

A regular meeting of the City Council of the City of Newburgh was held on Monday, June 11, 2018 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Prayer/Rezo

The prayer was led by Pastor Jesus Maldonado of the Dare To Dream Christian Ministries in Newburgh, New York.

Pledge of Allegiance/Juramento a la Alianza

Roll Call / Lista de Asistencia

Present: Mayor Torrance Harvey, presiding; Councilman Grice, Councilman Jacobson, Councilwoman Mejia, Councilwoman Monteverde, Councilwoman Rayford, Councilwoman Sofokles-7

COMMUNICATIONS

Approval of the minutes of the meeting of May 29, 2018

**Councilwoman Rayford moved and Councilwoman Sofokles seconded.
Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7
Carried**

City Manager Update

The City Manager presented some highlights in City departments.

POLICE DEPARTMENT

Michael Ciaravino mentioned the Matrix Report, which is an evaluation of the police department in terms of recommendations. We need more police officers, and we need money in budget for it. Three (3) police officers have taken new positions in other areas, due to higher salaries. We have worked hard to achieve diversity in our community; but, police officers are finding opportunities elsewhere. There is this notion of Tier 6. Under a new law, the ceiling on retirement is established, which affects how much an officer can earn. We want to keep the taxes from increasing, yet we are losing our brightest officers to other areas. We are losing the very diversity that we worked hard to achieve in the city. The Youth Police Initiative held a graduation ceremony recently. He thanked the local cafe Blacc Vanilla for providing refreshments. He explained the benefits of the program for high school students, who may have a desire to enter the field of law enforcement in the future. By acquiring the skill sets and community-relationship building tools, and all of the other tools that come along with training in the City of Newburgh, it could put us at a high level of competitiveness when it comes to the recruitment of new police officers.

RECREATION DEPARTMENT

Registration for summer basketball is open. The season begins June 25, 2018, and the cost is \$20 per player. There will be a tennis clinic, which will operate from July 17th - 19th. Tennis instruction will be provided by the NFA Varsity Tennis team. There will be two sessions, and the clinic is open to boys and girls ages 5-10; and 11-13. The program is free, but registration is required. The Pool at Delano-Hitch will open on June 22nd. He thanked Derrick Stanton and the recreation staff for getting the pool ready. The hours of operation are from 12:45 P.M. until 5:45 P.M. There will be two sessions, and the cost is \$1 per child, and \$2 per adult. You must pay separately for each session.

WATER DEPARTMENT

The City of Newburgh was awarded Best Tasting Drinking Water in Orange County in its annual water tasting contest. The contest was held on June 2nd. The city will now represent Orange County in the New York State Regional Drinking Water Contest. The Lead Service Line Replacement Program is underway. Residents who need assistance may contact the Water Department to set up an appointment. Applications for contractors and residents will be available soon. The city will be undertaking its lead and copper sampling for 2018. Anyone who would like to volunteer may participate. It

consists of a free and simple water analysis. He urged interested persons to contact the water department directly. We want many people giving us their data so that we will have the most complete statistical sampling as possible.

At the close of his report, the City Manager respectfully requested that he be able to sit alongside of his son for the remainder of the meeting, in which his request was granted.

2017 Audit Update

Jeffrey C. Shaver (CPA/Partner-In-Charge at PKF O'Connor Davies) highlighted some key points of the draft results of the city's Financial Statement Audit. The team completed the field work when he was here for two weeks in April. He anticipates having the final report issued by the end of the month. There are some routine audit open items that need to be addressed before he can finalize the report. He pointed out that governmental accounting standards require them to put fund balances in different categories, which he outlined in the power point presentation. The City Council adopted a budget, which intended to utilize \$1.166 Million of its Fund Balance to balance the 2018 Budget.

Mayor Harvey asked Shaver to slow down when presenting the city financials. He asked Shaver if the city has been functioning and operating at a deficit for the past four years.

Shaver responded in the negative. But from a budgetary standpoint you anticipate operating at a deficit.

Partner CPA H. Chris Kopf explained why the answer is No. When you appropriate your surplus, then you are essentially trying to keep your taxes lower. You planned to use the surplus to help the taxpayers. You apply fund balance now in order to keep taxes at a reasonable level. You generated budgetary surpluses in revenue and expenses. The city generated a \$1.5 M positive, as opposed to a \$1.5 M negative, which are very good results.

Shaver went through the budget line items. He pointed out that if we took out the CHIPs money, which was budgeted for initially and never spent it, then that brings us down to a \$700K surplus on a \$40M expenditure budget.

Councilman Jacobson asked where the Fire Department was located within the budget. He was informed that the department falls under the category of *Public Safety*.

Shaver further explained that the State uses certain metrics. Anything less than 10 percent, then the State would consider the municipality to be in Fiscal Stress. You begin to accrue points, which is not a good thing. New York State recommends that an entity remain above that 10%. Shaver cautioned that we are close to that 10%, and it would not be healthy to drop below that point. He explained that water, sewer and sanitation funds count as capital assets. These are long term liabilities, such as bonds payable, EFC loans and post-employee benefit obligations. They differ from other fund balances because they can't be spent. They are tied up in the asset, and can only be used for their intended

purposes. He pointed out that we are accruing long term liabilities in these funds; the largest being post-employee benefit obligations, such as health insurance for retirees. He answered Councilman Grice in the affirmative that it is for this reason that accounts for us operating in the negative. It can't be legally funded in New York State, and we are on par with other municipalities. He suggested that if we add that amount back in, then we are not really in a deficit in that particular fund, and we won't be subject to cash and budgetary deficits.

Councilwoman Monteverde asked the accountants to provide examples of other post-employee benefits.

Kopf remarked that it is only one thing. It is nothing more than an actuarial study of every person on the payroll. It looks at the individual's age and his average length of employment with the city. It forecasts how much we will have spent on health insurance costs when the employee dies. As it stands now, when you receive the bill from the insurance carrier, you pay it. He pointed out that New York State does not have a mechanism for you to stock away any money for it presently.

The City Manager explained that it is a deferred cost that we have to factor in the present, even though it plans itself out twenty to thirty years ahead.

Kopf pointed out that even if all your required payments have been made, this deficit is created because of accounting rules.

Shaver concluded that the actual report is quite lengthy and will consist of roughly 100 pages. He has tried to pull out key points tonight; but, he estimates to have the report completed by the end of the month. There is a quality review process that has to be followed. He thanked City Comptroller Kathryn Nivins for all of the hard work that she and her team have done to get them to this point. We are way ahead of schedule compared to last year.

Mayor Harvey commented that he definitely has further questions that he will present to the auditors offline. He thanked them for the excellent and detailed work.

This portion of the meeting was closed.

PRESENTATIONS

Certificate of Appreciation to David Reyes for Mapping the Fire Alarms throughout the City of Newburgh

Chief Ahlers explained that a couple of weeks ago, student David Reyes came into his office and presented him with a very detailed map of the city's fire alarm system. He explained that most of our street corners and high-hazard buildings are all connected by a red box, which is our Municipal Alarm System. The system was created by Gamewell, and it has been in use for over 129 years. Yet we never had a detailed map of the system. Reyes went through the city and noted the address of every box in the city. Then he converted them into GPS coordinates. He overlaid it with the GIS staff at City Hall to provide us with a very detailed map. Part of the significance of this is that it helps the firemen respond to alarms in two minutes or less. Ahlers commended Reyes for his perseverance and determination, especially while still being a school student. Ahlers pointed out that the firefighters union would be presenting Reyes with a shirt, which had to be ordered in the youth's size.

Councilman Grice thanked the Reyes' family for taking the time to bring him tonight. Also he thanked Mrs. Clark and Mrs. Duke from the Newburgh City School District for their support. When Grice heard about Reyes' accomplishments, he felt this was something that needed to be publicly recognized. It is Grice's hope that Reyes would be a future Newburgh Firefighter, or work somewhere within City service. Additionally Harvey extended his thanks to Reyes' parents. The family unit is very important nationwide, as well as globally. None of this is possible without parental support.

Mayor Harvey read the Certificate of Appreciation. He thanked Reyes, and stated that this is an amazing task and opportunity. Harvey hopes that the young man will go off to college in the near future, come back to the City of Newburgh and use his professional expertise in the various ways that he has already exemplified.

David Reyes spoke. He stated he is fourteen (14) years old, and he is in the Ninth Grade.

Certificate of Recognition to Matteo Doddo - Principal at Newburgh Free Academy North

Mayor Harvey remarked that Matteo Doddo is a Co-Principal at Newburgh Free Academy/North Campus. He has worked in the Newburgh School District for a total of thirty (30) years. Doddo is extremely humble, and his leadership qualities are amazing. Harvey remarked that he has never worked in a professional setting where not only does Doddo offer recognitions to all of his faculty, staff and students; but, he does so in a way that allows individuals to step into leadership roles by empowering them and making everyone feel like every idea is a great idea. When Harvey was elected to the city council, he stated that Doddo allowed his students to witness the swearing-in ceremony of himself, and Mayor Judy Kennedy. It was a memorable teaching experience for all of the U.S. History, Government and Civic students in the Newburgh School District.

Councilwoman Sofokles stated that her mother was a teacher in the Newburgh School District for thirty-eight (38) years. She was Doddo's teacher when he first came to Newburgh with his family. He was, by far, her mother's favorite student, and she is very proud of his accomplishments.

Councilman Jacobson pointed out that Doddo is the person who facilitated getting the JROTC students to the induction ceremony on the First of January, since the students were out of school in observance of the holiday recess. Mr. Doddo came through for the city, and Jacobson is really appreciative.

Councilman Grice stated that Doddo is not only a great principal; but, he is a great friend, and he loves him dearly. Grice stated he would be amiss if he did not call Doddo's wife upfront to be recognized too.

Proclamation Presenting the "Key to the City of Newburgh, New York" to Mr. & Mrs. Doddo and Family

Mayor Harvey presented the Key to the City of Newburgh, New York to the entire Doddo family. In January 1973, the Doddo family journeyed by ship, from Sicily to the City of Newburgh. The journey lasted eleven days. Harvey stated that every year for the last four years that he has taught at the Newburgh Free Academy Excelsior Academy, Matteo Doddo gladly volunteers to teach the topic of Immigration for his students. Harvey pointed out that the elder Mr. and Mrs. Doddo raised four children in the City of Newburgh, and have remained here for forty-five years. When other families left Newburgh, the Doddo family never gave up on our city.

Councilman Jacobson stated that this is a classic story of the American Dream. If anyone doubts the value of immigrants coming to the United States, then they should have been present for this tonight. It is great to hear how proud we are of yet another chapter in the American Dream of what makes this country what it is.

Councilwoman Sofokles remarked that we are all immigrants. Her family came from Ireland and Scotland. Her mother has always kept in contact with Matteo Doddo, and she has watched his progress. She is so proud of him, and his family should be proud of him too.

Councilwoman Monteverde thanked the family for being here. She is looking forward to visiting the family barbershop. It sounds like a historic place.

Councilwoman Rayford commented that she was the elder Mr. Doddo's neighbor in 1987. For a man to have kept a business in the City of Newburgh, during its highs and lows, is impressive. Not knowing his sons at the time, she remarked that God has a way of bringing people together. She thanked them for their contributions to this city.

Matteo Doddo thanked Mayor Harvey and the entire council for bestowing this great honor upon his family. His parents sacrificed so much to give him and his siblings an opportunity for a better life. This is what defines the word 'hero' to him. He feels so blessed to even be in the position that he is in. If it was not for his parents none of this would have been possible. This is a blessing for his parents too. He commented that

although they are being honored tonight, there are so many other stories that include journeys and accomplishments similar to theirs.

Matteo Doddo passed the microphone to his father. Umberto Doddo thanked Mayor Harvey and the council for inviting him this evening. He is thankful for the opportunity that the City of Newburgh has given him to open a business for his family. He worked fourteen (14) hours each day, and he never stopped. He stated that he has never left this city.

Mayor Harvey presented the mother Anna Doddo with a corsage depicting the American Flag.

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

Omari Shakur thanked the Reyes and Doddo families. We need to see more people in the community being recognized. He wanted to know how much the auditors are paid for their work. The Newburgh Vision Planning committee volunteers its time and would like to get paid for the work too. He handed out a sheet of paper to each council member. He stated that he will not go into details about it tonight; but, he plans to go to the New York State Attorney General's Office on the matter if it is not addressed. You become part of the problem when you continue to do nothing about it.

Robert McLymore, Pastor of Life Restoration Church, thanked the council for being visible in the community during the recent tornado storm. He echoed what the City Manager stated about police officer contracts. If we don't have a good contract that is comparable to other contracts in other municipalities, then you will lose good, trained police officers in Newburgh. He has eighteen years (18) of experience in law enforcement, and he knows what that revolving door looks like. McLymore invited all of council members and the community to the church's Community Day event. There will be free food, music, games and giveaways. The event is to help show unity in the city. He thanked Councilwoman Sofokles for being a sponsor for the event so that they can feed people in the community for free.

Ignacio Acevedo thanked the council for its support of Resolution No. 151-2018. Every week he hears a new story about someone he knows being deported because they did not have the proper ID. Literally men are being taken away from their families. Whenever he has not seen or heard from friend in a long time, he thinks the worse. The fear is real. And to hear that the city council supports this resolution brings tears to his heart. It is going to take much more than this, but, this is the first step. He held up a Green Light Campaign sign, which would give all residents of the City of Newburgh equal access to be able to drive in the State.

Drew Kartiganer stated that he is the Alembic Nag. He has heard that the developer has asked for an extension until July. The budget for this project is \$71 Million. That is an impressive number, and he bets that in July the developer will come before the council with some pretty pictures to show it. Kartiganer respects the city council for wanting to wait for the numbers (i.e. the numbers being the amount of property taxes they are going to pay). But he has a feeling that the developer will do everything that it can to hide the numbers. He urged the council to be on the lookout for the numbers, as it should be upfront and stated within the first two pages of their documentation. He urged the council to find out how long any PILOTS would last, because it is going to cost Newburgh taxpayers to support this project. Second, he understands that Councilman Jacobson is running for New York State Assemblyman. He feels that Jacobson should remain on the

Newburgh city council, because he feels that he is good for the city. [SEE COMMENTS ATTACHED]

Beatrice Harris stated that the presentations were jubilant. But now she has to drop the hammer on all of the joy in the room. She has been researching constantly about drinking water. She read that the EPA has been concealing information about toxic chemicals that exist in our drinking water. This is just the tip of the iceberg. We are now facing a nationwide crisis, in which we are discovering radium in 97% of all water sources, including the City of Newburgh's water. We are still at risk because chemicals don't clean the water. The creation of an extravagant filter system does not guarantee that it will get better. It may not affect you today, as she did not become ill until 2013 when she had her first stroke at 24 years old. She suffers permanently from a failure that our State did not protect us from.

Michelle Basch stated that an amazing story was told about the Doddo family's journey to Newburgh. There was once a time when there was a process, in which people could come here, work and live the American Dream. That process is being killed rather quickly, and it is a shame because what makes us great is *all of us and not just some of us*. She has a lot of questions about the Alembic development. Is the city building strategic and SMART goals? What are the strategies and tactics to drive these goals forward? If there are no taxes, and nothing coming in, then how are we going to pay for our streets to get paved, and our police and firemen? She has heard concerns about whether the Newburgh Illuminated Festival will be held next year due to it going into overtime. How will these projects improve the fiscal health of the city? If not, will the City thrive or die?

Kelly Anderson stated it has been two months since she brought up an issue regarding a city employee. She still has not spoken with anyone, and she would like to know how the investigation is progressing.

Mayor Harvey broke protocol to comment. He stated that the point of authority in the case is the City Manager Michael Ciaravino. He is the individual that investigates claims. It is not within the city council's purview to investigate claims. The city council is not able to do anything until the city manager concludes the investigation. Everybody is guaranteed due process under the law. There are specific protocols that have to be followed that protect a person when allegations are brought against him. The council is eager to know, just as well. We have to be very particular about what we say in a public forum, about any employee. People are waiting for us to say something so that the city can be on the hook for a lawsuit. The investigation is ongoing and these are human resource matters. We are not privy to speak on them. He pointed out that the public trust is very important to him and his colleagues.

Michael Ciaravino stated there was a discussion in executive session last Thursday to bring the council up to speed. He is hoping by the next council meeting to have the report available. There are certain aspects of it that will never be made public under the strong advice of Corporation Counsel. But other aspects, such as the allegation and the conclusion, are expected to be made public. He is unable to share anything more about HR matters. We are thoroughly vetting all of the allegations from the community-at-large, and we are taking the matter very seriously. Everyone deserves to have fair treatment under the law, whether they be the accused party or the aggrieved party, and we are legally bound to ensure that people have a fair process going forward.

Councilman Grice stated that we can't make public comments about city employees as it relates to their employment, termination or disciplinary actions. Once the council does that, it opens itself up for litigation. When these concerns are brought up, the council does listen and follow-up on them. But the council is unable to make public comment about the issue.

Councilwoman Rayford stated that the council can request that the report be completed by the next city council meeting, which would be in July since there is only one meeting per month during the summer. She addressed Ms. Anderson and stated that she should hear something at that time from the city manager.

Martha White stated that she does not support the Alembic project. She listened to comments at the last work session. She heard that the developer is having some trouble producing the desired numbers. These guys don't seem to have a good grasp of their time management ability, and they blew off the timeline that the council established. If we put it into context, as an educator how would you handle a student who didn't turn in an assignment on time? Sometimes there are extenuating circumstances that calls for accommodation. But after a while it becomes a matter of respect, and that student is eventually going to fail *himself*. If you would not accept this behavior from a student, then why would you accept it from a group of highly trained, and highly compensated professionals who are going to be in a charge of a \$100 Million project? This is *our* house, so they should not get to come in and make up the rules for us.

Kippy Boyle commented about Resolution No. 150-2018. This whole concept surrounding license agreements started with the organization Greater Newburgh Partnership. Prior to that we did things in a much simpler format called *permits*. Permits detailed when, where and what was going to be done. These license agreements are several pages long and harder to digest. This particular license agreement should state the duration. Also there needs to be a list of the trees that are going to be marked. She is not opposed to the concept; but, this is a very broadly written license agreement that does not clarify what is

actually going to be done. Here we are again, passing yet another agreement and worrying about the details later. This is not the legal way to do things.

Councilwoman Monteverde appreciated Boyle's concerns. She would like to talk to her later about the consistency of cutting down trees in the city. It seems like people are doing it left and right.

Michelle Kelson stated that license agreements are not a change in protocol from permits. Permits are for people who own the property and request permission to be able to do certain things; whereas, license agreements are created to give access to property that one does not own or control. It is more restrictive than a lease, and it does not convey any legal rights to title or legal ownership of the property. Certainly if the council would like to note that the trees be marked, or that a list of trees be submitted to the CAC, then that requirement can be added prior to the city manager's signature. She felt that the agreement was appropriate for the work that was proposed. Any license agreement, of course, requires compliance with all city laws, policies and procedures.

Councilwoman Mejia commented that previously the process was that they would coordinate with the CAC and the Shade Tree Commission to go onto the property and mark the trees. This is the same process that was followed when we did the Montgomery Street properties. In full disclosure, Mejia pointed out that one of the properties noted is her own property, in which she co-owns with her husband. She intended to recuse herself from the vote tonight. One of the first steps in the process is for them to be able to access the property and make an assessment given the recent storm damage, and the subsequent conditions of the retaining wall on the property.

Adam Pollick, one of parties listed in Resolution No. 150-2018, assured the council that it is not their intention to disturb or violate any significant, or otherwise important trees that are on that property, which he and his colleagues don't think that this is the case. If the city grants them the license he would naturally assume that it would be for a specific term and scope of work, which would be done in phases. As city residents, they are willing to incur the expense themselves, so that it is done properly, and so that it looks pretty when it is all finished.

Richie Rosencrans stated that on behalf of the Newburgh Illuminated Committee, he extended a special thanks to all of the city departments that helped to make the festival a success. He commented about Resolution No. 143-2018. He asked if there is any detailed information available about the water quality sampling analysis to support the process. Rosencrans stated he was at the Newburgh Ministry earlier today. The ministry, in connection with the United Way and the Empire State Poverty Reduction Initiative, is

conducting its own version of a vision plan for Newburgh. He announced that the forum at the ministry will be held on Thursday, June 14th and Friday, June 15th. Both forums will begin at 10:00 A.M. He urged us to consider this one, and perhaps any other potential community forums that may exist, in addition to the official city vision planning forum that is officiated by the company that was hired.

Leonard Lee spoke on behalf of Newburgh Hook Elite Boxing Club. He requested that the boxing club be placed under the umbrella of the Newburgh Recreation Department. The club has done a great deal for the community since it has been in existence. He has a group of kids who are ranked in the Top 10 in the country. The club is currently struggling for funds. Whenever he visits other places, he sees that the boxing clubs have the support of their local cities. The children have asked him why the City of Newburgh does not support them. Lee stated that if his club became part of the Newburgh Recreation Department, then it would really help them out a lot. He has been patient for ten (10) years already, so he will continue to remain patient.

Mayor Harvey interjected. He gave Lee his word that whatever he could do to support this transition, he would be behind him 150 percent. It is a great service that Lee provides the youth, who are predominately African American and Latino. Harvey stated that he has spoken with Derrick Stanton about it at a work session meeting. We are discussing the prospect of it in our budget talks. Harvey stated that the council is definitely looking to integrate the club into the Recreation Department. Harvey stated that Stanton supports it; but, he also realizes there are going to be fiscal responsibilities that go along with it. Harvey asked Deirdre Glenn if \$50K- \$100K of recently awarded CDBG money could be moved into the Recreation Department so that we can figure out this transition sooner than later.

Councilman Grice stated he supports this transition. There are some legal matters, as far as the youth involved in the organization, as well as concerns about staffing. He implored the organization to give the council some time to work on it.

Kathryn Mack remarked that she reached out to the City of Middletown, which has a boxing program under its recreation department. Mack stated that she needs to get a good idea of what the plan for integration would entail. She pointed out that Middletown is paying a part-time employee to run the boxing program, and Middletown's budget for its boxing program is roughly \$15K for the year. Middletown's upfront costs for capital items were low because the club already came with a majority of the equipment. She is concerned when she hears a request for hundreds of thousands of dollars, because in a couple of weeks she is going to be putting a spending freeze into effect due to this year's budget. She does not want to be in a position where we are going to be depleting any of

the funds that we received this year. If she could hear what the long-term goals are, as opposed to the initial goals, then perhaps we could look at it for the 2019 budget. But she does not want to create any false promises. If we move in that direction, just remember that you will have to give up something else in return. She is not saying that one thing is more important than the other though.

Deirdre Glenn cautioned the council to keep in mind the 2018 CDBG projects and programs that were approved last November. We received some other monies that had to be applied to the projects already in existence. In a couple of months, we will be planning Year Five of a five-year span, which we are hopeful. We don't have any commitment of funds at this time.

Councilwoman Rayford stated she thought we were on a spending freeze six months ago.

Mack explained that we were on a budget spending freeze last year. It usually occurs around July or the end of August; but this year it is going to commence a little sooner.

Roxie Royal stated she is puzzled, and would like an explanation. When the young lady came up and discussed the issue about a rental property, the council informed her to speak with the city manager. We elected you to the city council to represent the residents. Who else are we going to go to if we have a problem? The employees get paid because ultimately *you* sign their checks. She has been coming to the city council meetings for fifty years, and this is the outlet people have to bring up their complaints. A lot of times people don't know who to turn to. She cautioned the council that it is going to leave itself open to potential lawsuits if the people don't have anyone they can go to with their complaints. When things like that happen, then that is when we have to get a lawyer.

Omari Shakur pointed out that, as the Mayor, if you break from protocol in the meeting, then procedurally, proper protocol is maintained when another member on the council 'seconds' the motion to deviate from the agenda.

Theartie Mendes stated that she needed more than three minutes to speak about an undisclosed issue. It was confirmed that Councilwoman Sofokles is the representative in Ward Four, in which Mendes resides. Sofokles agreed to speak with Mendes to discuss her concerns after the meeting.

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

ALEMBIC PROPERTY TAX PAYMENT PROJECTION:

Alembic project construction cost: \$71,000,000

City of Newburgh

Assessed property tax basis: 100% of value

Alembic tax basis: \$71,000,000

City of Newburgh Property Tax rates:

Rates for year 2018

City \$19.556810

County \$ 3.820100

School \$26.147827

Library \$ 1.195913

Total taxes per \$1,000 in value: \$ 50.71430127

(5.07% of assessed value)

Alembic Projected Property Taxes at

100% Assessment/ No PILOTS: \$ 3,600,715

(5.0714% of assessed value)

Expected taxes Alembic expects to pay

Combined Property and School Taxes Alembic

At first year of project 100% completion: _____

Difference: _____

PILOTS Alembic expects to use to reduce its property taxes and how long it expects the PILOTS to remain in effect.

	Program	program term
1.	_____	_____ years
2.	_____	_____ years
3.	_____	_____ years
4.	_____	_____ years

COMBINED ALEMBIC PROPERTY TAX ANALYSIS:

based on back up sheets attached/ assuming no inflation

Estimated Tax payments to be made with all Pilots
versus estimated tax payments to be made with no PILOTS

FIRST 10 YEARS

Years 1-10 \$ 36,000,715 - _____ = _____

SECOND 10 YEARS

Years 11-20 \$ 36,000,715 - _____ = _____

THIRD 10 YEARS

Years 21-30 \$ 36,000,715 - _____ = _____

.....
TOTAL 30 YEARS

Years 1-30 \$ 108,021,461 - _____ = _____

<u>TOWN/CITY</u>		<u>2018 TAX RATE</u>
CITY OF MIDDLETOWN	COUNTY	21.984
CITY OF MIDDLETOWN	CITY	83.334
CITY OF NEWBURGH	COUNTY	3.8201
CITY OF NEWBURGH	CITY	19.55681
CITY OF PORT JERVIS	COUNTY	9.6055
BLOOMING GROVE	COUNTY	20.3475
BLOOMING GROVE	TOWN	16.2348
BLOOMING GROVE, OUTSIDE VILLAGES	HIGHWAY	6.6869
BLOOMING GROVE, OUTSIDE VILLAGES	PT TOWN	8.7648
BLOOMING GROVE, S. BLOOMING GROVE	POLICE SERVICES	14.3699
CHESTER	COUNTY	6.1352
CHESTER	TOWN	5.0538
CHESTER, OUTSIDE VILLAGES	HIGHWAY	1.036
CHESTER, OUTSIDE VILLAGES	PT TOWN	3.2809
CORNWALL	COUNTY	3.8336
CORNWALL	TOWN	1.6256
CORNWALL, OUTSIDE VILLAGES	HIGHWAY	1.0534
CORNWALL, OUTSIDE VILLAGES	PT TOWN	1.4981
CRAWFORD	COUNTY	9.5885
CRAWFORD	TOWN	8.0856
CRAWFORD	HIGHWAY	6.1058
DEERPARK	COUNTY	6.5019
DEERPARK	TOWN	4.7134
DEERPARK	HIGHWAY	3.8927
GOSHEN	COUNTY	5.8883
GOSHEN	TOWN	2.4579
GOSHEN, OUTSIDE VILLAGES	HIGHWAY	2.9719
GOSHEN, OUTSIDE VILLAGES	PT TOWN	1.5612
GREENVILLE	COUNTY	5.8475
GREENVILLE	TOWN	0.0186
GREENVILLE	HIGHWAY	4.4035
HAMPTONBURGH	COUNTY	3.8352
HAMPTONBURGH	TOWN	1.0296
HAMPTONBURGH	HIGHWAY	0.0687
HIGHLANDS	COUNTY	3.6209
HIGHLANDS	TOWN	4.7311
HIGHLANDS, OUTSIDE VILLAGES	HIGHWAY	1.7674
HIGHLANDS, OUTSIDE VILLAGES	PT TOWN	0.0516

2017-2018 School Tax Rates

C/Newburgh	NEWBURGH CSD	26.147827	LIBRARY TAX	1.195913		
Cornwall	NEWBURGH CSD	26.147382	LIBRARY TAX	1.195890		
T/Newburgh	NEWBURGH CSD	75.922863	LIBRARY TAX	3.472455		
New Windsor	NEWBURGH CSD	144.943881	LIBRARY TAX	6.629243		
Crawford	PINE BUSH SCH	59.411330				
Montgomery	PINE BUSH SCH	34.947280				
Mount Hope	PINE BUSH SCH	38.957620				
Wallkill	PINE BUSH SCH	111.883940				
Port Jervis	PORT JERVIS CSD	66.646075	LIBRARY TAX	2.415604		
Deerpark	PORT JERVIS CSD	47.889108	LIBRARY TAX	1.735749		
Mount Hope	PORT JERVIS CSD	45.886544	LIBRARY TAX	1.663184		
Tuxedo	RAMAPO SCH	139.697067	LIBRARY TAX	4.365990		
Tuxedo	TUXEDO SCH	82.035780				
Warwick	TUXEDO SCH	94.395209				
Crawford	VALLEY CENTRAL SCH	59.328855				
Hamptonburgh	VALLEY CENTRAL SCH	23.731542				
Montgomery	VALLEY CENTRAL SCH	34.899598				
Wallkill	VALLEY CENTRAL SCH	111.730424				
Newburgh	VALLEY CENTRAL CSD	68.906917				
New Windsor	VALLEY CENTRAL SCH	131.549568				
Chester	WARWICK SCH	35.392660	LIBRARY TAX	0.913590	LIBRARY BLDG	0.254400
Warwick	WARWICK SCH	151.510930	LIBRARY TAX	3.910960	LIBRARY BLDG	1.089040
Blooming Grove	WASHINGTONVILLE SCH	133.257830	LIBRARY TAX	4.699160		
Cornwall	WASHINGTONVILLE SCH	25.119100	LIBRARY TAX	0.885790		
Hamptonburgh	WASHINGTONVILLE SCH	25.119100	LIBRARY TAX	0.885790		
New Windsor	WASHINGTONVILLE SCH	139.241130	LIBRARY TAX	4.910160		
Montgomery	WALLKILL SCH	38.244964				
Newburgh	WALLKILL SCH	81.296890				

New York State

MUNICIPAL
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Office of Real Property Tax Services

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Orange County:

2018 Equalization Rates

What is an Equalization Rate?

Equalization Rates	<u>Choose Year</u>
1990	1990
1991	1991
1992	1992
1993	1993
1994	1994
1995	1995
1996	1996
1997	1997
1998	1998
1999	1999
2000	2000
2001	2001
2002	2002
2003	2003
2004	2004
2005	2005
2006	2006
2007	2007
2008	2008
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2011	2011
2012	2012
2013	2013
2014	2014
2015	2015
2016	2016
2017	2017
2018	2018
2019	2019
2020	2020
2021	2021
2022	2022
2023	2023
2024	2024
2025	2025
2026	2026
2027	2027
2028	2028
2029	2029
2030	2030

To view the Equalization Rate History for a municipality, click on a SWIS code.

Swis Code	Type	Municipality Name	State Equalization Rate	Status	Date Established	Complaint Filed	Level of Assessment*	<u>CAP Code**</u>	<u>Section 1402(3)***</u>
<u>330000</u>	County	Orange				N			
<u>330900</u>	City	Middletown	16.35	Tentative	05/30/18	N	16.35		
<u>331100</u>	City	Newburgh	100.00	Tentative	06/05/18	N	100.00		
<u>331300</u>	City	Port Jervis	40.00	Tentative	05/30/18	N	40.00		
<u>332000</u>	Town	Blooming Grove	17.15	Tentative	05/15/18	N	17.15		
<u>332003</u>	Village	South Blooming Grove				N			332000
<u>332200</u>	Town	Chester	59.00	Tentative	05/15/18	N	59.00		
<u>332400</u>	Town	Cornwall	100.00	Tentative	05/30/18	N	100.00		
<u>332401</u>	Village	Cornwall-on- Hudson				N			332400
<u>332600</u>	Town	Crawford	39.00	Tentative	05/15/18	N	39.00		
<u>332800</u>	Town	Deerpark	56.20	Tentative	06/05/18	N	56.20		
<u>333000</u>	Town	Goshen	62.00	Tentative	05/15/18	N	62.00		
<u>333001</u>	Village	Goshen				N			333000
<u>333200</u>	Town	Greenville	63.40	Tentative	05/15/18	N	63.40		
<u>333400</u>	Town	Hamptonburgh	100.00	Tentative	05/15/18	N	100.00		
<u>333401</u>	Village	Maybrook				N			333400
<u>333401</u>	Village	Maybrook				N			334200
<u>333600</u>	Town	Highlands	100.00	Tentative	05/15/18	N	100.00		
<u>333601</u>	Village	Highland Falls				N			333600
<u>333800</u>	Town	Minisink	47.00	Tentative	06/05/18	N	47.00		
<u>333801</u>	Village	Unionville				N			333800
<u>334000</u>	Town	Monroe	18.55	Tentative	05/15/18	N	18.55		
<u>334001</u>	Village	Monroe				N			334000
<u>334003</u>	Village	Harriman				N			334000
<u>334003</u>	Village	Harriman				N			335800
<u>334005</u>	Village	Kiryas Joel				N			
<u>334200</u>	Town	Montgomery	65.00	Tentative	06/05/18	N	65.00		

Alembic property tax analysis:

Estimated Tax payments to be made with all Pilots
versus estimated tax payments to be made with no PILOTS

FIRST 10 YEARS

Year	Alembic taxes with no PILOTS	Alembic taxes with PILOTS	Difference
#1	\$ 3,600,000	_____	_____
#2	\$ 3,600,000	_____	_____
#3	\$ 3,600,000	_____	_____
#4	\$ 3,600,000	_____	_____
#5	\$ 3,600,000	_____	_____
#6	\$ 3,600,000	_____	_____
#7	\$ 3,600,000	_____	_____
#8	\$ 3,600,000	_____	_____
#9	\$ 3,600,000	_____	_____
#10	\$ 3,600,000	_____	_____
.....			
Totals:	\$36,000,000	_____	_____

Alembic property tax analysis:

Estimated Tax payments to be made with all Pilots
versus estimated tax payments to be made with no PILOTS

SECOND 10 YEARS

Year	Alembic taxes with no PILOTS	Alembic taxes with PILOTS	Difference
#11	\$ 3,600,000	_____	_____
#12	\$ 3,600,000	_____	_____
#13	\$ 3,600,000	_____	_____
#14	\$ 3,600,000	_____	_____
#15	\$ 3,600,000	_____	_____
#16	\$ 3,600,000	_____	_____
#17	\$ 3,600,000	_____	_____
#18	\$ 3,600,000	_____	_____
#19	\$ 3,600,000	_____	_____
#20	\$ 3,600,000	_____	_____
.....			
Totals:	\$36,000,000	_____	_____

Alembic property tax analysis:

Estimated Tax payments to be made with all Pilots
versus estimated tax payments to be made with no PILOTS

THIRD 10 YEARS

FIRST 10 YEARS

Year	Alembic taxes with no PILOTS	Alembic taxes with PILOTS	Difference
#21	\$ 3,600,000	_____	_____
#22	\$ 3,600,000	_____	_____
#23	\$ 3,600,000	_____	_____
#24	\$ 3,600,000	_____	_____
#25	\$ 3,600,000	_____	_____
#26	\$ 3,600,000	_____	_____
#27	\$ 3,600,000	_____	_____
#28	\$ 3,600,000	_____	_____
#29	\$ 3,600,000	_____	_____
#30	\$ 3,600,000	_____	_____

.....

Totals:	\$36,000,000	_____	_____
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COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Councilman Grice thanked Michelle Kelson for being very helpful to him since he has been on the council. He was impressed by collaborative efforts in our police and fire departments. He saw that they worked very well together while assisting at the scene of an accident at the intersection of South Street and Dubois Street. Grice wants people to know that 9-1-1 is a good number to know; but, it is better to call the police department at 561-3131 and the fire department at 562-1212 directly. When you call 9-1-1 the call is routed through Orange County. The local departments know the city streets well, and they can respond quickly, thus saving a lot of valuable time in an emergency. Grice requested that the Matrix report to be shared with the council. He would like to look into the loss of employees in our public safety departments. It is a hunch that we could be losing more money, by losing stability and community relations, than if we simply increased their pay. Grice would like to launch an investigation into Shakur's claims in an executive session. Also he supports the tennis clinic. He has seen the program in action, and it is an excellent program.

Councilman Jacobson stated that if he had his way he would sever the Alembic project now. We can't continue to let it drag on. If they do not have the plans and numbers by July 1st, then we should end it. When we do the RFP for new proposals, the properties should be separated into two projects. He reminded us that we are still hooked up onto the aqueduct water. We should keep it this way. We should only use Washington Lake as a backup. He read an article in which the federal standards of monitoring chemicals in water supplies is being lowered. We have to ensure that the State maintains its higher standard of monitoring that we have had in the past. Jacobson supports the Green Light proposal. It has changed a lot from what was proposed in 2006; but, this proposal is very sound. He believes that every one that drives should have a driver's license, as well as adequate insurance, regardless of where a person is from and where a person is going.

Councilwoman Mejia thanked Mr. Kartiganer for submitting his documentation. It is going to be helpful when they analyze the numbers. The more tools that we have, the better we can make an assessment of the type of development that is coming to our city. She can't wait until this is over, so that we can get everybody back on the conversation about how we revitalize these key properties. Mejia commented that it is so important that people have a safe community. The Green Light legislation is the larger push at the State level; but, we need to continue the local conversation about the Municipal IDs too. We have to continue to talk about what happens in the meantime, because there are still a lot of hurdles that we need to get past. She thinks it is great that we have been recognized for the work that we are doing, in terms of the water quality. However, we still need to

cry out about having a safe water source, because Stewart ANB still has not remediated at the source. She spoke about Resolution No. 150-2018. She knows that we have a tree management plan. Yet she wants to be able to get to the point where a discussion focuses on what to do when things are taken away and replaced in other places.

Councilwoman Monteverde congratulated Wayne Vradenburgh and the water department staff. She toured the facility and was very impressed with the technology and the testing that they continue to perform daily. She is concerned that at some point we are shutting off from the Catskills for repair work, in which we will then take our water from Brown's Pond. City staff is working very diligently to ensure that the water will be safe to drink. Monteverde pointed out that someone from Flint, Michigan toured our facility, and was equally impressed by what we are doing in Newburgh. She is disturbed by Shakur's letter. She would like to get to the bottom of it, to find out what is going on in the police department. She mentioned that she has visited the engineering department's webpage, where they keep an ongoing track of projects. Infrastructure concerns are on the radar. She is happy to see there is a plan for repairing our outdated infrastructure, as well as a plan for paving the streets.

Councilwoman Rayford spoke about Resolution No. 142-2018. Are there any additional police officers that may be requesting this? She requested a detailed explanation of Resolution No. 147-2018. She mentioned Resolution No. 150-2018. She asked if there is anything that we should have the CAC come and do, because we want to ensure that the relationships are open and transparent. Rayford replied to Mr. Shakur's question in that the auditors have been hired at the rate of \$3900 per month. She spoke about our trained police officers leaving for other places. Perhaps we could explore contractual timelines requiring officers to give back to Newburgh by remaining for a specified amount of time. She stated that the ministry, and everybody else has its own version of a vision plan for Newburgh. We, as a council, have to be on guard because it is an election year. There are a lot of promises being made. If we tell somebody that we are going to do something, then we should be about it. She stated that she hears Mr. Lee loud and clear when he says that the children are asking about the support from the rest of their city. She is looking more into it.

Councilwoman Sofokles stated that she would love to be able to put some funds aside for the boxing club. Also she thinks she can help him find other resources that she would love to discuss with him later. She feels that the youth are the most important thing in our city. Sofokles likes Drew's proposal. She feels that it could be useful to hold Alembic true to form now. It is troubling for her when she hears that the police officers are leaving for other places. She can name at least twenty-five (25) officers that have left in just the last few years. Twelve (12) police officers have gone to the Spring Valley Police Department

alone. Sometimes you can't blame them, because they have to be able to live and support their families. We just don't pay them enough. She tells people that whenever they see a Newburgh police officer, you should thank them for staying here. The letter Shakur handed to the council is disturbing to her because she noticed that it was not signed. The accusations against police officers are harsh. It was just handed in, and anybody could have written it. Sofokles felt that Shakur should have read it first before he passed it on to the council. She likes what Mr. Jarvis had to say. He really has a pulse on the community and he knows what we need. She plans to attend the upcoming forum at the ministry to see what we can do to help him.

Mayor Harvey addressed Ms. Royal's comments. A lot of times people misinterpret what we say. We welcome complaints, and we are here to serve the community that elected us. We try to direct our constituents to the person who is the point of authority on a particular matter. But, when it comes to human resource issues, the council has to stay out of these matters. This is why we fought for a part-time human resource position, which we already lost because the person went on to fulltime employment elsewhere. We are addressing it in our budget, and we are trying to get someone in the position on a fulltime basis. Also, some employees are members of the bargaining units, which are unionized. There are protocols and channels that must be followed. We welcome all complaints from our constituents; but, we try to direct them to the right people in order to get solutions. Harvey agrees with a July 1st deadline for Alembic. He stated that "men lie, women lie; but, the numbers don't lie." If we don't get the numbers by the next meeting, then we are going to have to revisit the possibility of opening up a new RFP.

This portion of the meeting was closed.

CITY MANAGER'S REPORT

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

Kathryn Mack explained that she contacted the New York State Retirement System and confirmed that this is the last person in the group. Currently there are eight (8) employees that the city pays, so we are paying \$83K, in addition to our regular retirement bill. This would add another \$10K to the 2018-2019 retirement bill. This money has become part of the budget for 2019. If adopted, this will go to the New York State Assembly. It may make the June summer session or it may not. She tried to do everything that she could to avoid the city from having to take on the total burden of it since Kenan spent the majority of his employment with the City of Peekskill. She has spoken with Mr. Kenan several times. She explained the city's financial situation to him; but, this is the best she could do. He is planning to retire, and this is the only way that he can do it.

Mayor Harvey stated that he is trying to understand it. If the city adopts the resolution, then the city has to foot the additional \$10K to the retirement plan. If we don't adopt it, then what is the alternative? He would like to try to look at all of the tradeoffs and opportunity costs associated with it. He believed that this ties into the very same challenge that we face with our police officers leaving to other municipalities.

Mack explained that if the council does not adopt it, then Kenan will have to wait another five (5) years to complete his twenty-five (25) years in service. Many officers feel that it is the city's fault. Back in the 1990s the option to do either a twenty-year or twenty-five year stint was available. She explained that the legislation was amended because so many people were falling into this problem within the municipalities that they worked.

Lt. Joe Cortez was asked to remark from his point of view. He stated that he was not here when Kenan was an officer in Newburgh. Cortez is solely giving his opinion, and he is not going to talk about the NYS Retirement System, because he does not know much about it personally. He stated that Kenan accepted the position here, with the expectation of doing twenty (20) years before becoming eligible for retirement. Unfortunately the paperwork was done incorrectly by the City of Newburgh, which caused this situation. In Cortez's opinion, the City of Newburgh has to fall on the sword, because it has rectified the matter

for everyone else who fell in this situation. "Right is right," he stated.

Michelle Kelson explained that initially the retirement system was on an 'opt-in' basis, in which you had to affirmatively opt in for the twenty-year plan. Years later the law was amended, and now you are automatically in the twenty-year plan unless you 'opt out'. So it has eliminated some of the omissions. At the time Kenan started working for the City of Newburgh he had to opt-in for the twenty-year plan. There is no record of him opting-in, nor is there any record of anybody telling him that he needed to do it; therefore, he was not *in*. And it was the same thing for other employees at that time. Now the State has made the law somewhat error free because most people would want the twenty-year plan, which is the preferred plan. She pointed out that this is service-related retirement, and it is not linked to the department that you sign up for at the time. It is for the length of service in the position, whether you are an officer in the City of Newburgh, Middletown, Town of Newburgh, etc.

Lt. Cortez put it into perspective. Of someone being of sound mind, who in this right mind would opt to do twenty-five years when given the option to do twenty years? When he got hired in 2001, it was an automatic twenty-year plan.

Councilwoman Rayford asked if they could put something in writing prohibiting anyone else from coming forward. This is costing the taxpayers more money.

Kelson stated she did not believe there was anybody else. At the end of the day it requires an act of the State legislature, and in order for that to occur there has to be a Municipal Home Rule Request. The City of Newburgh can't affirmatively do it on its own. To Councilwoman Mejia's question, Kelson explained that there is no statute of limitations on it, as Mr. Kenan is within his twenty years of service in the retirement system. If we could un-check the box and check the other box on the application, then we would not be going through this. The municipalities, on their own, have no ability to change it. Mr. Kenan has been diligently lobbying his elected officials at the State level, whose staff have contacted herself and Mack, to try to move this process through the local legislative body.

Mayor Harvey believed it should not matter that Kenan worked in one municipality and then changed employment to another municipality within the same state, because there should be some reciprocity.

Kelson responded that the issue at hand is when Kenan was hired in the City of Newburgh he had to affirmatively *opt-in* for the twenty-year plan. For whatever reason, there is no record of him opting in, therefore he was in the twenty-five year plan. The only way for him to be able to do it now is for the State Legislature to pass a bill permitting him to transfer from the twenty-five year plan to the twenty-year plan. The retirement contributions differ from system to system. When the City of Newburgh made those contributions in the 90s, they were based on the twenty-five year plan, which would be smaller because the duration of the plan was longer.

At Councilwoman Sofokles remark about us having to pay for it, Kathryn Mack explained that the total cost is roughly \$150K. The first payment of \$20K will be due in February 2019. The payments for subsequent years are roughly \$10K per year. The City of Peekskill has their own portion to pay.

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Sofokles, Harvey - 6

Nays: Rayford-1

Adopted

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

Councilman Grice visited the Water Department recently. Many residents are concerned about us switching back over to Washington Lake source.

Wayne Vradenburgh remarked. Last year there was an issue with algae. This is a very detailed and comprehensive management plan to monitor Brown's Pond on a monthly basis. The company would make the necessary recommendations to ensure that the water quality at Brown's pond is the highest quality that it can be before it hits the treatment plant. He has been in touch with the DEP, and he has confirmed that the aqueduct shut down is still scheduled for October. There is the prospect that Brown's Pond could be our main source.

Mayor Harvey toured the facility and was very impressed. There is a high level of expertise utilized by staff in the water and engineering departments. He knows that these guys are doing great work, especially after the water contamination issues in our city. He is supportive of the resolution. He stated that he received an anonymous phone call a couple of nights ago from someone who said he lived just above the city line on Route 17K. The man informed him that there were some factories and industrial plants located in the area in the 1970s. Harvey stated there seems to be some additional information that we have that may have contributed to the water challenges that we now face. But, things are happening proactively with our city departments, and the city is looking a lot better than we were.

Grice was not sure if his question was answered completely.

Vradenburgh stated that when the aqueduct shuts down, the plan is to look at Brown's Pond, which would be our main source of water for that ten-week period. At Councilwoman Monteverde's remark, Vradenburgh confirmed that the City of Newburgh has one of the largest filtration plants in the United States, second to Sacramento, California.

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

Resolution No. 145 - 2018 Purchase of 221 City Terrace

Councilwoman Sofokles moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford desired an explanation. She is not clear on its intent. How much does HUD give us for the housing part of the CDBG?

Deirdre Glenn explained that CDBG is an entitlement grant for the city. We are roughly nine months behind than usual, in terms of receiving a notification of funding. The actual proposal was brought forth five years ago with the specific goals for plans and programs. She had to open a public comment period for thirty days, because they received additional money this year. Funding is through the Federal housing program HUD. In terms of the property that we sell, we have an In Rem program within that HUD grant. This covers the salaries for two DPW workers to board up the buildings; and it covers the salary of David Kohl, who is selling city property. Glenn stated that she does not have the budget in front of her, but, she thinks that the three salaries, with the benefits package included, total roughly \$120K. She receives staff timesheets, along with a daily maintenance log of the properties that they are maintaining, whether they are boarding up properties, cutting grass, clearing garbage, etc.

Councilwoman Monteverde confirmed that the amount in the budget is \$205K.

Glenn pointed out that the total budget amount includes the salaries of the three positions, as well as materials and training.

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford moved and Councilman Jacobson seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Mejia disclosed her interest in the resolution. She stated that she has no direct or indirect financial benefit from it. Per Section 34-4.2 of the City Code, she does not believe that she has to recuse herself from the vote; but, for the sake of a clean passing of it she intended to abstain from the vote.

Councilman Grice moved and Councilwoman Monteverde seconded.

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

Adopted

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

Councilwoman Monteverde is happy that we are moving forward. This is only the beginning, as there is still a lot of work to do. We are a welcoming city. It is very frightening to hear about all of the things going on all over this country, and it is giving her a lot of anxiety. Everybody should be able to live as they choose to live.

Mayor Harvey thanked Ignacio Acevedo for speaking up and speaking out on it. Indeed we are a welcoming city, as we are a nation of immigrants. The presentation this evening is indicative of that fact. We celebrate our diversity in America, as we do in the City of Newburgh. Harvey believes that multiculturalism should permeate our schools, school curriculum and anything that we do in this city. This is another example of how our city is forward thinking, and he is very supportive of the resolution.

Councilwoman Rayford stated she understands that this is a resolution of the city council's support of the legislation. But, where ever she goes, she is constantly asked by her constituents to provide more details about the licenses. She would like to be able to provide her constituents with answers.

Michelle Kelson explained that this is not the Municipal IDs. The State currently has requirements for people to be able to obtain a driver's license. However, it has to make changes to be able to comply with new federal requirements. The bill has been amended in the State Legislature to remove some of the existing barriers that prevent certain segments of the population from being able to obtain a driver's license. This resolution establishes the city council's support of the State bill. It has not been approved yet; but, once she gets the notification, as she usually does, she would notify the council members so that they will be able to direct their constituents accordingly.

Councilwoman Mejia stated that as more and more individuals begin to visit municipalities and offices within those municipalities, she is concerned about an alleged incident that occurred at the Newburgh City Court. It is alleged that someone, who had Legal Status, was randomly selected and accosted by federal ICE agents at the security entrance of the courthouse. The person reached out to the Newburgh Police Department in an attempt to file a report about the incident. Mejia would like more clarity about what regulations exist when aggression occurs by federal officers inside a federal building in our city.

Michelle Kelson explained that the City of Newburgh owns the courthouse building. The court, itself, is operated and funded by the State of New York though. All of the employees, including the clerks, the court officers and the judges are employed by the State of New York. They are not municipal employees. In the hierarchy of Government, the Federal Government is at the top. Then comes the State, followed by the Local County and Municipal governments. As objectionable as the conduct may seem, Kelson is not so sure if the local government has the ability to make rules and regulations. However, there are certain proposals in the State Legislature that would provide a Safety Zone and Safe Harbor for people coming into the State Court System. This includes our City Court. If someone feels he is harmed by a State or Federal officer, his recourse would be to either the State or Federal Government.

Mayor Harvey pointed out that this refers to the constitutional concept of Federalism. Whenever a representative of the Federal Government walks into a State or Local building, technically they have Federal Supremacy over the municipality. Folks are afforded certain rights under the United States Constitution. These amendments protect individual, as well as State's rights. A lot of people don't understand that Non-Citizens have rights too under the Bill of Rights. It is something we have to discuss further.

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilman Grice moved and Councilwoman Sofokles seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford thanked Deirdre Glenn for facilitating this. She has some things that can be fixed now, instead of thrown away. She feels it is needed.

Councilman Grice moved and Councilwoman Monteverde seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

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

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

Resolution No. 155 - 2018

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

Resolution No. 156 -2018

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

Resolution No. 157 -2018

Councilwoman Rayford moved and Councilman Grice seconded.

Ayes: Grice, Jacobson, Mejia, Monteverde, Rayford, Sofokles, Harvey - 7

Adopted

At the close of his report, the City Manager excused himself from the meeting early.

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.

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.

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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 (Cyanobacteria 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)

TEXAS HUNTER®
P R O D U C T S


The
Stewards
of Water

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.

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.

1144-18

Dated: _____, 2018

By:

Per Resolution No.: - 2018

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.

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.

1146-18
RESOLUTION NO.: 120 - 2017

OR

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

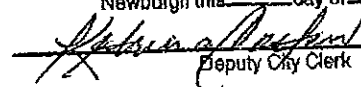
WHEREAS, the organizers of the Summer Film Festival have requested that the City Council support the Festival as a City-sponsored event; and

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 Cotten, Deputy City Clerk of the City of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held 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.

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.



Downtown Revitalization Initiative

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.

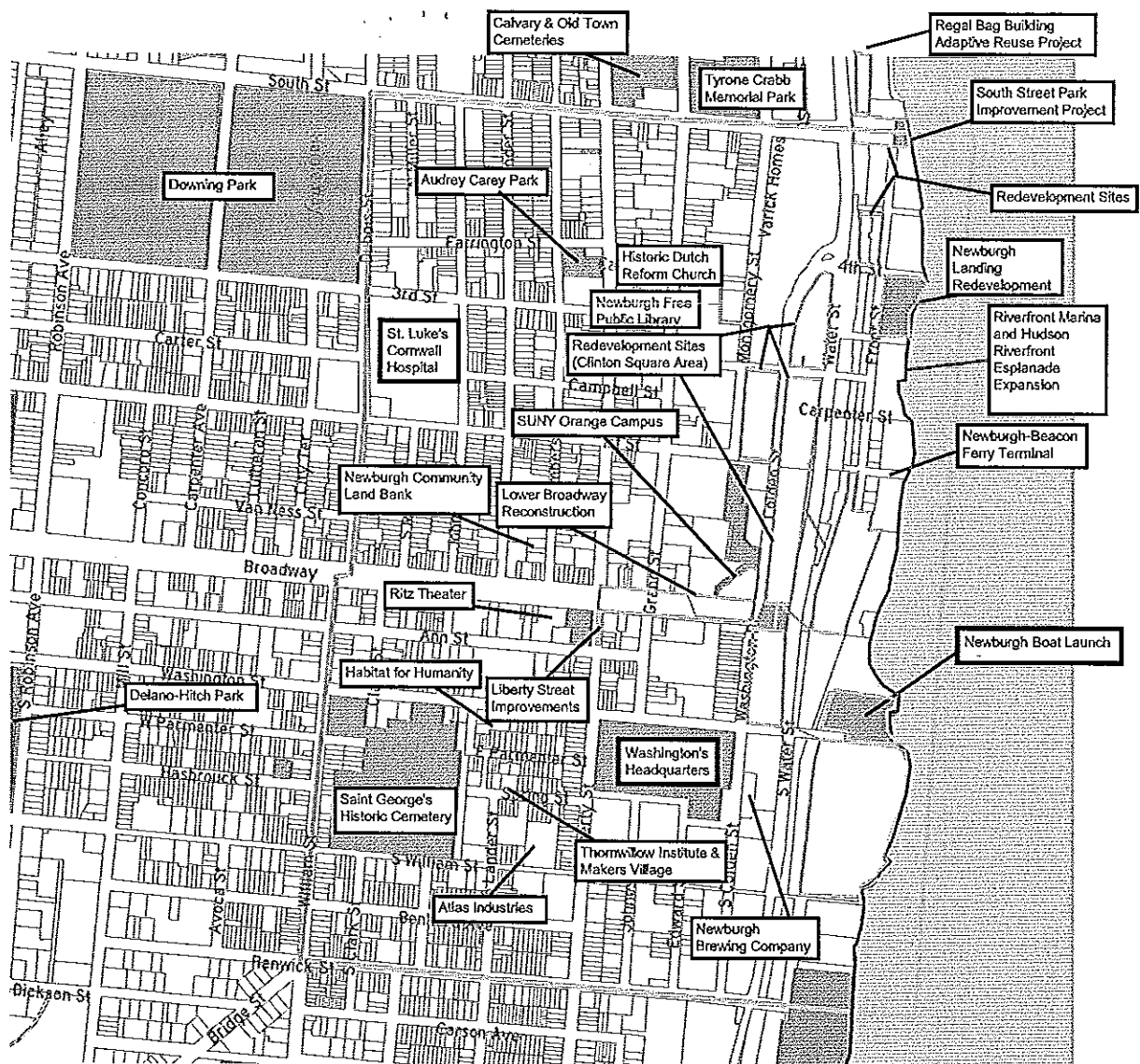
9) Administrative Capacity. Describe the extent of the existing local administrative capacity to manage this initiative, including potential oversight of concurrent contracts once projects are selected for award.

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.



City of Newburgh DRI Boundary

0 500 1,000 2,000 3,000 4,000 Feet

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.

150-18

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 Licensor harmless against any claims, actions and proceedings brought against Licensor 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 Licensor 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.

#151-18

**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

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

MLTSPNSR Magnarelli

Amend §§201, 501, 501-a, 502 & 508, repld §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 subdi-
6 vision 1 as amended by chapter 550 of the laws of 1992, paragraph (l) of
7 subdivision 1 as amended by section 2 of part E of chapter 60 of the
8 laws of 2005, item 1 of clause (A) of subparagraph (ii) of paragraph (i)
9 of subdivision 1 as amended by section 1 of part I of chapter 58 of the
10 laws of 2015, item 2 of clause (A) of subparagraph (iii) of paragraph (i)
11 of subdivision 1 as amended by section 1 of part K of chapter 59 of the
12 laws of 2009, paragraph (j) of subdivision 1 as added by chapter 448 of
13 the laws of 1995, paragraph (k) of subdivision 1 as amended by chapter
14 391 of the laws of 1998, subdivision 5 as amended by chapter 196 of the
15 laws of 1996, subdivision 6 as amended by chapter 432 of the laws of
16 1997, and subdivision 7 as added by chapter 978 of the laws of 1984, is
17 amended to read as follows:
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

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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 ~~[(4) 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 [(1) 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.]

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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 ~~[(4)]~~ (g) documents specified in paragraph ~~[(4)]~~ (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-

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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.

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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

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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

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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 subdivi-
13 sion 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-

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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.

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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.

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

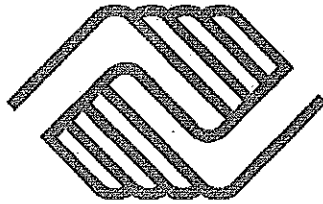
WHEREAS, the Boys and Girls Club of Newburgh, Inc. proposes to expand and relocate the Newburgh Performing Arts Academy, a highly successful school of the arts providing pre-professional instruction in dance, music, theater and visual arts to children, youth and adults, and Early Elementary Education 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.

52-18



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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Doris Lopez

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

Boys & Girls Club of Newburgh is funded by: New York State Office of Children and Family Services, Orange County Youth Bureau, United Way, New York State Council on the Arts and the Dyson Foundation.

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

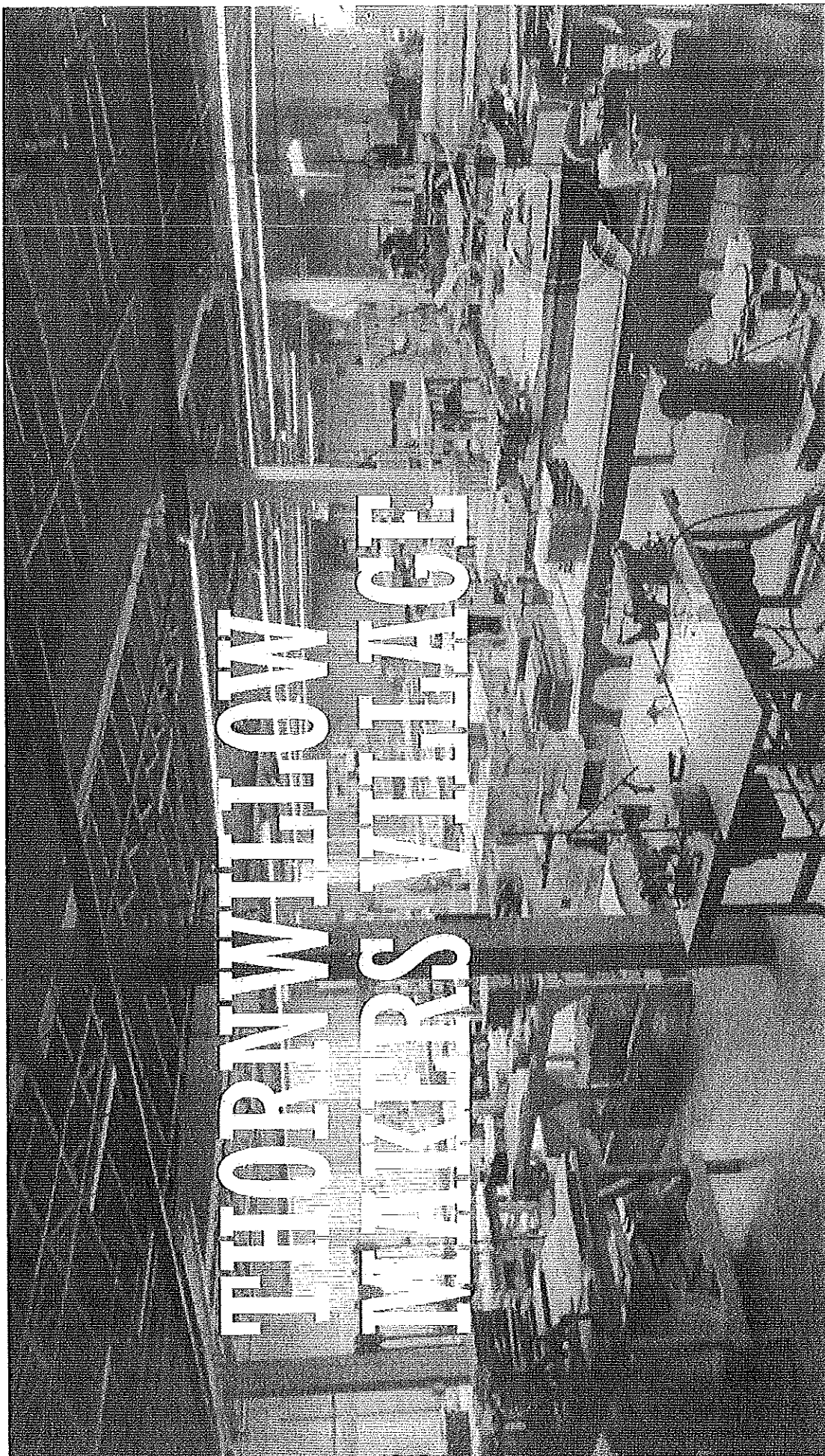
WHEREAS, the Thornwillow Institute is committed to developing The Thornwillow Maker's Village into a significant tourist destination to promote and perpetuate craftsmanship, culture and community; and

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.

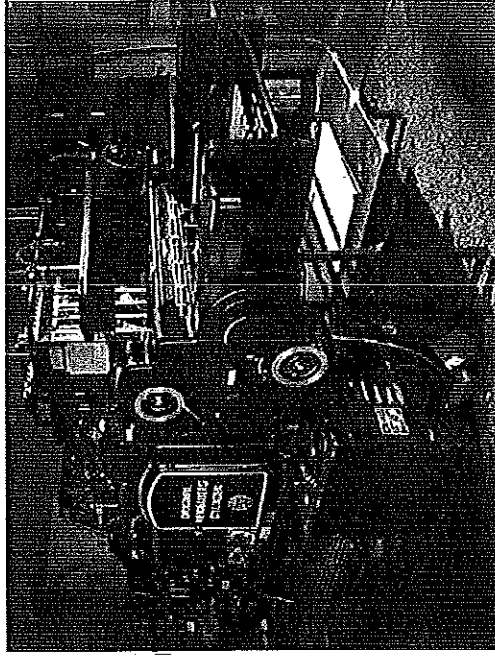
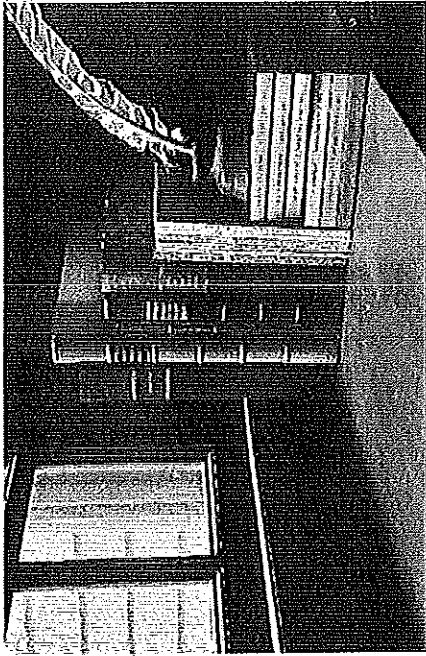
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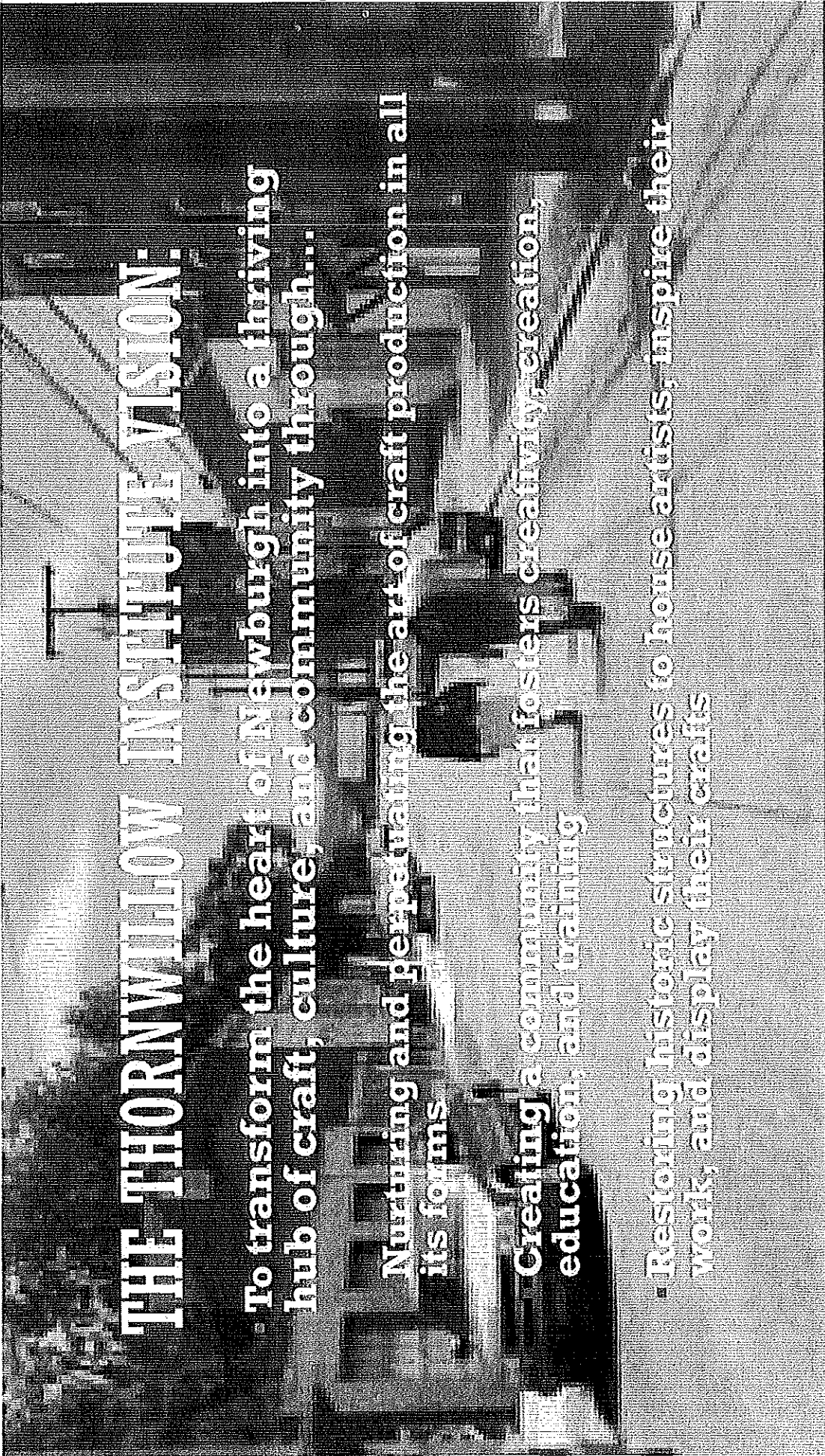
THORNTON'S VILLAGE ADDITION



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:

- Glynnwood
- Culinary Institute of America



THORNWILLOW EVENTS / PARTNERSHIPS

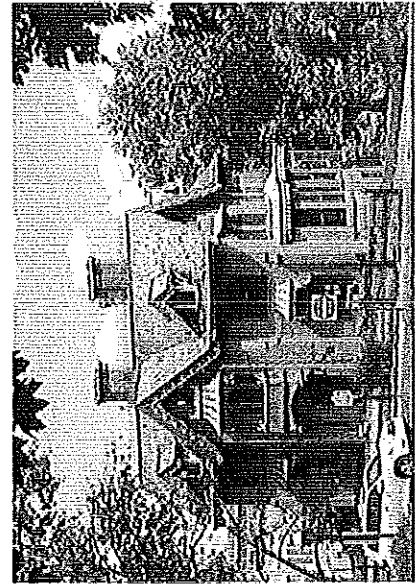
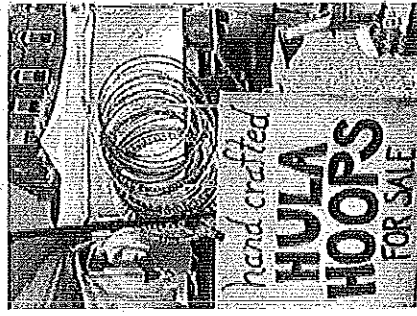
Thornwillow Institute hosts and produces many public events both at Thornwillow Institute and its partner venues. This includes:

- 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

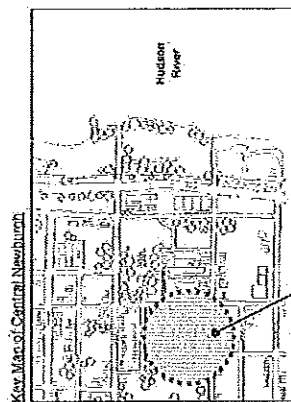
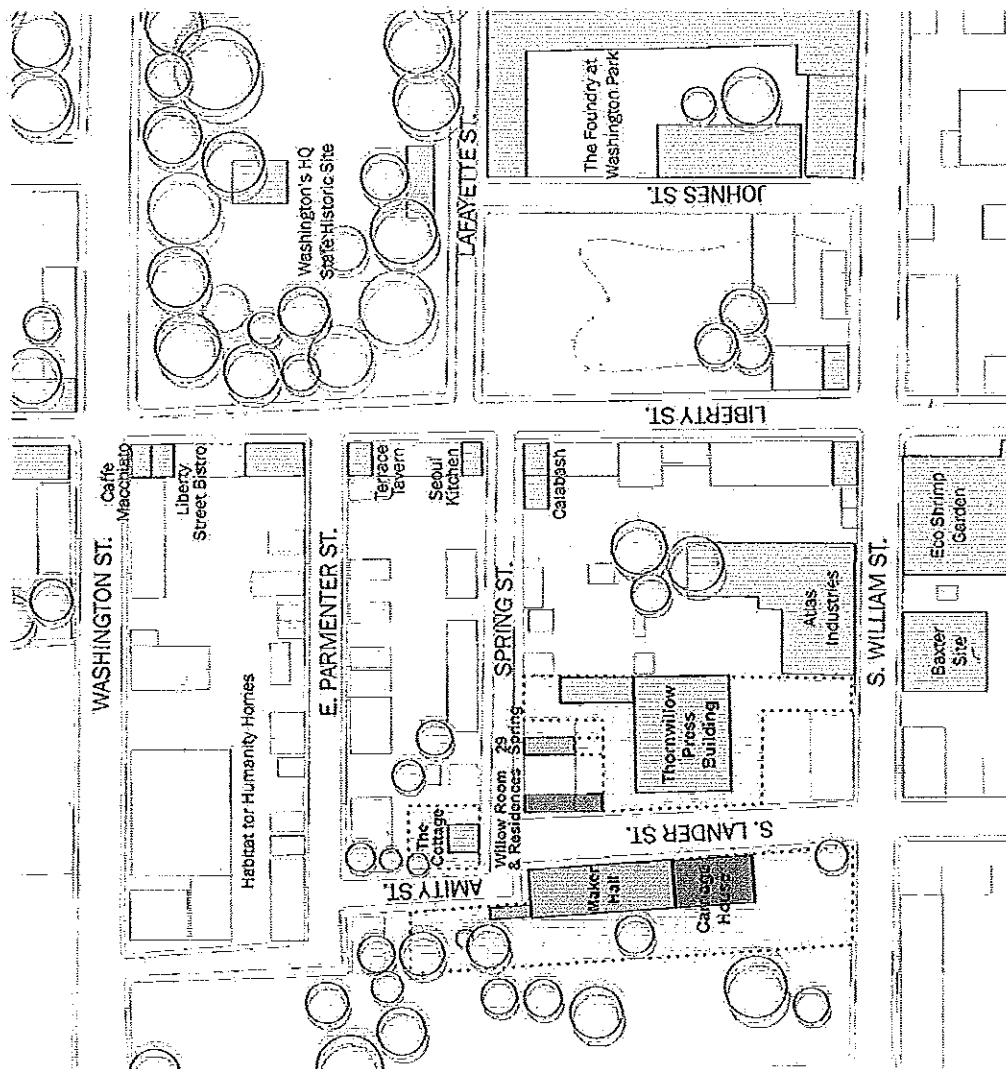
▪ Art studio spaces and galleries along the waterfront

▪ 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

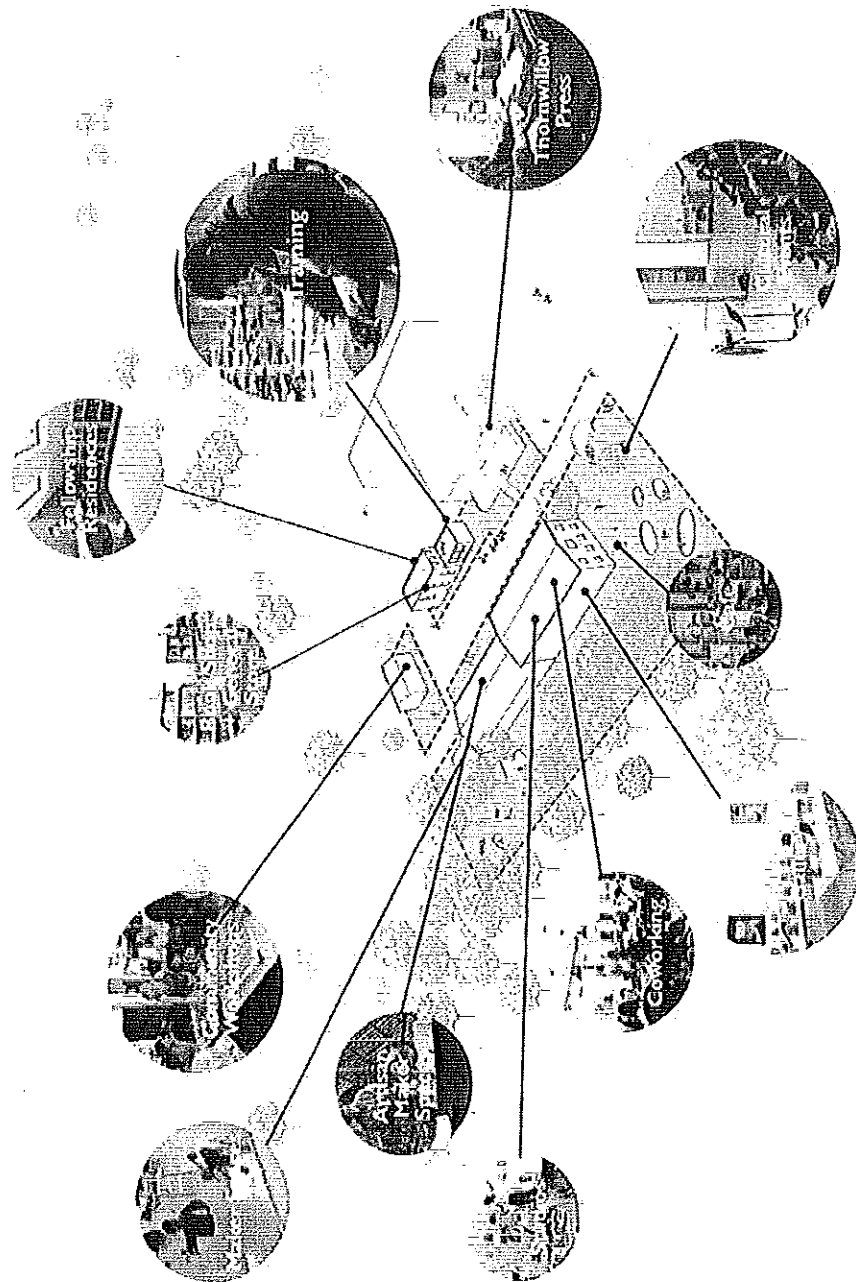


Thornwillow Maker Village

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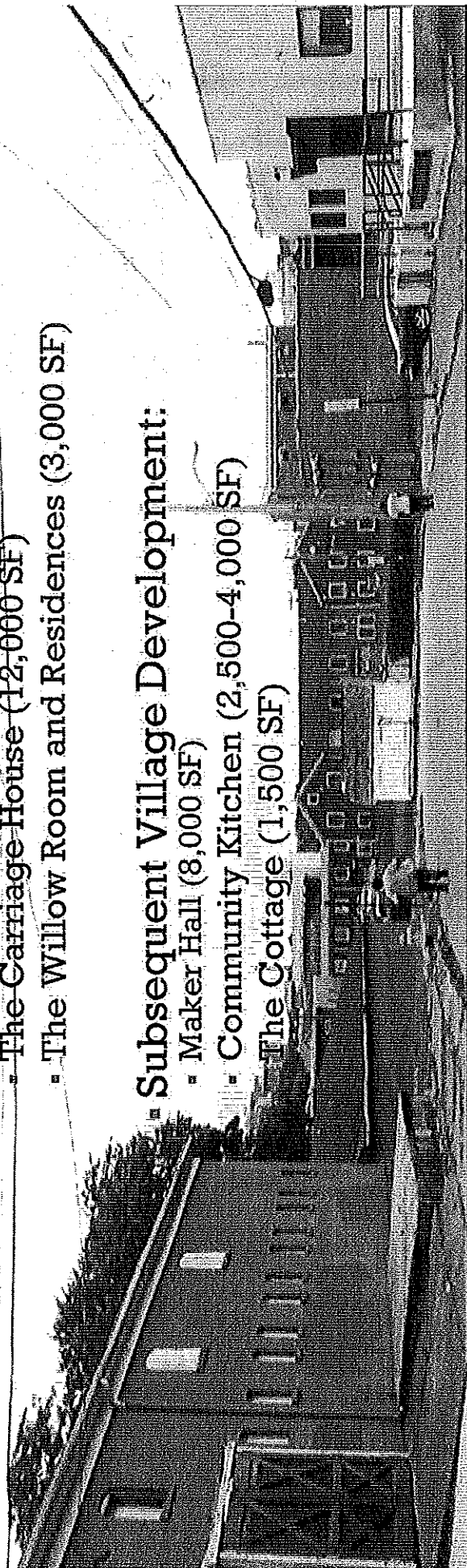


MAKERS VILLAGE PROGRAM COMPONENTS



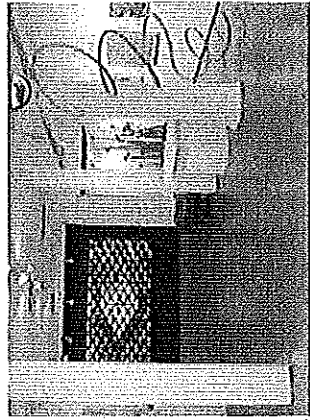
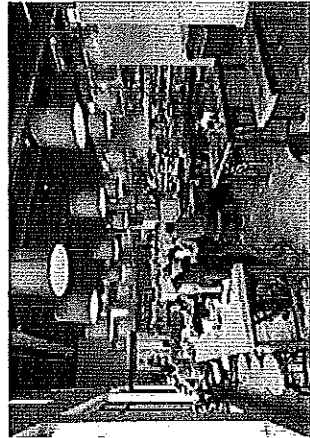
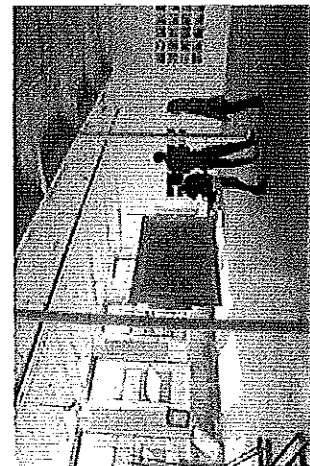
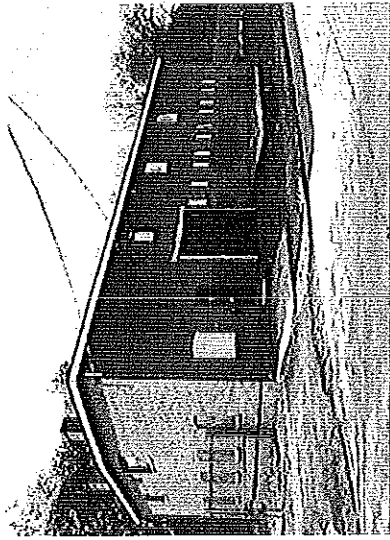
PHASED DEVELOPMENT PLAN

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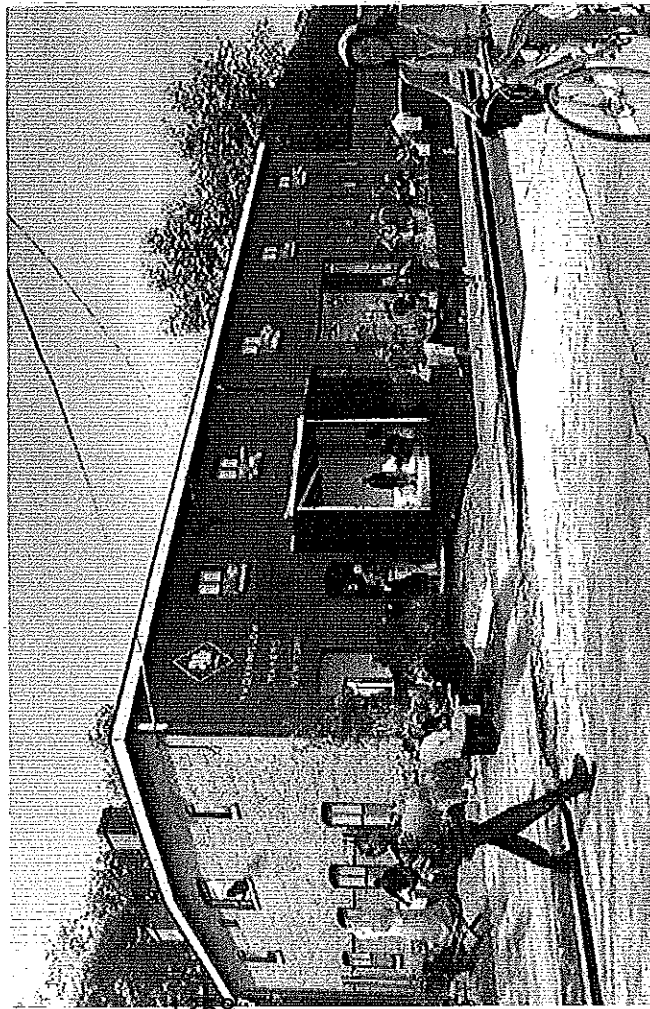


THE CARRIAGE HOUSE

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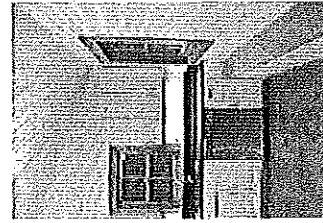
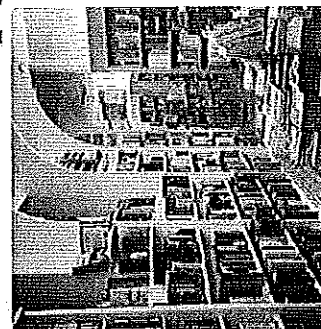
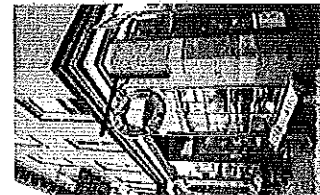
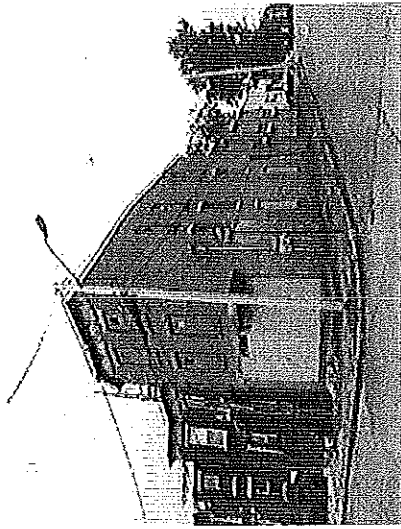


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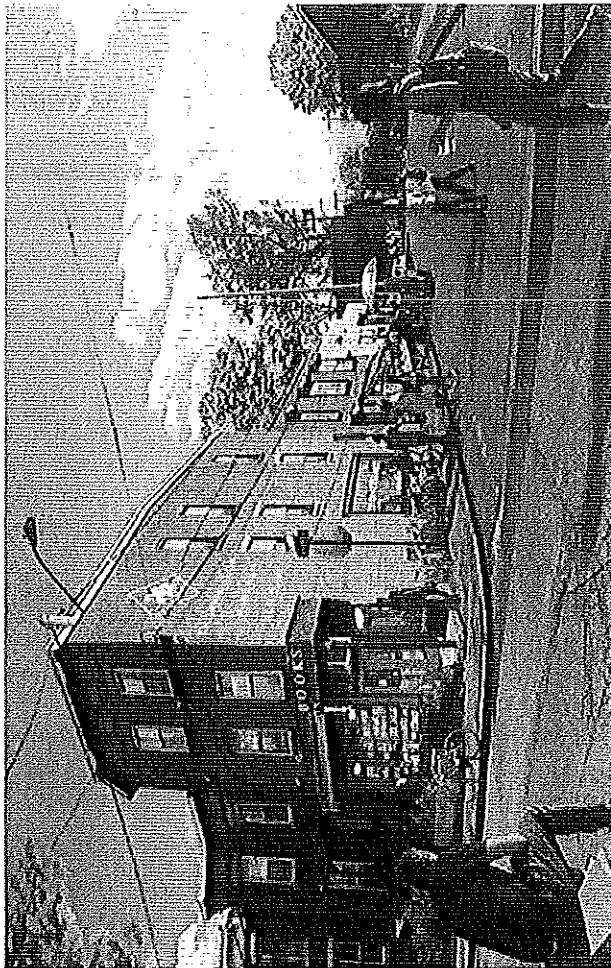
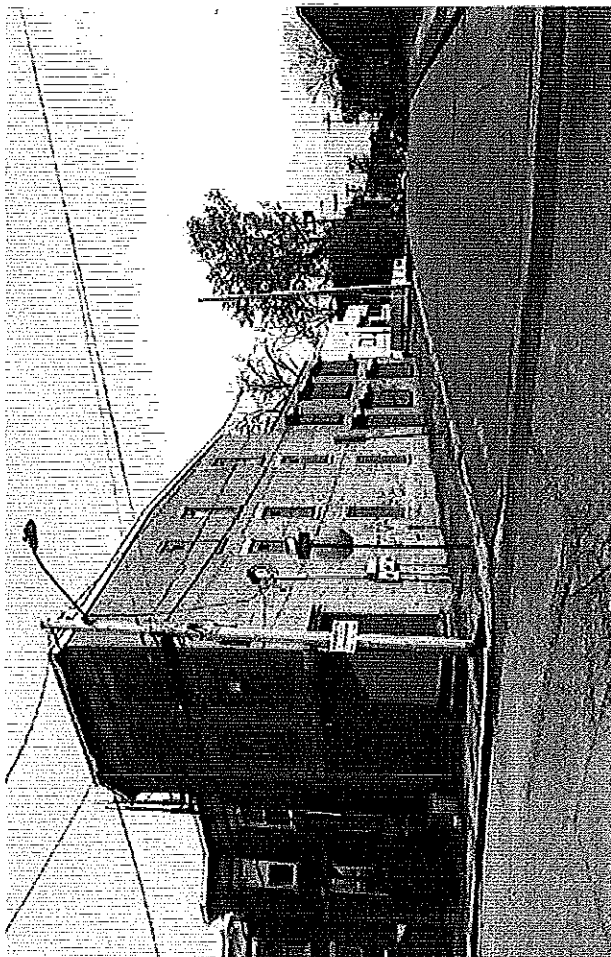


WILLOW ROOM AND RESIDENCES

- 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

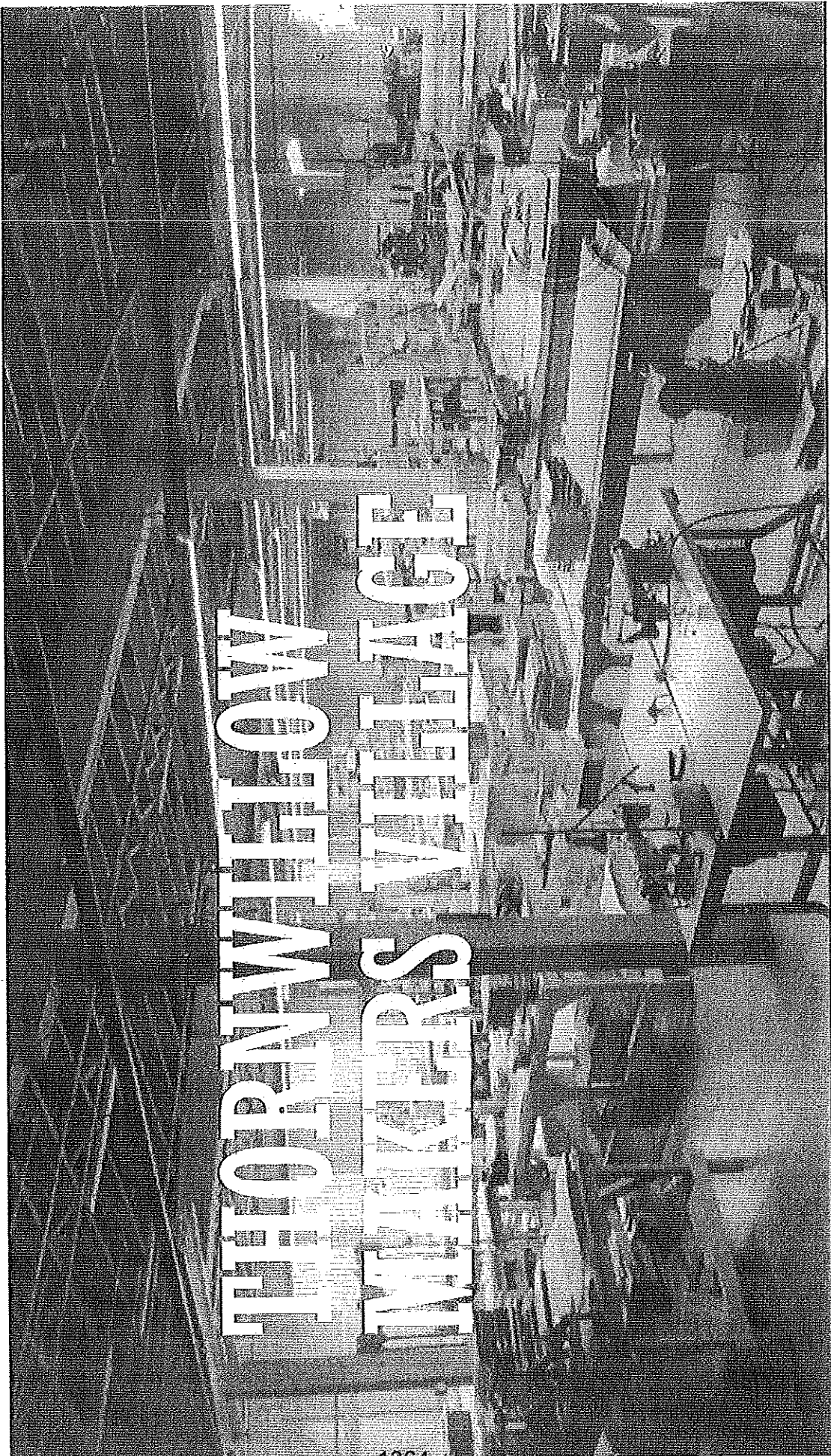
WHEREAS, the Thornwillow Institute is committed to developing The Thornwillow Maker's Village into a significant tourist destination to improve the accessibility of craftsmanship, culture and community and thereby increase the economic impact in the region as a result of increased tourism and visitor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

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 New York State Council on the Arts - Arts & Cultural Facilities Improvement Program for a Large Project Capital Project grant for the development of The Thornwillow Maker's Village.

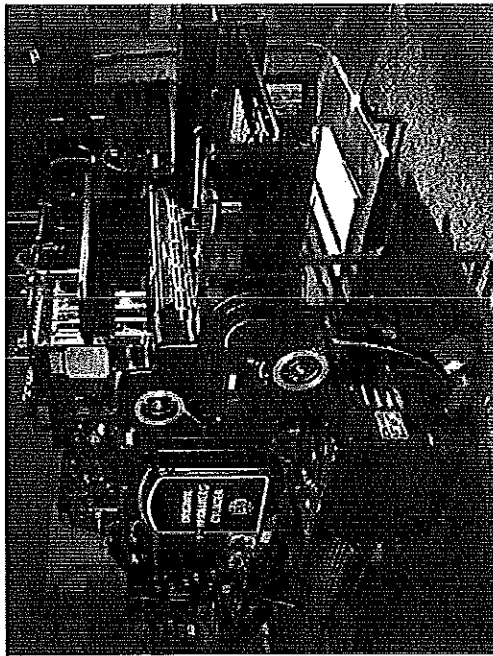
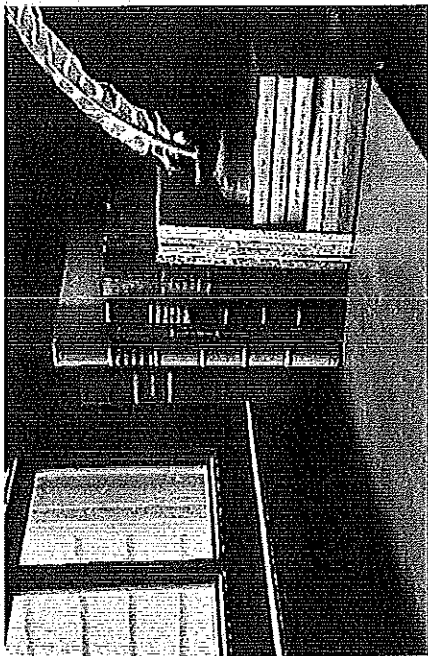
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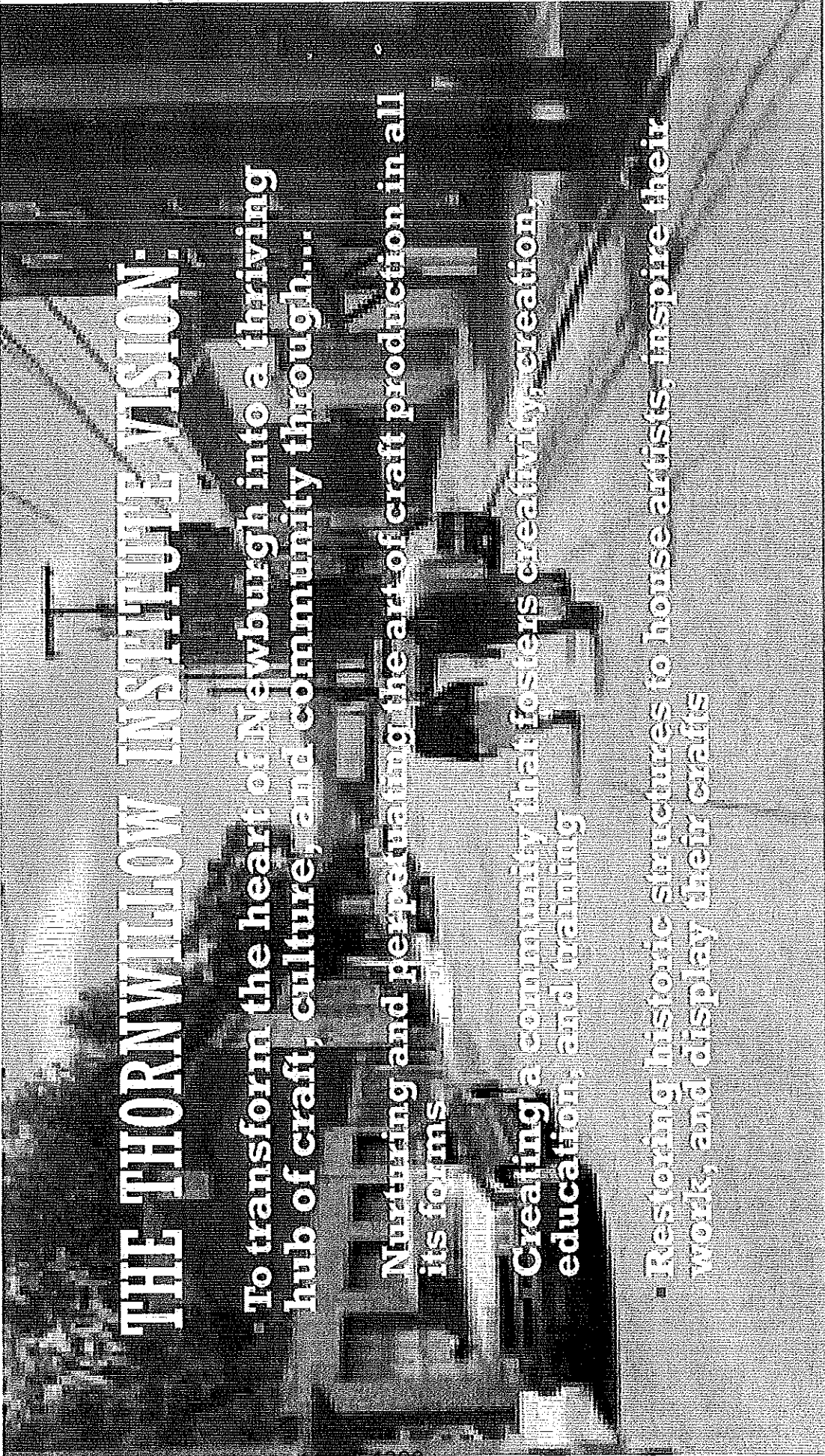
THORNWILLOW MILLERS VILLAGE



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:

- Glynnwood
- Culinary Institute of America



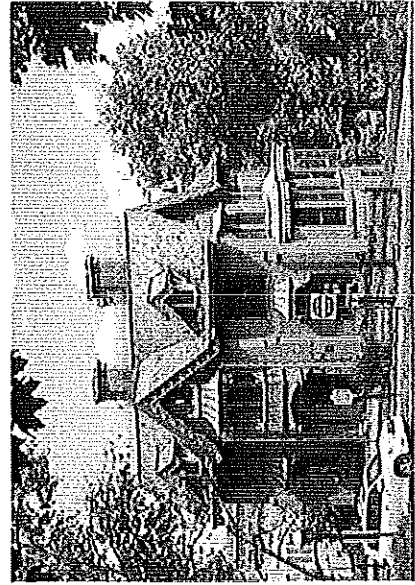
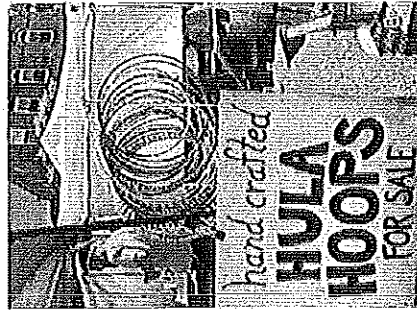
THORNWILLOW EVENTS / PARTNERSHIPS

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

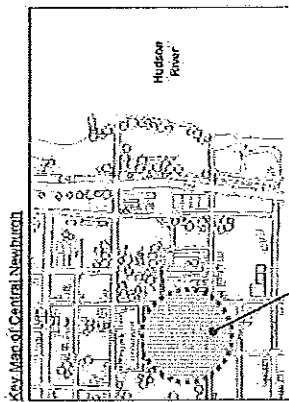
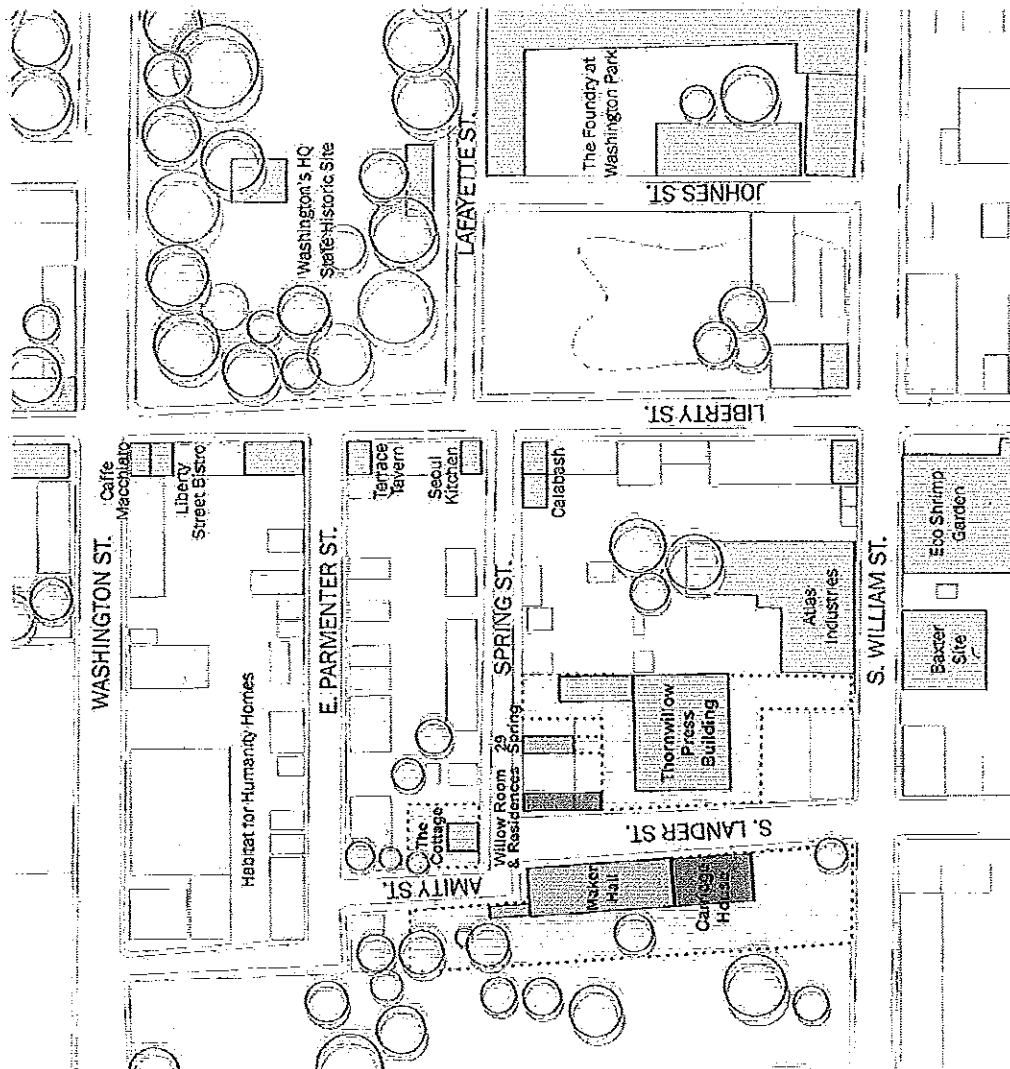
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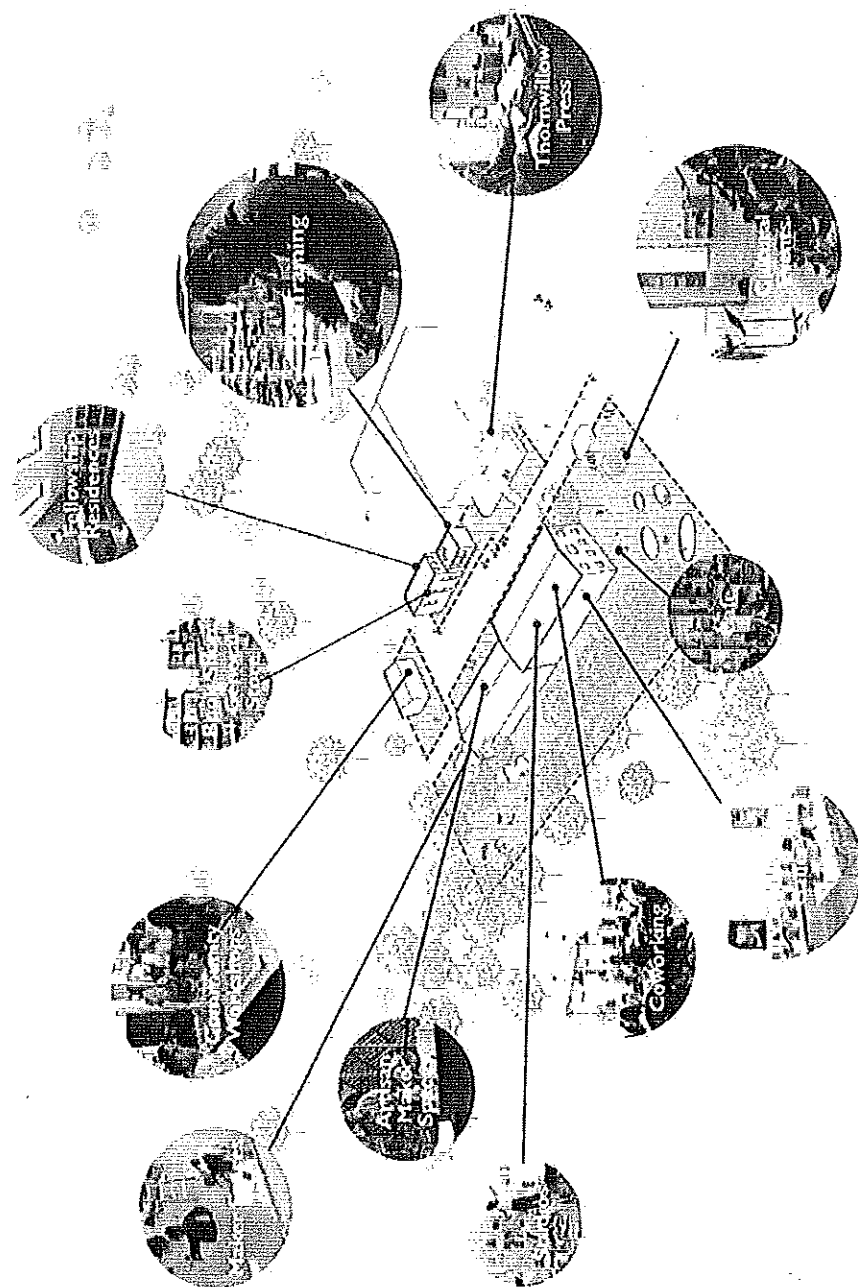


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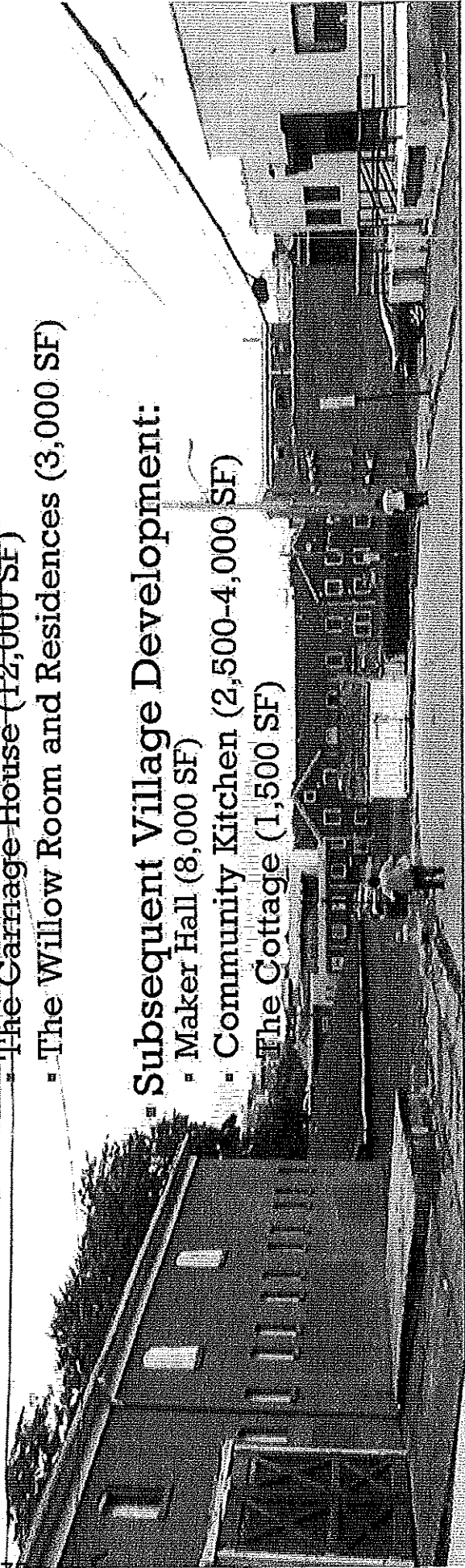


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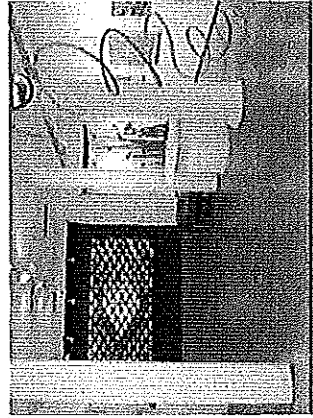
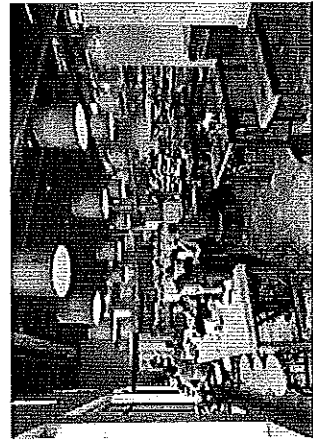
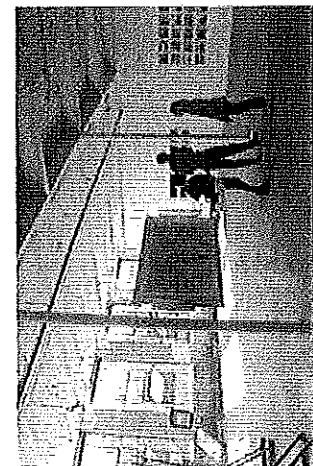
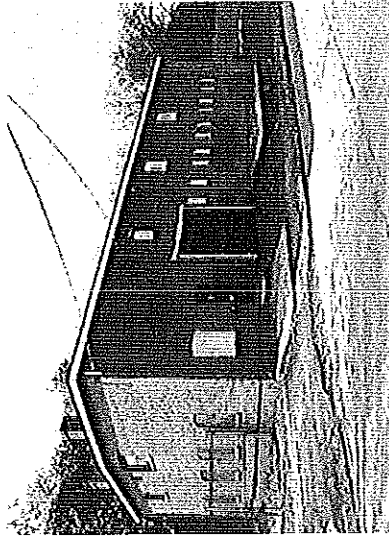
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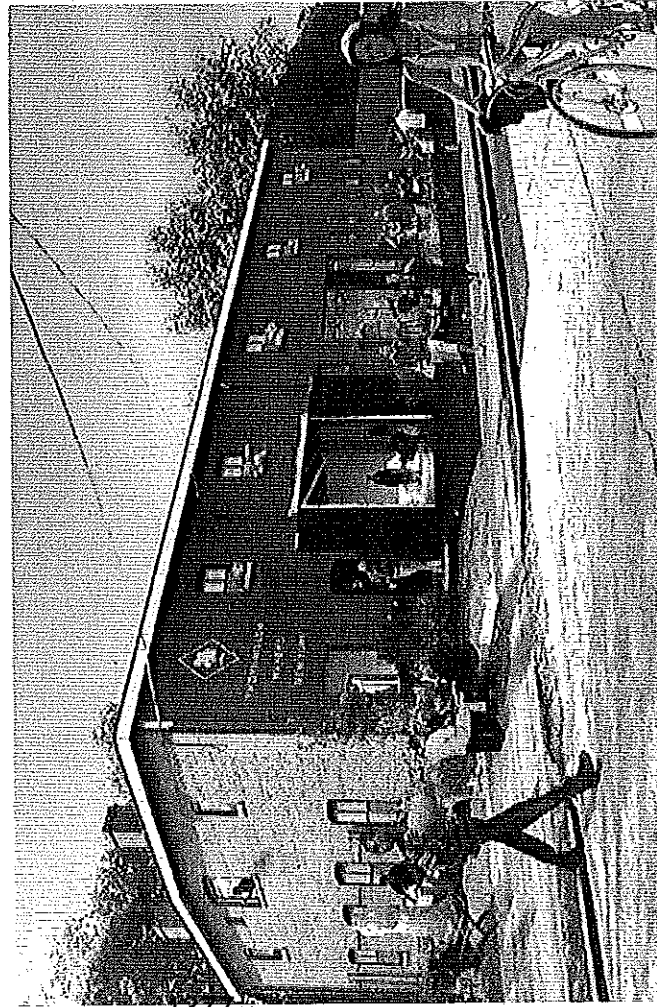


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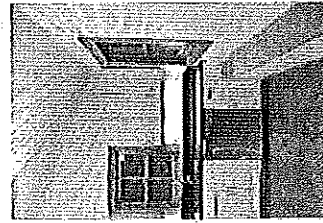
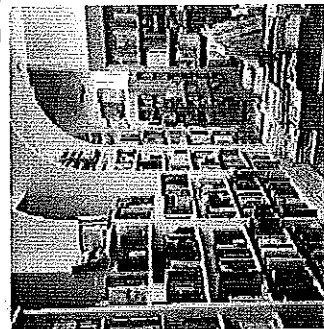
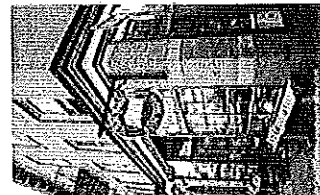
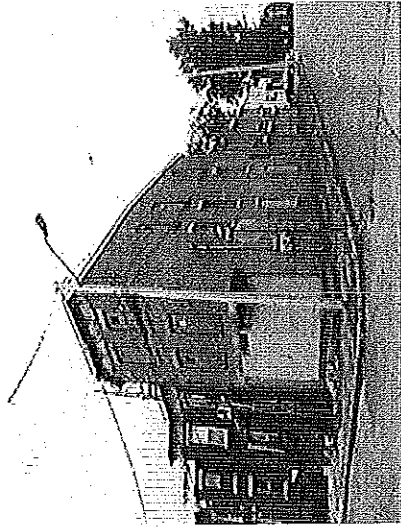


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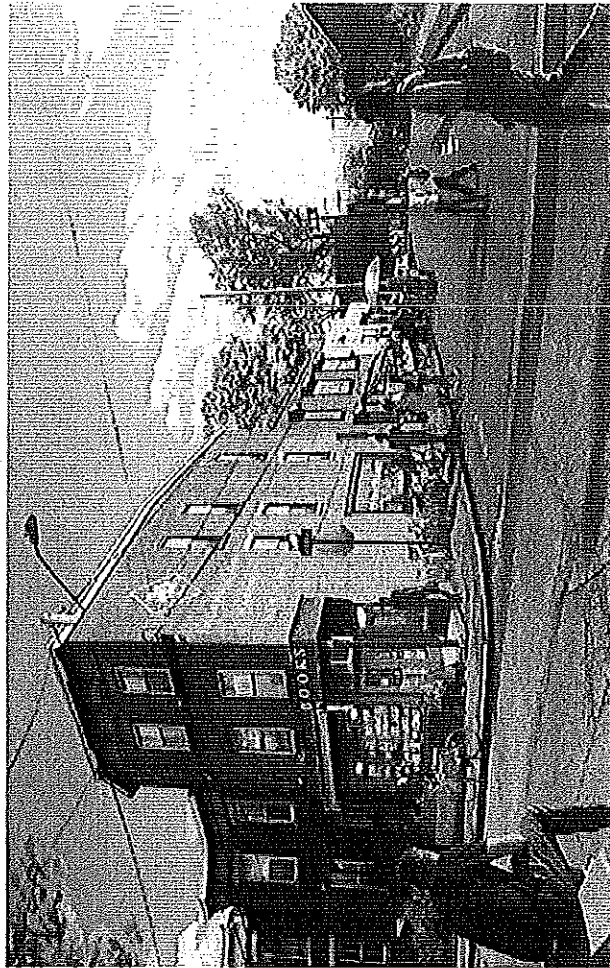
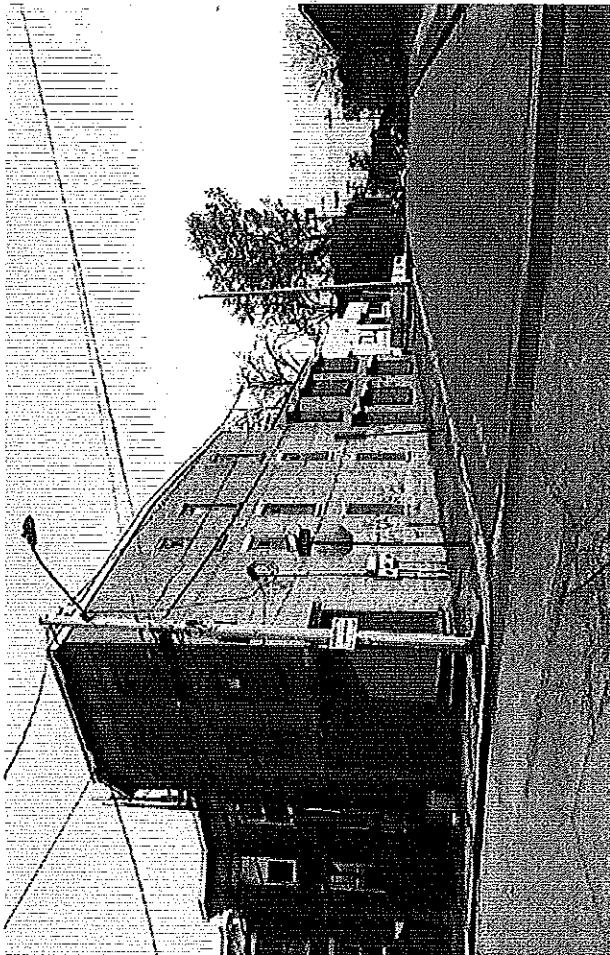


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TIMELINE

▪ 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.

OLD BUSINESS

Mayor Harvey desired a quick update on the Newburgh Art and Cultural Commission.

Michelle Kelson stated that the press release went out. It made the online version this evening, and it will be on the city's website. It should be carried by the local media in hopes that they will generate enough interest by the end of June. Hopefully she will have all of the information available for review and consideration at the July work session. If there is a consensus of the appointments, then she can prepare the resolution for vote at the July meeting. Kelson stated that if anyone has already contacted a council member with an interest in serving on the commission, then please forward those names to her. She will then share the information with the City Manager's staff. If any previous commissioners have expressed an interest to the Mayor to volunteer and help coordinate things, then that should be expressed in written form.

Councilman Grice remarked that he created a spreadsheet for the Parking and Transit Advisory Committee. He would share the format with Mayor Harvey for use as a guide for the Arts and Cultural Commission.

At the conclusion of Old Business, Councilwoman Mejia and Councilwoman Monteverde excused themselves from the meeting early.

NEW BUSINESS

RESOLUTION #158-2018

Councilwoman Rayford introduced Resolution #158-2018 under New Business. She read the resolution in its entirety. Rayford pointed out that she was not present when Alembic did its presentation at the work session in August 2017; yet, she was able to vote on the subsequent resolution. She felt that she trusted her colleagues to present the information to her, and she did not realize that the proposal was not accompanied by actual numbers. She blamed herself for not looking at it for herself. It has been prolonged enough, and we continue to wait for the developer to come before the council over and over again, only to be let down again. She felt that we wasted a lot of time already. She has watched the division in the community surrounding it, and she has lost a lot of sleep. She has had it with Alembic. This is why she is proposing the new resolution.

Mayor Harvey appreciated everyone's input regarding the Alembic proposal. He appreciated Councilwoman Rayford's efforts because they are done with integrity. She has the ability to hear and understand what the community desires. Harvey felt that there should be some clarity about the process in how it was presented tonight. In August 2017 the council received a response to an RFP that was put out by Planning and Development. It was subsequently vetted by a committee of people in the Economic Development department. It was determined that Alembic, along with Hester Street had the best response to the RFP at the time. The fact that the numbers were not presented at that time was a not a matter for the city council to determine, in terms of the selection of the RFP. We welcome developers to come to the City of Newburgh. We want our nationally-registered historical sites to be repaired so that we will be able to create jobs and ratables that help ease the tax burden. At this point, we have not even seen the numbers yet. Landlords in the City of Newburgh seem to have the loudest voices when they live *outside* of the City of Newburgh. He is beginning to see a pattern. We need to see city residents too, just as loudly. Folks shut down the Mid-Broadway project. Now folks are ready to shut this down too. He is concerned that if we support a resolution to shut down the Alembic project, then we are going to be in the same pot of soup that we were in with the Mid-Broadway project. If we prematurely terminate all negotiations with Alembic now, then we could be looking at a lawsuit later.

Rayford does not believe this would be the case. The other proposal states the numbers, whereas this one does not. It has been prolonged time after time, and it is exhausting.

Councilman Jacobson supports Rayford's intent. He would have liked to see the resolution earlier so that he could read it. He understands Harvey's perspective. From the beginning, he did not appreciate that questions about the product and the process continued to go unanswered. Many questions were simply addressed by using charts and graphs. He does not know if the resolution mentions separating the two projects moving forward. But he suggested that we pass this resolution stipulating that Alembic has to present its plans and numbers by the deadline of June 30th. If the developer does not come through by the deadline, then at least they are on notice, and then we can vote to stop the project in July. It won't necessarily stop litigation, because people will still sue if they want to sue.

Councilman Grice stated that perhaps Michelle Kelson could give the council, in an executive session, the legal parameters concerning the matter. He is disappointed with Alembic's community engagement and the lack of showing numbers on the project. At the same time, both the Dutch Reformed Church and the City Club properties do need to be renovated. We need to bring in tax ratables, and we need affordable and low-income housing, as well as quality housing. There is a whole mix of things that we need for our city, and he wants to be intentional and careful about it. If Alembic is not the organization to do that type of work, then so be it. But, let us not lose sight of the need for affordable and quality housing.

Councilwoman Sofokles stated that Rayford's proposal is very good. She agrees that Alembic has to put up. We agreed to let them go until the end of the month. She does not see anything coming that we are going to want anyway, because she does not see tax ratables. She stated that she will never vote in favor of something that is not going to bring taxes into this city. We don't even have anything in writing from them. So it is not the same as the proposal by Mill Street Partners.

Michelle Kelson explained that a resolution authorized a license agreement for Alembic to have access to the DRC for the purposes of stabilization. There has been very little negotiation with regards to a land development agreement, because we had asked them to revise the project they initially proposed in the RFP. Kelson understands that everybody is frustrated with the timeline, and the length and time involved. But she thought that the consensus at the work session was, if they did not submit everything by the July work session then the council would be open to entertaining a resolution similar to this one.

Rayford stated that she stood on what she said previously. She feels that the council should not be fearful because Alembic does not hold its own weight. She is ready to vote on it.

Mayor Harvey asked if litigation is possible if they passed it.

Kelson agreed with Councilman Jacobson in that there is always the possibility of litigation. Anybody who has a few dollars and a piece of paper can file a lawsuit. The posture of it, and where we are in the process is very different from previous projects. You have not authorized the city manager to actually execute an agreement so there is no contract. To some degree the risk of exposure is a lot less at this point in time. Kelson recalled Councilwoman Rayford expressing her determination to get her resolution introduced this evening. It is just that she did not get the sense from the rest of the council that it was prepared to actually vote on it tonight.

Jacobson desired a clarification that Resolution #158-2018 would theoretically terminate all negotiations with Alembic immediately.

Rayford responded to Jacobson's question. She stated in the affirmative that terminating all negotiations with Alembic tonight is the intent of the resolution that she has introduced. Also she wanted the record to reflect that two council members, as well as the city manager have left the meeting early, and are not present for a vote. She felt that it is a pattern.

MOTION TO AMEND RESOLUTION #158-2018

Councilman Jacobson proposed a friendly amendment. Jacobson moved that Resolution #158-2018, as introduced by Councilwoman Rayford, be amended requiring Alembic to present and submit its plans, with all of the numbers included, to this council body by June 30, 2018. Councilwoman Sofokles seconded that the resolution be amended.

Ayes- Grice, Jacobson, Sofokles, Harvey-4

No- Rayford-1

Absences- Mejia, Monteverde-2

AMENDMENT CARRIED

Mayor Harvey thanked Councilwoman Rayford for her efforts concerning the proposed resolution. He thanked Councilman Jacobson for the friendly amendment to this sensitive and volatile issue.

Councilman Jacobson thanked Councilwoman Rayford for bringing this issue to the floor tonight. It is an important issue, and he is happy that the council will be able to do something to wrap up the matter one way or the other.

MOTION TO ADOPT RESOLUTION #158-2018, AS AMENDED

Councilman Grice moved and Councilwoman Sofokles seconded.

Ayes: Grice, Jacobson, Sofokles, Harvey - 4

Nays: Rayford-1

Adopted, As Amended

NOTES: The City Clerk was not provided a copy of the resolution; and therefore it is not contained in the Minutes.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice stated that the council takes residents' concerns very seriously. They do try to put the pressure on the necessary departments. We can't always share some of the things that come to light; but, we do follow up on those matters, and we aren't afraid to ask the tough questions that dig deep into matters.

Councilman Jacobson thanked the Newburgh Illuminated Committee. He commended our police and fire departments for doing a great job. It was befitting that we recognized the Doddo family this evening. The family embodies The American Dream, as well as the contributions that immigrants have made in making our country great over decades. He commented about the significance in supporting a resolution that ensures that everybody can have a driver's license in this state. It is good to see some progress on the streets. When he goes door to door he is constantly reminded about the paving, so he will continue to remind DPW and his colleagues that we have to finish the job. He thanked Councilwoman Rayford for her resolution that will allow the council to conduct this business with Alembic in a very deliberate way.

Councilwoman Rayford stated that Ms. Royal's points are well taken. Many times things are being investigated, in which the city council does not get answers. The City Manager works at the will of the city council, and she felt that this council body should work as a team, and address their concerns to him directly. That is the thing, we want to hear from our residents, and we will do our best. She stated that their hearts and souls go out to move this city forward. She know things are frustrating. She felt that even though the City Manager is the head of the city she feels that things are not being done the way they should be done. Such is politics though. She supports Mr. Lee's boxing club 100 percent. We may not have the money in CBDG; but, our youth are our greatest asset. Without the youth, our city will die. She thanked Councilwoman Sofokles for sponsoring a child-in-need to attend the camp this summer. She encouraged her colleagues to stay encouraged. It is not about forging friendships. It is about putting the people in our community first. She thanked the city employees for staying late tonight. She concluded her comments by imploring everyone to read the Biblical Verse II Chronicles 7:14. She stated that Newburgh is on the path to healing.

Councilwoman Sofokles encouraged Leonard Lee to speak with her. Her office is located at 448 Broadway. She conceded the rest of her time to the young lady patiently waiting to speak with her privately after the meeting. She stated that 'Michelle' spoke so eloquently, as usual.

Mayor Harvey thanked everyone for coming out tonight. He responded to Michelle Basch about strategic and SMART goals, and how we are going to pay for these things and tie them into ratables. We have had two (2) vision-planning meetings, and we have one more scheduled. Eventually we are going to work toward a 10-Year Master Plan, which will include strategic goal-setting to move our city forward. He encouraged anyone to direct any questions beyond that to either him or his colleagues on the council, Deirdre Glenn, Ali Church and the City Manager. We are all here to get community input at these vision planning meetings. He thanked the entire Newburgh Illuminated Committee, our public safety department, as well as the community. The festival brought people from all four corners of our region to this one city. He recalled the conversation he had with Lt. Cortez. They discussed that not one incident occurred with that many people attending the event. It was estimated that 20,000-30,000 people attended the event on that day. It was an amazing event, and we don't plan to stop that momentum in our city.

There were no other comments at this time.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 11:00 P.M.

Respectfully Submitted,

KATRINA COTTEN

DEPUTY CITY CLERK