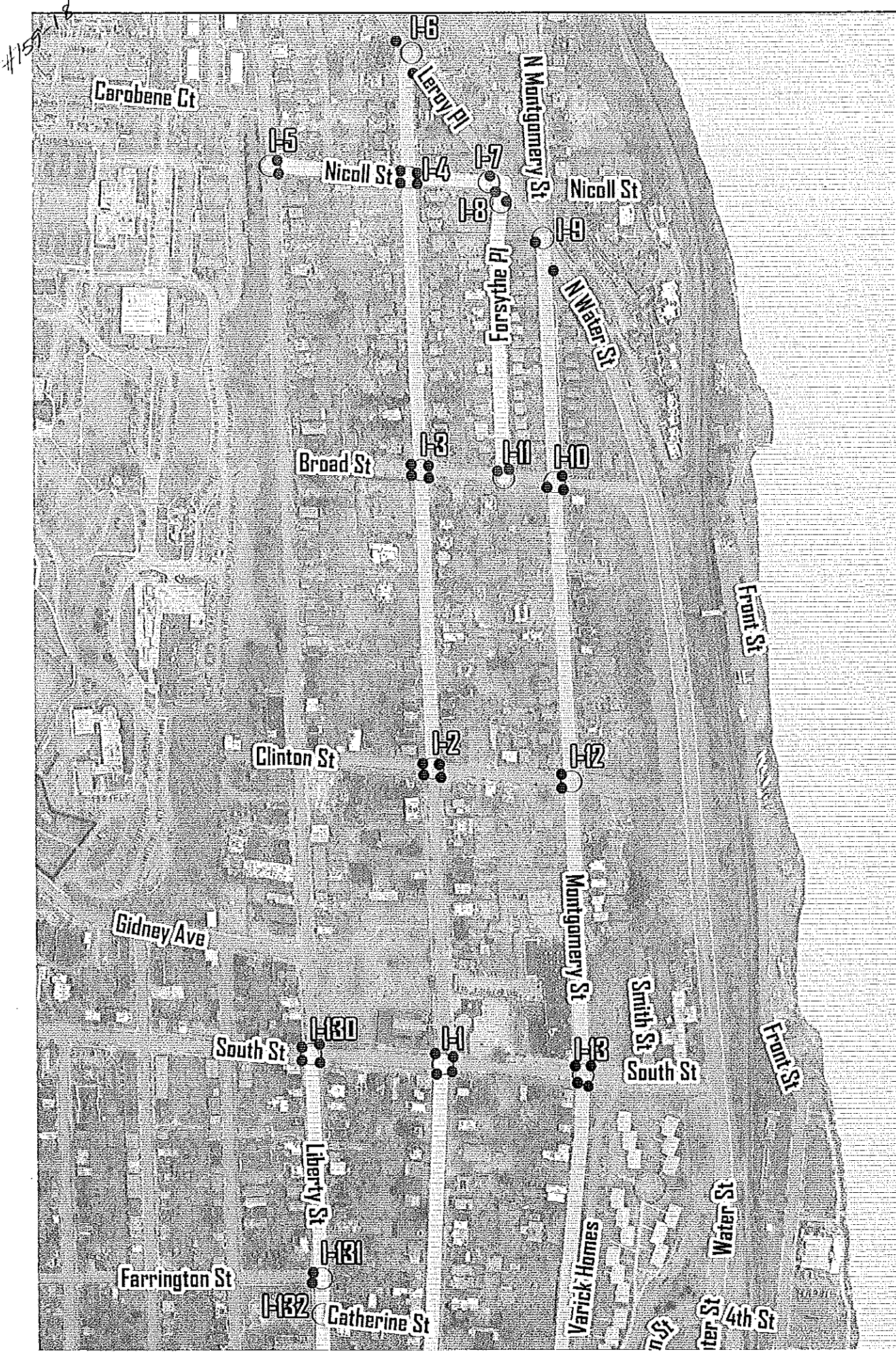
BE IT FURTHER RESOLVED, by the Council of the City of Newburgh that the City Manager be and he is hereby authorized to enter into a contract for such work in this amount.

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RESOLUTION NO.: 160 - 2018

OF

JUNE 28, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF
THE CITY OF NEWBURGH A MEMORANDUM OF UNDERSTANDING WITH
THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
FOR A ROBINSON AVENUE/ROUTE 9W PAVING PROJECT

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes to resurface Route 9W/Robinson Avenue in the City of Newburgh (City) from the southern City line to just south of Broadway (the "Project"); and

WHEREAS, the work performed by NYSDOT will include mill and fill of 1.5 inches of top course for the entire pavement width and modifying affected non-compliant handicap ramps; and

WHEREAS, the City will be responsible for the maintenance of existing features, pavement and handicap ramps and newly constructed features, pavement and handicap ramps, including modifications to handicap ramps to make them ADA compliant; and

WHEREAS, NYSDOT will provide for the construction of the above mentioned work, as shown on the contract plans relating to the above mentioned Project; and

WHEREAS, the Project requires NYSDOT and the City to enter into a Memorandum of Understanding in substantially the form as annexed hereto and made part hereof and in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, that the City of Newburgh grants permission to NYSDOT to resurface Route 9W in the City of Newburgh from the southern City border to just south of Broadway; that the City of Newburgh will be responsible for the maintenance of existing features, pavement and handicap ramps as well as newly constructed features, pavement and handicap ramps and will hold harmless NYSDOT from any claims, lawsuits, actions damages and liability related to these newly constructed features; and that the City of Newburgh grants NYSDOT permission to perform the construction related to modifying the handicap ramps to make them ADA compliant, within the existing handicap ramp/sidewalk footprint which the City of Newburgh assumes to be within their Right of Way with NYSDOT and City of Newburgh Engineers having jointly inspected all the handicap ramps and determined needed modification, and will jointly inspect the construction of the ramps which is to be completed to their mutual satisfaction; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh that the City Manager be and he is hereby authorized to sign any and all documentation that may become necessary as a result of this Project as it relates to the City of Newburgh; and

BE IT FURTHER RESOLVED, that the Clerk of the City of Newburgh is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.



Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

LANCE MacMILLAN, P.E.
Acting Regional Director

Michael G. Ciaravino
City Manager
City of Newburgh
Newburgh, NY 12550

Dear Michael,

As part of our paving Route 9W project, NYSDOT is offering to pave the 9W portion in the City, Robinson Avenue, south of Broadway - which is the worst pavement condition section of our project- per following Memorandum of Understanding:

"The City of Newburgh grants permission to NYSDOT to resurface 9W in the City of Newburgh from the southern City border to just south of Broadway. The work will be executed by NYSDOT Orange County East Residency using FOB maintenance contracts and will involve Mill & Fill of 1.5 inches of top course for the entire pavement width and modifying effected non-compliant handicap ramps. The Mill & Fill construction will involve single lane closure from 7:00 AM to 5:00 PM with south bound traffic on 9W and north bound traffic detoured as explained below. Paving will not likely to be done the day of milling, rather a lag of few days is expected between the two operations.

As the City of Newburgh is responsible for the maintenance of existing features, pavement and handicap ramps, so will the City be responsible for the maintenance of the newly constructed features, pavement and handicap ramps. The City of Newburgh agrees to hold NYSDOT harmless from any claims, law suits, actions, damages and liability related to the these newly constructed features.

The City of Newburgh grants NYSDOT permission to perform the construction related to modifying the handicap ramps to make them ADA compliant, within the existing handicap ramp/sidewalk footprint which the City of Newburgh assumes to be within their Right of Way. NYSDOT and City of Newburgh Engineers have jointly inspected all the handicap ramps and determined needed modification, and now will jointly inspect the construction of the ramps which is to be completed to their mutual satisfaction.

The City of Newburgh has informed NYSDOT of no traffic signal loops being present within the project limits.

The City of Newburgh will be opening Mill Street to be used to detour north bound non-truck traffic. Route 32 will be used to detour the north bound truck traffic. Once the

NYSDOT detour plan is approved, the City of Newburgh will be responsible for placing the detour signs on both non-truck and truck detour routes.

Outreach to businesses will be done by the City of Newburgh. Prohibiting of parking will also be the responsibility of the City."

Sincerely,

Shahid A. Quadri, P.E.

Resident Engineer

New York State Department of Transportation, East Orange County Residency
112 Dickson Street, Newburgh, NY 12550

RESOLUTION FOR
MAINTENANCE OF
SIDEWALKS, WATER MAINS AND APPURTENANCES

RESOLUTION # 13

RESOLUTION OF CITY COUNCIL

WHEREAS, the New York State Department of Transportation proposes the construction of the Routes 9W-184-32 Interchange, PIN 8061.57, including a portion of North Plank Road from just west of Route 9W (Robinson Avenue) to Powell Avenue; and a portion of Robinson Avenue from the City line at North Plank Road to North Street, in the City of Newburgh and,

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the construction of sidewalks, water mains and appurtenances pursuant to Section 10, subdivision 22 or Section 46 of the Highway Law, and will provide for the removal, relocation, replacement and/or reconstruction of existing sidewalks, water mains and appurtenances pursuant to Section 10, subdivision 24 of the Highway Law, as shown on the contract plans relating to the project and,

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the project.

Now, therefore,

BE IT RESOLVED: That the City of Newburgh approve the removal, relocation, replacement and/or reconstruction of such existing sidewalks, water mains and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the City of Newburgh will maintain or cause to be maintained the relocated and/or replaced sidewalks, water mains and appurtenances performed as above stated and as shown on the contract plans, including the control of snow and ice.

BE IT FURTHER RESOLVED: that the clerk of this Council is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

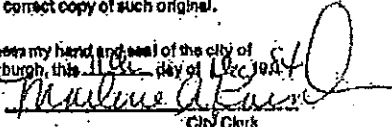
Councilman Lentini moved and Councilman Rossi seconded that the resolution be adopted.

Ayes-Councilman Lentini, Presutti, Rossi-3.

Adopted.

I, Marlene A. Koitch, City Clerk of the city of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the council of the city of Newburgh at a regular meeting held 12-10-84, and that it is a true and correct copy of such original.

Witness my hand and seal of the city of Newburgh, this 11th day of Dec 1984


City Clerk

OLD BUSINESS

Councilwoman Rayford asked if we going to hear from Alembic within the next two (2) days.

Michelle Kelson pointed out that she was not the repository for submission; but, submission was made within the specified time period to Planning and Development. She expects to make the materials available for the July work session.

Councilwoman Monteverde asked George if he has started the paving.

George Garrison commented that all of the ADA curb ramp corners have been dug out on Mandigo Place, Marne Avenue and Prospect Street. Next week, the curbing should be poured. He has not started the sidewalks yet, because he wants to get the curbing in first; then he will have the contractor complete the milling. All of this is being done, while his department is also working on the Route 9W project. He replied in the affirmative that he is on track with the work. Things do comes up though. He just got a call about a catch basin collapse on Liberty Street and Washington Street that has to be rebuilt.

Michael Ciaravino stated that at the end of the day, we have these unaccounted for things that speak directly to our collapsing infrastructure. It is great news that we are getting Route 9W completed, but, now we have departments spread in different directions. He pointed out that this ADA curb ramping is being done in-house. We don't know the dollar amount of the cost savings yet, as the legislation was recently passed;

but, if we were properly equipped, staffed, and if we budgeted for it then he believed that we could make our dollars stretch a little bit further.

Mayor Harvey pointed out that he has talked with Garrison about Local 17 and local hiring, so that in the future we can help our residents get some work on many of these projects. People are looking to do work in their own community, and it would give them a sense of pride to be able to work in the community that they live in. Harvey knows that Todd D'Orio has a lot of people that can pour and do concrete work. D'Orio has a paid apprenticeship program available too.

Jason Morris spoke to the concerns about the curb ramp improvements. The roads outlined in red are related to the bid that was just awarded. The roads outlined in blue are the next phase of that, which is under design, and won't go out for bid until August. He also pointed out that the roads outlined in red on the map will become part of George's paving work.

Rayford further commented about the Alembic project. She is contemplating what to do next. She stated that Alembic was supposed to submit something to the council by the end of the month so that they could look at the documentation for themselves.

Kelson remarked that Planning and Development has been the point of entry from the very beginning. Alembic submitted materials, and the agenda will be put together. The deadline for the agenda is tomorrow. The agenda packet is generally available over the weekend, or by the following Monday. She pointed out that Deirdre Glenn actually gave the developer a deadline for June 27th, which was yesterday. She was not crystal clear about the submission being to each council member.

Rayford said she was under the impression that the council would receive it by the 30th day of June. Enough is enough already. The council should be ready to vote then. They submitted numbers, now we have to review it, and it is going to take more time. She felt that they are doing things unprofessionally. It's been almost a year already.

Monteverde stated that if only Deirdre was here to help clarify things.

Harvey pointed out that they should have it by tomorrow so that they can review it before the July meeting.

It was to Kelson's understanding that Alembic representatives are scheduled to be on hand to make a presentation at the work session.

This portion of the meeting was closed.

NEW BUSINESS

Councilman Grice stated he attended the opening ceremony at Crystal Lake. He noticed that there are no trash cans on site for the people to put out their trash. The corner of Broadway and Clark Street seems to gather a lot of rubbish too. The garbage truck does not come by the Newburgh Rowing Club to pick up their trash either.

George Garrison stated that the trucks never came down to the rowing club. At one time we spent \$50K of CDBG money to put garbage cans around the city. There are about five or six cans left because they have been vandalized. Everybody wanted the cans in the beginning. The reality is that garbage attracts garbage. So what we do now is have residents and businesses maintain them. When the cans are ready to be emptied, they let DPW know and they pick up the bags. The garbage can at Crystal Lake is probably going to end up in the lake, because nobody is over there, and that is what usually ends up happening. He doesn't have the budget to buy garbage cans for everybody. Certain cans can help generate money for the city, because people can advertise their businesses. People have been doing that, and it seems to work well.

Councilwoman Sofokles spoke from firsthand experience as a business owner on Broadway. When she is finished with the garbage pails at home, she lines them up in the alleyway of her business and puts them out one at a time. They disappear from time to time, and it is a hard thing to deal with. The only way it works is if you have them cemented in; yet, that is a pricey fix, because each garbage can costs \$1500. She mentioned the area next to the South Street overpass. People park there and they dump garbage. She feels that the garbage can should be removed from there, and a *No Parking* sign should be erected. She does not know the solution to the problem; but, part of the problem is that Newburgh is the only place that doesn't really enforce recycling.

Garrison stated that a lot of municipalities are opting for the smaller garbage pails that can be mounted onto the light poles. That way, any potato chip bags, paper, and soda bottles can go into the can, versus people just dumping loads of garbage in them. If they are not secure, then they are going to be dumped all over the place. In 2006-2007, 800 tickets were written by the sanitation enforcement officers. What made us start doing it, was that the landfill noticed that all of our recycling was mixed in with our regular garbage. Recycling is supposed to be 18% of what our garbage is, and we were nowhere near that percentage. The campaign worked well, it generated revenue, and it helped clean up the city. It is something that needs to be discussed through the budget process.

Councilwoman Rayford questioned why the city is currently in a spending freeze. Why do we have it, and what pushed us over the edge? Also what can we do to minimize the overtime costs in our fire and police departments? She heard that the overtime costs were close to \$3 Million.

Kathryn Mack responded that it has been reduced to half that amount in the 2018 budget. At this point both departments are over budget. For every dollar above that number, it affects the retirement line and things, such as the ER tax line. The fire department has some ideas about how it wants to minimize it; but, she thinks it should be eradicated altogether. We have to be bold and figure out how to address this issue that has been placed on our laps from previous administrations. A lot of the contracts have rules on the books stating that you can only carry over so much time. But it was never enforced. Let's clean up what's out there, so that we can get back to the contracts.

Rayford also asked how the spending freeze affects the DPW department. How can we help them instead of penalizing and restricting them from doing what they need to do?

Mack remarked that she works closely with Mimi, who handles the purchase orders for DPW. We are handling them as situations come up. She mentioned the street sweeper for illustration. We have bills that are coming up, yet we didn't have an open purchase

order to get us through the end of the year. We can't stop the sweeper, so it is those types of decisions that we continue to have discussions about. For the most part, DPW probably gets the most leniency, because they already have a lean budget. She knows that other departments are feeling the pinch too. She will be removing money from department lines into a savings line, which will allow for emergency situations. She is simply trying to finalize things to get everything covered.

Rayford thanked Mack for the explanation. She would like to see Mayor Harvey, Michael Ciaravino and Kathryn Mack sit down together and get down to a 'pin-drop' this matter of overtime.

Mayor Harvey stated he has discussed this very issue with the city manager. One of the things we have to look at is the fact that we don't have a permanent fire chief. This needs to be addressed under new business. We need contracts for our department heads so that there is a sense of job security for individuals. Overtime in the fire department is out of control; but, part of the problem is a contractual issue, in which the Acting Fire Chief is currently in the bargaining unit which allows him to receive overtime pay. We want to put this on the table for the next work session, so that we can make a decision sooner than later. It does seem like other departments are being held hostage when we continue to implement spending freezes on them because of these two very important departments.

This portion of the meeting was closed.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice did not comment at this time.

Councilman Jacobson left the meeting early, and therefore did not comment.

Councilwoman Monteverde recalled some of the back and forth discussions they had with the fire department. She knows that Katie has reached out to the City of Kingston and City of Poughkeepsie to see what they are doing with their budgets. Monteverde felt that the Interim Chief is not receptive to an explorative discussion; but, we have to hold them accountable. She does not understand why they have that many firemen on the truck at one time, and wondered if it was possible for them to cut back on it.

Kathryn Mack stated that these are all of the things they are going to be exploring. She has asked for the department's work rules and procedures, titles, and responsibilities. It has been working a certain way for a long time. When you try to change things, it may not be met with popularity; but, we have to try to find a way to sustain this city, as a whole, including the fire department.

Councilwoman Rayford does not understand why we did not have prayer at the beginning of the meeting; as this was a city council meeting. She thanked the married couple for speaking on Dr. Chhabra's behalf. She, too, would like to see the dentist remain in the community. If he is willing to pay the fees, then she feels like the city council should have a heart to make that possible.

Councilwoman Sofokles stated that now that she has opened a can of worms, she is going to look further into recycling, and put it onto the agenda. When the County sees our city trucks, they lament, "Here comes the City of Newburgh. What a mess!" We were generating income when we recycled. There is no reason why people can't be taught to recycle. She recycles, and she taught her children to recycle. She was really excited when we started the program ten years ago. Then all of a sudden it fell by the wayside. Recycling is so important. When we don't recycle, it is not good for the environment, and it is not good for the city. We dropped the ball on that. When you drive down Broadway at night, you see lots of big, black garbage bags, and it is ridiculous. That is why Broadway business owners now pay \$300 per quarter. If we recycled, we could make up some of that revenue, and maybe even lower our sanitation bills in the process. Eventually we could start turning a profit. Also she stated that after thirty-three years of hard work, the café in Downing Park is now open. Twenty years ago, there was no lights, the Polly was full of garbage and drugs, there was no place to sit, and the shelter house was boarded up. The Downing Park Planning Committee, with the help of the City of Newburgh and Stephen Sinnott's vision and dream, have made the park a destination in itself, which makes the city look better. With our newly paved Route 9W, it is one thing at a time.

Mayor Harvey reiterated sentiments of the married couple advocating on behalf of the dentist. He stopped by the shelter house, and it is a beautiful place. The official ribbon-cutting ceremony is on July 7th at 11:00 A.M. There are a lot of wonderful things happening continuously in Newburgh, even though they are still in the infancy stages. He remarked that a young woman would like to consult with the city in hopes of creating a technology cluster, or a Cyber Center to host classes and provide internet access for residents, and to create data, software and web development to attract commercial businesses that center around technology. There are other exciting things that Harvey stated he planned to present in time. Before he concluded his comments, he implored us to stand in memory of those who lost their lives during the recent tragedy in Annapolis, Maryland. As he was preparing for tonight's meeting Harvey received several phone calls and alerts from Government Officials regarding the mass shooting. He wants to make sure we remain vigilant in the City of Newburgh.

Prior to the conclusion of the council's final comments, Councilwoman Rayford led us in a prayer.

This portion of the meeting was closed.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 7:00 P.M.

Respectfully Submitted,

KATRINA COTTEN

DEPUTY CITY CLERK