



CITY OF NEWBURGH
COUNCIL MEETING AGENDA
SESION GENERAL DEL CONSEJAL

June 11, 2018

7:00 PM

Mayor/Alcaldesa

1. Prayer/Rezo
2. Pledge of Allegiance/Juramento a la Alianza

City Clerk:/Secretaria de la Ciudad

3. Roll Call / Lista de Asistencia

Communications/Comunicaciones

4. Approval of the minutes of the meeting of May 29, 2018
5. City Manager Update
6. 2017 Audit Update
City Comptroller Kathryn Mack

Actualización de la Auditoria 2017

Presentations/Presentaciones

7. Certificate of Appreciation to David Reyes for Mapping the Fire Alarms throughout the City of Newburgh
As per Councilman Grice & Assistant Chief Ahlers

Un Certificado de agradecimiento a David Reyes por trazar un mapa de las alarmas de incendios a lo largo de la Ciudad de Newburgh.
8. Certificate of Recognition to Matteo Doddo - Principal at Newburgh Free Academy North
Certificado de Reconocimiento a Matteo Doddo – Director de Newburgh Free Academy North
9. Proclamation Presenting the "Key to the City of Newburgh, New York" to Mr. & Mrs. Doddo and Family
Una Proclamación presentando las llaves de la Ciudad de Newburgh, Nueva York al Sr. y Sra. Doddo y Familia

Comments from the public regarding agenda and general matters of City Business/Comentarios del público con respecto a la agenda y sobre asuntos generales de la Ciudad.

Comments from the Council regarding the agenda/Comentarios del Consejo con

respecto a la agenda

City Manager's Report/ Informe del Gerente de la Ciudad

10. Resolution No. 142 - 2018 Requesting Senate and Assembly to enact Bills for the retirement of Police Officer Samuel Kenan, Jr.

A Resolution requesting the State Legislature to enact Senate Bill S7860-B and Assembly Bill A11122 authorizing the City of Newburgh to offer an optional twenty year retirement plan to Police Officer Samuel Kenan, Jr. pursuant to Section 384-d of the Retirement and Social Security Law.

Una resolución solicitando a la Legislatura Estatal decretar el proyecto de ley del Senado S7860A y el proyecto de ley de la Asamblea A10182 los cuales autorizan a la Ciudad de Newburgh ofrecer un plan de retiro opcional de veinte años al Oficial de Policía Samuel Kenan, Jr. Conforme con la sección 384-d de la Ley de Seguro Social y Retiro

11. Resolution No. 143 - 2018 Proposal with Solitude Lake Management for Reservoir Sampling

Resolution authorizing the City Manager to accept a proposal and execute an agreement with Solitude Lake Management for professional services for water quality sampling and analysis of Browns Pond at a cost of \$5,630.00. (Wayne Vradenburgh)

Una resolución autorizando al Gerente de la Ciudad a aceptar una propuesta y ejecutar un acuerdo con "Solitude Lake Management" para servicios profesionales para muestras de la calidad del agua y análisis de "Brown's Pond" por un costo de \$5,630.00.

12. Resolution No. 144 -2018 Release of Covenants - 171 Liberty Street

Resolution authorizing the execution of a Release of Restrictive Covenants and Right of Re-Entry from a deed issued to Thomas J. White and Joyce M. White to the premises known as 171 Liberty Street (Section 30, Block 5, Lot 12.2) (Michelle Kelson)

Una resolución autorizando la ejecución de la liberación de cláusulas restrictivas y derecho a reingreso de una escritura emitida a Thomas J. White y Joyce M. White para las instalaciones conocidas como la 171 de la Calle Liberty (Sección 30, Bloque 5, Lote 12.2)

13. Resolution No. 145 - 2018 Purchase of 221 City Terrace

Resolution to authorize the conveyance of real property known as 221 City Terrace (Section 17, Block 7, Lot 10) at private sale to Jose A. Guadron for the amount of \$10,000.00. (Deirdre Glenn)

Una resolución autorizando el traspaso de bienes raíces conocidas como la 221 de City Terrace (Sección 17, Bloque 7, Lote 10) en una venta privada a Jose A. Guadron por la cantidad de \$10,000.00.

14. Resolution No. 146 - 2018 City Sponsorship of Film Festival at Washington's Headquarters

Resolution to co-sponsor the Summer Film Festival at Washington's Headquarters. (Deirdre Glenn)

Una resolución para co-auspiciar el Festival de Películas de Verano en "Washington's Headquarters."

15. Resolution No. 147 - 2018 To Accept as Awarded the 2018 CDBG funding

Resolution adopting the City of Newburgh's Consolidated Housing and Community Development Strategy and Action Plan for fiscal year 2018. (Deirdre Glenn)

Una resolución adoptando la estrategia y plan de acción consolidados de la Ciudad de Newburgh sobre vivienda y desarrollo comunitario para el año fiscal 2018.

16. Resolution No. 148 - 2018 To Apply for and Accept if Awarded a Grant for the City of Newburgh Application for the Downtown Revitalization Initiative, 2018

Resolution authorizing the City Manager to apply for and accept if awarded a Downtown Revitalization Initiative grant in an amount not to exceed \$10,000,000.00. (Deirdre Glenn)

Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una subvención de la Iniciativa de Revitalización del Centro de la Ciudad por una cantidad que no exceda \$10,000,000.00

17. Resolution No. 149 -2018 SAM Grant/DASNY for Manhole 3D Scanner

Resolution authorizing the City Manager to apply for and accept a DASNY State and Municipal Facilities Program grant in an amount not to exceed \$125,000.00 to purchase a Panorama SI 3D Manhole Scanner for the CCTV Sewer Inspection System. (Jason Morris)

Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar una subvención del programa de Facilidades Municipales y Estatales DASNY por una cantidad que no exceda \$125,000.00 para comprar un Explorador de la cámara subterránea "Panorama SI 3D" para el sistema CCTV de inspección del alcantarillado.

18. Resolution No. 150 -2018 License Agreement -- Tree trimming

Resolution authorizing the City Manager to enter into a license agreement with Adam Pollick, Christy A. Patterson and Jerry Maldonado to allow tree maintenance activities on the City-owned property known as 215 Water Street (Section 12, Block 3, Lot 1.2) (Michelle Kelson)

Una resolución autorizando al Gerente de la Ciudad a entrar en un acuerdo de licenciatura con Adam Pollick, Christy A. Patterson y Jerry Maldonado para permitir actividades de mantenimiento de árboles en propiedades de la Ciudad conocidas como la 215 de la Calle Water (Sección 12, Bloque 3, Lote 1.2)

19. Resolution No. 151 - 2018 Green Light Legislation - Equal Access to Driver's

Licenses

Resolution of the City Council of the City of Newburgh supporting the Green Light Legislation to ensure equal access to driver's licenses for all residents of New York State. (Michelle Kelson - Councilwomen Mejia and Monteverde)

Una resolución del Concejo Municipal de la Ciudad de Newburgh apoyando la Legislación Luz Verde para asegurar acceso a licencias de conducir par a todos los residentes del Estado de Nueva York.

20. Resolution No. 152 - 2018 A Resolution in Support of the Boys and Girls Club of Newburgh 2018 CFA Application

Resolution of the City Council of the City of Newburgh, New York supporting the 2018 Consolidated Funding Application of The Boys and Girls Club of Newburgh, Inc. to the New York State Office of Parks, Recreation and Historic Preservation for a Historic Preservation grant for the rehabilitation of the Columbus Trust (Key Bank) Building. (Michelle Kelson)

Una resolución del Concejo Municipal de la Ciudad de Newburgh, Nueva York apoyando la Aplicación de Fondos Consolidada del Club de Niños y Niñas de Newburgh, Inc. Para la Oficina de Parques, Recreación y Preservación Histórica del Estado de Nueva York, para una subvención de Preservación Histórica para la rehabilitación del edificio "Columbus Trust (Key Bank)"

21. Resolution No. 153 - 2018 in Support of the Thornwillow Institute 2018 CFA application Empire State Development

Resolution of the City Council of the City of Newburgh, New York supporting the 2018 Consolidated Funding Application of The Thornwillow Institute for an Empire State Development Market New York Program grant for the development of The Thornwillow Maker's Village. (Deirdre Glenn)

Una resolución del Consejo Municipal de la Ciudad de Newburgh, Nueva York apoyando la solicitud de Fondos Consolidados del 2018 para el Instituto Thornwillow para una subvencion del Programa "Empire State Development Market New York" para el desarrollo de "Thornwillow Maker's Village".

22. Resolution No. 154 - 2018 of support of the Thorwillow Institute 2018 CFA application NY Council on the Arts

Resolution of the City Council of the City of Newburgh, New York supporting the 2018 Consolidated Funding Application of The Thornwillow Institute for a New York State Council on the Arts – Arts and Cultural Facilities Improvement Program Large Project Capital grant for the development of The Thornwillow Maker's Village. (Deirdre Glenn)

Una resolución del Concejo Municipal de la Ciudad de Newburgh, Nueva York apoyando la Solicitud de Fondos Consolidados 2018 del Instituto Thornwillow para un Concejo de las Artes del Estado de Nueva York – Subvención del Programa Capital del Gran Proyecto de Mejoramiento de Artes y Centro Cultural para el desarrollo del "Thornwillow Maker's Village"

23. Resolution No. 155 - 2018

A resolution authorizing the settlement of Litigation regarding the in rem tax foreclosure Of liens for the year 2015 relative to 69 lander street (section 23, block 6, lot 21),

24. Resolution No. 156 -2018

A resolution authorizing the settlement of Litigation regarding the in rem tax foreclosure Of liens for the year 2015 relative to 79 lander street (section 23, block 3, lot 16).

25. Resolution No. 157 -2018

A Resolution Authorizing The Settlement Of Litigation Regarding The In Rem Tax Foreclosure Of Liens For The Year 2015 Relative To 245 Liberty Street (Section 18, Block 8, Lot 2)

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

Final Comments from the City Council/ Comentarios Finales del Ayuntamiento:

Adjournment/ Aplazamiento:

RESOLUTION NO.: 142 - 2018

OF

JUNE 11, 2018

**A RESOLUTION REQUESTING THE STATE LEGISLATURE
TO ENACT SENATE BILL S7860-B AND ASSEMBLY BILL A11122
AUTHORIZING THE CITY OF NEWBURGH TO OFFER
AN OPTIONAL TWENTY YEAR RETIREMENT PLAN
TO POLICE OFFICER SAMUEL KENAN, JR.
PURSUANT TO SECTION 384-d OF THE RETIREMENT
AND SOCIAL SECURITY LAW**

BE IT RESOLVED, by the Council of the City of Newburgh, New York that this Council does hereby make a Home Rule Request pursuant to the Municipal Home Rule Law of the State of New York that the Senate and Assembly of New York enact Senate Bill S7860-B and Assembly Bill A11122, copies of which are annexed hereto, to authorize the City of Newburgh to offer an optional Twenty (20) Year Retirement Plan to Police Officer Samuel Kenan, Jr. pursuant to Section 384-d of the Retirement and Social Security Law, same as being in the best interests of the City of Newburgh.

Samuel B. Kenan

20 Edgewood Ter. Newburgh, NY 12550

845-591-1906 Email: Kenanlick@gmail.com

November 14, 2017

Kathryn Mack

City Comptroller

83 Broadway

Newburgh, NY 12550

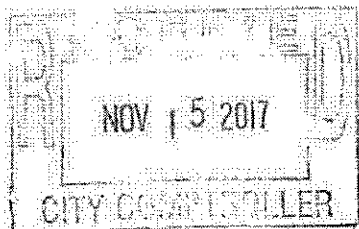
Dear Kathryn Mack,

My name is Samuel Kenan of Newburgh NY. I am writing this letter in hopes to resolve an important matter. From May 28th 1996 and October 1st 2001 I was employed as a City of Newburgh Police Officer. After resigning in good standing on October 1, 1996 I began employment with The City of Peekskill Police Department on October 5th 2001 in which I am still employed.

At the time of beginning my career with the City of Newburgh Police, I was advised that I would be enrolled in the 384-d plan, which is the 20yr term. Upon preparation for retirement, I was informed by a State representative (Charlie Anderson ph: 518-402-2696), of the NYS Retirement System that the City of Newburgh had enrolled me in the 375-I retirement plan, for some unknown reason, (which is a 25yr plan that is no longer offered) and not the 384-D (20yrs) plan.

At this point I have served on the Police Force for 21 years and have been preparing to retire in the Spring of 2018. For the entire time of employment, I believed I was enrolled to complete a 20yr term.

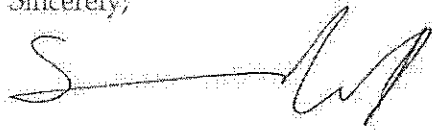
The State Representative has informed me that this issue can be rectified with a formal request from the City of Newburgh to the NYS Retirement Systems office. The letter has to request that my City of Newburgh retirement status be changed from the 375-I plan to the 384-D plan. This change will allow my time employed with the City of Newburgh Police be



credited towards my 20yr retirement plan. I do understand that there may be a fee attached to this request and I am willing to reimburse the City any fee that may be accrued, within 30days of said approval from the state office.

Thank you for your time, and your assistance in resolving this issue is greatly appreciated. I can be reached at 845-591-1906 with any questions or concerns.

Sincerely,



11-15-17

Samuel B. Kenan

JURAT WITH AFFIANT STATEMENT

State of New York } ss.
County of Orange

- ☒ See Attached Document (Notary to cross out lines 1-7 below)
☐ See Statement Below (Lines 1-7 to be completed only by document signer[s], not Notary)

1
2
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Signature of Document Signer (Affiant) No. 1

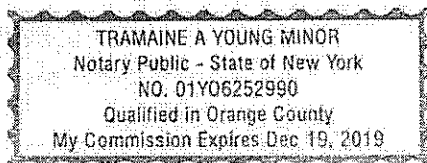
Signature of Document Signer (Affiant) No. 2 (if any)

Subscribed and sworn to (or affirmed) before me:

this 15th day of Nov. 2017, by
Date Month Year

(1) Samuel B. Kegan
Name of Signer No. 1

(2) _____
Name of Signer No. 2 (if any)
[Signature]
Signature of Notary Public



Place Notary Seal/Stamp Above

Any Other Required Information
(Residence, Expiration Date, etc.)

OPTIONAL

Not required by law, this information can be useful to those relying on the document and prevent fraud.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

S T A T E O F N E W Y O R K

7860--B

I N S E N A T E

March 5, 2018

Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the city of Newburgh, in the county of Orange, to offer an optional twenty year retirement plan to police officer Samuel Kenan Jr.

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Samuel Kenan Jr., a police officer who was previously
2 employed by the city of Newburgh, in the county of Orange, a participat-
3 ing employer in the New York state and local police and fire retirement
4 system, and who is currently employed by the city of Peekskill, for
5 reasons not ascribable to his own negligence failed to make a timely
6 application to participate in the optional twenty year retirement plan
7 established pursuant to section 384-d of the retirement and social secu-
8 rity law while employed by the city of Newburgh. Notwithstanding any
9 other provision of law to the contrary, upon the city of Newburgh filing
10 with the state comptroller, within one year of the effective date of
11 this act, a resolution of the city council together with certification
12 that such police officer did not bar himself from participation in such
13 retirement plan as a result of his own negligence, such police officer
14 may elect to be granted full credit in the special twenty year plan for
15 such service rendered with the city of Newburgh by filing a request to
16 that effect with the state comptroller within eighteen months of the
17 effective date of this act.

18 S 2. All employer past service costs associated with implementing the
19 provisions of this act shall be borne by the city of Newburgh and may be
20 amortized over a ten year period.

21 S 3. This act shall take effect immediately.

 FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14171-12-8

This bill will allow the City of Newburgh to reopen the provisions of section 384-d of the Retirement and Social Security Law for former police officer Samuel Kenan Jr., who while an employee of the city was covered under the provisions of section 375-i. Officer Kenan is currently employed by the City of Peekskill and covered under 384-d.

If this bill is enacted, there will be an immediate past service cost of \$149,000 to be borne by the City of Newburgh as a one-time payment. This cost assumes a payment date of February 1, 2019. If the City of Newburgh elects to amortize this cost over a 10-year period, the cost of the first year would be \$19,800.

There will be no increase in anticipated future annual costs as the member continues to be covered by 384-d.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2017 actuarial valuation. Distributions and other statistics can be found in the 2017 Report of the Actuary and the 2017 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, and 2017 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2017 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated June 4, 2018, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-120, prepared by the Actuary for the New York State and Local Retirement System.

RESOLUTION NO.: 143 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT
A PROPOSAL AND EXECUTE AN AGREEMENT WITH
SOLITUDE LAKE MANAGEMENT FOR PROFESSIONAL SERVICES FOR
WATER QUALITY SAMPLING AND ANALYSIS OF BROWNS POND
AT A COST OF \$5,630.00**

WHEREAS, the City of Newburgh needs to prepare Brown's Pond as the City's back up water supply during the planned shutdowns of the Catskill Aqueduct in the fall of 2018; and

WHEREAS, a water quality monitoring program will focus on proactive management of monitoring for potential harmful algal blooms; and

WHEREAS, Solitude Lake Management has submitted a proposal for professional services related for water quality sampling and analysis of Browns Pond; and

WHEREAS, the cost for such professional services will be \$5,630.00 and funding shall be derived from F.8320.0448; and

WHEREAS, the City Council has reviewed the annexed proposal and has determined that such work would be in the best interests of the City of Newburgh and its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute an agreement with Solitude Lake Management for professional services related for a Water Quality Monitoring Program for Browns Pond at a cost of \$5,630.00.

WATER QUALITY SAMPLING AND ANALYSIS CONTRACT

PROPERTY NAME: Brown's Pond
CONTRACT DATE: 05/03/18 (revised on **5/31/18**)
SUBMITTED TO: Wayne Vradenburgh
493 Little Britain Road
Newburgh, NY 12550
wvradenburgh@cityofnewburgh-ny.gov
(845) 565- 3356
SUBMITTED BY: Emily Mayer

PROJECT OVERVIEW:

SOLitude Lake Management (SLM) is pleased to propose a Water Quality Monitoring Program for the City of Newburgh Water Department in 2018. This program will primarily focus on the proactive management of monitoring potential HABs (Harmful Algal Blooms) leading up to the use of Brown's Pond as a water resource in October. The following monitoring techniques that will be implemented include: testing *in-situ* field parameters, surface water chemistry parameters, as well as phytoplankton enumeration at both sampling sites. Both sample sites will be GPS-referenced where all data will be collected.

SPECIFICATIONS:

Water Quality Sampling and Analysis:

1. Water quality assessments are to be conducted at Brown's Pond throughout the 2018 season. **Two sampling stations** would be established; a north station and a south station. All stations will be GPS-referenced.
2. **Five sampling events** would be conducted in 2018: **June, July, August, September and October**. All sampling will be conducted with a gas-powered motor boat.
3. At each station the following parameters will be measured on each date *in situ*: water temperature, dissolved oxygen, pH, water clarity, alkalinity and total hardness. At the deep-water station, a temperature/dissolved oxygen profile (2-foot intervals) would be performed. The following samples would be collected for analysis at a certified analytical laboratory: **total phosphorus, total nitrogen, nitrate, total suspended solids, chlorophyll a and conductivity**.
4. Results of tests will be emailed two – three weeks after field collection.

Phytoplankton Analysis:

1. Phytoplankton samples will be collected at each station on all sampling dates. Samples will be sand filtered, and microscopically identified to genus level (natural units/ml) and enumeration will be performed at the Solitude Lake Management's lab in Washington, NJ. Phytoplankton results will be provided within 48 hours of collection.

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



2. Samples will be collected by the client (a week after our sampling event) and mailed overnight to SLM's lab for analysis during the following months: **June, July, August, September, October, November, and December**. Samples should be collected in 1-liter plastic jars, labeled with proper identification and refrigerated during shipment. A visibility measurement taken with a secchi disk should accompany each sample.
3. If the client is concerned of a potential algal bloom occurring based on visual conditions or clarity readings, they can send additional samples for phytoplankton analysis via overnight courier. Client supplied water samples is **\$155.00 per sample**. Prices do not include the overnight courier expense which is the responsibility of the Client. Invoices will be submitted monthly following completion of the microscopic examination. Empty plastic bottles and shipping supplies will be boxed and returned to the Client, at their cost, if requested.

Microcystin Testing:

1. A water sample will be collected during each sampling event to measure for the algal toxin Microcystin, utilizing the Abraxis Algal Toxin Test Strip Kit. Results will be reported within 24 hours of collection.

Year End Summary Report:

1. A brief summary of the water quality results, treatments that were performed, and recommendations for the following year will be provided in a year end summary report. The report will also support the development of a CMP (Cyanbacteria Management Plan) for 2019.

General Contract Conditions

- Company will continue to maintain all appropriate licensing necessary to perform all specified work in a safe and legal manner throughout the entire contract period.
- Company will furnish personnel, equipment, boats, materials, and other items required to provide the forgoing at his expense.
- Company is dedicated to environmental stewardship in all of its work and maintains a diligent program to recycle all plastic containers, cardboard, paper and other recyclable wastes generated through the performance of our contract work.
- Company will maintain general liability and workman's compensation insurance.
- Company shall be reimbursed by the Client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the Company by the Client that are not covered specifically by the written specifications of this contract.
- Neither party may assign this Agreement without the written consent of the other party; provided, that Company may assign this Agreement upon the merger, reorganization, consolidation, change of control or sale of all or substantially all of the assets of Company. This Agreement shall inure to the benefit of, and be binding upon, the parties and their respective successors and permitted assigns.

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CONTRACT PRICE:

Initials

Water Quality Monitoring Program

(5 sampling dates + 2 sample stations + Microcystin Testing + YER)

\$ 5,630.00

PAYMENT TERMS:

1. Acceptance of this proposal can be executed by returning a signed copy, and initialing the requested services
2. 50% of the contract price will be invoiced following the initial field data collection event (May, 2018).
3. 25% of the contract price shall be invoiced following completion of the final sampling event (August, 2018).
4. The final 25% of the contract price will be invoiced following submittal of the report (December – January 2018).

APPROVED:

SOLitude Lake Management®

(Authorized Signature)

City of Newburgh Water Department

(Print Name and Title)

(Date)



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RESOLUTION NO.: 144 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO THOMAS J. WHITE AND JOYCE M. WHITE
TO THE PREMISES KNOWN AS 171 LIBERTY STREET
(SECTION 30, BLOCK 5, LOT 12.2)**

WHEREAS, on August 12, 1996, the City of Newburgh conveyed property located at 171 Liberty Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 30, Block 5, Lot 12.2, to Thomas J. White and Joyce M. White; and

WHEREAS, the owners, by their attorney, have 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, and 4 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 171 Liberty Street, Section 30, Block 5, Lot 12.2, on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, and 4 in a deed dated August 12, 1996, from the CITY OF NEWBURGH to THOMAS J. WHITE and JOYCE M. WHITE, recorded in the Orange County Clerk's Office on August 15, 1996, in Liber 4430 of Deeds at Page 249 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2018

THE CITY OF NEWBURGH

By: _____
Michael G. Ciaravino, City Manager
Per Resolution No.: ____ - 2018

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

On the _____ day of _____ in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RECORD & RETURN TO:

RESOLUTION NO.: 145 - 2018

OF

JUNE 11, 2018

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 221 CITY TERRACE (SECTION 17, BLOCK 7, LOT 10)
AT PRIVATE SALE TO JOSE A. GUADRON FOR THE AMOUNT OF \$10,000.00**

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

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

WHEREAS, the City of Newburgh desires to sell 221 City Terrace, being more accurately described as Section 17, Block 7, Lot 10 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyers have offered to purchase this property at private sale; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchasers be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchasers upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before September 14, 2018, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
221 City Terrace	17 - 7 - 10	Jose A. Guadron	\$10,000.00

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

Terms and Conditions Sale

221 City Terrace, City of Newburgh (17-7-10)

STANDARD TERMS:

1. City of Newburgh acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2017-2018, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2017-2018, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.

7. Notice is hereby given that the property is vacant and unoccupied. The parcel is being sold subject to the City's Vacant Property Ordinance and all provisions of law applicable thereto. At closing, the purchaser will be required to register the property and remit the vacant property fee. It is the sole responsibility of the purchaser to redevelop such parcel in accordance with same.
8. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
9. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
10. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
11. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before September 14, 2018. Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
13. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
14. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, buyer's premium, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**

15. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.
16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
17. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed.
18. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

RESOLUTION NO.: 146 - 2018

OF

JUNE 11, 2018

**A RESOLUTION TO CO-SPONSOR THE SUMMER FILM FESTIVAL
AT WASHINGTON'S HEADQUARTERS**

WHEREAS, a Summer Film Festival is proposed for Washington's Headquarters State Historic Park on the last Saturday in June, July, August, and September; and

WHEREAS, the film series will be free of charge and open to the public; and

WHEREAS, the organizers of the Summer Film Festival have requested that the City Council support the Festival as a City-sponsored event; and

WHEREAS, this City Council finds that supporting the Summer Film Festival at Washington's Headquarters as a City-sponsored event is in the best interests of the residents of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York hereby supports and sponsors the Summer Film Festival at Washington's Headquarters as a City-sponsored event and that such sponsorship be limited to providing insurance coverage for the event.

RESOLUTION NO.: 120 - 2017

OF

MAY 8, 2017

A RESOLUTION TO CO-SPONSOR THE SUMMER FILM FESTIVAL
AT WASHINGTON'S HEADQUARTERS

WHEREAS, a Summer Film Festival is proposed for Washington's Headquarters State Historic Park on the last Saturday in June, July, August, and September; and

WHEREAS, the film series will be free of charge and open to the public; and

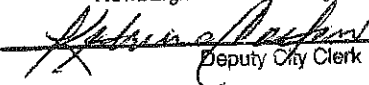
WHEREAS, the organizers of the Summer Film Festival have requested that the City Council support the Festival as a City-sponsored event; and

WHEREAS, this City Council finds that supporting the Summer Film Festival at Washington's Headquarters as a City-sponsored event is in the best interests of the residents of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York hereby supports and sponsors the Summer Film Festival at Washington's Headquarters as a City-sponsored event and that such sponsorship be limited to providing insurance coverage for the event.

I, Katrina Cotton, Deputy City Clerk of the City of Newburgh
hereby certify that I have compared the foregoing with the
original resolution adopted by the Council of the City of
Newburgh at a regular meeting held 5/8/17
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of
Newburgh this 9th day of May 20 17


Deputy City Clerk

RESOLUTION NO.: 147 - 2018

OF

JUNE 11, 2018

**A RESOLUTION ADOPTING THE CITY OF NEWBURGH'S CONSOLIDATED
HOUSING AND COMMUNITY DEVELOPMENT STRATEGY AND ACTION PLAN FOR
FISCAL YEAR 2018**

WHEREAS, the City of Newburgh has prepared a five-year Consolidated Housing and Community Development Strategy and Plan in accordance with the planning requirements of the Housing and Community Development Act of 1974 and applicable regulations; and

WHEREAS, this Consolidated Plan was prepared in accordance with all statutory requirements, including those related to citizen participation; and

WHEREAS, this plan was submitted to and approved by the U.S. Department of Housing and Urban Development; and

WHEREAS, the City has now prepared a one-year Action Plan in order to implement various elements of the strategies identified in its Consolidated Plan during the second year it is in effect; and

WHEREAS, this one-year Action Plan contains the following proposed activities and budget for the City's 2018 Community Development Block Grant Entitlement Program;

Expenditures 2018	
Urban Agriculture Program	\$67,000
In-Rem Property Project	\$215,000
Complete Streets Program	\$275,000
Park Improvements	\$121,121
Community Policing & Neighborhood Services	\$18,000
Administration	\$160,000
Business Loan Program	\$30,000
TOTAL BUDGET	\$886,121

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York does hereby approve and adopt the attached one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements; and

BE IT FURTHER RESOLVED, that the City Council of the City of Newburgh, New York does hereby accept a grant allocation under the Community Development Block Grant Program in the amount of \$886,121.00; and

BE IT FURTHER RESOLVED, that the City Manager be and is hereby designated the official representative of the City of Newburgh and he is hereby authorized to submit the one-year Action Plan and execute the appropriate forms and certifications; that the City Manager he is further directed and authorized to act in connection with the submission of a one-year Action Plan and to provide such additional information as may be required; and that the City Manager be and is hereby authorized to execute all such contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby; and

BE IT FURTHER RESOLVED, that the Secretary of Housing and Urban Development be and hereby is assured full compliance by the City of Newburgh with said certifications.

Revised 2017 Budget

	Project Name	Description	Project Funding	Revised Funding
Projects Funded through Entitlement Grant	Urban Agriculture Program	Downing Park Urban Farm and Urban Gardening Initiative to include farmers market	\$60,000	\$ 67,000
	In Rem Property Project	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training (with an increase in supply budget)	\$205,000	\$ 215,000
	Complete Streets Program	Sidewalks, Business Façade Improvements, Infrastructure	\$225,000	\$ 275,000
	Park Improvements	Park Improvements, including MLK Park	\$115,000	\$ 121,121
	Community Policing/Neighborhood Services	2018 National Night Out, 2018 Children's Summer Film Festival	\$15,000	\$ 18,000
	Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000	\$ 160,000
		Estimated Total FY2018 Allocation*	\$750,000	\$ 856,121
Projects Funded through Program Income	Business Loan Program	Loans to new and existing businesses	\$30,000	\$ 30,000
		Total FY2018 Allocation & PI	\$780,000	\$ 886,121
		* Based on FY2018 Federal Funding		

RESOLUTION NO.: 148 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A DOWNTOWN REVITALIZATION INITIATIVE GRANT
IN AN AMOUNT NOT TO EXCEED \$10,000,000.00**

WHEREAS, The Downtown Revitalization Initiative (DRI) is a comprehensive approach to boosting local economies by transforming communities into vibrant neighborhoods where the next generation of New Yorkers will want to live, work and raise a family; and

WHEREAS, each of New York State's ten Regional Economic Development Councils will choose one downtown that is ripe for revitalization and has the potential to become a magnet for redevelopment, business, job creation, greater economic and housing diversity, and opportunity; and

WHEREAS, the area which comprises Downtown Newburgh has experienced over \$150 million in public and private investment during the last five years which have been driven by a highly engaged community that desires to increase their connection with the City and includes numerous significant historic sites, a range of housing options, easy access to mass transit, an ever-growing waterfront district, institutions of higher education, entrepreneurial cottage industries, a developing food and beverage market, technology companies, and unique artistic and cultural institutions, all of which have helped to catalyze Newburgh's revitalization and have accelerated the rebirth of the Newburgh central business district and waterfront historic district; and

WHEREAS, DRI assistance will support the continued growth of the district and support the completion of anchor projects that will ensure long-term economic stability and the City of Newburgh is a qualified applicant for the DRI program; and

WHEREAS, this Council finds that applying for and accepting funding from the DRI 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 apply for and accept if awarded a New York State grant in an amount not to exceed \$10,000,000.00; and that the City Manager is authorized to execute all such contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the program funded thereby.

APPLICATION

Applications for the Downtown Revitalization Initiative will be received by the Regional Councils. Applicant responses for each section should be as complete and succinct as possible. Applications should be submitted as Word documents and must be received by the appropriate Regional Council by 4:00 PM on June 1, 2018 at the email address provided at the end of this application. Application guidance is provided in the *Downtown Revitalization Initiative Guidebook* found on the DRI website at www.ny.gov/dri.

BASIC INFORMATION

Regional Economic Development Council (REDC) Region: Mid-Hudson

Municipality Name: City of Newburgh

Downtown Name: Downtown Newburgh

County Name: Orange County

Vision for Downtown. Provide a brief statement of the municipality's vision for downtown revitalization.

Over the last decade, Newburgh has actively redefined the future of its historical downtown as one that aims to offer seamless connectivity, waterfront access, diversified housing stock, a thriving arts and culture sector and a diverse and engaged community of residents. Incremental progress has been driven by improved leadership, intensive public outreach, detailed planning and strategic public and private investments. The result is an ongoing renaissance focused upon property renovation and small business growth in the downtown. If awarded, a DRI investment will serve to accelerate a number of anchor projects that will complete the overall transformation of the downtown into a modernized urban district where arts, culture, innovation and entrepreneurship thrive.

JUSTIFICATION

Provide an overview of the downtown area nominated for the DRI program, highlighting the area's defining characteristics and the reasons for its selection. Explain why the downtown is ready for Downtown Revitalization Initiative (DRI) investment, and how that investment would serve as a catalyst to bring about revitalization.

The area which comprises Downtown Newburgh has experienced over \$150 million in public and private investment during the last five years. These investments have been driven by a highly engaged community that desires to increase their connection with the City. The perimeters of the downtown have been chosen in order to accelerate where this growth is happening and ensure that all centers of place will benefit from future improvements. The downtown borders include numerous significant historic sites, a range of housing options, easy access to mass transit, an ever-growing waterfront district, institutions of higher education, entrepreneurial

cottage industries, a developing food and beverage market, technology companies, and unique artistic and cultural institutions. All of these sectors help to catalyze Newburgh's revitalization and have accelerated the rebirth of the Newburgh central business district and waterfront historic district. DRI assistance will support the continued growth of the district and support the completion of anchor projects that will ensure long-term economic stability. There are few downtowns like Newburgh's, which offers a well-planned historical footprint that can be revitalized in a setting where residents and visitors will have everything at their fingertips.

DOWNTOWN IDENTIFICATION

This section should be filled out with reference to the list of desired attributes for participation in the DRI as set forth in the *Downtown Revitalization Initiative Guidebook*.

- 1) Boundaries of the proposed DRI area. Detail the boundaries of the targeted neighborhood, keeping in mind that there is no minimum or maximum size, but that the neighborhood should be concentrated and well-defined. Neighborhoods beyond a traditional downtown or central business district are eligible, if they can meet other criteria making them ripe for investment. Attach a map that clearly delineates the area to be included in the downtown revitalization area.**

For the purposes of this application, Downtown Newburgh is defined by the area that stretches North to South from South Street to Renwick Street and West to East from Dubois Street to the Hudson River Waterfront. Please find a map depicting this area attached to our application narrative.

- 2) Description of catchment area. Outline why the proposed DRI area, or its catchment area, is of a size sufficient to support a vibrant, year-round downtown, with consideration of whether there is a sizeable existing or increasing population within easy reach for whom this would be the primary downtown destination.**

Downtown Newburgh encompasses a highly organized one quarter square mile area that includes the heart of the community's central business district along Broadway, SUNY Orange's Newburgh Campus, multiple municipal facilities that provide essential services, public parking lots, historical and cultural centers of place, centers of faith and almost one mile of Hudson River Waterfront. The targeted area is a hub for redevelopment and has supported the growth of a performing and visual arts district, a restaurant district, universities, a hospital, small businesses, and regular festivals, including the Newburgh Illuminated Festival, the largest in Orange County. It is on all of this which the City seeks to build.

Newburgh already acts as the administrative and cultural hub for the region. Being proximate to two interstate highways and the terminus of a scenic byway out of New York City, Newburgh is one of the most accessible urban centers in the Hudson Valley. In addition, the city is home to county facilities, SUNY Orange's Campus, St. Luke's Hospital, Mt. St. Mary's College, as well as a consolidated regional school district that serves most area residents. As such, the downtown finds itself primed to capitalize upon these physical and operational characteristics and cater to a growing sector of the population that desires to live, work, and play in the community they call home. This movement is driven by the emergence of a more environmentally and socially conscious generation of entrepreneurs that intends to have less reliance on vehicles and a greater interest in walking, biking, ride sharing and public transportation.

Newburgh's downtown was initially organized as a regional destination in the 1700's, offering a structured footprint which easily lends itself to supporting increased community connectivity and the development of multi-modal transportation. Today, the downtown is the only urban center in a region which is home to an increasing population of roughly 100,000 residents, including the neighboring communities of Cornwall, New

Windsor and the Town of Newburgh. The city is also the most densely populated community in Orange County, which is home to roughly 377,000 people. As a downtown which already serves the greater region, Newburgh possesses a large number of governmental, educational, recreational, cultural and commercial centers of place all in a closely defined area.

At present, major opportunities for development exist within the heart of the business district, represented by eighteen redevelopment parcels and numerous city owned properties. In addition, major redevelopment planning is currently taking place at the base of Broadway along the waterfront, which is home to a ferry that crosses the Hudson to a Metro-North Railroad Station.

Newburgh's waterfront, which acts as a lively year-round tourism destination, lies slightly below grade from a retail district along Broadway. The Waterfront District boasts an improved form-based zoning code which will enable additional mixed-use development opportunities, and acts as a conduit to and from the Metro-North Station in Beacon, thus the waterfront has great potential to act as the gateway to the central business district through targeted small-scale transportation connectivity improvements.

3) Past Investment, future investment potential. Describe how this DRI area will be able to capitalize on prior private and public investment, or catalyze future investments in the neighborhood and its surrounding areas.

As designed, the downtown lies at the epicenter of an intentional strategy that will drive Newburgh's revitalization. This strategy centers upon the aggressive pursuit and acquisition of public and private investment, the adaptive reuse of developable properties in the central business district and along the waterfront, the availability of diversified anchor institutions, necessary infrastructure improvements, and investment in arts and culture and is in alignment with the Mid-Hudson Region's Strategic Plan.

Prior Public and Private Investment:

Since 2011, the City of Newburgh, along with its non-profit organizations and public-private partnerships has been successful in obtaining over \$14 million in REDC awards for the purposes of economic development, including investments in arts and educational facilities, housing and mixed-use properties, public infrastructure, and planning. REDC-funded projects such as Mount Saint Mary College's campus revitalization, the stabilization and rehabilitation of the historic Ritz Theater, and planned \$4 million Performing Arts Academy for the Boys and Girls Club have been leveraged with other ongoing public and private investments to begin the transformation of the downtown. These investments include:

- educational and cultural investments like the completed \$85 million expansion of SUNY Orange's campus and the ongoing \$4 million restoration of the Tower of Victory at Washington's Headquarters State Historic Site;
- over \$7 million in New York State Office of the Attorney General mortgage settlement funding to the Newburgh Community Land Bank as a conduit for vacant property rehabilitation;
- housing investments such as RUPCO's \$16.5 million East End Apartment development, creating 45 downtown residential units by the summer of 2018;
- over \$3 million in recent private investment into Newburgh's emerging craft food and beverage sector via the establishment of production facilities by Newburgh Brewing Company, Graft Cider, and ECO Shrimp Garden; and
- the \$2 million redevelopment of an abandoned warehouse by Atlas Industries into a furniture manufacturing facility and rentable artist and makerspace.

Potential for Adaptive Reuse of Developable Properties:

Newburgh's history as a regional downtown has left an organized footprint that offers desirable opportunities for public and private investors. The area is defined by a physically well-organized business district with notable architecture in one of the largest historic districts in the State. Thus, dozens of areas are ripe for adaptive reuse. One recent example is Safe Harbors of the Hudson, a \$22 million LITC project that has developed 128 units of housing, 2 commercial spaces, a half-acre park, an art gallery, and a performing arts space. This organization supports the SUNY Performance and Fine Arts Education center and the Boys and Girls Club's Performing Arts Academy. When completed, the Ritz Theater will be a world class performing arts space that will celebrate local talent while attracting national and international performing arts. This will result in 30 full-time jobs for entrepreneurial artistic residents, expanding on the social hub that has been created. Three blocks away, Baxter Development Group is investing \$2.7 million in the redevelopment of a former industrial building into a live-work space with food-hall-style restaurants, and the Boys and Girls Club is investing in a \$4 million Performing Arts Academy. Planned investments also include Regal Bag's \$40 million residential redevelopment project of a former industrial building to anchor the northern end of the waterfront, along with other projects embedded in the Rhinebeck Bank's \$3 million Creative Neighborhood Loan Fund.

Existing Trail of Historical and Cultural Landmarks:

Newburgh's downtown is dotted by a trail of prominent historical and cultural landmarks which serve to drive local tourism and help to merge centers of place. This trail includes the nation's first publicly owned historic site, Washington's Headquarters. The site served as the headquarters for General Washington as the American Revolution was nearing completion and is where Washington famously rejected an American monarchy, setting the stage for an American Democracy. The site just underwent a \$4 million restoration project for its "Tower of Victory", which was built for the centennial of the Revolutionary War and offers outstanding views of the Hudson River and the Hudson Highlands from its restored viewing deck. Washington's Headquarters is central on Liberty Street, which is becoming a highly concentrated area of investment defined by new shops and restaurants.

Thomas Edison's electrical power plant, which served to make Newburgh one of the first electrified cities in the United States is also downtown. Other sites of historic importance include 93 Liberty Street (Alsdorf Hall) which served as a stop on the underground railroad, Colonial Terraces (built by Henry Wright) which served to house workers at Newburgh's Shipyard during World War I, Downing Park (designed in memoriam to Andrew Jackson Downing by Olmsted and Vaux), Newburgh Heritage Center (the former Orange County Courthouse), and the Dutch Reformed Church at 134 Grand Street which is designated as a National Historic Landmark and has fallen into disrepair, but has tremendous potential for cultural redevelopment.

Public Infrastructure Improvements:

The City has partnered with local businesses and not-for-profits to enable the development of almost \$80 million in infrastructure planning and improvement projects, including the receipt of over \$14 million in REDC CFA awards that have targeted façade, roadway, water, sewer, recreation and cultural initiatives. This is highlighted by the completion of over \$2.5 million in funding for the improvement of the Broadway corridor, \$1.25 million in lighting improvements, \$12.1 million in water infrastructure improvements, over \$40 million in housing improvement projects and ongoing planning projects that will revitalize the waterfront district through the development of a deep-water port and pier at Newburgh Landing. Once complete, those studies will outline a plan for the reconstruction of the city's public dock to accept the Newburgh/Beacon Ferry, cruise ships and day vessels; all while providing direct public access to the Hudson River. Moreover, Habitat for Humanity has served to rehabilitate over 90 properties for the purposes of homeownership and live/work housing.

Investment in Arts, Culture and Entrepreneurship:

Newburgh is home to an ever-growing arts scene which is fostering development by making use of mixed-use spaces to house resident artists, galleries, performing arts centers. Cultural tours and public festivals, driven by volunteers and entrepreneurs have grown organically from this mix. Other examples of this growing scene can be found in development of the Thornwillow Institute and Makers Village, which seeks to promote and perpetuate the printed arts and bookbinding by providing opportunities to entrepreneurs through fellowships, artists and writers in residency, educational workshops and master classes, job and career training, artistic exhibitions, publications, providing access to specialized equipment, the restoration of historic structures and community outreach activities. The Institute, which was founded in 2015, is making craft production a catalyst for Newburgh's overall revitalization.

Atlas Industries offers another shining example of Newburgh's burgeoning artistic, cultural and entrepreneurship scene at 11 Spring Street; their factory houses 45 businesses which range from architecture and development firms, technology companies, and artist and maker spaces. Cultural activities include furniture making workshops, a rotating gallery space, and live performances at the Queen of the Hudson theater space.

The Ritz Theater project, led by Safe Harbors of the Hudson, is providing for the adaptive reuse of the last remaining historic theater in Newburgh, consisting of \$8 million in improvements which will result, a multi-use performing arts space to supplement the already completed \$22 million arts and housing redevelopment project, which includes 128 units of affordable housing, an art gallery, performing arts venue, 2 vibrant commercial spaces, a half-acre urban park, and 8 artist studio spaces.

Moreover, the State University of New York's (SUNY) Orange Campus is planning to expand programming from their existing campus to three iconic buildings along Grand Street, the American Legion Building, YMCA and Masonic Temple. Their plan is to offer unique arts and culture-based programming that will help participants learn arts and restoration, culinary, and hospitality skills so they can appeal to a broad range of employers upon graduation or become entrepreneurs. These ongoing projects are serving to increase civic engagement, establish a community identity, attract outside investment, drive tourism and build essential workforce skills by offering new educational opportunities to local youth.

Newburgh's local arts scene has also benefited from a \$2 million grant from a local, private foundation, and \$663,000 in planned New Market Tax Credits, as the Boys & Girls Club of Greater Newburgh has purchased and is renovating a long underutilized 21,000 square foot multi-story building in the center of the downtown to establish a new Center for Arts & Education. This facility houses an early childhood education center for 100 children in grades K-2 and also the Newburgh Performing Arts Academy. The Boys & Girls Club of Newburgh's arts program serves over 800 youth and adults each week.

4) Recent or impending job growth. Describe how recent or impending job growth within or near the DRI area will attract professionals to an active life in the downtown, support redevelopment, and make growth sustainable in the long-term.

Newburgh's Downtown was fundamentally designed to engage and create a community. This stems from the age and layout of the city and the fact that it was designed by architects in a time when walking was the primary method of transportation. As such, Newburgh's centers of place are densely organized in a manner which can easily support job growth through improved housing and mixed-use development.

At this time, the arts, entertainment, recreation and accommodation cluster is leading redevelopment and job creation in town. In fact, Newburgh has added upwards of 700 jobs in these sectors since 2010, for a total of well over 1,500 jobs, making it Newburgh's third-largest employment industry cluster, after Educational, Health, Service, and Retail. This Arts industry cluster is critical for promoting cultural development and for redeveloping buildings to house new businesses like the Newburgh Brewing Company, which serves as a draw from the waterfront up into the downtown in the southern section of the target area.

As an example, Atlas Industries invested several million dollars in the rehabilitation of its building for furniture production and also created additional studios and manufacturing spaces, gallery and performance space, and has short-term plans to open cafe and retail space. With almost 45 businesses running out of their building, they are incubating entrepreneurs and have created a cultural hub that encourages innovative ideas that attract new residents.

Adjacent to Atlas is Thornwillow Press, a custom letter-press and book bindery which has expanded its portfolio and physical footprint to include the Thornwillow Institute, a not-for profit developing properties to serve as spaces for artists in residence; and Thornwillow Village, which will be a multi-use arts incubator, arts venue, and public market facility. Together, these expansions have created hundreds of new jobs and helped to spur the redevelopment of surrounding parcels that have in the past suffered from long-term disinvestment, vacancy, and crime.

The continued development of Newburgh's Arts, Entertainment, Recreation and Accommodation Sector has meshed perfectly with efforts being made by SUNY Orange to produce a large workforce of skilled local talent. Specifically, SUNY is leading an effort to significantly expand programs throughout the City which are designed to create a skilled and flexible local workforce. Areas of concentration have expanded in healthcare, digital media production, manufacturing, historic preservation and restoration, floriculture, fine arts and the performing arts.

Start-up Newburgh (SUN), a Mount Saint Mary College/iCan co-venture that manages Newburgh's START-UP NY program, seeks to bring academic, entrepreneurial and community leaders together with local business to enhance Newburgh's economy. Additionally, the Newburgh Armory Unity Center (NAUC), working with the Colleges and the Newburgh Enlarged City School District, has developed programs for K – 12 to enrich learning in health care, STEM programs, programming and reading. In fact, over 500 youth are currently enrolled in NAUC educational programs.

In all, ongoing anchor projects will serve to create over 200 full-time jobs, 150 part-time jobs and hundreds of new entrepreneurs through the continued development of Newburgh's cottage industries. This includes the \$4 million reconstruction of Newburgh Landing, the Ritz Theater Project, reconstruction of lower Broadway Waterfront Gateway project between Liberty Street and the Waterfront, redevelopment of the Regal Bag Building (serving as mixed-use, commercial and event space along the waterfront), a \$3.5 million dollar acquisition of central waterfront land for redevelopment by Bonura Hospitality, the City's Waterfront Gateway Redevelopment Initiative, SUNY Orange's Arts and Culture Education expansion project, the Thornwillow Institute and Maker's Village, RUPCO Development's adaptive reuse housing initiatives, and concentrated investments along Liberty Street to connect Washington's Headquarters to Broadway and the Waterfront.

5) Attractiveness of physical environment. Identify the properties or characteristics that the DRI area possesses that contribute, or could contribute if enhanced, to the attractiveness and livability of the downtown for a diverse population of varying ages, income, gender identity, ability, mobility, and cultural

background. Consider, for example, the presence of developable mixed-use spaces, varied housing types at different levels of affordability, walkability and bikeability, healthy and affordable food markets, and public parks and gathering spaces.

Physical Environment:

Newburgh's Downtown serves as the second largest historic district in New York State. As such, the City finds itself in a powerful position when it comes to the offerings provided by its natural and built physical environment. In addition, as the region's most densely populated urban center, the downtown is also defined by a closely-knit grid of roadways that provide easy pedestrian and multi-modal access from residential areas to treasured historical sites, cottage industries, recreational facilities, and the Hudson River as a gateway for transportation. Furthermore, the downtown lies on a grade which showcases beautiful views of the Hudson River, which became famous through the artwork by Thomas Cole's Hudson River School of Painters in the early 1800's, who utilized romanticism to showcase the beauty of the Hudson River Valley. Moreover, much of the downtown is considered part of the East End Historic District, featuring an abundance of architecturally significant housing stock that was designed by America's most famous architects. Individuals like AJ Davis, Thornten Niven, Andrew Jackson Downing, Henry Wright, Frederick Law Olmsted, Calvert Vaux and Frederick Withers all had a long-lasting impact upon Newburgh by directly shaping the look of Newburgh's Downtown.

Today, dozens of architecturally significant commercial, civic and institutional anchors remain within a walkable framework, lending themselves to immense redevelopment potential. In fact, Vaux and Olmsted designed Downing Park in a similar manner as New York City's Central Park, with breathtaking views of the Hudson River. The 35-acre landscape lies in close proximity to the downtown and is a living memorial to Newburgh's own Andrew Jackson Downing, who is seen as the "Father of American Landscape Architecture."

Diversity:

Newburgh is home to a diverse population of over 28,000 people residing in over 9,000 households within a 3.8 square mile radius. The population identifies itself as roughly 50 percent Hispanic or Latino, 25 percent African American, 20 percent White, and 5 percent of other races. As such, the city's population affords regular opportunity for cultural learning and civic opportunity. Newburgh prides itself in its history of being a diverse and welcoming place, and the City remains primarily focused in creating opportunities for all residents to continue to remain and grow in the community. Newburgh offers many municipal, county and federally-based social services which lie in close proximity to the downtown, including State and Federal facilities include the Department of Motor Vehicles and Social Security Administration.

Housing:

Newburgh's housing stock offers an abundance of opportunity when coupled with a host of ongoing development initiatives. The median property value in Newburgh stands at \$165,900, with a home ownership rate of roughly 32 percent. This defines the community as primarily a rental market, offering competitive pricing for housing stock and redevelopment. In addition, housing stock is also reflective of the age of the community, with the majority of properties built prior to 1900. This character of the neighborhoods which feed to the downtown offers opportunities for redevelopment and home improvement in the most-dense housing market in the region. To protect these characteristics and spur continued redevelopment by attracting new residents, the city has focused on prioritizing the emergence of a form-based zoning code and the continued support of housing rehabilitation in alignment with brand new mixed-use development. Projects like those led by Safe Harbors of the Hudson, as well as Regal Bag, Bonura Hospitality, the Newburgh Community Land Bank, and RUPCO Development provide essential home rehabilitation, historic restorations, and the approval of new mixed-use developments in the heart of the downtown. The City is also prioritizing increasing home ownership through various programs and policies.

Evidence of Newburgh's developing housing market can be illustrated by the fact that there were 139 single family homes sold from the March 1, 2017 through February 2018, representing a 19.8 percent increase from the prior year. Moreover, the median sales price for those homes was up over 61 percent from the prior year, and the absorption rate has decreased by 2.6 months. The City itself has sold 183 primarily vacant properties in the last five years to private individuals and investors, for a total of \$3.183 million in revenue to the City. These sales are in addition to properties transferred to the Newburgh Community Land Bank. The City has also issued 790 redevelopment permits in the last five years, increasing by an average of over 100% each year, suggesting an even deeper investment in the community. Optimistic from these figures, the city is anxious to define a clear path forward to support a continued rally by completing a number of critical housing and public improvement projects.

Opportunities for Development:

To date, Newburgh's improving housing stock has been supported by a host of public improvement projects and targeted home-ownership programs that have brought new families to the downtown, including Habitat for Humanity's East Parmenter Street Development, one block south of Broadway, and the Newburgh Community Land Bank's target area bordering Broadway to the north.

Public Improvement projects have focused upon both public infrastructure and cultural institutions, to diversify the operational efficiency, aesthetic appeal and outside draw to the downtown. Planned and ongoing projects have included a \$4 million restoration of the Washington's Headquarters State Historic Site, the redevelopment of a former Labor Temple into a Bicycle Museum by the Motorcyclepedia Museum, a new public park on Liberty Street, and multi-million-dollar water infrastructure improvements. These ongoing projects coupled with a \$300,000 façade improvement project along Broadway and Liberty Street, have led to the resurgence of a significant area of Liberty Street, between Broadway and East Parmenter Street. The corridor now maintains 96 percent storefront occupancy with businesses that support residents and tourists alike, such as restaurants, and those that cater to the rapidly expanding downtown residential base, such as a pilates studio, wine shop, and boutiques. The new park in this area caters to the growing population's recreational needs, often service as a location for public dances, films and open markets.

In an effort to incentivize the continued redevelopment of vacant properties, the City has made extraordinary strides to improve the curb appeal of the downtown by focusing on projects that leverage public and private funds to rehabilitate facades and improve streetscape. As an example of such a project, the Newburgh Community Land Bank recently redeveloped its headquarters and stabilized an adjacent mixed-use building on Chambers Street. As a part of this project, the local architecture firm that undertook the work eventually moved its office to the first-floor space, relocating in the Downtown.

The City is making significant progress towards revitalization, with an emphasis on the waterfront becoming a regional gateway. The waterfront attracts visitors from all over, and if awarded, the City will make it of paramount concern to define ways to move these visitors, through well-lit pedestrian pathways and linkages to the Central Business District. A major waterfront development initiative is moving forward that will offer new restaurants, parks, boating facilities, streetscapes and the expansion of an existing pedestrian promenade. The planned project is viewed as an anchor initiative that will ensure Newburgh's downtown remains on a path of upward economic growth; however, it must be coupled with projects that physically connect the River to the City. The location of the waterfront, and its inclusion as a part of the downtown district, is absolutely essential to the city's ability to attract private investment and be reborn as the region's undisputed downtown.

Multi-Modal Transportation:

Newburgh's downtown is in a position to offer an infrastructure that is entirely friendly to alternative forms of transportation. As previously mentioned, the City is the most densely built community in the region and offers easy pedestrian and bicycle access to and from both bus and rail public transportation. Overall, Newburgh is easily accessible by highway, rail, water port, air (Stewart International Airport), Interstate Highways 84 and 87, a CSX freight line, Metro North commuter rail and connections to Amtrak rail services. Moreover, numerous national, regional, commuter and local bus lines run through the downtown.

As the city rebounds from years of decay, public infrastructure improvements continue to take place which will support the enhancement of all forms of transportation. In fact, the City has studied Complete Streets in the downtown, added parklets, medians, bump outs, and other traffic calming devices, standards for street furniture, and street trees, all of which promote the continued development of a vibrant main street. Updated sidewalk standards have been completed incorporating Complete Streets/Green Infrastructure best practices within the historic streetscape, and the re-construction of Liberty Street has provided a major boost to the central business district.

Access to Healthy Food:

As a USDA low-income and low-access community, the City is regularly looking for ways to increase access to healthy food for residents. This includes providing significant CDBG funding to the Newburgh Urban Farm and Food Initiative and the Downing Park Urban Farm, which acts as a hub for urban farming in the community. NUFFI has successfully increased the number of gardens from four to eight, supported the growth of a farmer's market at Downing Park, held three annual Urban Farming Fairs, and established the Newburgh Citywide Food Donation Project (which grew from 600 to over 2,700 pounds from 2016 to 2017).

Recreation and Public Spaces:

Newburgh will forever be defined by the legacy of Andrew Jackson Downing. Downing, who served as the pioneer of the public parks movement, was a Newburgh resident who was one of the earliest proponents of creating common green spaces for all citizens to enjoy.

Newburgh's commitment to public spaces continues today, as the city maintains and facilitates the use of twenty-one unique public parks and recreation facilities. Many of these parks fall within the borders of the downtown, highlighted by Delano-Hitch Park, a 26-acre recreational facility that includes a 2,000-person capacity baseball stadium, four tennis courts, four basketball courts, an aquatic center, two playgrounds, horseshoe pitches, a multi-use soccer and football field, the Fast Pitch Softball Hall of Fame, a multi-purpose activity center, and a recently opened skate park. The facility also supports a wide array of youth and adult recreational programming, making it the center of most park and recreation activities in the downtown. New parks include a privately managed park along Liberty Street, new playgrounds, and the skate park. In addition, the city offers and facilitates numerous film and musical festivals which showcase art outdoors, highlighted by an 11-year jazz festival.

Newburgh also just adopted its Local Waterfront Revitalization Plan on July 10, 2017, which includes a host of projects that will spur major recreational developments. As a part of that vision, improvements are planned for the three existing waterfront parks, two waterfront piers/docks, the public boat launch and Hudson River Greenway, which in consultation with local not-for-profits and land trusts, is being developed to span the entirety of the City's Hudson River Waterfront, and snake along stream corridors throughout the City to meet existing and developing trails in the neighboring towns. Parks in the LWRP include South Street Park (designed

but not yet built), UNICO Park, Ward Brothers Rowing Park, Newburgh Landing, the First Street Fishing Pier, Newburgh Boat Launch, and Hudson River Waterfront Trail.

In order to support these projects, the nascent Newburgh Parks Conservancy is in the process of incorporating to provide fundraising and park management capabilities in coordination with the Trust for Public Lands. The City is working to adopt the goal of providing an accessible greenspace within a 10-minute walk of each home.

6) Quality of Life policies. Articulate the policies in place that increase the livability and quality of life of the downtown. Examples include the use of local land banks, modern zoning codes, comprehensive plans, complete streets plan, transit-oriented development, non-discrimination laws, age-friendly policies, and a downtown management structure. If policies achieving this goal are not currently in place, describe the ability of the municipality to create and implement such policies.

Newburgh is in an exciting position to aggressively offer quality of life improvements into the future. To this end, the city has adopted a new form-based zoning code in September 2015. Prior and future investment in the downtown, coupled with a re-zoning and land use plan that orients development toward the reintegration of the downtown, affords the City a unique opportunity to create the conditions necessary for the downtown district to expand in a manner which promotes social, cultural and economic drivers.

The City's form-based code serves to improve and enhance the existing urban fabric and promote mixed use infill and redevelopment through streamlined permitting, a reduced need for approvals and variances, and a focus on transit-oriented development with reduced parking requirements. By respecting the as-built environment, the code ensures quality of life and naturally increases the diversity of people and businesses in the downtown.

The Waterfront:

The new form-based code supports complete streets, future transit-oriented development, multi-modal accessibility and the goal of creating an overwhelmingly vibrant waterfront district. As a result, the city's waterfront is now covered by two form-based zones, a Waterfront Gateway and Planned Waterfront District (PWD).

The Waterfront Gateway is anchored by institutional uses and civic buildings. Much of the rest of the district is characterized by large undeveloped and under-developed former Urban Renewal properties, many of which are City-owned. The purpose of the gateway is to maximize the residential and commercial density of new development. As a result, new projects in this zone will capitalize on the dramatic views of the Hudson River Valley, while protecting the views of the river from upland through codified viewshed protections. It is anticipated that flagship buildings and institutions will anchor this district along Broadway and a mix of uses will be allowed north and south of Broadway to centralize activity within the downtown. The resulting district will form a transition between the waterfront, the Broadway Corridor, and the Downtown Neighborhood Districts. Development will provide inviting public spaces that encourage pedestrian activity, as the physical form of buildings is intended to vary within the district. Mid- to high-rise buildings are encouraged along Broadway and its surrounding blocks, with shopfronts on the first floor to encourage pedestrian activity. Higher-density residential, mixed-use, and commercial buildings are encouraged in the rest of the district. Most importantly, there are numerous vacant and underutilized parcels which exist in this district, providing for an opportunity to creatively plan the future of the downtown.

The waterfront district is currently characterized by surface parking, thriving restaurants and marinas, and retail uses. A waterfront walkway links City parks and amenities, while offering beautiful views of the Hudson. The district also contains large undeveloped parcels. As such, the Waterfront District has been established with the goal of revitalizing the waterfront and establishing the City as a regional destination along the Hudson River. Within this district, water-dependent and water-enhanced uses will be encouraged, and a broad mix of uses, including housing, commercial, cultural, and open space uses are allowed. In addition, the new code provides that the physical form and orientation of the buildings within the PWD will reflect the importance of the Hudson River to the successful redevelopment of the waterfront and encourage the activation of the waterfront through increased pedestrian utilization.

Property Remediation:

In 2010 the Land Use Law Center at Pace Law School was commissioned to study opportunities to remediate distressed properties. This project set the stage for the future revitalization of the central business district and its surrounding neighborhoods by creating the Newburgh Community Land Bank; initiating the comprehensive city-wide zoning update; planning for the implementation of complete streets; the creation of the Downing Park Greenway to link green spaces and parks; and a city-wide emphasis on promoting development and the adaptive reuse of distressed properties.

Since that time, the Newburgh Community Land Bank has stimulated local planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner. It has raised over \$7 million to stabilize vacant properties and prepare them for redevelopment. The City and NCLB also collaborated to develop the Downing Park Urban Farm, a center for urban agricultural education and job-training.

Complete Streets:

The city has completed and is committed to continuing a number of planned complete streets projects which will serve to enable safe access for pedestrians, bicyclists, skateboarders, motorists and transit riders who traverse the downtown. Just recently, the city implemented a plan to transform Broadway between Chambers and Grand Streets with a demonstration model of complete streets, using paint and temporary measures to introduce traffic calming, more prominent crosswalks including mid-block crossings, a redesigned bus-shelter, and street furniture throughout. The City also updated its sidewalks standards in 2016 to include bump-outs and stormwater retention areas. In addition, sidewalks have been improved throughout the downtown, and the City has bolstered the promotion of sidewalk cafe permits as well as drafted a policy for in-street parklets.

Recreation:

In 2015, the City began an initiative to rebrand its park system as the Downing Park Greenway in order to promote its history and commitment to environmental sustainability and healthy living. This involves adding more comprehensive signage, including maps that show linkages between existing parks and trails. The project would also link regional trails, such as the Hudson River Greenway and the Trail of Two Cities to Beacon. In addition, as referenced earlier, a number of recreation components have been planned as a part of the city's waterfront redevelopment initiative, which is seen as an anchor project that will support the downtown for decades to come. The City, in conjunction with Scenic Hudson, is currently undertaking an Open Space Plan

which is largely a public led process of planning for future open space needs and recreational linkages throughout the community.

- 7) Public Support. Describe the public participation and engagement process conducted to develop the DRI application, and the support of local leaders and stakeholders for pursuing a vision of downtown revitalization. Describe the commitment among local leaders and stakeholders to preparing and implementing a strategic investment plan. Identify an initial local lead for the program that will work with outside experts to convene a DRI Local Planning Committee to oversee the plan.**

The City of Newburgh has aggressively sought a wide range of participation as a part of its past, present and planned revitalization planning process. The City is currently undertaking a community-led visioning process where the public, through meetings, charrettes, surveys, and workshops, looks to define a vision for Newburgh for the next 10-20 years. In addition, with the full support of the governing body, city staff convened a DRI Planning Committee for the purposes of application development. In addition, local leaders have gone to great lengths in an effort to ensure that all previous planning efforts have incorporated public opinion, and that future projects will involve and be based on public needs and desires. The goal of this DRI Application is to garner funding that will help to offer new opportunity and improve quality of life in Newburgh. As a result, economic growth will follow. In other words, the city has taken a resident-first approach, to ensure the continued development of community partnerships that will result in tangible downtown improvement. As evidence of this fact, the city ensured a public comment process for all proposed developments in the new waterfront gateway and waterfront districts. Furthermore, public input was sought through numerous council meetings and four public workshops in the development of the LWRP. Key entities in the downtown target area that have supported, and committed time, energy and resources toward meaningful change include the City of Newburgh, Boys and Girls Club of Greater Newburgh, SUNY Orange, Newburgh Community Land Bank, Safe Harbors of the Hudson, Mount Saint Mary College, St. Luke's Cornwall Hospital, Pattern for Progress, Habitat for Humanity of Greater Newburgh, Pace University, Atlas Industries, Liberty Street Partners, Thornwillow, the City of Newburgh and Orange County Industrial Development Agencies, and Orange County Partnership.

- 8) Project List to Demonstrate Readiness: Describe opportunities to build on the strengths described above by providing a list of transformative projects that will be ready for implementation with an infusion of DRI funds within the first one to two years (depending on the scope and complexity of the project) and which may leverage DRI funding with private investment or other funds. Such projects could address economic development, transportation, housing, and community development needs. While such projects should have demonstrated public support, it is recognized that projects will ultimately be vetted by the Local Planning Committee and the State. Explain how most projects proposed for DRI funding demonstrate their readiness for implementation.**

The City of Newburgh is on the cusp of capitalizing on a deep economic foundation which has been built over the last decade. Specifically, there are a host of projects which are viewed as anchor initiatives that will expand economic growth throughout the downtown. These projects will serve to further improve citywide recreation, housing, arts and culture, public infrastructure and transportation. They include:

Newburgh Landing: This project involves the reconstruction of the Newburgh's public dock in a manner which will accept the Newburgh/Beacon ferry, cruise ships, day vessels, and enhance direct public access to the river. At this time, the public and conceptual design process is complete and final design engineering is underway and fully funded. To date, \$350,000 has been spent or dedicated to project development, and the city anticipates

needing an additional \$4 million to support construction. Dozens of part-time construction jobs would be created, as well as 2 full-time jobs after construction.

Ritz Theater: Adjacent to and part of the Safe Harbors project is the historic Ritz Theater, the birthplace of the “I Love Lucy” Show and last remaining theater in the City of Newburgh. Safe Harbors recently received \$1 million in funding through the CFA and has begun an estimated \$8 million redevelopment of the theater as a state of the art performance space for world class presentation, creation and education. Safe Harbors is a \$22 million arts and housing redevelopment project, which includes 128 units of affordable housing, an art gallery, performing arts venue, 2 vibrant commercial spaces, a half-acre urban park, and 8 artist studio spaces. When complete, 30 full-time jobs will be created.

Reconstruction of Lower Broadway: The City has completed numerous planning studies focused upon the reconstruction of a section of Broadway which sits between Liberty Street and the Waterfront. Improving this gateway is essential to increasing the connectivity of the downtown to the waterfront. The City has utilized \$250,000 in Central Hudson Complete Streets funding as well as CDBG HUD Funding with additional support from the Newburgh Land Bank to complete initial planning. In addition, the City was awarded approximately \$675,000 in FHWA money to begin the initial phase of reconstruction. However, additional funding is needed to complete final design and reconstruction. Once complete, this project will stabilize the city’s center, improve urban green space and ensure that the gateway to the waterfront acts as a feeder to and from the downtown. Dozens of part-time jobs will be created, and increased pedestrian traffic to and from the waterfront will support local businesses, allowing them to grow and create new full-time jobs over time.

Regal Bag Redevelopment: As proposed, private redevelopment is slated for the Regal Bag Building. The project scope will create a mixed-use property that will offer residential, commercial and event space to anchor the northern end of the City’s waterfront. The project currently sits with the Newburgh Planning Board. Once complete, it will create upwards of 20 new full-time jobs in Newburgh.

Bonura Hospitality Redevelopment Initiative: A private developer has invested \$3.5 million to secure land in the heart of the waterfront district. The project will support mixed-use development that will act as an anchor for the waterfront. At present, the developer is currently working on the completion of Master Planning documents with input from Scenic Hudson. The city seeks to support this effort by establishing a plan for public improvement in the adjacent areas. Once complete, the city estimates that up to 100 full-time jobs will be created.

Redevelopment of Former Urban Renewal Lands: The City is looking to create seamless connectivity between Newburgh’s revitalized waterfront and the Lower Broadway corridor by moving forward with a plan for the development of new mixed-use property on property which is formerly Urban Renewal Lands. The project would involve the redevelopment of 10-15 acres for commercial and residential purposes. The land is currently zoned as part of the Waterfront Gateway. In order to move forward, the city needs funding to complete a detailed conceptual plan, as well as preliminary and final engineering. If funded, the city views this as an anchor initiative for the waterfront district which could be under construction within 2 years.

SUNY Orange Expansion: SUNY Orange is planning to expand programming from their current campus to include new arts, culture and entrepreneurial programming at three of Newburgh’s most iconic buildings along Grand Street. These properties include the old American Legion Building, the YMCA, and the Masonic Temple.

New courses will be offered that teach historic preservation, culinary, and hospitality skills. Programming will focus on entrepreneurship and ultimately lead to a greater number of graduates who will seek to remain in the city as a part of its growing arts and culture cottage industries. The city plans to act as a partner in supporting this initiative. Ultimately, hundreds of part-time and full-time jobs will result in this initiative.

Thornwillow Institute and Makers Village: Founded in 2015, this organization seeks to promote and perpetuate the art of craftsmanship by providing opportunities to entrepreneurs through fellowships, artists and writers in residency, educational workshops and master classes, job and career training, artistic exhibitions, publications, providing access to specialized equipment, the restoration of historic structures and community outreach activities. In the last 12 years, the organization has spent \$5 million furthering this vision. They are working on securing an additional \$1.8 million to complete phase 2 of the project and remain in need of \$3-5 million in additional funding to complete the overall scope of work. Once complete, 35 full-time jobs will have been created.

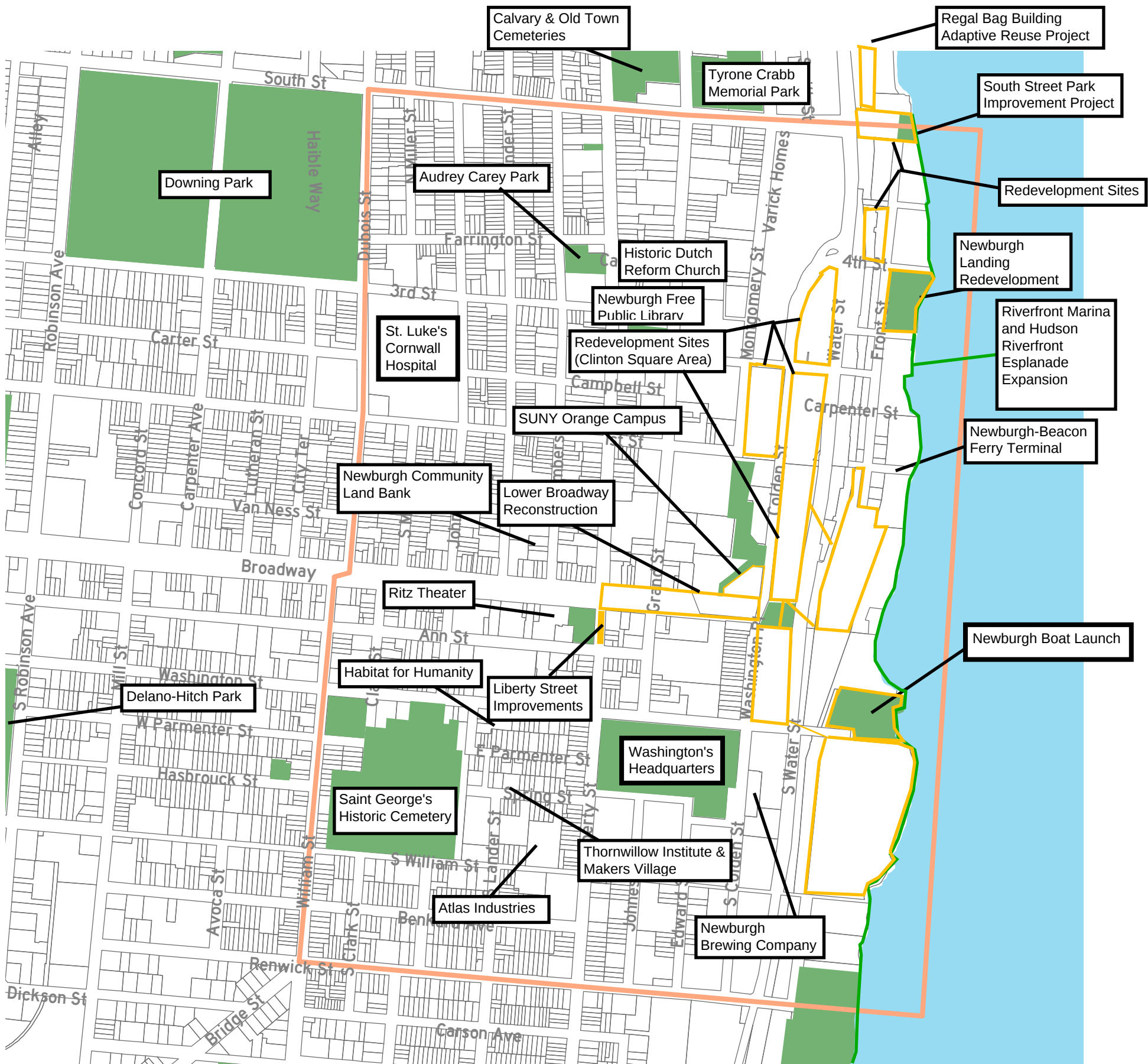
9) Administrative Capacity. Describe the extent of the existing local administrative capacity to manage this initiative, including potential oversight of concurrent contracts once projects are selected for award.

The City of Newburgh is well-prepared to shoulder the responsibilities which would come along with a DRI Award. This belief is grounded in the fact that the city has already completed numerous large-scale planning initiatives that have resulted in outstanding opportunities for growth, and the fact that city staff hold decades of experience executing grant-funded project goals. Moreover, the city's civic and community leaders are working together towards a shared vision through the creation of an Economic Development Council that has acted as a DRI Subcommittee. The committee is comprised of community experts who have been involved with a high level of public and private development over the last decade. The committee, as referenced by the above list of projects, already has critical insight relating to ways that Newburgh can capitalize on a promising level of investment to become a regional urban center that showcases New York's history, culture and art.

10) Other. Provide any other information that informs the nomination of this downtown for a DRI award.

Downtown Newburgh is quickly emerging as a place that residents call home as a day and evening, year- round destination. Despite decades of financial struggles and declining revenue, Newburgh has been making huge strides to redevelop and rebrand itself. If awarded DRI funding, there is no doubt that the chosen anchor projects will serve to increase quality of life across all facets of the community, stabilize the City's tax base, promote development without displacement, and highlight the unparalleled historic and environmental beauty of the Hudson River Valley.

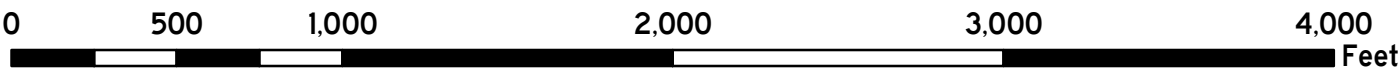
The strategic limits of Newburgh's downtown, including the waterfront, lends itself as an attractive parcel for a staggering level of private investment, particularly in the industrial craft and small-scale manufacturing sector. However, the City fully understands that in order for growth to be sustainable, proper outlets for public input and detailed planning must continue to be utilized. To date, the city has aggressively walked down this path with its local partners and is now ready to begin implementing many of its bold ideas.



FOR VISUAL REFERENCE ONLY



City of Newburgh DRI Boundary



DISCLAIMER: City of Newburgh makes no representations and provides no warranties, expressed or implied, concerning the accuracy, completeness, or suitability of this map for any particular purpose, and/or for title infringement and assumes no liability for the use or misuse of such data.



RESOLUTION NO.: 149 - 2018

OF

JUNE 11, 2018

**RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
A DASNY STATE AND MUNICIPAL FACILITIES PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$125,000.00
TO PURCHASE A PANORAMO SI 3D MANHOLE SCANNER
FOR THE CCTV SEWER INSPECTION SYSTEM**

WHEREAS, the City of Newburgh wishes to apply for a 2018 State and Municipal Facilities Program Grant administered through the Dormitory Authority of the State of New York State and was approved as an Assembly member item from Assemblyman Skartados to purchase a Panoramio SI 3D Manhole Scanner for the CCTV Sewer Inspection System; and

WHEREAS, if awarded, the scanner will be used in conjunction with the sewer camera truck to further inventory and assess the City's existing sewer and storm sewer assets; and

WHEREAS, the grant requires a \$5,000.00 match which will be derived from existing funding allocated to the Engineering Department in the 2018 budget; and

WHEREAS, the City Council find it to be in the best interests of the City of Newburgh and its citizens to apply for and accept such grant;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to accept if awarded a State and Municipal Facilities Program Grant administered by the Dormitory Authority of the State of New York from Assemblyman Frank Skartados in the amount of \$125,000.00 to purchase a Panoramio SI 3D Manhole Scanner for the CCTV Sewer Inspection System, with the appreciation and thanks of the City of Newburgh; and

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

RESOLUTION NO.: 150 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
A LICENSE AGREEMENT WITH ADAM POLLICK, CHRISTY A. PATTERSON AND
JERRY MALDONADO TO ALLOW TREE MAINTENANCE ACTIVITIES
ON THE CITY-OWNED PROPERTY KNOWN AS 215 WATER STREET
(SECTION 12, BLOCK 3, LOT 1.2)**

WHEREAS, the City of Newburgh is the owner of real property located at 215 Water Street, and more accurately described on the official tax map of the City of Newburgh as Section 12, Block 3, Lot 1.2, City of Newburgh, New York; and

WHEREAS, Adam Pollick, Christy A. Patterson, and Jerry Maldonado have requested access to 215 Water Street for the purpose of undertaking tree maintenance activities to prevent further harm to neighboring properties and to enhance Hudson River views; and

WHEREAS, such access to the property requires the parties to execute a license agreement, a copy of which is attached hereto and made a part of this resolution; and

WHEREAS, this Council has reviewed such license and has determined that entering into the same would be 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 the attached license agreement with Adam Pollick, Christy A. Patterson, and Jerry Maldonado to allow access to City-owned property known as 215 Water Street for the purpose of performing tree maintenance activities.

LICENSE AGREEMENT

This Agreement, made this _____ day of _____, two thousand and eighteen, by and between ADAM POLLICK, CHRISTY A. PATTERSON, and JERRY MALDONADO, individuals with addresses of 192 Montgomery Street, Newburgh, New York 12550 and 182 Montgomery Street, respectively, as "LICENSEES; and the CITY OF NEWBURGH, a municipal corporation organized and existing under the laws of the State of New York with offices at 83 Broadway, City Hall, Newburgh, New York 12550 as "LICENSOR";

WITNESSETH THAT:

WHEREAS, Licensees desires the license or privilege of gaining access to and performing work upon the premises of Licensor, on behalf of themselves and their employees, volunteers, agents and contractors, known as 215 Water Street, and more accurately described as Section 12, Block 3, Lot 1.2 on the official tax map of the City of Newburgh.

AND WHEREAS, Licensor is willing to give said license or privilege on the following terms and conditions:

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and conditions hereinafter contained, it is hereby agreed as follows:

First: Licensor hereby gives to Licensees and Licensees' employees, volunteers, agents and contractors, including but not limited to Four Seasons tree and Landscaping, upon the conditions hereinafter stated, the license or privilege of entering upon Licensor's property located at 215 Water Street, in the City of Newburgh, New York, and taking thereupon such vehicles, equipment, tools, machinery and other materials as may be necessary; for the purposes of and to perform tree maintenance to property owned by Licensor, including but not limited to trimming branches, removing trees, branches and brush and any and all other work appurtenant thereto.

Second: Licensees agree to do such work and perform such tasks in such manner as will comply fully with the provisions of any laws, ordinances or other lawful authority, obtaining any and all permits required thereby.

Third: Licensor acknowledges that the tree maintenance to the subject property shall inure to the benefit of both parties, and shall be satisfactory, adequate and sufficient consideration for the License granted hereunder.

Fourth: Licensees may retain certain employees, agents, contractors and consultants to perform the subject work. In the contract by which Licensees retain such agents, Licensee and such agents shall name Licensor as additional insured under insurance coverage concerning Licensees' performance of the tasks referenced herein.

Fifth: Licensees hereby agree to defend, indemnify and hold Licensors harmless against any claims, actions and proceedings brought against Licensors arising out of, in connection with and/or relating to Licensees' use of the premises. Licensees have posted evidence of and shall maintain throughout the term of this License public liability insurance naming the Licensors as additional insured in a minimum coverage amount of One Million (\$1,000,000.00) Dollars.

Sixth: This Agreement and the license or privilege hereby given shall expire and terminate upon the completion of the work by Licensees and their agents, employees and contractors, and the restoration of the property to a clean and orderly state and in the same condition as existed prior to the granting of this license, normal wear and tear excepted.

Seventh: It is understood and agreed that no vested right in said premises is hereby granted or conveyed from either party to the other, and that the privileges hereby given are subject to any and all encumbrances, conditions, restrictions and reservations upon or under which the parties held said premises prior to the granting of this license.

WITNESSETH:

THE CITY OF NEWBURGH
LICENSOR

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

ADAM POLLICK, CHRISTY A. PATTERSON, and
JERRY MALDONADO
LICENSEES

By: _____
Adam Pollick

By: _____
Christy A. Patterson

By: _____
Jerry Maldonado

Approved as to form:

MICHELLE KELSON
Corporation Counsel

KATHRYN MACK
City Comptroller

RESOLUTION NO.: 151 - 2018

OF

JUNE 11, 2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
SUPPORTING THE GREEN LIGHT LEGISLATION
TO ENSURE EQUAL ACCESS TO DRIVER'S LICENSES FOR
ALL RESIDENTS OF NEW YORK STATE**

WHEREAS, all residents of New York State, regardless of immigration status, should have equal access to driver's licenses; and

WHEREAS, New York State currently bars hundreds of thousands of immigrants in our state from obtaining driver's licenses due to their immigration status; and

WHEREAS, without access to licenses, many immigrants are unable to purchase, register, and insure their own vehicles and so face major barriers to meeting the most basic needs of day-to-day life: traveling to work, school, grocery shopping, medical appointments, and places of worship; and

WHEREAS, expanded immigrant access to driver's licenses will reduce the number of uninsured vehicles on the road, thereby lowering insurance premiums for all New York motorists; and

WHEREAS, with New York State currently in the process of redesigning its license policies to comply with the federal REAL ID Act by the 2018 deadline, now is the ideal moment to remove immigration status restrictions for driver's licenses;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Newburgh expresses its support and calls on the New York State Legislature to move forward Driver's License Bill A10273/S08680; and

BE IT FURTHER RESOLVED, that the City Clerk of the City of Newburgh, New York forward copies of this resolution to the offices of Assembly Member Frank Skartados and N.Y. Senator William Larkin.

**NYS LOCALITY RESOLUTION IN SUPPORT OF THE GREEN LIGHT
LEGISLATION TO ENSURE EQUAL ACCESS TO DRIVER'S LICENSES FOR
ALL RESIDENTS OF NEW YORK STATE.**

Resolution calling on the New York State Legislature to pass, and the Governor to sign Drivers Licenses Bill A10273 expanding access to driver's licenses to all New York State residents, regardless of immigration status.

(R-18-41)

Resolution Introduced by City of Poughkeepsie COUNCILMEMBER SALEM:

WHEREAS, All residents of New York State, regardless of immigration status, should have equal access to driver's licenses; and

WHEREAS, New York State currently bars hundreds of thousands of immigrants in our state from obtaining driver's licenses due to their immigration status; and

WHEREAS, Without access to licenses, many immigrants are unable to purchase, register, and insure their own vehicles and so face major barriers to meeting the most basic needs of day-to-day life: traveling to work, school, grocery shopping, medical appointments, and places of worship; and

WHEREAS, Expanded immigrant access to driver's licenses will reduce the number of uninsured vehicles on the road, thereby lowering insurance premiums for all New York motorists; and

WHEREAS, With New York State currently in the process of redesigning its license policies to comply with the federal REAL ID Act by the 2018 deadline, now is the ideal moment to remove immigration status restrictions for driver's licenses;

NOW, THEREFORE

BE IT RESOLVED, THAT the **Common Council in the City of Poughkeepsie** calls on the New York State Legislature to move forward Drivers Licenses Bill A10273, granting access to licenses for all residents of New York State.

A10273 Summary:

BILL NO A10273

SAME AS SAME AS

SPONSOR Crespo

COSPNR Mayer, Jaffee, Thiele, Peoples-Stokes, Ramos, Sepulveda, Ortiz, Otis, Davila, Cahill, Niou, Carroll, Simon, De La Rosa, Hunter, Taylor, Perry, Kim, Lifton, Espinal, Bronson, Rosenthal L, Dickens, Arroyo, Hevesi, D'Urso

MLTSPNSR Magnarelli

Amd §§201, 501, 501-a, 502 & 508, rpld §502 subs 1 & 7, add §502-b, V & T L

Authorizes the department of motor vehicles to issue standard drivers' licenses and restricts what information can be retained and given out on those applying or holding standard drivers' licenses.

A10273 Text:

STATE OF NEW YORK

10273

IN ASSEMBLY

April 4, 2018

Introduced by M. of A. CRESPO -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the department of motor vehicles to issue standard drivers' licenses; and to repeal subdivisions 1 and 7 of section 502 of the vehicle and traffic law relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. This act shall be known and may be cited as the "driver's
2 license access and privacy act".
3 § 2. Section 201 of the vehicle and traffic law, as added by chapter
4 380 of the laws of 1980, paragraph (b) of subdivision 1 and subdivision
5 2 as amended by chapter 568 of the laws of 1994, paragraph (f) of subdivision 1 as amended by chapter 550 of the laws of 1992, paragraph (i) of
6 subdivision 1 as amended by section 2 of part E of chapter 60 of the
7 laws of 2005, item 1 of clause (A) of subparagraph (ii) of paragraph (i)
8 of subdivision 1 as amended by section 1 of part I of chapter 58 of the
9 laws of 2015, item 2 of clause (A) of subparagraph (ii) of paragraph (i)
10 of subdivision 1 as amended by section 1 of part K of chapter 59 of the
11 laws of 2009, paragraph (j) of subdivision 1 as added by chapter 448 of
12 the laws of 1995, paragraph (k) of subdivision 1 as amended by chapter
13 391 of the laws of 1998, subdivision 5 as amended by chapter 196 of the
14 laws of 1996, subdivision 6 as amended by chapter 432 of the laws of
15 1997, and subdivision 7 as added by chapter 978 of the laws of 1984, is
16 amended to read as follows:
17
18 § 201. Custody of records. 1. Documents. The commissioner may destroy:
19 (a) any application, including supporting documents, for registration
20 and/or title of a motor vehicle or trailer, other than an application
21 for renewal of registration, or any notice of a lien on a motor vehicle
22 or trailer, after such application shall have been on file for a period
23 of five years;
24 (b) any application for renewal of a registration which results in the
25 issuance of a registration renewal of any motor vehicle or trailer, upon
26 entry of an electronic record of renewal on the files;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD14471-02-8

A. 10273

2

1 (c) any application for a federal-purpose driver's license, including
2 any document required to be filed with any such application, after such
3 application shall have been on file for a period of five years;
4 (d) any application for a standard driver's license, including any
5 document required to be filed with such application, after the applica-
6 tion has been reviewed, provided that such application and documents
7 shall be destroyed after having been on file for a period of six months;
8 (e) any application, including supporting documents, for the registra-
9 tion, other than a renewal of a registration, of a snowmobile after such
10 application shall have been on file for a period of two years;
11 ~~(f)~~ (f) any application for renewal of a registration which results
12 in the issuance of a registration renewal for any snowmobile, upon the
13 expiration of the registration renewal issued;
14 ~~(g)~~ (g) any application, including supporting documents, for regis-
15 tration and/or title of a motorboat, other than an application for
16 renewal of registration, or any notice of a lien on a motorboat after
17 such application shall have been on file for a period of four years;
18 ~~(h)~~ (h) any application for renewal of a registration which results
19 in the issuance of a registration renewal for any motorboat, upon the
20 expiration of the registration renewal issued;
21 ~~(i)~~ (i) any application, including supporting documents relating to
22 ownership, for any other registration, license or certificate issued
23 under this chapter and not specifically otherwise provided for in this
24 subdivision, after such application shall have been on file for a period
25 of five years;
26 ~~(j)~~ (j) (i) any accident reports filed with the commissioner,
27 conviction certificates, police reports, complaints, satisfied judgment
28 records, closed suspension and revocation orders, hearing records, other
29 than audio tape recordings of hearings, significant correspondence
30 relating to any of the same, and any other record on file after remain-
31 ing on file for four years except that if the commissioner shall
32 receive, during the last year of such period of four years, written
33 notice to retain one or more of such papers or documents, the same shall
34 be retained for another four years in addition to said period of four
35 years. The provisions of this paragraph shall not apply to certificates
36 of conviction filed with respect to convictions which affect sentencing
37 or administrative action required by law beyond such four year period.
38 Such certificates may be destroyed after they have no legal effect on
39 sentencing or administrative action;
40 (ii)(A) Notwithstanding the provisions of subparagraph (i) of this
41 paragraph, the commissioner may destroy any conviction certificates and
42 closed suspension and revocation orders after remaining on file for:
43 (1) fifty-five years where the conviction and suspension or revocation
44 order relates to a conviction, suspension or revocation by the holder of
45 any driver's license when operating a commercial motor vehicle, as
46 defined in subdivision four of section five hundred one-a of this chap-
47 ter, or by the holder of a commercial driver's license or commercial
48 learner's permit when operating any motor vehicle, who: has refused to
49 submit to a chemical test pursuant to section eleven hundred ninety-four
50 of this chapter or has been convicted of any of the following offenses:
51 any violation of subdivision two, two-a, three, four or four-a of
52 section eleven hundred ninety-two of this chapter, any violation of
53 subdivision one or two of section six hundred of this chapter, any felo-
54 ny involving the use of a motor vehicle, other than the use of a motor
55 vehicle in the commission of a felony involving manufacturing, distrib-
56 uting, dispensing a controlled substance; or the conviction, suspension

A. 10273

3

1 or revocation involves any of the following offenses while operating a
2 commercial motor vehicle: any violation of subdivision five or six of
3 section eleven hundred ninety-two of this chapter, driving a commercial
4 motor vehicle when as a result of prior violations committed while oper-
5 ating a commercial motor vehicle, the driver's commercial driver's
6 license or commercial learner's permit is suspended or revoked, or has
7 been convicted of causing a fatality through the negligent operation of
8 a commercial motor vehicle, including but not limited to the crimes of
9 vehicular manslaughter and criminally negligent homicide as set forth in
10 article one hundred twenty-five of the penal law;

11 (2) fifteen years for violating an out of service order as provided
12 for in the rules and regulations of the department of transportation
13 while operating a commercial motor vehicle.

14 (B) Any conviction arising out of the use of a motor vehicle in the
15 commission of a felony involving manufacturing, distributing, or
16 dispensing a controlled substance shall never be destroyed.

17 (C) The provisions of this subparagraph shall only apply to records
18 requested by a state, the United States secretary of transportation, the
19 person who is the subject of the record, or a motor carrier who employs
20 or who prospectively may employ the person who is the subject of the
21 record.

22 ~~[(f)] audio tape recordings of hearings, two years after such hearing;~~
23 ~~provided, however, that audio tape recordings of hearings held pursuant~~
24 ~~to section two hundred twenty-seven of this chapter may be destroyed~~
25 ~~ninety days after a determination has been made as prescribed in such~~
26 ~~section.]~~

27 (k) any records, including any reproductions or electronically created
28 images of such records and including any records received by the commis-
29 sioner from a court pursuant to paragraph (c) of subdivision ten of
30 section eleven hundred ninety-two of this chapter or section
31 forty-nine-b of the navigation law, relating to a finding of a violation
32 of section eleven hundred ninety-two-a of this chapter or a waiver of
33 the right to a hearing under section eleven hundred ninety-four-a of
34 this chapter or a finding of a refusal following a hearing conducted
35 pursuant to subdivision three of section eleven hundred ninety-four-a of
36 this chapter or a finding of a violation of section forty-nine-b of the
37 navigation law or a waiver of the right to a hearing or a finding of
38 refusal following a hearing conducted pursuant to such section, after
39 remaining on file for three years after such finding or entry of such
40 waiver or refusal or until the person that is found to have violated
41 such section reaches the age of twenty-one, whichever is the greater
42 period of time. Upon the expiration of the period for destruction of
43 records pursuant to this paragraph, the entirety of the proceedings
44 concerning the violation or alleged violation of such section eleven
45 hundred ninety-two-a of this chapter or such section forty-nine-b of the
46 navigation law, from the initial stop and detention of the operator to
47 the entering of a finding and imposition of sanctions pursuant to any
48 subdivision of section eleven hundred ninety-four-a of this chapter or
49 of section forty-nine-b of the navigation law shall be deemed a nullity,
50 and the operator shall be restored, in contemplation of law, to the
51 status he occupied before the initial stop and prosecution[-]; and

52 ~~[(l) audio tape recordings of hearings, two years after such hearing;~~
53 ~~provided, however, that audio tape recordings of hearings held pursuant~~
54 ~~to section two hundred twenty-seven of this title may be destroyed nine-~~
55 ~~ty days after a determination has been made as prescribed in such~~
56 ~~section.]~~

A. 10273

4

1 2. Reproduction of documents by commissioner. The provisions of subdi-
2 vision one of this section shall not prevent the commissioner from
3 reproducing a copy of any document specified in that subdivision or from
4 electronically creating and storing an image of any documents maintained
5 by the department. Such image or reproduction may be designated as the
6 official departmental record. The original document may be destroyed
7 after such reproduction or image has been made and filed and the
8 destruction of the reproduction or image shall be governed by the
9 provisions of subdivision one of this section.

10 3. Electronically or mechanically stored records. Any electronically
11 or mechanically stored record relating to:

12 (a) certificates of title shall be retained for a period of seven
13 years from the date of the issuance of the title plus an additional
14 three consecutive years of inactivity regarding the titled vehicle;

15 (b) liens and satisfaction of liens shall be retained for one year
16 from the date of satisfaction;

17 (c) renewal of the registration of any motor vehicle or trailer shall
18 be retained for a period of one year from the date of expiration of the
19 registration issued;

20 (d) federal-purpose driver's licenses shall be retained for a period
21 of two years from the date of expiration of the last driver's license
22 issued;

23 (e) standard driver's license may be retained only for a period of two
24 years from the date of expiration of the last driver's license issued;

25 (f) registrations, licenses, or certificates not otherwise provided
26 for in this subdivision shall be retained for a period of one year from
27 the date of expiration of the last registration, license or certificate;

28 ~~[(44)]~~ (g) documents specified in paragraph ~~[(44)]~~ (j) of subdivision
29 one of this section shall be retained until the document itself may be
30 destroyed.

31 4. Whenever any document referred to in subdivision one of this
32 section shall have been destroyed, a document produced from the surviv-
33 ing electronically or mechanically stored data record shall be consid-
34 ered the original record of such document.

35 5. Whenever any document referred to in subdivision one of this
36 section or any record retained in subdivision three of this section has
37 been retained beyond the required retention period of such document or
38 record, the document or record shall not be a public record; and, to the
39 extent that any document referred to in paragraph (k) of subdivision one
40 of this section has not been destroyed at the expiration of the
41 retention period set forth therein, such document shall be deemed
42 destroyed as a matter of law for all purposes upon the expiration of the
43 retention period.

44 6. Whenever any document referred to in subdivision one of this
45 section is filed with this department when it is not required to be
46 filed and is used by this department for no other purposes, other than
47 for statistics or research, the document shall not be a public record.
48 Provided, however, that an accident report filed with this department
49 when it is not required to be filed shall not be a public record except
50 as follows: for use by the state or any political subdivision thereof
51 for no other purposes other than for statistics or research relating to
52 highway safety; for any lawful purpose by a person to whom such report
53 pertains or named in such report, or his or her authorized represen-
54 tative; and, for use by any other person, or his or her authorized
55 representative, who has demonstrated to the satisfaction of the commis-

A. 10273

5

1 sioner that such person is or may be a party to a civil action arising
2 out of the conduct described in such accident report.

3 7. Where a judge or magistrate reports a license suspension or revoca-
4 tion to the commissioner, following a youthful offender determination,
5 as is required by section five hundred thirteen of this chapter, the
6 commissioner shall not make available the finding of the court of youth-
7 ful offender status to any person, or public or private agency.

8 8. Any portion of any record retained by the commissioner that identi-
9 fies a person's social security number, address, place of birth, country
10 of origin, place of employment, school or educational institution
11 attended, source of income, status as a recipient of public benefits, or
12 the customer identification number associated with a public utilities
13 account is not a public record and shall not be disclosed in response to
14 any request for records except where expressly authorized by this
15 section.

16 9. The commissioner shall not disclose records or information
17 collected from driver's license or learner's permit applicants or hold-
18 ers to any law enforcement agency absent a judicial subpoena or judicial
19 warrant that names the individual whose information is sought. If
20 presented with a judicial subpoena or judicial warrant, only those
21 records or information specifically identified in the subpoena or
22 warrant may be disclosed.

23 10. The commissioner shall not permit any third party, including any
24 law enforcement agency, to have direct physical or electronic access to
25 any databases or indexes maintained by the department.

26 11. The commissioner shall provide notice to each individual whose
27 information is requested by any third party, including law enforcement.
28 Such notice shall include the identity of the person or agency that made
29 the request.

30 12. Any databases or indexes maintained by the commissioner of driv-
31 er's license applicants or holders shall not include an individual's
32 social security number or whether the applicant or holder provided a
33 social security number, and shall not identify whether an individual
34 holds a standard or federal-purpose driver's license.

35 § 3. Subparagraphs (iv), (vi), (vii) and (viii) of paragraph (a) of
36 subdivision 2 and paragraph (a) of subdivision 5 of section 501 of the
37 vehicle and traffic law, subparagraphs (vi), (vii) and (viii) of para-
38 graph (a) of subdivision 2 as added by chapter 173 of the laws of 1990,
39 subparagraph (iv) of paragraph (a) of subdivision 2 as amended by chap-
40 ter 339 of the laws of 2005, paragraph (a) of subdivision 5 as amended
41 by chapter 692 of the laws of 1985, and subparagraph (ii) of paragraph
42 (a) of subdivision 5 as amended by chapter 644 of the laws of 2002, are
43 amended to read as follows:

44 (iv) Class D. Such license shall be valid to operate any passenger or
45 limited use automobile or any truck with a GVWR of not more than twen-
46 ty-six thousand pounds or any such vehicle towing a vehicle with a GVWR
47 of not more than ten thousand pounds, or any such vehicle towing another
48 vehicle with a GVWR of more than ten thousand pounds provided such
49 combination of vehicles has a GCWR of not more than twenty-six thousand
50 pounds, or any personal use vehicle with a GVWR of not more than twen-
51 ty-six thousand pounds or any such vehicle towing a vehicle with a GVWR
52 of not more than ten thousand pounds, except it shall not be valid to
53 operate a tractor, a motorcycle other than a class B or C limited use
54 motorcycle, a vehicle used to transport passengers for hire or for which
55 a hazardous materials endorsement is required, or a vehicle defined as a
56 bus in subdivision one of section five hundred nine-a of this title.

A. 10273

6

1 Such licenses may be issued either as a standard driver's license or a
2 federal-purpose driver's license.
3 (vi) Class DJ. Such license shall be valid to operate only vehicles
4 which may be operated with a class D license by a person under eighteen
5 years of age, except it shall not be valid to operate a motor vehicle
6 with an unladen weight or a GVWR of more than ten thousand pounds or any
7 motor vehicle towing another vehicle with an unladen weight or GVWR of
8 more than three thousand pounds. Such license shall automatically become
9 a class D license when the holder becomes eighteen years of age. Such
10 licenses may be issued either as a standard driver's license or a feder-
11 al-purpose driver's license.
12 (vii) Class M. Such license shall be valid to operate any motorcycle,
13 or any motorcycle, other than a limited use motorcycle, towing a trail-
14 er. Such licenses may be issued either as a standard driver's license
15 or a federal-purpose driver's license.
16 (viii) Class MJ. Such license shall be valid to operate any motorcycle
17 or limited use motorcycle by a person under eighteen years of age. Such
18 license shall automatically become a class M license when the holder
19 becomes eighteen years of age. Such licenses may be issued either as a
20 standard driver's license or a federal-purpose driver's license.
21 (a) The commissioner shall issue learner's permits as provided in this
22 article. Such permits may be issued either as a standard learner's
23 permit or a federal-purpose learner's permit. Such permits shall be
24 valid only:
25 (i) for the operation of a motor vehicle of a type which could be
26 operated by the holder of the class of license for which application is
27 being made;
28 (ii) when the holder is under the immediate supervision and control of
29 a person at least twenty-one years of age who holds a license valid in
30 this state for the operation of the type of vehicle being operated; and
31 (iii) in accordance with any additional restrictions prescribed by the
32 commissioner and noted on such permit.
33 § 4. Section 501-a of the vehicle and traffic law is amended by adding
34 three new subdivisions 9, 10 and 11 to read as follows:
35 9. Standard driver's license or learner's permit. A license or permit
36 card that authorizes a person to operate a motor vehicle as determined
37 by the class of license.
38 10. Federal-purpose driver's license or learner's permit. A license or
39 permit card that authorizes a person to operate a motor vehicle as
40 determined by the class of license, and which is intended to meet feder-
41 al standards for identification accepted by the federal government.
42 11. Judicial warrant. A warrant based on probable cause and issued by
43 a judge appointed pursuant to article III of the United States constitu-
44 tion or a federal magistrate judge appointed pursuant to 28 USC 631,
45 that authorizes federal immigration authorities to take into custody the
46 person who is the subject of such warrant.
47 § 5. Subdivisions 1 and 7 of section 502 of the vehicle and traffic
48 law are REPEALED and a new subdivision 1 is added to read as follows:
49 1. Application for license. Application for a federal-purpose driver's
50 license shall be made to the commissioner pursuant to this section. The
51 fee prescribed by law may be submitted with such application. The appli-
52 cant shall furnish such proof of identity, age, and fitness as may be
53 required by the commissioner. Applicants who cannot present sufficient
54 proof to obtain a federal-purpose driver's license shall be notified
55 that they may be eligible for a standard driver's license under section
56 five hundred two-b of this article. The commissioner may also provide

A. 10273

7

1 that the application procedure shall include the taking of a photo image
2 or images of the applicant in accordance with rules and regulations
3 prescribed by the commissioner. In addition, the commissioner also shall
4 require that the applicant provide his or her social security number and
5 shall provide space on the application so that the applicant may regis-
6 ter in the New York state organ and tissue donor registry under section
7 forty-three hundred ten of the public health law with the following
8 stated on the application in clear and conspicuous type:

9 "You must fill out the following section: Would you like to be added
10 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
11 tion'."

12 The commissioner of health shall not maintain records of any person
13 who checks "skip this question". Except where the application is made in
14 person or electronically, failure to check a box shall not impair the
15 validity of an application, and failure to check "yes" or checking "skip
16 this question" shall not be construed to imply a wish not to donate. In
17 the case of an applicant under eighteen years of age, checking "yes"
18 shall not constitute consent to make an anatomical gift or registration
19 in the donate life registry, except as otherwise provided pursuant to
20 the provisions of paragraph (b) of subdivision one of section forty-
21 three hundred one of the public health law. Where an applicant has
22 previously consented to make an anatomical gift or registered in the
23 donate life registry, checking "skip this question" or failing to check
24 a box shall not impair that consent or registration. In addition, an
25 applicant for a commercial driver's license who will operate a commer-
26 cial motor vehicle in interstate commerce shall certify that such appli-
27 cant meets the requirements to operate a commercial motor vehicle, as
28 set forth in public law 99-570, title XII, and title 49 of the code of
29 federal regulations, and all regulations promulgated by the United
30 States secretary of transportation under the hazardous materials trans-
31 portation act. In addition, an applicant for a commercial driver's
32 license shall submit a medical certificate at such intervals as required
33 by the federal motor carrier safety improvement act of 1999 and Part
34 383.71(h) of title 49 of the code of federal regulations relating to
35 medical certification and in a manner prescribed by the commissioner.
36 For purposes of this section and sections five hundred three, five
37 hundred ten-a, and five hundred ten-aa of this title, the terms "medical
38 certificate" and "medical certification" shall mean a form substantially
39 in compliance with the form set forth in Part 391.43(h) of title 49 of
40 the code of federal regulations. Upon a determination that the holder of
41 a commercial driver's license has made any false statement, with respect
42 to the application for such license, the commissioner shall revoke such
43 license.

44 § 6. Subdivision 3, paragraph (a) of subdivision 5 and paragraph (a)
45 of subdivision 6 of section 502 of the vehicle and traffic law, subdivi-
46 sion 3 as amended by chapter 97 of the laws of 2016, paragraph (a) of
47 subdivision 5 as amended by chapter 138 of the laws of 1981, and para-
48 graph (a) of subdivision 6 as amended by section 3 of part K of chapter
49 59 of the laws of 2009, are amended to read as follows:

50 3. Application for learner's permit. An application for a learner's
51 permit shall be included in the application for a standard or federal-
52 purpose driver's license. A learner's permit shall be issued in such
53 form as the commissioner shall determine but shall not be issued unless
54 the applicant has successfully passed the vision test required by this
55 section and the test set forth in paragraph (a) of subdivision four of
56 this section with respect to laws relating to traffic and ability to

A. 10273

8

1 read and comprehend traffic signs and symbols and has satisfactorily
2 completed any course required pursuant to paragraph (a) of subdivision
3 four of this section. Upon acceptance of an application for a learner's
4 permit the commissioner shall provide the applicant with a driver's
5 manual which includes but is not limited to the laws relating to traf-
6 fic, the laws relating to and physiological effects of driving while
7 ability impaired and driving while intoxicated, the law for exercising
8 due care to avoid colliding with a parked, stopped or standing vehicle
9 pursuant to section eleven hundred forty-four-a of this chapter, expla-
10 nations of traffic signs and symbols and such other matters as the
11 commissioner may prescribe.

12 (a) Upon successful completion of the requirements set forth in subdi-
13 vision four of this section, and upon payment of the fee prescribed by
14 law, the commissioner shall issue an appropriate ~~federal-purpose driv-~~
15 ~~er's~~ license to the applicant, except that the commissioner may refuse
16 to issue such license:

17 (i) if the applicant is the holder of a currently valid or renewable
18 license to drive issued by another state [~~or foreign country~~] unless the
19 applicant surrenders such license, or

20 (ii) if such issuance would be inconsistent with the provisions of
21 section five hundred sixteen of this chapter.

22 (a) A license issued pursuant to subdivision five of this section
23 shall be valid until the expiration date contained thereon, unless such
24 license is suspended, revoked or cancelled. Such license may be renewed
25 by submission of an application for renewal, the fee prescribed by law,
26 proofs of prior licensing, fitness and acceptable vision prescribed by
27 the commissioner, the applicant's social security number, and if
28 required by the commissioner a photo image of the applicant in such
29 numbers and form as the commissioner shall prescribe. In addition, an
30 applicant for renewal of a license containing a hazardous material
31 endorsement shall pass an examination to retain such endorsement. The
32 commissioner shall, with respect to the renewal of a hazardous materials
33 endorsement, comply with the requirements imposed upon states by
34 sections 383.141 and 1572.13 of title 49 of the code of federal regu-
35 lations. A renewal of such license shall be issued by the commissioner
36 upon approval of such application, except that no such license shall be
37 issued if its issuance would be inconsistent with the provisions of
38 section five hundred sixteen of this title, and except that the commis-
39 sioner may refuse to renew such license if the applicant is the holder
40 of a currently valid or renewable license to drive issued by another
41 state [~~or foreign country~~] unless the applicant surrenders such license.

42 § 7. The vehicle and traffic law is amended by adding a new section
43 502-b to read as follows:

44 § 502-b. Standard driver's licenses. 1. Issuance of standard driver's
45 licenses and learner's permits. (a) The commissioner shall issue stand-
46 ard driver's licenses and learner's permits in accordance with this
47 section to any eligible applicant who seeks one.

48 (b) Such licenses and permits shall be made available with the classi-
49 fications of D, DJ, M, and MJ as defined by subdivision two of section
50 five hundred one of this article, and shall be valid for the same peri-
51 ods as the equivalent class of federal-purpose license.

52 (c) Such licenses shall be visually identical to federal-purpose driv-
53 er's licenses issued pursuant to section five hundred two of this arti-
54 cle except that such licenses may state "Not for Federal Purposes" in a
55 font no larger than the smallest font otherwise appearing on the face of
56 the card. The commissioner may promulgate regulations to approve addi-

A. 10273

9

1 tional design or color indicators for standard or federal-purpose
2 licenses if required to comply with federal law.

3 2. Eligibility for standard driver's licenses. (a) Notwithstanding any
4 other provision of this article, a standard driver's license shall be
5 issued to any applicant who furnishes proof of identity, age, and
6 fitness as required by this section.

7 (b) Proof of identity and age. The commissioner shall promulgate regu-
8 lations to establish acceptable proof of age and identity for standard
9 driver's license and learner's permit applicants, provided that:

10 (i) the commissioner shall accept a passport or government identifica-
11 tion document issued in a foreign country as at least one form of proof;
12 and

13 (ii) if any applicant is required to furnish a social security number,
14 applicants may have the option of signing an affidavit stating that the
15 applicant has not been issued a social security number.

16 (c) Proof of fitness. Applicants for standard driver's licenses and
17 learner's permits shall be subject to the same minimum age requirements
18 as provided for in subdivision two of section five hundred two of this
19 article, and shall be subject to the same examination requirements as
20 provided for in subdivision four of section five hundred two of this
21 article.

22 (d) Notwithstanding any other provision of this article or title,
23 applicants for standard driver's licenses and learner's permits shall
24 not be required to prove that they are lawfully present in the United
25 States.

26 3. Application form. (a) The commissioner shall provide an application
27 form for standard driver's licenses in accordance with this section.

28 (b) The application form may include fields for an applicant's name,
29 date of birth, residential and mailing address, sex, height, eye color,
30 veteran status, whether the applicant chooses to be an organ donor, and
31 consent of the applicant's parent or guardian, when applicable.

32 (c) The applications form shall include a single field to indicate
33 whether an applicant has furnished proof of identity as required by this
34 section, and shall not state the documents used to prove identity.

35 (d) The applications form shall not state an applicant's ineligibility
36 for a social security number where applicable, and shall not state a
37 person's citizenship or immigration status.

38 4. Renewals. A standard driver's license or learner's permit may be
39 renewed according to the procedures provided in subdivision six of
40 section five hundred two of this article, except that the applicant
41 shall not be required to provide a social security number.

42 5. Custody of records. (a) Notwithstanding any other provision of this
43 article, the commissioner shall collect, store, and maintain documents
44 and information furnished by applicants for standard driver's licenses
45 in accordance with this subdivision.

46 (b) The commissioner shall not collect or retain the documents or
47 copies of the documents furnished by an applicant for a standard driv-
48 er's license, including those documents furnished as proof of identity
49 and age.

50 (c) The commissioner may collect the application form completed by an
51 applicant for a standard driver's license for the period necessary to
52 review the application, provided that such application and any copies of
53 such application shall be destroyed after a period of no more than six
54 months. Application forms shall not be public records and shall not be
55 disclosed in response to any public records request.

A. 10273

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1 (d) The commissioner shall not disclose any information collected
2 pursuant to this section to any law enforcement agency absent a judicial
3 subpoena or judicial warrant that names the individual whose information
4 is sought. If presented with a judicial subpoena or judicial warrant,
5 only those records specifically identified in the subpoena or warrant
6 may be disclosed.

7 6. Prohibition on discrimination. (a) It shall be a violation of law,
8 including but not limited to article fifteen of the executive law, to
9 discriminate against an individual because he or she applies for, holds,
10 or presents a standard driver's license or learner's permit.

11 (b) A standard driver's license or learner's permit shall not be used
12 as evidence of a person's citizenship or immigration status, and shall
13 not be the basis for investigating, arresting, or detaining a person.

14 (c) Employees of the department shall not inquire about a standard
15 driver's license or learner's permit applicant's citizenship or immi-
16 gration status.

17 § 8. Subdivisions 2 and 3 of section 508 of the vehicle and traffic
18 law, as added by chapter 780 of the laws of 1972, are amended to read as
19 follows:

20 2. Any application required to be filed under this article shall be in
21 a manner and on a form or forms prescribed by the commissioner. The
22 applicant shall furnish all information required by statute and, except
23 where otherwise provided in this title, such other information as the
24 commissioner shall deem appropriate.

25 3. License record. The commissioner shall keep a record of every
26 license issued which record shall be open to public inspection during
27 reasonable business hours. Such record shall not include the social
28 security number, address, place of birth, country of origin, place of
29 employment, school or educational institution attended, source of
30 income, status as a recipient of public benefits, or the customer iden-
31 tification number associated with a public utilities account of any
32 license holders or applicants. Neither the commissioner nor his agent
33 shall be required to allow the inspection of an application, or to
34 furnish a copy thereof, or information therefrom, until a license has
35 been issued thereon.

36 § 9. This act shall take effect immediately.



BOYS & GIRLS CLUB

Boys & Girls Club of Newburgh

285 Liberty Street, Newburgh, NY 12550

Phone: (845)561-4936 Fax: (845)561-5288

Board of Directors

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Thomas M. Ritzenthaler, AIA

Deidre Glenn
Director of Planning and Development
City of Newburgh
83 Broadway
Newburgh, N.Y. 12550

May 21, 2018

Dear Ms. Glenn

The Boys & Girls Club of Newburgh (BGCN) is requesting a Resolution of Support for its 2018 CFA Application.

BGCN is requesting \$500,000 for the rehabilitation of the Columbus Trust building from the New York State Office of Parks, Recreation and Historic Preservation under the Historic Preservation Program for the purpose of funding the Center for Arts and Education project.

Thank you for your attention to this matter. If you have any questions or require additional information you can contact me at 845-561-4936.

Sincerely,

Kevin White
Executive Director

RESOLUTION NO.: 152 - 2018

OF

JUNE 11, 2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE 2018 CONSOLIDATED FUNDING APPLICATION OF
THE BOYS AND GIRLS CLUB OF NEWBURGH, INC. TO THE NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR A
HISTORIC PRESERVATION GRANT FOR THE REHABILITATION OF
THE COLUMBUS TRUST (KEY BANK) BUILDING**

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation Historic Preservation Program provides funding to improve, protect, preserve, rehabilitate, restore or acquire properties listed on the State or Federal Register of Historic Places; and

WHEREAS, the Boys and Girls Club of Newburgh, Inc. intends to apply for grant funding under the Historic Preservation Program to support the rehabilitation of the Columbus Trust (Key Bank) building located at the corner of Broadway and Grand Street, a site located within the territorial jurisdiction of the City Council for the purpose of the development of The Center for Arts and Education to serve the City's youth and further stimulate reinvestment in our commercial-civic-residential downtown thereby creating a healthier, economically vibrant community; and

WHEREAS, the Boys and Girls Club of Newburgh, Inc. proposes to expand and relocate the Newburgh Performing Arts Academy, a highly successful school of the arts providing pre-professional instruction in dance, music, theater and visual arts to children, youth and adults, and Early Elementary Education Center in order to expand and serve 160 children in grades pre-K to 3 with literacy and other academic enrichment programs to ensure they reach critical 4th grade reading proficiencies; and

WHEREAS, the Boys and Girls Club of Newburgh, Inc. is committed to developing The Center for Arts and Education to further the revitalization of lower Broadway and the City's East End by drawing over 1500 children, youth and adults to its facility each week along with an additional 3,000 visitors and tourists that come out to the various arts events it hosts annually and also serve as a substantial draw for other businesses to relocate or establish themselves in the area, particularly those businesses that rely on foot traffic to generate revenue celebrate and perpetuate craftsmanship, culture and community; and

WHEREAS, the City Council finds that supporting the repair and rehabilitation of the Columbus Trust Building into The Center for Arts and Education is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York fully supports the 2018 Consolidated Funding Application of the Boys and Girls Club of Newburgh, Inc. to the New York State Office of Parks, Recreation and Historic Preservation for a Historic Preservation Program Grant to support the rehabilitation of the Columbus Trust (Key Bank) Building for the development of The Center for Arts and Education.

RESOLUTION NO. 153 - 2018

OF

JUNE 11, 2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE 2018 CONSOLIDATED FUNDING APPLICATION OF
THE THORNWILLOW INSTITUTE FOR AN EMPIRE STATE DEVELOPMENT
MARKET NEW YORK PROGRAM GRANT FOR THE DEVELOPMENT OF
THE THORNWILLOW MAKER'S VILLAGE**

WHEREAS, Empire State Development Market New York Grant Program is established to strengthen tourism and attract visitors to New York State by promoting destinations, attractions and special events; and

WHEREAS, the Thornwillow Institute seeks Empire State Development Market New York grant funding for the redevelopment properties of located on South Lander Street, Spring Street and South William Street, all of which are located one block west of Washington's Headquarters and one block south of the East Parmenter Street Project, in connection with the development of The Thornwillow Maker's Village; and

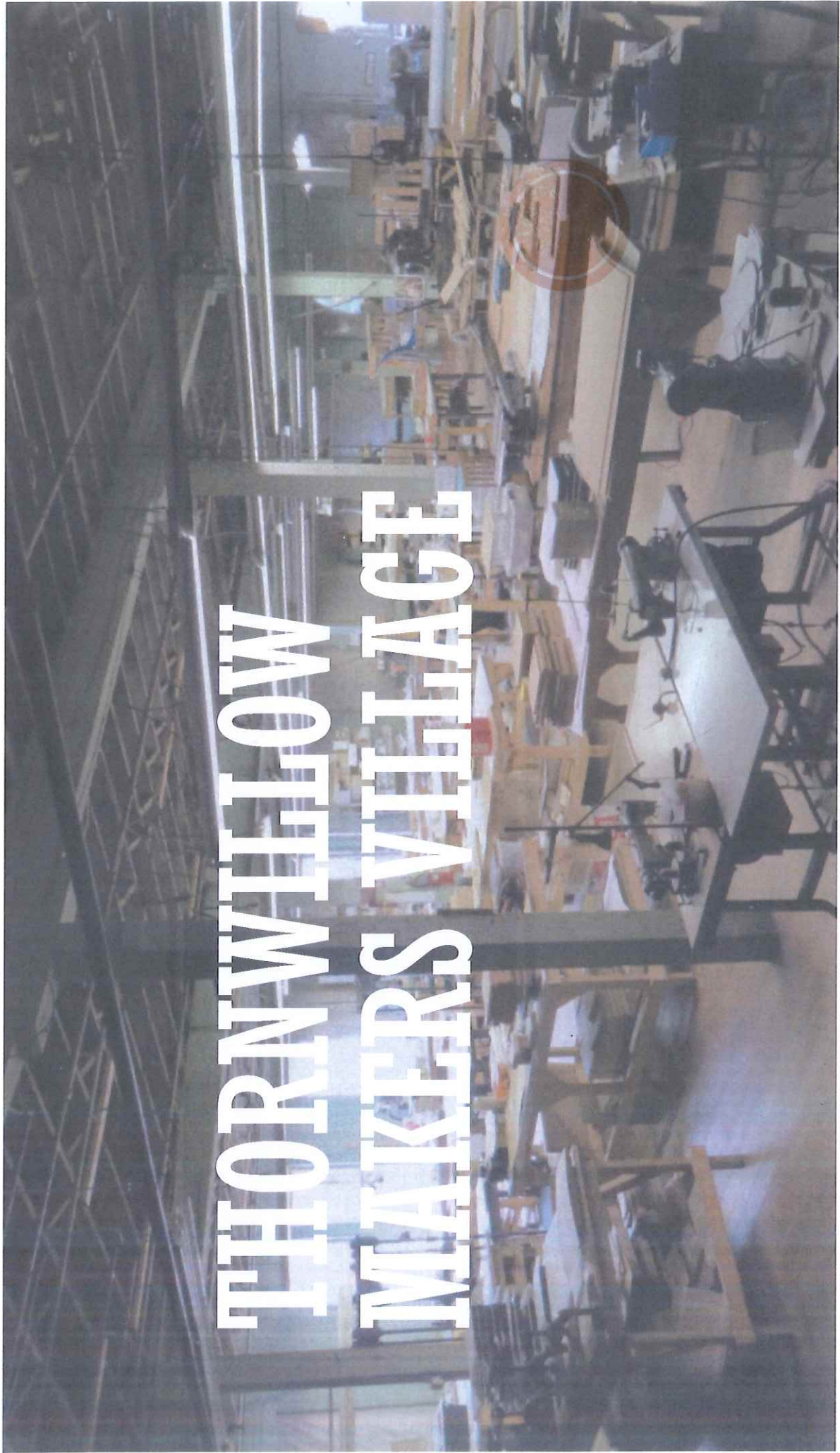
WHEREAS, The Thornwillow Maker's Village proposes to include live/work housing; artist and writers residency programs, training programs and exhibition space; a commercial community kitchen, indoor marketplace and restaurant; and storefronts, studios and workshops and a digital press to support incubating businesses as well as the Thornwillow Institute and Thornwillow Press's design, printing, binding, publishing and e-commerce businesses; and

WHEREAS, the Thornwillow Institute is committed to developing The Thornwillow Maker's Village into a significant tourist destination to promote and perpetuate craftsmanship, culture and community; and

WHEREAS, the City Council find that supporting the development of The Thornwillow Maker's Village is in the best interests of the City of Newburgh and its further development;

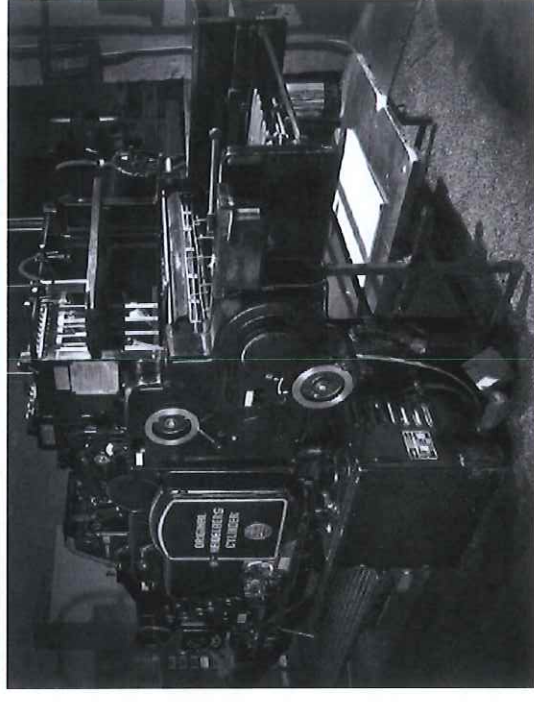
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York fully supports the 2018 Consolidated Funding Application of the Thornwillow Institute to the Empire State Development Market New York Program Grant Fund for the development of The Thornwillow Maker's Village.

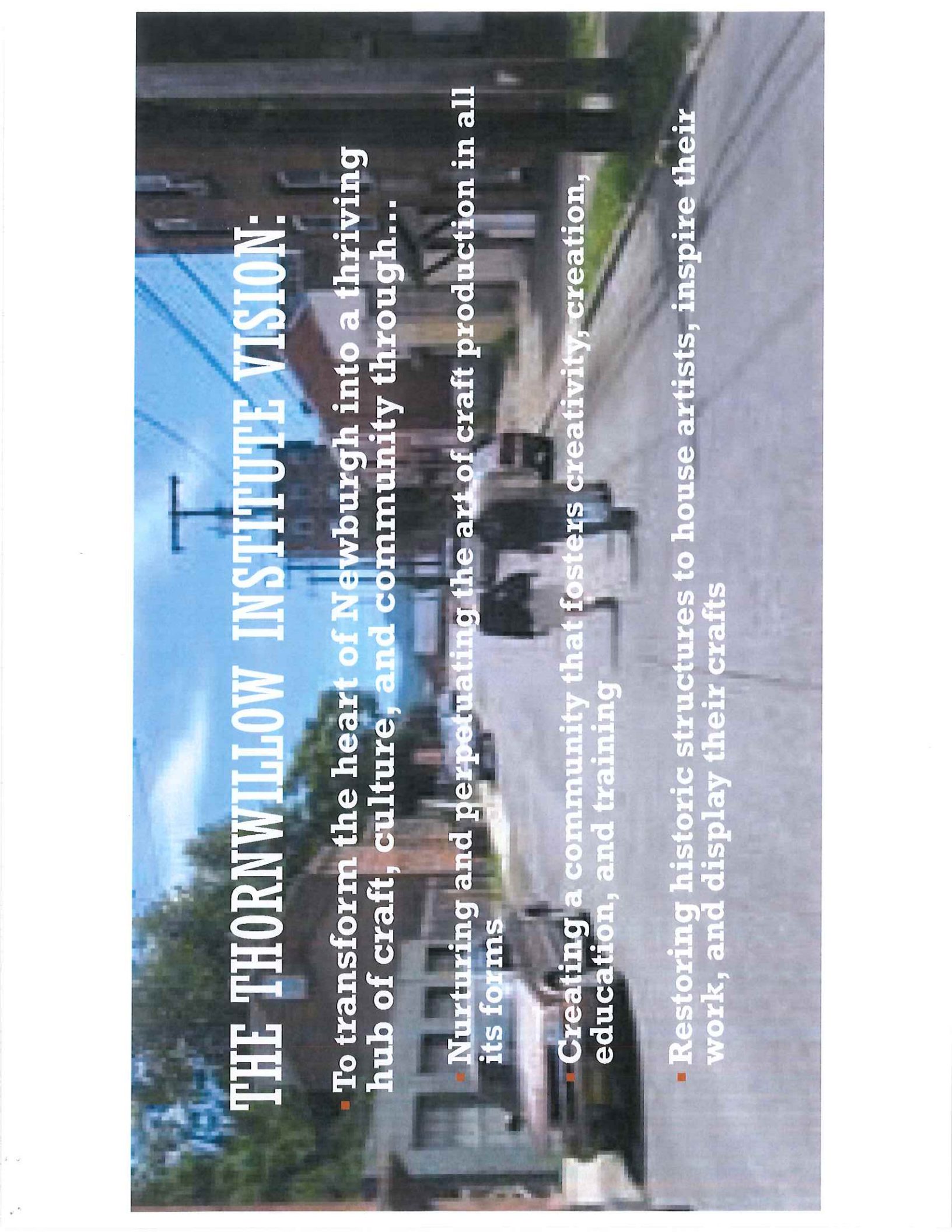
THORNWILLOW MAKERS VILLAGE



THORNWILLOW PRESS

- Founded in 1985, one of the world's leading publishers of limited-edition books
- Provides hand-crafted publications, stationery and gifts to clients including The White House, The Morgan Library, and Harvard University
- Based in Newburgh since 2004
- Founded the Thornwillow Institute in 2015 to make craft production a catalyst for Newburgh's revitalization





THE THORNWILLOW INSTITUTE VISION:

- To transform the heart of Newburgh into a thriving hub of craft, culture, and community through...
- Nurturing and perpetuating the art of craft production in all its forms
- Creating a community that fosters creativity, creation, education, and training
- Restoring historic structures to house artists, inspire their work, and display their crafts

THORNWILLOW INSTITUTE

- Offers workshops and maker classes in traditional book arts to writers and artists
- Provides job and career training in book binding and book arts
- Fosters job growth in Newburgh
- Celebrates, promotes, and perpetuates the art of craftsmanship



THORNWILLOW PARTNERSHIPS

Educational programs:

- Newburgh Free Academy- high school workshops
- Mount St. Mary's- internship program

Arts collaborations:

- Storm King
- DIA Beacon
- Boscobel House and Gardens

Culinary partnerships:

- Glynwood
- Culinary Institute of America



THORNWILLOW EVENTS / PARTNERSHIPS

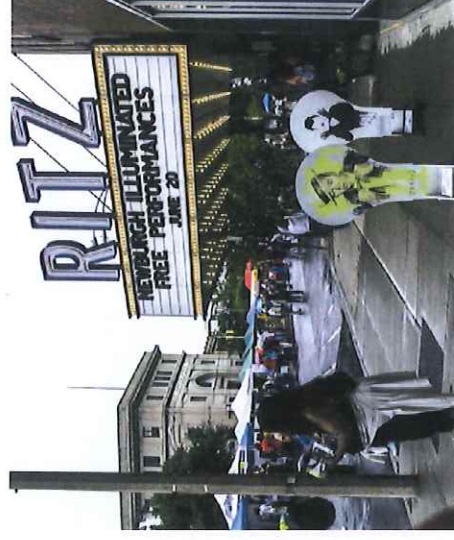
Thornwillow Institute hosts and produces many public events both at Thornwillow Institute and its partner venues. This includes:

- The English Concern American Fellows, Autumn Hudson Valley Musicale @Thornwillow Institute
- Friday Night Prologues for the HV Shakespearean Festival @ Boscobel House and Gardens
- Re-juvenation: Through an Urban Perspective @Thornwillow Institute
- Made for You: New Directions in Contemporary Design, Samuel Dorsky Museum of Art @ SUNY New Paltz



NEWBURGH AS HOME AND INSPIRATION

- Newburgh is a city alive with opportunity and is experiencing a re-birth of activity and creativity
- Arts, culture, and craft can act a catalyst for economic growth
- Incubation of existing artists and makers can attract additional training opportunities as well as new makers, locals and visitors



GROWTH IN NEWBURGH

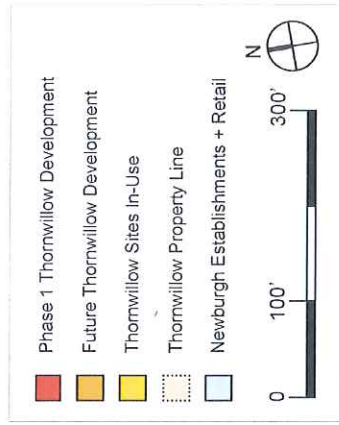
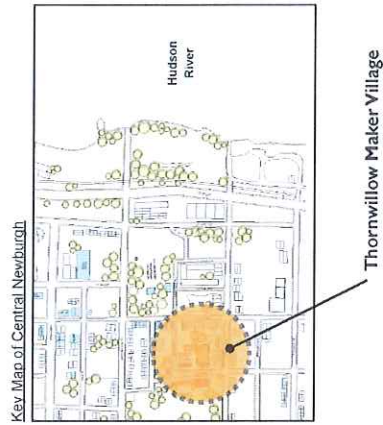
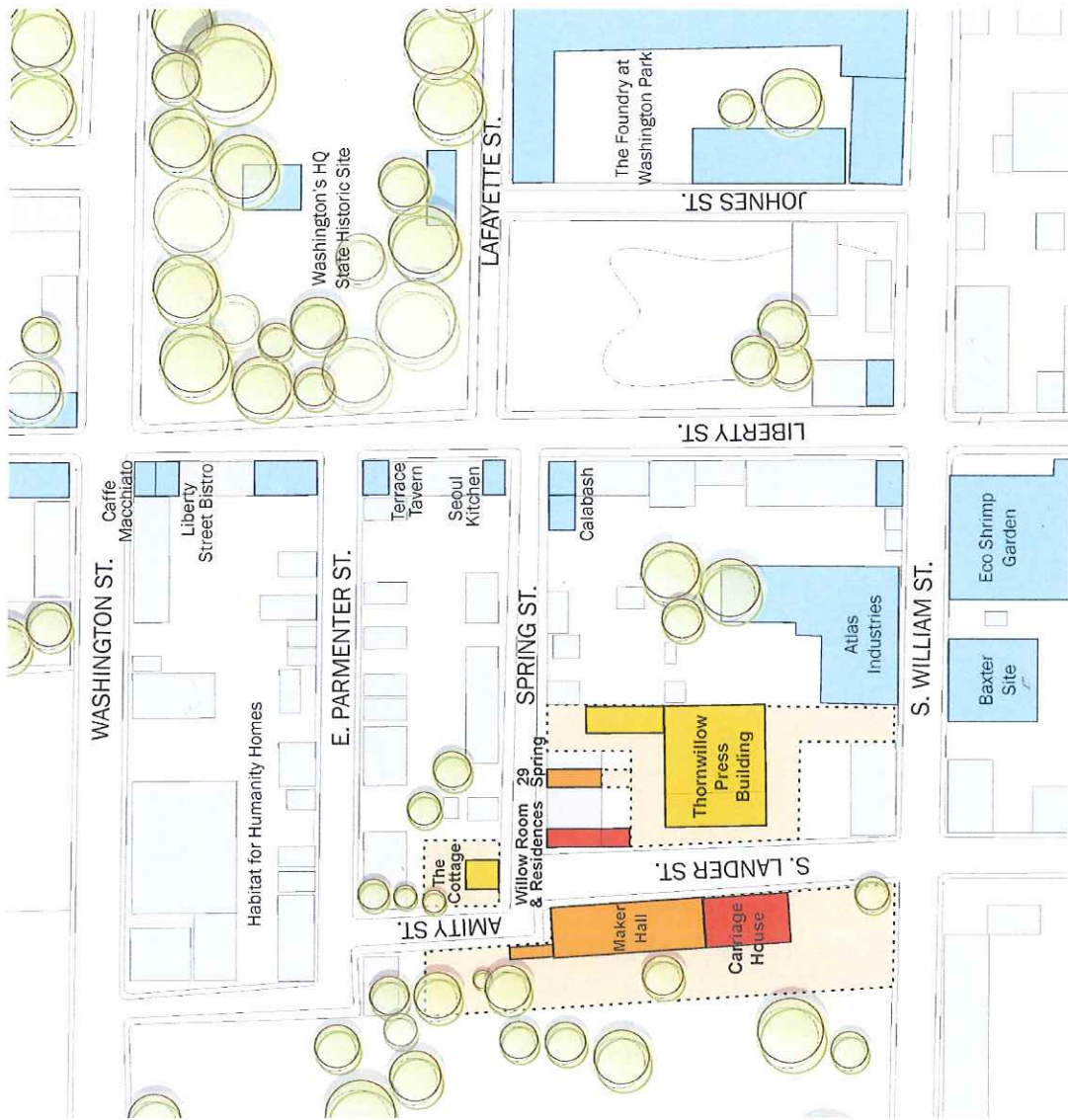
- Over the past few years, Newburgh has become home to new businesses, creative makers, and civic partnerships, all growing and adding to the creative culture of the city
- Atlas studios
- Newburgh OPEN studios
- Art studio spaces and galleries along the waterfront
- Blacc Vanilla Café and Community Space



THORNWILLOW MAKERS VILLAGE

- A transformative initiative located in Newburgh's East End Historic District
- Iconic destination for artisanal production
- Encompasses 100,000 square feet in and around five adjacent properties, owned by Hudson Valley Paperworks and Thornwillow Institute's founders
- Centered around a historic carriage house on South Lander Street
- Includes maker and incubator spaces, live/work studios, gallery and event spaces, a culinary arts kitchen, retail, and food and beverage destinations





MAKERS VILLAGE PROGRAM COMPONENTS



PHASED DEVELOPMENT PLAN

- Existing Development:
 - Thornwillow Press building opened in 2004
- Initial Village Development Includes:
 - The Carriage House (12,000 SF)
 - The Willow Room and Residences (3,000 SF)
- Subsequent Village Development:
 - Maker Hall (8,000 SF)
 - Community Kitchen (2,500-4,000 SF)
 - The Cottage (1,500 SF)



THE CARRIAGE HOUSE

- Renovation of historic brick carriage house will house studio and gallery space
- Ground floor will include gallery showroom and public café
- Second floor will be fit out for artist studios and lofts
- Opening the ground floor will create an inviting and fluid street front, attracting visitors and commerce to Newburgh's East End Historic District.

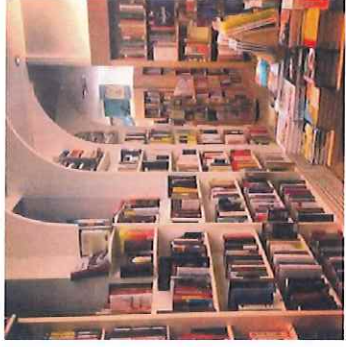


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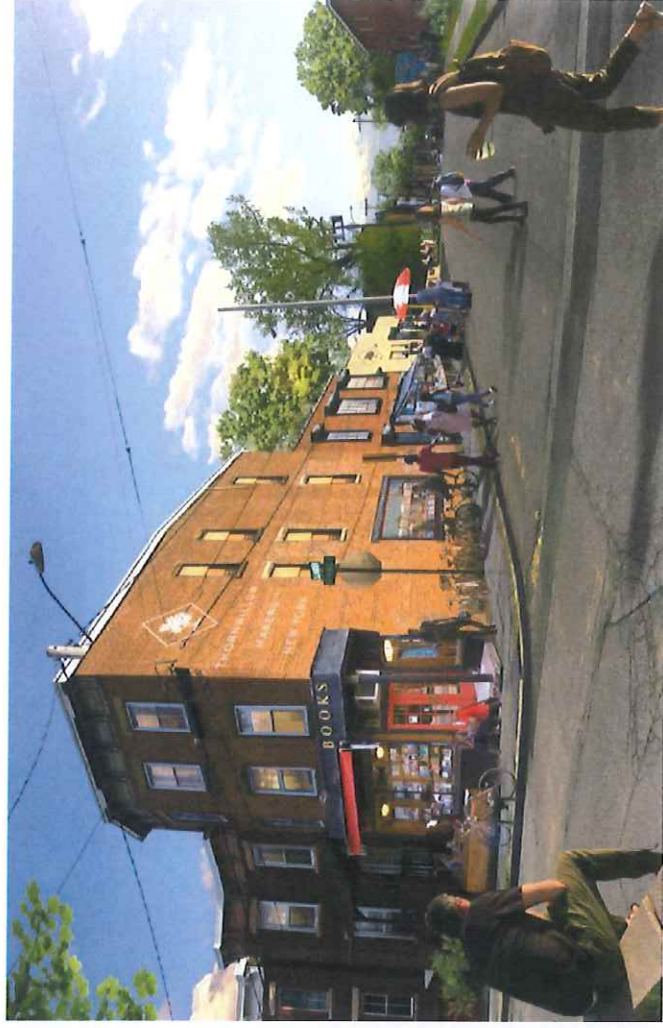


WILLOW ROOM AND RESIDENCES

- Ground floor:
 - Community bookstore
 - Includes bookbinding, training, and maker class space
 - Collaboration with Thornwillow Institute fellowship and training programs
- Second floor and third floors:
 - Fellowship residences
 - 3-4 apartments reserved for individuals participating in the Thornwillow Institute fellowship programs



WILLOW ROOM AND RESIDENCES



THORNWILLOW MAKER VILLAGE IMPACT

- Create diverse, dynamic maker jobs
- Incubate and mentor small businesses
- Activate and enliven local community activity
- Rehabilitate the historic neighborhood fabric of Newburgh's East End
- Attract people through galleries, food, and commerce
- Build creative synergies



TIMELINE

- Spring 2018: Planning, pre-development, capital campaign fundraising
- Summer 2019: Groundbreaking
- Mid 2020: Grand opening of Carriage House and Willow Room



RESOLUTION NO. 154 - 2018

OF

JUNE 11, 2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE 2018 CONSOLIDATED FUNDING APPLICATION OF
THE THORNWILLOW INSTITUTE FOR A NEW YORK STATE
COUNCIL ON THE ARTS – ARTS AND CULTURAL FACILITIES IMPROVEMENT
PROGRAM LARGE PROJECT CAPITAL GRANT
FOR THE DEVELOPMENT OF THE THORNWILLOW MAKER’S VILLAGE**

WHEREAS, The New York State Council on the Arts – Arts & Cultural Facilities Improvement Program is a capital grant program established to strengthen tourism, promote business development, and improve the quality, efficiency and accessibility of New York State arts and cultural organizations through targeted investments; and

WHEREAS, the Thornwillow Institute seeks The New York State Council on the Arts – Arts & Cultural Facilities Improvement Program Large Project Capital Project grant funding for the redevelopment of properties located on South Lander Street, Spring Street and South William Street, all of which are located one block west of Washington’s Headquarters and one block south of the East Parmenter Street Project, in connection with the development of The Thornwillow Maker’s Village; and

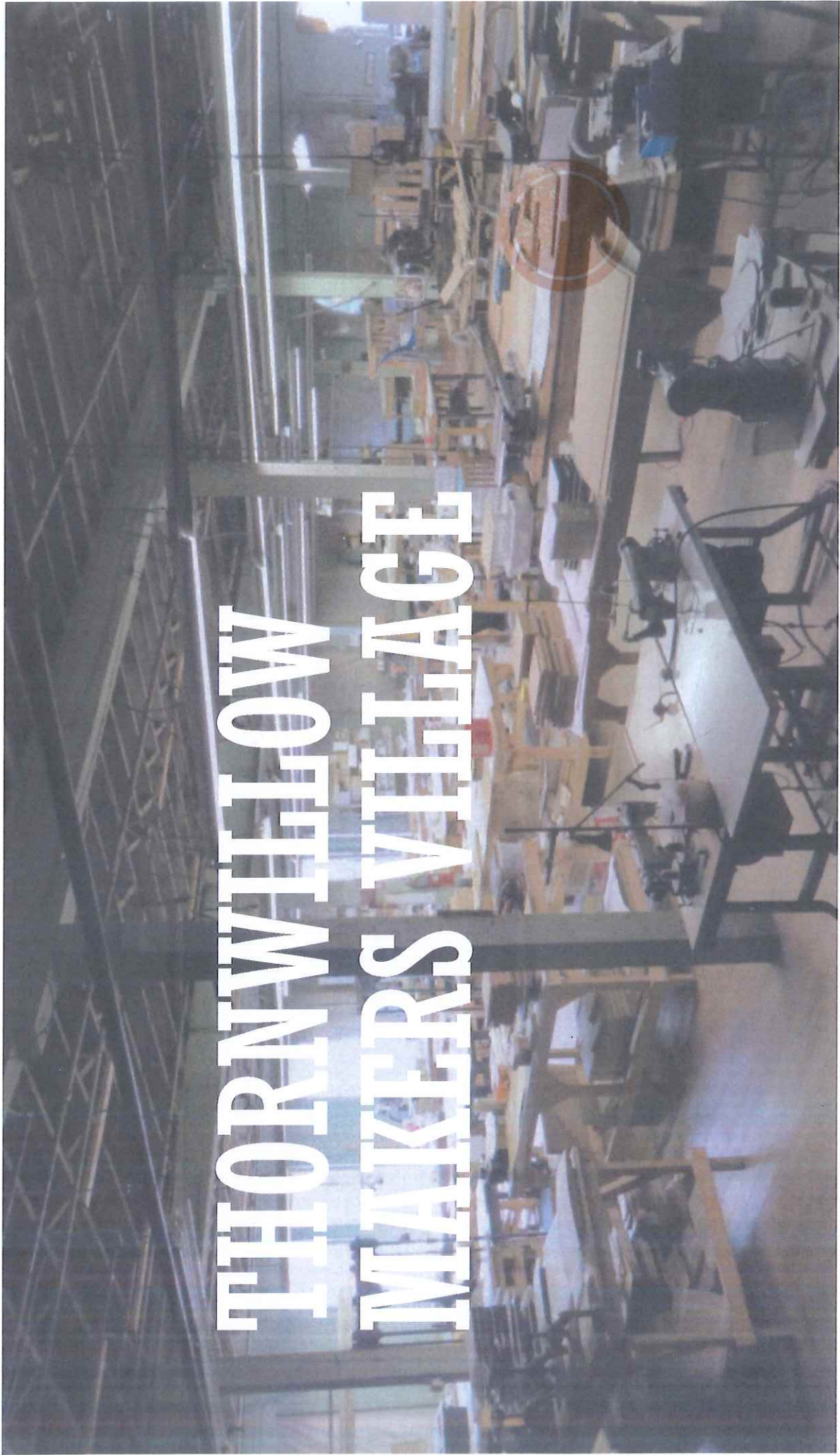
WHEREAS, The Thornwillow Maker’s Village proposes to include live/work housing; artist and writers residency programs, training programs and exhibition space; a commercial community kitchen, indoor marketplace and restaurant; and storefronts, studios and workshops and a digital press to support incubating businesses as well as the Thornwillow Institute and Thornwillow Press’s design, printing, binding, publishing and e-commerce businesses; and

WHEREAS, the Thornwillow Institute is committed to developing The Thornwillow Maker’s Village into a significant tourist destination to improve the accessibility of craftsmanship, culture and community and thereby increase the economic impact in the region as a result of increased tourism and visitor spending; and

WHEREAS, the City Council find that supporting the development of The Thornwillow Maker’s Village is in the best interests of the City of Newburgh and its further development;

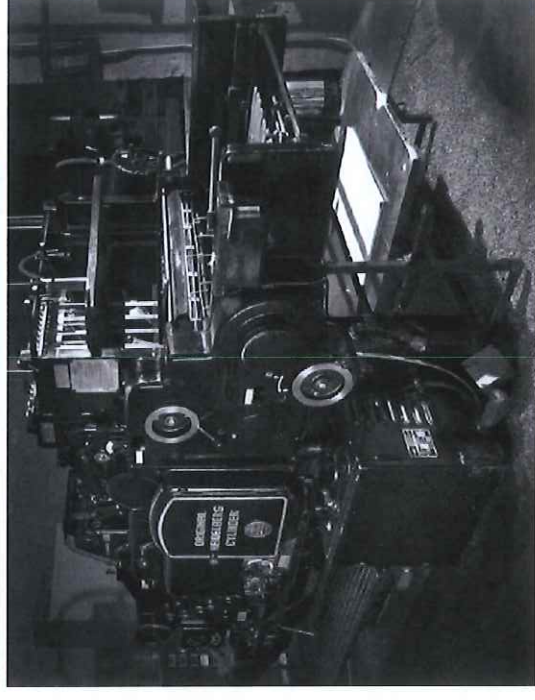
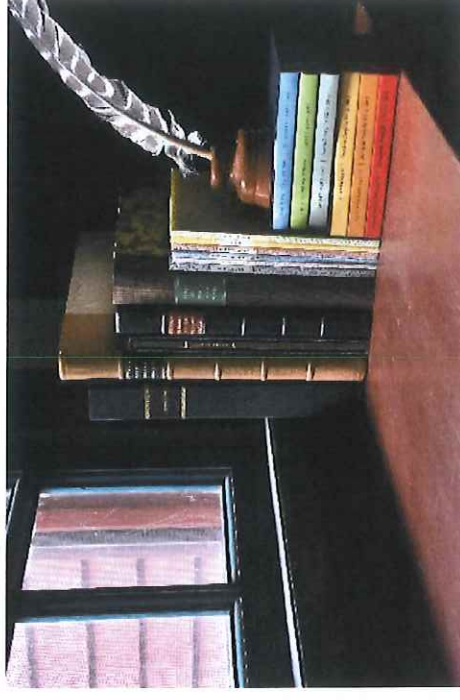
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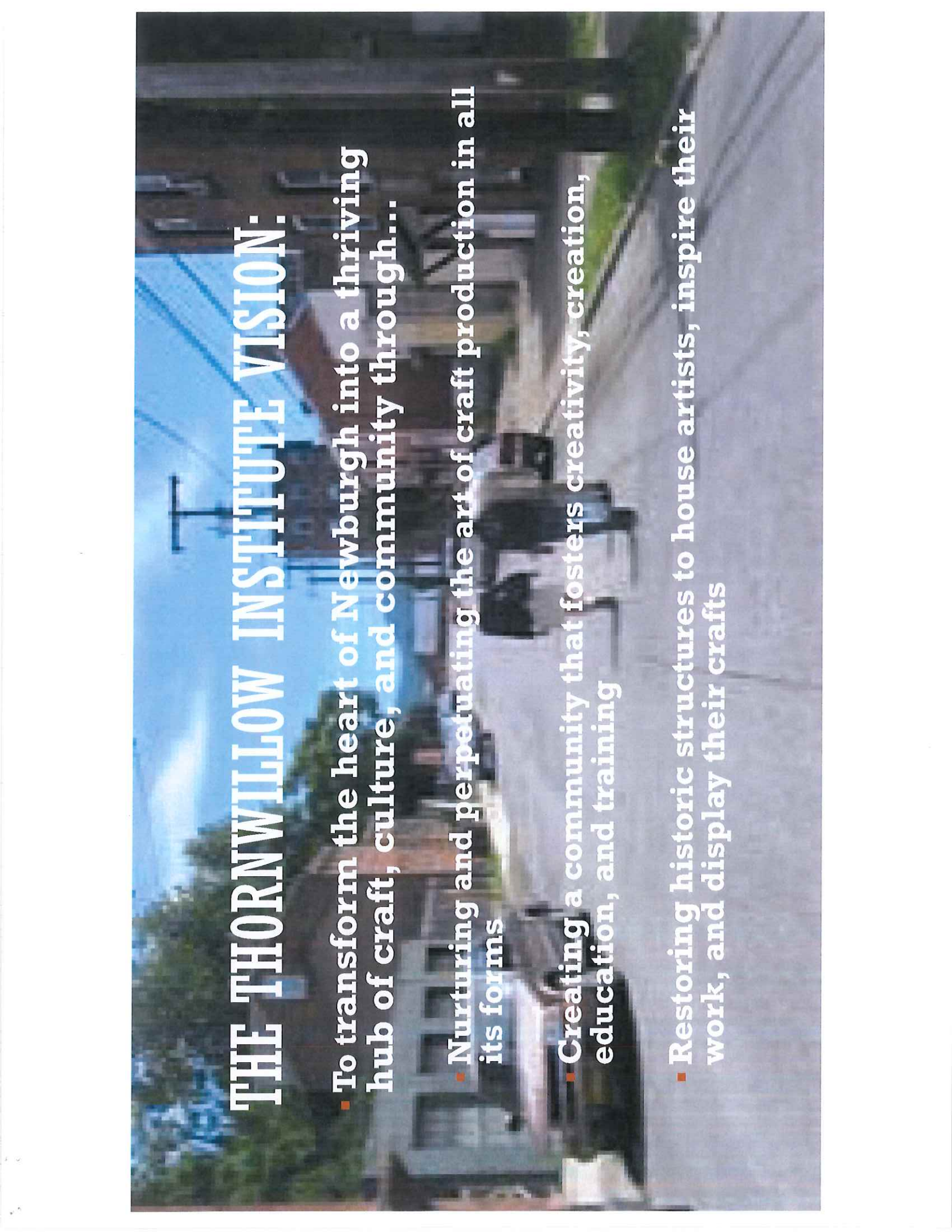
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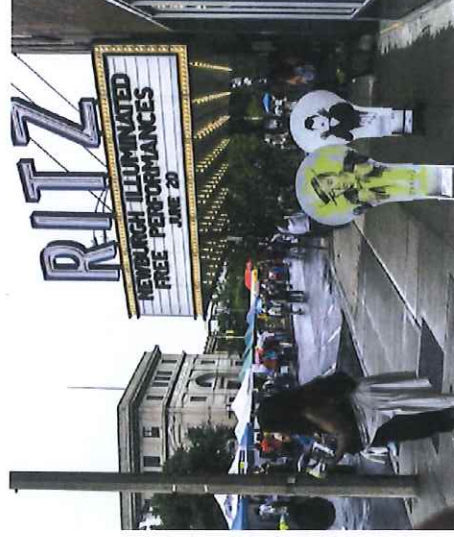
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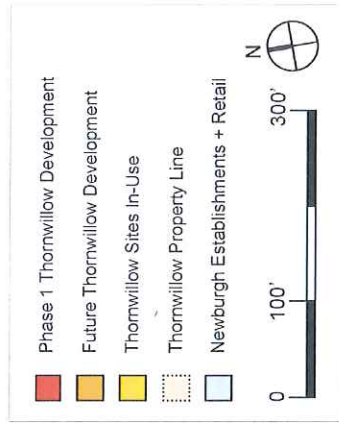
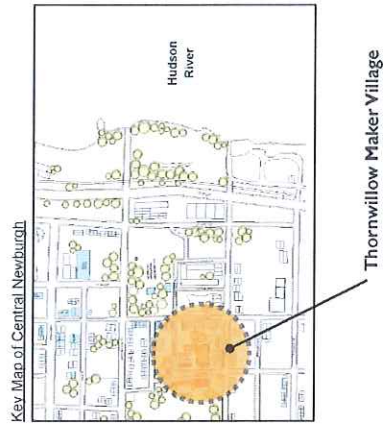
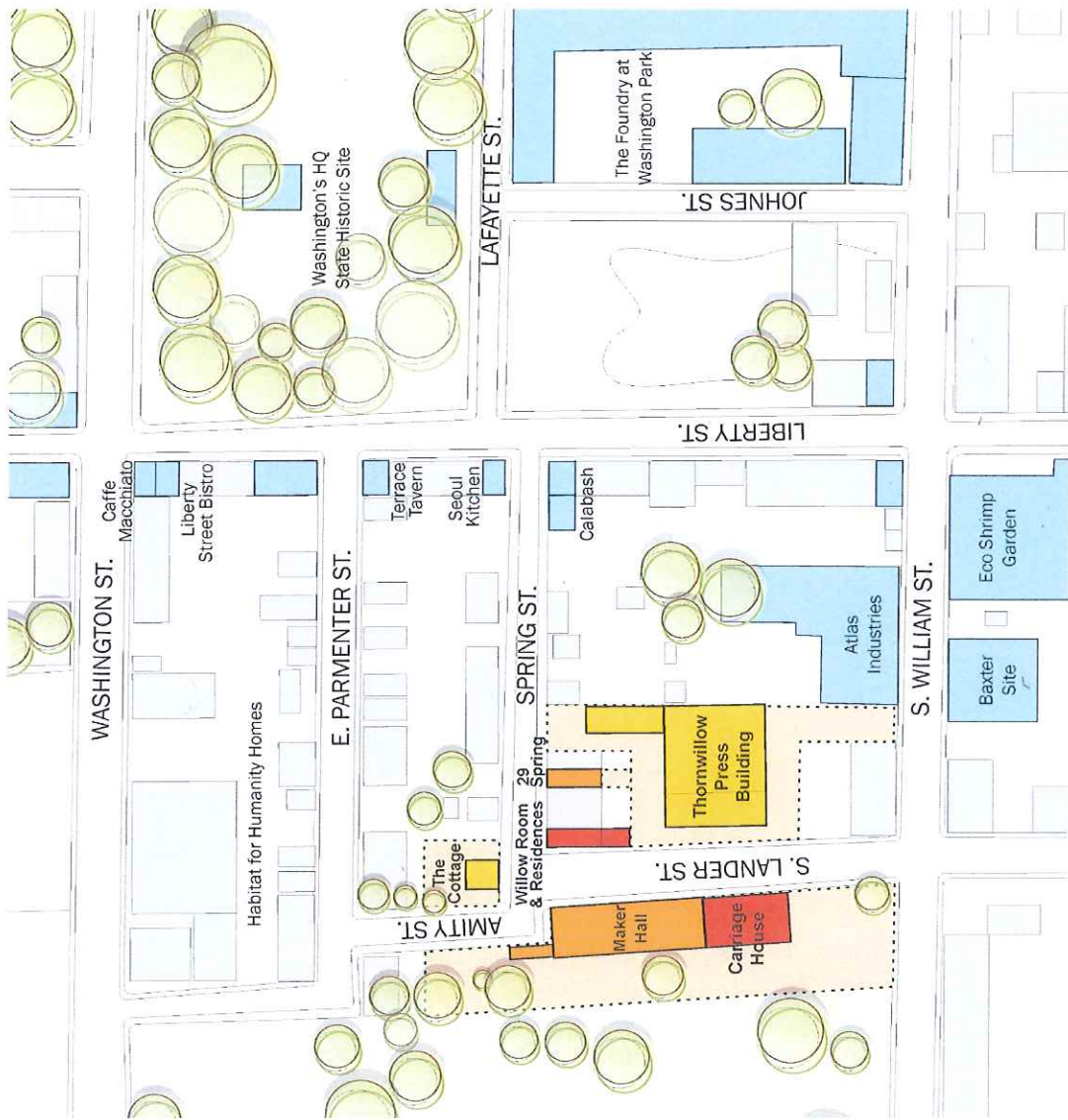
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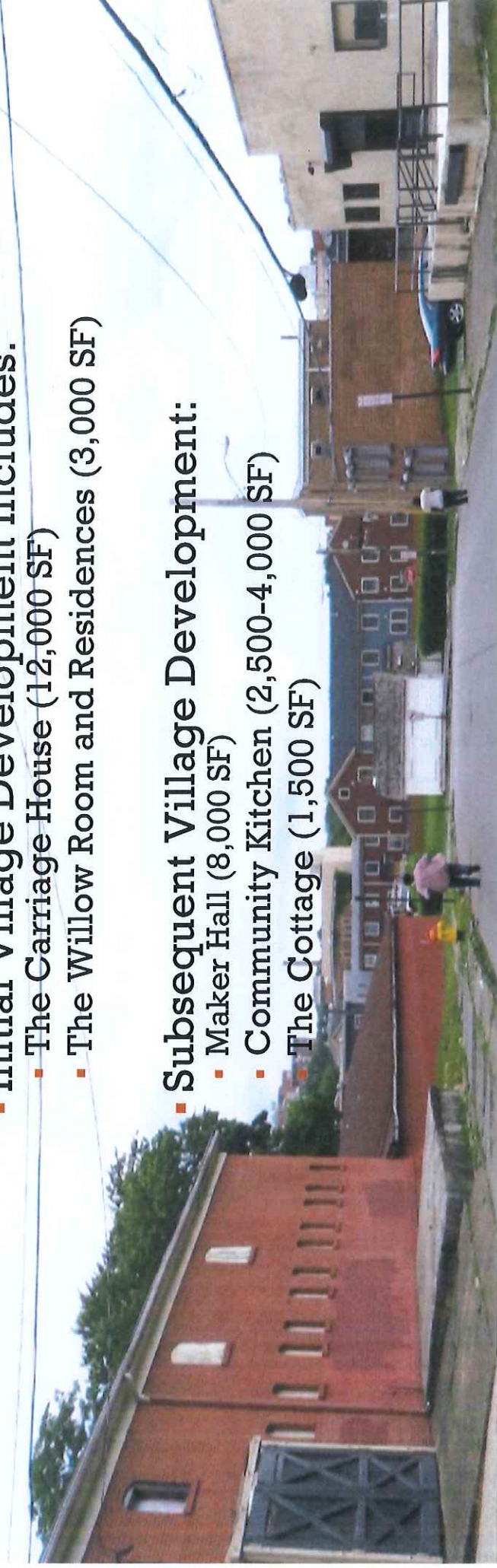


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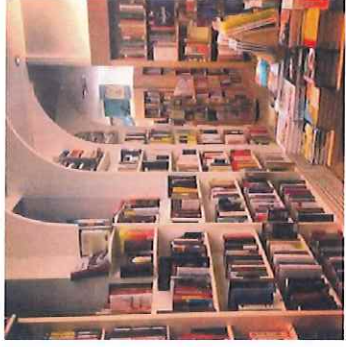


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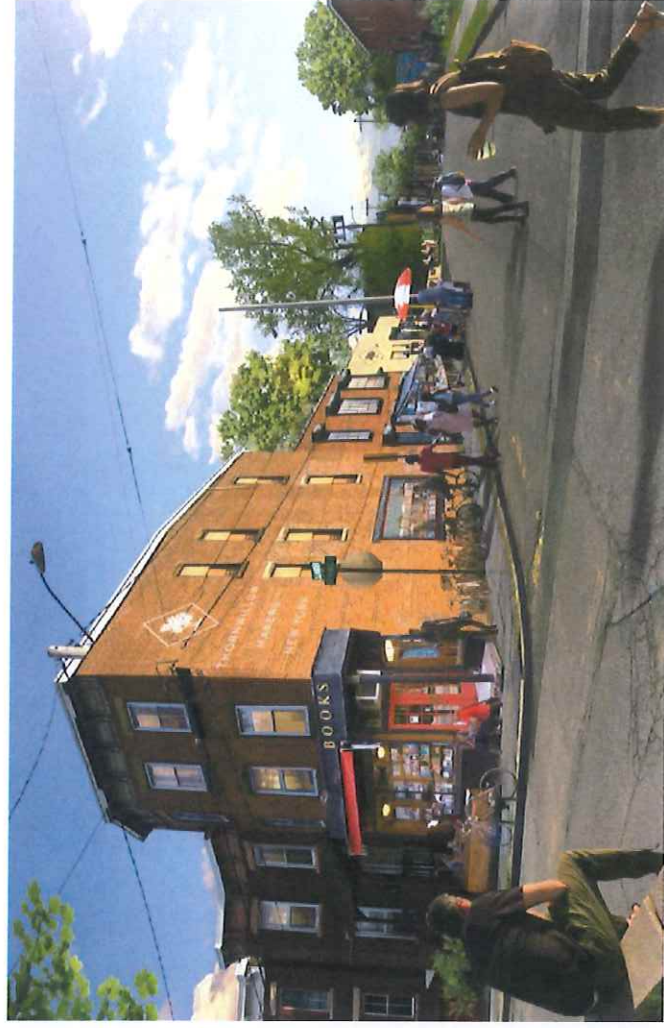


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 - Includes bookbinding, training, and maker class space
 - Collaboration with Thornwillow Institute fellowship and training programs
- Second floor and third floors:
 - Fellowship residences
 - 3-4 apartments reserved for individuals participating in the Thornwillow Institute fellowship programs



WILLOW ROOM AND RESIDENCES



THORNWILLOW MAKER VILLAGE IMPACT

- Create diverse, dynamic maker jobs
- Incubate and mentor small businesses
- Activate and enliven local community activity
- Rehabilitate the historic neighborhood fabric of Newburgh's East End
- Attract people through galleries, food, and commerce
- Build creative synergies



TIMELINE

- Spring 2018: Planning, pre-development, capital campaign fundraising
- Summer 2019: Groundbreaking
- Mid 2020: Grand opening of Carriage House and Willow Room



RESOLUTION NO.: 155 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF
LITIGATION REGARDING THE IN REM TAX FORECLOSURE
OF LIENS FOR THE YEAR 2015 RELATIVE TO
69 LANDER STREET (SECTION 23, BLOCK 6, LOT 21)**

WHEREAS, The City of Newburgh commenced a proceeding for the foreclosure of certain tax liens, such action being designated as Orange County Index Number 2015-8838; and

WHEREAS, property owner 69 Lander Street LLC, by its managing member, Jeffrey McKean, has advised the City that the property owner is prepared to settle such action; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its further development to settle this matter without the need for litigation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Director of Finance and Enforcing Officer be and she is hereby authorized to withdraw the liens on the property located at 69 Lander Street (Section 23, Block 6, Lot 21), City of Newburgh, from the List of Delinquent Taxes, provided that the sum of Eleven Thousand Five Hundred Twenty-Two and 59/100 dollars (\$11,522.59) representing all past due tax liens, together with all interest and penalties accruing thereon, together with all currently due taxes and charges, water charges and sewer charges, are all paid in full by certified or bank check on or before June 30, 2018.

RESOLUTION NO.: 156 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF
LITIGATION REGARDING THE IN REM TAX FORECLOSURE
OF LIENS FOR THE YEAR 2015 RELATIVE TO
79 LANDER STREET (SECTION 23, BLOCK 3, LOT 16)**

WHEREAS, The City of Newburgh commenced a proceeding for the foreclosure of certain tax liens, such action being designated as Orange County Index Number 2015-8838; and

WHEREAS, property owner 79 Lander Street LLC, by its managing member, Jeffrey McKean, has advised the City that the property owner is prepared to settle such action; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its further development to settle this matter without the need for litigation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Director of Finance and Enforcing Officer be and she is hereby authorized to withdraw the liens on the property located at 79 Lander Street (Section 23, Block 3, Lot 16), City of Newburgh, from the List of Delinquent Taxes, provided that the sum of Eighteen Thousand Seven Hundred Thirteen and 46/100 dollars (\$18,713.46) representing all past due tax liens, together with all interest and penalties accruing thereon, together with all currently due taxes and charges, water charges and sewer charges, are all paid in full by certified or bank check on or before June 30, 2018.

RESOLUTION NO.: 157 - 2018

OF

JUNE 11, 2018

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF
LITIGATION REGARDING THE IN REM TAX FORECLOSURE
OF LIENS FOR THE YEAR 2015 RELATIVE TO
245 LIBERTY STREET (SECTION 18, BLOCK 8, LOT 2)**

WHEREAS, The City of Newburgh commenced a proceeding for the foreclosure of certain tax liens, such action being designated as Orange County Index Number 2015-8838; and

WHEREAS, property owner First Methodist Church, by an authorized representative, Kevin Mulqueen, has advised the City that the property owner is prepared to settle such action; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its further development to settle this matter without the need for litigation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Director of Finance and Enforcing Officer be and she is hereby authorized to withdraw the liens on the property located at 245 Liberty Street (Section 18, Block 8, Lot 8), City of Newburgh, from the List of Delinquent Taxes, provided that the sum of Twenty Thousand and 00/100 dollars (\$20,000.00) is paid by certified or bank check on or before June 30, 2018.