

A regular meeting of the City Council of the City of Newburgh was held on Monday, July 9, 2018 at 7:00 P.M. at the City of Newburgh Activity Center, 401 Washington Street, Newburgh, NY

Prayer/Rezo

Mayor Harvey wanted to address some miscommunication before the Prayer. He said that we support our fire and police departments and no one ever mentioned terminating or shutting down any fire companies or engines. His question was to ask and foil for data on how many calls there are from 8:00 p.m. to 8:00 a.m. and what it would look like if only one of the trucks was on call instead of all of them on duty in what we call a twenty four hour rotation. We are trying to come up with creative ways to deal with the overtime in the police and fire departments. He wants to make it clear that no one is shutting down any fire companies and there is no resolution to shut down anything. There were just questions that were brought up in the Work Session and unfortunately our Acting Chief went to social media and made statements that are not true which is why we have the presence outside tonight. No one has a resolution to terminate any companies in our fire department or trucks and public safety is our number one priority here in the City of Newburgh. Hopefully this will clarify any miscommunication between the Work Session on Thursday night and today.

The Prayer was led by Rev. Lewis from Calvary Presbyterian Church followed by the Pledge of Allegiance.

Pledge of Allegiance/Juramento a la Alianza

Roll Call / Lista de Asistencia

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

COMMUNICATIONS

Approval of the minutes of the meeting of June 11, 2018

Councilwoman Mejia moved and Councilwoman Monteverde seconded.

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

Carried



City of Newburgh City Comptroller's Office

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Kathryn Mack
City Comptroller
kmack@cityofnewburgh-ny.gov

TO: Michael Ciaravino, City Manager
Mayor – Torrance Harvey

Councilman – Anthony Grice
Councilman – Jonathan Jacobson
Councilwoman – Karen Mejia
Councilwoman – Ramona Montverde
Councilwoman – Hillary Rayford
Councilwoman – Patricia Sofokles

FROM: Kathryn Mack, City Comptroller

DATE: July 6, 2018

SUBJECT: City of Newburgh Financials – June 2018

Below are the highlights for the City of Newburgh revenue and expense activity for the period of Jan-June 2018.

General Fund Revenue

From January to June 2018, the City of Newburgh collected \$23.7 million dollars or 53% of the annual revenue budget of \$44.7 million. Of the \$23.7 million collected, \$14.5 million was for Real Property Taxes and PILOT Payments. The remaining \$9.2m was a combination of departmental income and inter-fund transfers.

The City has collected approximately \$208 thousand dollars more in FY2018 compared to collections for the same time period 2017.

Police and Fire Overtime:

The Finance department has worked with the Police and Fire department to develop a process for identifying overtime drivers, which we have used to present the hours and pay in a summarized way. At this time both department overtime expenses are exceeding the 2018 appropriated budgets through the 2nd payroll in June.

(Please refer to Overtime Packages)

The Finance office has implementing a spending freeze to help offset the General Fund exposure and has provided recommendations to the City Manager for the Fire Department review. We will be reviewing the Police department over the next few weeks and providing similar recommendations.

Enterprise Fund Revenue

For the month of June 2018, the Enterprise Funds (Water, Sewer and Sanitation) generated approximately \$9.8m in revenue.

Water and Sewer bills through 2nd quarter 2018 met expected revenue assumptions.

The Sanitation billing through the 3rd quarter also met expected revenue assumptions.

Enterprise Fund Expense

Through the month of June 2018, Enterprise Funds expended \$6.4m. Overall, Enterprise funded departments are spending and are projected to stay within the approved budget appropriations.

Trust and Agency Accounts

- **Misc Donations**
 - CAC (former Shade Tree) - \$1,902
 - ShotSpotter Donations - \$1,000
- **Police**
 - Police Evidence - \$80,493
 - Federal Seizure - \$8,480
 - State Seizure - \$52,654
 - Police Bicycle - \$552
 - Police Donations - \$187
 - Misc. Fire Dept. - \$2,535
 - Auxiliary Police - \$1,675

- *Water Emergency Expenses and Reimbursement*

- *Purchase of Aqueduct Water*

- *Jun to Dec 2016 – \$3,550,950*
 - *Jan to Dec 2017 – \$2,130,839*
 - *Jan to Feb 2018 \$305,599*

- *Other PFOS Emergency related expenses*

- *FY 2016 - \$279k*
 - *FY 2017 – \$173K*
 - *FY 2018 - \$121k*



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Kathryn Mack
City Comptroller
kmack@cityofnewburgh-ny.gov

Memorandum

To: All Department Heads
From: Kathryn Mack, City Comptroller
Date: 7/2/2018
Re: 2019 Budget Timeline
CC: Michael Ciaravino, City Manager

Below please find the schedule for the FY2019 Budget Process.

- June 29th – Department expense worksheets and new expense request worksheets will be available for department updates.
- July 13th – Department personnel worksheets and new position requests will be available for department updates.
- July 20th - All departments must have their budget expense worksheets completed and saved in the 2019 Department Budget Folder located on the shortcut provided by IT.
- July 27th - All departments must have their personnel worksheets updated and saved in the 2019 Department Budget Folder located on the shortcut provided by IT.
- September 10th – Tentative Budget - Department Expense Worksheets and Personnel Books to be delivered to Legislative Body, Executive office and respective departments.
- September 11th to September 20th – Budget Work Sessions for Legislative Body, Executive Office, Department Heads, and Comptroller (calendar with date and time of specific departments attending will be announced shortly)
- September 24th – City Manager and Comptroller Present 2019 Managers Proposed Budget to City Council.
- Additional Budget Work session meetings (if necessary) scheduled for Legislative Body changes (October 23rd – November 1st)
- November 13th – Public Hearing for 2019 Budget
- November 26th – Council Meeting to Adopt 2019 Budget

WEEK OF SEPTEMBER 10, 2018

Monday

9/10/2018		
	Council meeting	

Tuesday

9/11/2018		
5:00	City Engineers Office	J. Morris
6:00	Sewer Department (8120/8130)	J. Morris/G. Garrison/Severn Trent Rep
7:00	Water-8310 Water Admin	W. Vradenburgh
7:30	Water-8320 Ponds and Reservoirs	W. Vradenburgh
8:00	Water-8330 Purification	W. Vradenburgh
8:30	Water-8340 Distribution	W. Vradenburgh

Wednesday

9/12/2018		
5:00	City Clerk	L. Vitek
5:30	Planning and Development	D. Glenn
6:00	Historian	Chair
6:30	CAC	Chair

Thursday

9/13/2018		
5:00	Civil Service	M. Mills
	Executive office	M. Ciaravino
	Elected Body	
6:00	Assessor's Office	J. Majewski
7:00	Information Systems	N. Crispino
8:00	Tax Collectors Office	V. Demora
9:00	Finance	K. Mack

WEEK OF SEPTEMBER 17, 2018

Monday

9/17/2018		
5:00	ARC	Chair
5:30	Planning Board	Chair
6:30	Zoning Board	Chair
7:00	Police Community Relations Board	Chair
7:30	Corporation Counsel (A Fund)	M. Kelson
8:00	Corporation Counsel (M Fund)	M. Kelson

Tuesday

9/18/2018		
5:00	DPW-1365 Property Maintenance	G. Garrison
5:30	DPW-1620-Municipal Buildings	G. Garrison
6:00	DPW-3310 Traffic Department	G. Garrison
6:30	DPW-5010 Administration	G. Garrison
7:00	DPW-5110-DPW Streets and Bridges	G. Garrison
7:30	DPW-5132 DPW Garage	G. Garrison
8:00	DPW-7110 Parks	G. Garrison
8:30	DPW-8160 Sanitation	G. Garrison

Wednesday

9/19/2018		
5:00	Police	Chief Solomon
6:00		
7:00	Recreation	D. Stanton
7:30		
8:00	Fire/Codes	Chief T. Ahlers/Horton

Thursday

9/20/2018		
	Work Session	

CITY OF NEWBURGH
2018 GENERAL FUND BUDGET VARIANCE REPORT
January 1 Through June 30, 2018

	YTD Adopted Budget	YTD Modified Budget	Actual as of June 30, 2018	YTD Budget Variances Modified/Actual	% to Budget
REVENUES:					
Appropriated Fund Balance	\$ 611,956	\$ 611,956	\$ -	\$ (611,956)	0.00%
Real Property Taxes	19,904,325	19,904,325	14,490,990	(5,413,335)	72.80%
Real Property Tax Items	1,480,051	1,480,051	638,533	(841,518)	43.14%
Non-Property Tax Items	11,664,800	11,664,800	5,834,776	(5,830,024)	50.02%
Departmental Income	1,034,150	1,034,150	483,045	(551,105)	46.71%
Charges for Svcs to Other Govt's	174,525	174,525	60,000	(114,525)	34.38%
Use of Money & Property	161,600	161,600	91,238	(70,362)	56.46%
Licenses & Permits	322,150	322,150	153,396	(168,754)	47.62%
Fines and Forfeitures	638,200	638,200	359,008	(279,192)	56.25%
Miscellaneous	381,337	381,337	148,311	(233,026)	38.89%
Interfund Revenue	2,505,055	2,505,055	1,167,250	(1,337,805)	46.60%
State Funding	4,892,752	4,892,752	240,631	(4,652,121)	4.92%
State Aid-Transportation	860,000	860,000	0	(860,000)	0.00%
Federal Aid-Public Safety	20,000	20,000	42,469	22,469	212.35%
Total Revenues	\$ 44,650,901	\$ 44,650,901	\$ 23,709,646	\$ (20,941,255)	53.10%

APPROPRIATIONS

General Government Support	6,143,646	6,092,101	2,598,310	3,493,791	42.65%
Public Safety	14,650,085	14,675,941	7,282,398	7,393,543	49.62%
Transportation	2,257,304	2,335,589	765,724	1,569,865	32.79%
Culture and Recreation	983,217	983,162	380,571	602,591	38.71%
Home and Community Services	280,179	329,123	127,218	201,905	38.65%
Employee Benefits	14,501,716	14,501,716	6,358,650	8,143,066	43.85%
Debt Service	3,995,316	3,995,316	2,024,699	1,970,617	50.68%
Interfund Transfers	1,839,438	1,839,438	1,839,438	0	100.00%
Total Appropriations	\$ 44,650,901	\$ 44,752,386	\$ 21,377,007	\$ 23,375,379	47.77%
Appropriations/Revenue	\$ -	\$ (101,485) ¹	\$ 2,332,639		

¹ Represents 2017 encumbrances/PO brought forward in 2018

CITY OF NEWBURGH
2018 WATER FUND BUDGET VARIANCE REPORT
January 1 Through June 30, 2018

	YTD Adopted <u>Budget</u>	YTD Modified <u>Budget</u>	Actual as of <u>June 30, 2018</u>	YTD Budget Variances <u>Modified/Actual</u>	% to Budget
REVENUES:					
Appropriated Fund Balance	\$ -	\$ 100,000 ²	\$ -	\$ (100,000)	0.00%
Departmental Income	5,869,881	5,869,881	2,828,555	(3,041,326)	48.19%
Miscellaneous	231,747	231,747	108,371	(123,376)	46.76%
PFOS Expense Reimbursement	0	0	64,036	64,036	0.00%
Catskil DEC Reimbursement	0	0	153,847	153,847	0.00%
Total Revenues	\$ 6,101,628	\$ 6,201,628	\$ 3,154,809	\$ (3,046,819)	50.87%

APPROPRIATIONS

Salaries	1,310,791	1,317,410	539,891	777,518	40.98%
Benefits	976,793	969,522	406,635	562,887	41.94%
Equipment	188,750	204,524	71,166	133,358	34.80%
Services	954,029	1,059,978	991,886	68,092	93.58%
Miscellaneous	442,457	442,457	147,965	294,492	33.44%
Interest	367,930	368,052	157,661	210,391	42.84%
Principal	782,782	782,782	0	782,782	0.00%
Interfund Charges	1,078,096	1,078,096	632,184	445,912	58.64%
Total Appropriations	\$ 6,101,628	\$ 6,222,821	\$ 2,947,389	\$ 3,275,432	47.36%
Appropriations/Revenue	\$ -	\$ (21,193) ¹	\$ 207,420		

¹ Represents 2017 encumbrances/PO brought forward in 2018

² Represent Council Authorization of increase to fund balance as per resolution 63-2018

CITY OF NEWBURGH
2018 SEWER FUND BUDGET VARIANCE REPORT
January 1 Through June 30, 2018

	YTD Adopted <u>Budget</u>	YTD Modified <u>Budget</u>	Actual as of <u>June 30, 2018</u>	YTD Budget Variances <u>Modified/Actual</u>	% to Budget
REVENUES:					
Appropriated Fund Balance	\$ 217,083	\$ 217,083	\$ -	\$ (217,083)	0.00%
Departmental Income	5,000,306	5,000,306	2,319,700	(2,680,606)	46.39%
License and Permits	27,500	27,500	11,500	(16,000)	41.82%
Miscellaneous	<u>940,415</u>	<u>940,415</u>	<u>311,887</u>	<u>(628,528)</u>	33.16%
Total Revenues	\$ 6,185,304	\$ 6,185,304	\$ 2,643,087	\$ (3,542,217)	42.73%

APPROPRIATIONS

Salaries	440,033	440,033	162,281	277,752	36.88%
Benefits	330,127	330,127	106,092	224,035	32.14%
Equipment	371,543	338,466	11,834	326,632	3.50%
Services	2,603,072	2,658,622	1,029,001	1,629,621	38.70%
Miscellaneous	258,753	252,753	0	252,753	0.00%
Interest	238,361	238,361	112,479	125,882	47.19%
Principal	518,538	518,538	2,500	516,038	0.48%
Interfund Charges	<u>1,424,877</u>	<u>1,424,877</u>	<u>805,574</u>	<u>619,303</u>	56.54%
Total Appropriations	\$ 6,185,304	\$ 6,201,777	\$ 2,229,762	\$ 3,972,016	35.95%

Appropriations/Revenue	\$ -	\$ (16,473) ¹	\$ 413,325
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¹ Represents 2017 encumbrances/PO brought forward in 2018

CITY OF NEWBURGH
2018 SANITATION FUND BUDGET VARIANCE REPORT
January 1 Through June 30, 2018

	YTD Adopted <u>Budget</u>	YTD Modified <u>Budget</u>	Actual as of <u>June 30, 2018</u>	YTD Budget Variances <u>Modified/Actual</u>	% to Budget
REVENUES:					
Appropriated Fund Balance	\$ -	\$ -	\$ -	\$ -	0.00%
Departmental Income	3,210,100	3,210,100	1,539,145	(1,670,955)	47.95%
Miscellaneous	<u>29,602</u>	<u>29,602</u>	<u>16,367</u>	<u>(13,235)</u>	55.29%
Total Revenues	\$ 3,239,702	\$ 3,239,702	\$ 1,555,512	\$ (1,684,190)	48.01%

APPROPRIATIONS

Salaries	911,357	882,874	400,020	482,854	45.31%
Benefits	713,188	719,188	345,845	373,343	48.09%
Equipment	0	0	0	0	0.00%
Services	942,039	970,926	275,170	695,755	28.34%
Miscellaneous	3,500	3,500	1,432	2,068	40.91%
Debt Principal	6,812	6,812	0	6,812	0.00%
Debt Interest	28,806	28,806	5,192	23,614	18.03%
Interfund Charges	<u>634,000</u>	<u>634,000</u>	<u>288,947</u>	<u>345,053</u>	45.58%
Total Appropriations	\$ 3,239,702	\$ 3,246,106	\$ 1,316,606	\$ 1,929,500	40.56%
 Appropriations/Revenue	 <u>\$ -</u>	 <u>\$ (6,404)</u>	 <u>\$ 238,906</u>		

City of Newburgh
Fire Overtime Summary
2017 vs 2018 Comparison
*Excludes HR - OT & FLSA

Fire Department Personnel	<u>2017 Through PW</u> <u>26 (6/22/17)</u>	<u>2018 Through PW</u> <u>26 (6/21/18)</u>	<u>Variance</u>	<u>%</u>
Overtime \$\$*	\$ 361,779	\$ 484,284	\$122,505	33.86%
Overtime Hours*	7,292	\$ 9,033	1,741	23.88%

Breakdown by Employee Type

Asst Chief \$\$	\$ 66,776	\$ 104,645	\$37,869	56.71%
Asst Chief Hours	1,076	1624	548	50.93%
Captain \$\$	\$ 52,928	\$ 96,256	\$43,328	81.86%
Captain Hours	895	1615	720	80.39%
Lieutenant \$\$	\$ 101,561	\$ 120,270	\$18,709	18.42%
Lieutenant Hours	1,804	2131	326	18.08%
Fire Fighters \$\$	\$ 92,911	\$ 117,061	\$24,149	25.99%
Fire Fighters Hours	2,172	2602	430	19.78%
Fire Equipment Mechanic \$\$	\$ 9,486	\$ 20,902	\$11,416	120.34%
Fire Equipment Mechanic Hours	161	347	187	116.20%

Fire Department Dispatch	<u>2017 Through PW</u> <u>26 (6/22/17)</u>	<u>2018 Through PW</u> <u>26 (6/21/18)</u>	<u>Variance</u>	<u>%</u>
Overtime \$\$	\$ 38,117	\$ 25,152	-\$12,965	-34.01%
Overtime Hours	1,184	715	(469)	-39.59%

*PW= Payweek 26 ends 6/22/17

*PW= Payweek 26 ends 6/21/18

City of Newburgh
Police Overtime Summary
2017 vs 2018 Comparison

	<u>2017 Through</u> <u>PW 26</u> <u>(6/22/17)</u>	<u>2018 Through</u> <u>PW 26</u> <u>(6/21/18)</u>	<u>Variance</u>	<u>%</u>
Police Department Personnel				
Overtime \$\$*	\$ 601,138	\$ 599,691	-\$1,448	-0.24%
Overtime Hours*	12,020	11,789	(231)	-1.92%

Breakdown by Employee Type:

Lieutenant \$\$	\$ 59,988	\$ 45,460	-\$14,529	-24.22%
Lieutenant Hours	857	634	(222)	-25.95%
Sergeant \$\$	\$ 127,873	\$ 108,406	-\$19,466.50	-15.22%
Sergeant Hours	2,034	1,678	(356)	-17.52%
Detective \$\$	\$ 119,189	\$ 105,860	-\$13,329	-11.18%
Detective Hours	2,193	1,900	(117,289)	-98.41%
Police Officer \$\$	\$ 246,197	\$ 285,535	\$39,338	15.98%
Police Officers Hours	5,456	6,126	670	12.28%

	<u>2017 Through</u> <u>PW 26</u> <u>(6/22/17)</u>	<u>2018 Through</u> <u>PW 26</u> <u>(6/21/18)</u>	<u>Variance</u>	<u>%</u>
Police Department Dispatch/Admin				
Overtime \$\$	\$ 47,891	\$ 54,429	\$6,538	13.65%
Overtime Hours	1,482	1451	(30.25)	-2.04%

*PW= Payweek 26 ends 6/22/17

*PW= Payweek 26 ends 6/21/18

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

At the Police Department he had the opportunity to participate in promotional interviews where Patrol Officers are being considered for the rank of Sargeant. The City of Newburgh Police Department has made a full one hundred and eighty degree turn from what he observed when he first came here. All of our Officers are aware of our statistics and the trajectory of this department. They are also aware that we have the State of Michigan reaching out to us to learn about what we are doing in our community that can perhaps translate into success and progress in their communities. Our Officers have built relationships in our community and with each other which has made a tremendous difference with establishing and building trust in our community. With all of the changes in our Police Department, they are resilient and will continue to achieve a reduction in crime. A few years ago the bullet to body statistics in our community numbered up in the sixties per year but for this year we are at less than five so at the end of the day what we are doing here in the City of Newburgh is remarkable. Many of us who have put a lot of time into this do not want to see ourselves go backwards but we are losing police officers to other communities and are now down seven officers with four transfers to other police departments and three retirements. We have lost a number of police officers to neighboring communities who can pay \$10,000.00 to \$15,000.00 more than what we are paying here. Some Officers are willing to travel to Rockland and Westchester Counties where the starting salary as a Patrol Officer is higher than what the Police Chief earns here. We most likely cannot compete with these Counties but some are retiring and some are going elsewhere but those just starting who want to earn a better pension learn that they are better off going to other departments. Some officers have struggled with leaving the City of Newburgh but had to for their families and long term financial security. When we lose a Police Officer there is a \$1500.00 fee to go through the Police Academy along with the money we pay the Officer while attending the Academy which is upwards of \$19,000.00 for all of the Officers trained recently. We also have to pay them for Field Training and then after they leave to go elsewhere we have to train new Officers so we are spending money that we cannot afford to deal with an issue we have not yet addressed. Regardless of where you stand on this issue the truth of the matter is that there is energy in this room for investment and people are finally feeling safe in the City of Newburgh. He wants everyone to be mindful that our safety departments are at a critical juncture and we have to ask ourselves what it is going to take to be competitive so for the next Work Session he has a spreadsheet of numbers and real time data relevant to the current state of our safety and the Police Department in terms of trends and how concerning it is to remember what it was like and how it is now. Police professionals have come from as far away as Sweden to understand what we are doing that is impacting the crime statistics in the community. He added that two additional officers are undergoing background checks for other departments, two more are also looking elsewhere and we might lose two or three more to retirement. How long can we do this?

The Recreation Department will be hosting a Tennis Clinic from July 17th to 19th at our South Street Tennis Courts. Instruction will be provided by the Newburgh Free Academy Varsity Tennis Coach and staff. There will be a session from 4:00 p.m. to 5:00 p.m. for

boys and girls ages eight to ten and from 5:00 p.m. to 6:00 p.m. for boys and girls and girls ages eleven to thirteen. This is a free program but you must register to attend and you can call (845) 565-3230 for more information. Newburgh Steelers youth football will be holding registration at the Activity Center on July 14, 21 & 28, 2018 from 12:00 p.m. to 2:00 p.m. and the season begins on August 1, 2018. RBI baseball will be hosting one day baseball clinics on July 13th and 27th and a week-long clinic from August 6th through 10th. The one day clinics are \$15.00 per player and the week-long clinic is \$65.00 per player. The New York Bears Football will have their season opener on July 21, 2018 at the Delano-Hitch Field with kick-off set for 2:00 p.m. The Newburgh Enlarged City School District is hosting their summer meals program on July 19th at Delano Hitch Park from 10:45 a.m. to 1:30 p.m. with a rain date of July 20th. The Delano-Hitch Pool will be open until August 25, 2018 and the hours of operation are Monday through Saturday with two session; 12:30 p.m. to 2:45 p.m. and 3:00 p.m. to 5:45 p.m. The cost is \$1.00 for children and \$2.00 for adults eighteen years and older and you must pay separately for each session.

PRESENTATIONS

Director of Family and Community Engagement Mrs. Pamela Peterson from the Newburgh Enlarged School District will give a presentation on Newburgh Basics

Director of Family and Community Engagement, Mrs. Pamela Peterson from the Newburgh Enlarged City School District gave a presentation on Newburgh Basics.

The Newburgh Basics initiative started in the Newburgh Enlarged City School District in October, 2017 which focuses on providing skills and opportunities to families and children from ages 0 to 3. This gives kids a great head start to achieve academically as well as emotionally and you can find more information at www.newburghbasics.org

Stuart Sachs will present information on the Arts and Culture Commission.

Stuart Sachs presented information on the Arts and Cultural Commission explaining how it works and making recommendations. He is glad the City is bringing this back.

Presentation by Calvary Presbyterian Church regarding a Farm Market

Rev. Lewis with Calvary Presbyterian Church spoke to the Council regarding a Farmers Market to enable seniors, veterans and other families without transportation an

opportunity to obtain food from local farmers. It would begin in the middle of July and they are working with organizations and agencies to provide coupons. He hopes the Council finds this meaningful as they are looking for fresh, wholesome, clean foods for our people.

Corporation Counsel, Michelle Kelson said she first needs to know the location of where it is. If it is on the Church grounds then the City doesn't need to provide a license agreement. We only provide a license agreement when someone needs to access City owned property. Being that this will be done wholly on Church property then you may not need anything directly from the City but you may need permits from the Orange County Health Department and you should check with our Code Compliance. We don't grant a license for privately owned property.

City Manager, Michael Ciaravino asked Rev. Lewis for his contact information and said they would look into what could be done.

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

Mayor Harvey again noted that he knows the Alembic Project is of great concern to many of our residents and non-residents. To his knowledge there is no resolution on our agenda for Alembic. He did invite the Project Manager, the Architect and representatives who are here tonight to hear the comments, concerns and input from our residents. There will be no debates they are just here to listen to the people tonight.

Ms. Johnson, 193 Ann Street, representing Community Voices Heard said they need to make sure there is more long term training and hiring for City of Newburgh people. We need to know that they will hire our people and there has to be training so they can't hire people from the community and then say they can't keep them because they don't have the proper training.

Barbara Smith, Powell Avenue, said that much of what is going on outside is created because of the uncertainty with regard to the security of our Fire Department with funding and possible grants. Why are we dragging our feet on this? She added that on her block she is the last man standing as all of the other homes have been taken over by Mt. St. Mary's College which is a loss of about \$977,500.00 in workable funds that we should be getting. We have never asked for anything like this before but things change and when you don't have money you have to reach out to the people. You only have seven homes out of thirteen that used to be on the tax rolls. If we look at what we have lost to our working fund because we made them tax free there should be a way to recuperate that somehow and if we never did it before we should start doing it now. The Firemen have homes and families just like we do.

Gay Lee, City of Newburgh, said that the Alembic Project is not the problem it is the Council's judgement in her opinion. For far too long the City of Newburgh has been the dumping ground for Orange County. Any housing initiative that comes here needs to be for

the City of Newburgh residents. When you open the doors to the mentally ill, you allow them from the whole County and we have people sleeping in the streets from Port Jervis and Middletown. We have the Department of Social Services so everyone who has a problem comes here and sets up shop so that they look like our homeless and she expects the Council to put an end to this. The waterfront is prime real estate and we cannot allow any one or any group to use our prime real estate for low income housing when we have so much real estate in this City for housing. She knows first-hand the difficulties that people go through when they don't have a decent place to live but they don't have to have prime real estate. We need to put a stop to Orange County. Our money cannot be predicated on grants for disenfranchised people and we can't be the city of neglect any more. Who is speaking up for Newburgh?

Deborah, Lake Street resident and member of Community Voices Heard said she has some questions for Alembic. Make sure there is a preference for Newburgh residents to move in to those apartments and jobs. There are different types of people living here in the City of Newburgh and credit and criminal checks should not determine who can move into these apartments. You have to think about the diversity of this City. We have people here who are homeless so these projected rents are not possible. We need low income housing and this project is to be projected within ten to fifteen years so they have to work with the Council and they have to work with this City. We have to get together and look at the benefits to see if it is worth it for the City of Newburgh.

Phoenix, City of Newburgh agrees with some of the Alembic proposal and some of it she doesn't. Last Friday on Broadway it was hot and raining and she saw many people on the corners and hiding under store fronts with nowhere else to go. People stay in hotel rooms that are infested with bed bugs and sleep on park benches because they make too much money to get services which is crazy. She hears talk that Newburgh is a dumping ground but feels they come here to get healing no matter where you are from. We have to take a look at the different housing opportunities and abandoned buildings we have. Newburgh is a place that she calls home but people are being pushed out. We need to tweak this project to our advantage. Take a further look into this because Newburgh is a community for people to be made whole again.

Christie Amato, Grand Street said that following the Work Session there were a lot of rumors and misconceptions going around. It was stated that this would be the number two tax payer in Newburgh but that's only half the story. We want to know what the net fiscal impact is on us. We don't pay our taxes based on the services we use we pay them based on the value of the property. We are looking for taxpayers who are net tax positive and we need to know what the fiscal impacts are for this project. We are looking for the highest and best use that we can get out of this plan. We are the taxpayers and we are going to have to foot the bill for this.

Rich Fracasse, Town of Newburgh, said we can't afford to fix the city roads or the firefighters, police and DPW. Alembic should be put in the garbage because we need tax revenue. That property could produce about one million dollars a year in tax revenue and how many firemen would that pay for? This is about doing the right thing. He tries to help people every day and they are from all over so he told the City Manager that this does not belong here. We don't need the People's Park either because we need tax revenue that will help everyone in this room. It will help us keep the firemen, and hire more DPW workers. It has nothing to do with racism it has to do with paying the bills. He told the City

Manager to do the right thing.

Christopher Montefiore, Town of Newburgh said they want you to act stupid so they can push the project forward. This is a process so you have to talk to people on an educated level and there is too much confrontation between the people and the Council. When they fail, their community fails and people have the opportunity to change. We are trying to bring business to Newburgh so it makes no sense to go from prosperity to poverty. If you really want to change things you have to clean house.

Russ Vernon, Downing Avenue, said the City Manager mentioned that the tide has turned with the environment where people are willing to invest in this City. The City had an RFP process and awarded the low bidder, which was Alembic, this most critical piece of land. The reason from the Council was that the Dutch Reformed Church was in imminent danger of collapse and they would not allow that to happen so they had no choice but to give it to Alembic. Their preliminary project plan is for sixty five to seventy million dollars with one hundred and forty eight units for incomes ranging from \$55,000.00 to \$125,000.00. For everyone here who is fighting for low income housing there are not many of us that make that kind of money. Alembic said the DRC is not in danger of collapse and the project relies one hundred percent on government money and tax credit investors. The developer walks away at the end of the project with eight million dollars. RUPCO built beautiful apartments that Newburgh residents can't afford to move into and these will be more. Let's issue a new RFP and take out the DRC and City Club to maybe get some better bidders. This would not exclude Alembic from bidding and they may come back with the best proposal. We currently have several hundred city owned homes so let's give Alembic any one hundred they want and get them back on the tax rolls.

Drew Kartiganer, Town of Newburgh said that Alembic is a bad project because the numbers don't add up. They are proposing fourteen units to be rented for \$2,700.00 to \$3,100.00 per month for people earning \$120,000.00 per year. You can buy a Condo in the Town of New Windsor with a garage and a pool for that. They are saying that the Dutch Reformed Church will cost 3.8 million just to stabilize and he has not heard anyone say that it can be fixed for less than 10 million. It is a National Landmark and it has to be done right. You don't have to tell Alembic to go away just tell them to come back later because this whole RFP process was wacked out. Two months to try to sell two of the most difficult projects in the City of Newburgh and the whole process was corrupt. You need six months to do it and if you do it again the waterfront property should be added for a Hotel. If you put 2 Montgomery Street and the waterfront property out you will generate interest. Alembic isn't the project you want. We don't need low income housing on that hill when you can generate tax revenue to pay for the Fire, Police and DPW.

Michael Manion, 111 Broadway said he is in favor of affordable housing. He is not interested in people's opinions and emotions but this seems like a good project to him. Alembic mentioned that they were going to provide services on the ground floor and he thinks that there should be a Bank there because we don't have one downtown and it would bring in business. There are no stores either which is why he feels the City is decaying because there is no business. If we have to come up with a better developer that's fine too but while everyone is arguing there is no money coming in.

A Town of Newburgh resident said he drives through the City of Newburgh every day and he loves it because it is beautiful with culture and history. This project is for mixed housing

and it can't be just a play park for rich people. It has to be mixed and the City has to be used by all. Any development has to employ and house the City of Newburgh people first and they have to set aside money and time for training for the City of Newburgh residents. Whoever gets the project has to keep those ideals or it will not succeed.

Rosemary Lee, Bayview Terrace said that she is also against Alembic. The one and only other time she spoke at a Council meeting she was nearly thrown out so she is nervous now about speaking publicly. She had requested at that meeting that Councilwoman Mejia recuse herself from the Alembic vote since her husband works for the Ford Foundation which has been associated with Alembic. At another meeting on March 22nd, Councilwoman Rayford asked Corporation Counsel for an explanation about conflicts of interest. Corporation Counsel responded that she would get back to the Council in a couple of weeks with a written guideline on if and when to recuse themselves and wonders if that ever happened. Given Newburgh's history of corruption and money gone missing we need to be careful of such matters.

Rich Locicero, Middletown, President of IAFF in the City of Newburgh said it is regrettable that they have to picket a Council Meeting to make their voices heard but the Fire Department is cast as the scapegoat for the financial ruin of the 2018 Budget. The truth is that in 2017 they had the lowest overtime expenditures in years for the Fire Department. The Budget that was delivered to the citizens is filled with irresponsible and fraudulent numbers. Police and Fire Department overtime budgets were both cut by more than 50% with no plan in place to make this happen and the layoff of twelve firefighters was included with that reduction. What effect do you think laying off eighteen percent of the Fire Department will have on overtime? We have been painted as greedy Firefighters but we have always acted in the best interest of the City. Ms. Kelson pointed out at the Work Session that during the 2008, 2009 financial crisis the Firefighters made Contract concessions to help save the City and approximately 2.5 million dollars was saved by those concessions. We have continued to secure grants on our own to purchase fire engines, breathing packs and personnel resulting in savings of additional millions of dollars for this City. Acting Chief Ahles and this Union gave the City and the Comptroller solutions to help curb overtime for 2018. These are solutions that will not lessen our response to emergencies or endanger the safety of our citizens or firefighters. These were given again to senior management and the Council from January to this day but none of these overtime control measures were implemented or discussed.

Brendan Hogan, Cornwall, President of the Firefighters Association, said that at the last Work Session the Council, particularly the Mayor, discussed shutting down a Fire Engine or Fire Truck for the evening and this idea is both dangerous and irresponsible. Some sort of secret plan was also mentioned that the, *"Fire Department will not be happy with"*. This makes us think that the Council will renege on the three positions they agreed to reinstall. We are waiting to hear what irresponsible and dangerous changes will be put through after ignoring our suggestions to control overtime. The truth is that we have had almost no communication with management at City Hall to sort out these issues and we have to go through the very expensive labor attorney who is reviewing these mystery changes. The amount spent on this outside Counsel has nearly doubled from \$170,000.00 in 2014 to over \$300,000.00 in 2017. If we are looking for savings then perhaps we should start with items such as that before we start cutting public safety. We stand here tonight waiting to see what kind of risk this Management, Comptroller and Council is willing to take with your

lives and ours.

Pauline Dillard, City of Newburgh said she has some concerns. In regard to Dr. Chhabra's building on Broadway she believes he wants to recover it and came before the City Council to keep it but he needs four votes and only has three. He is doing a very important service for this City and the money he offered would take care of the Fire Department for at least a good quarter of the year. She added that there is a new proposal for the South Street Waterfront Park with some changes. She was on that Committee for about ten years and Newburgh takes a long time to get anything done. There has been talk about kayaks and canoes in that area which is ok but it was supposed to be a Park for the people in the community and it seems like there is a plan to consider the public.

Dr. Chhabra, 191 Broadway said he is an oral surgeon providing a service here for many years and he is ready to pay the money. He thanked the prior speaker for her comments.

Bill Conye, Town of Newburgh said that the City Council has a fiduciary responsibility to the City. Whether you pay rent, have a business or send someone to school it all gets passed on to the businesses here. If anyone can argue that these policies worked in the past then he needs to be convinced how which is why this project is so important. Why give away the thing that can make the most money now? People are arguing and this RFP process had some flaws. We should take a deep pause and start over. We are having the same discussion about the same numbers that we debated earlier. The bottom line is that it is not enough revenue for this project and we need to be very careful with our properties.

Phil Howard, 24 Bush Avenue said there is a lot of misinformation out here and he heard that they want to close part of the Fire Department which cannot happen. Everyone here has to understand the past and our history in the 70's, 80's and 90's when ideas were being tossed around and the devastation that it caused to the Fire Department and the community. He saw what a fire team in New York City does to make him realize what we do here with so little. The big word around here is "*overtime budget*" so they need to sit down with Local 589 to talk and find creative ways to augment that. It is so high because the manpower is not where it needs to be so you need properly manned trucks to augment the overtime. Many of the firefighters are doing the work of two and three people and getting injured which also causes a lot of overtime. Getting rid of firefighters is not going to solve the problem. Safety is important and here in the City of Newburgh if you call the Fire Department they will be there in less than three minutes and seconds mean lives.

Vern Bell, Town of Newburgh said she is in favor of mixed income affordable housing as many people come here to turn a corner and start again. There is either nothing available in the City of Newburgh or they are out of price range. What is community all about and what is the vision for the City of Newburgh? She hopes we all can pull together and provide for the future of our children with decent housing.

Chuck Thomas, City of Newburgh said that he is in support of resolutions #27 for the South Street Park, #29 for the Ritz Theater restoration, #30 for St. George's Church and #35 for the Downing Park Shelter House Café. In regard to Alembic he feels they should separate the projects. A feasibility study was done and is available to anyone who would like to see it. \$300.00 was put out to file an application and they have allocated a million or so dollars towards the stabilization of that project but will still need more to do the Church. The City Club is our center with the Heritage Center across the street and the

Library and Board of Education and several Religious institutions within that area. That is our civic center so we need to find a civic use for that building or take it down.

Kevandaryn Lujan, 100 Beacon Street, Orange County Legislator said he talked to a lot of people here and we have seen how conversations about affordable housing has been seen as a negative. We need to make sure we are inclusive because that is what we are and that is what Newburgh represents. We cannot be divided the way we have been and we have to understand that there are people who don't have housing that is livable and these are our neighbors. When we talk about these issues we have to be mindful that there are communities that are being touched by this. He is still trying to figure out the pros and cons of this project. We are in this together so he told the Council that whatever they decide to be mindful that the entire community is looking to them for leadership. He echoes the concerns of many of the people here but said to stay united because we all want to benefit.

Michelle Basch, City of Newburgh, believes we need housing for all and everyone deserves a roof over their heads with food and health care. She also knows that if don't have the money to pay for that you can't have it. One of the Council's main jobs is to make sure the taxes paid by the citizens and businesses are allocated to projects that will benefit the City and its citizens. That is one of their most important jobs which needs to happen with care and knowledge. At the Work Session the Council was wowed that this project could be the number two tax payer in Newburgh. That's great but what does that mean? If the expenses are higher than the benefits then it is a net loss. What about sewage, water and education? The average expense for a child to go to a school in the City of Newburgh in 2016 was \$22,000.00 which is added to our taxes and we can't afford more taxes. She is hearing that this is low income housing but you have to have a \$57,000.00 to \$125,000.00 income. How many people here have that kind of combined income?

Martha White, John Street said she is not a fan of the Alembic project. She read an e-mail from the City Planning Director to Alembic. *"I sense that Council and the public sorely need a vision of the full project with the triangle of improved properties. In the case of the DRC and the City Club with the Library lawn and the adjacent Courthouse and significant mixed income/mixed use residential units at the top of the hill."* That doesn't sound right to her. Why are they talking about the Library, the Courthouse and a trio of renovated buildings? We have all looked at the RFP and only the Church and City Club are in it. *"I have a sense that with your last budget that you are struggling over the cost of a housing piece. If the scenario now is that there is a funding gap to develop 2 Montgomery Street and there is not enough equity to accomplish the DRC revitalization let alone the City Club. For long I thought it would take a multifaceted campaign to raise the money to proceed and much has been suggested including the Dutch Ambassador which could be very interesting. We still need a developer with the vision to undertake this no matter where the funding is coming from."* This is not the RFP that was sent out and this is not the project the City claimed it was seeking bids for. This is essentially a Master Plan that goes against everything in our existing Master Plan and it was just handed over to a developer with no qualifications. This is underhanded and a scheme. She asked if the Council knew about this.

Richard White, John Street, said it looks like Newburgh Partners, Hester Street and Community Voices Heard has been trying to sell the residents of this beautiful city on its prime property at 2 Montgomery Street. We have been told that the project is in the best

interest of the City of Newburgh because it will create affordable housing for the population with commercial space within the building. We have been told the building will consist of about one hundred and forty units ranging from studios to three bedroom units at \$190.00 a month for forty percent of those units all the way up to \$3,143.00 per month for about a thousand square feet. Where will the residents for this affordable housing come from? The answer is, all over New York State. They will have the authority to place people with chemical dependency issues, psychological imbalances and level one and two sex offenders into buildings like the one that is being proposed. Only a fraction of those who qualify for this housing will be residents of Newburgh. Who will rent the higher end units for \$3,143.00 a month? These are close to Manhattan prices. He could buy a twenty-six square foot Victorian home with four bedrooms and three baths for \$315,000.00 and the mortgage would be under \$2,000.00 a month. What happens when no one wants to pay those rents? Who will they fill them with? These types of units make no contributions to our tax base which should go to our fire department, police and art projects. We are being sold a bad bill of goods through omissions and half-truths. It makes you think about what this project is really going to do for Newburgh.

Ms. Delgado, City of Newburgh said to remember that the Council can make a difference. She was a nurse in the Army and feels that safety should be our first priority because it affects everyone. When you call our Fire Department they show up. They were at the fire in the factory in New Windsor and were there when the child was unfortunately crushed by a tree. The first responders were the ones to remove the tree from that car. They are trained to be first responders and we need them. The City keeps saying they have a plan but where is it? They need to think about the safety of this community as its number one priority. The City trains them but doesn't secure their jobs so they are going to look elsewhere. If you don't want to keep wasting money you have to make sure to come up with a plan to keep them here and give them job security.

Lizzie Moya, 205 Montgomery Street said that the taxes here are too high and she knows people have lost their homes because the taxes went up so much. She wants humanity first. Some people have said that this is not a racist thing but when Ms. Lee noted that we are a "dumping ground" and everyone clapped she was crying inside. Language matters and we have to come together on this. This is fake news again. She knows Councilwoman Mejia and that her husband works for the Ford Foundation and we are lucky that he has the experience for these kinds of projects. Ford doesn't get anything for this. All of the people protesting and organizing against this project should get to the slumlords. Many people are not for this but she doesn't mind more people coming in. She likes Newburgh because it is diverse and if anyone has a better plan she would like to hear it.

Louis, 182 Montgomery Street said he is disabled and getting ready for surgery. He loves this City and it hurts him to see many of his friends struggling to pay their rents and put food on the table for their families. We have to do better. He supports the Alembic proposal because it will create affordable housing and jobs with opportunities for disabled people like me. Please don't discriminate or stereotype people like me or my friends because we have disabilities. We deserve to have decent housing and live in dignity with respect just like everyone else. He hopes the Council will do the right thing and support this important project.

Iris Conseca, City of Newburgh spoke in Spanish with a translator. Ever since she came here she has met a lot of very nice people. At this very difficult time we have to remember

that the Bible says to love one another and help protect the poor and weak. She is in favor of project Alembic because it would help create affordable housing for a lot of families like the elderly and those with low incomes. It will help to give new life to our City and help secure that all of our families continue living here with pride and dignity. This is a beautiful vision for our City and she prays they support it.

Isaac Diggs, 2 Bay View Terrace said he also has concerns about the tax questions and implores the Council to look into that. We can't afford another project with a tax negative and no one here is happy with the taxes they are paying but believes in this Council and this process and has faith they will come to the answer that is right for this community. He also believes in mixed use and diverse housing on the waterfront and rebels against the idea that poor people don't deserve a view. We need to be very careful about demonizing the poor or less successful. They should look at the history of that property so he asked the Council to consider what justices can be brought there to correct the wrongs.

Omari Shakur, City of Newburgh said he is in support of the Alembic Project and the land they are talking about is where his grandmother owned a house that was taken from her. We all want the same thing which is a better Newburgh so we need to sit down and fix this. Elections are coming up and people ask him who he is supporting and he says he is supporting these issues. They showed the Council a text at a prior meeting where Mr. Hunter didn't do his job so he needs to be held accountable. The bottom line is that the children in our community are dying and we are losing them every day.

Collin Jarvis, Town of Newburgh said he works in the City of Newburgh and after listening to the opinions about this project he is disturbed. Poor people by definition are not all criminals and all people deserve to be housed. He runs a nineteen bed Homeless Shelter and when you look at the demographics there are more people not of color than of color in the Shelter. He salutes the Fire Department and the Police Department for the hard work they do every day to make sure everyone is safe. We have people receiving \$800.00 to \$900.00 a month from SSI because they have a disability that prevents them from working. There was a four family home that collapsed a few years ago and the Fire Department got there right away but there were twenty-seven people living in that abandoned building. In order to solve the problems in the City of Newburgh we have to resolve to work together to fix what ails us. Let's put aside our differences to fix these problems.

Bridget, Liberty Street said she is against the Alembic Project as it stands. She believes in public housing, universal health care and universal education but her concerns with this project is that it will not do what we want it to do. We have housing already but its crap so why not address that. Why are we turning our backs on the problems of the past to move forward with something new? Why not clean up what we have? You have to take care of your family and it was her understanding that this piece of land on the hill was the only piece of developable land that the City owns with river views. The only piece of land that doesn't require thirty plus million dollars and untold years to fix the infrastructure. If we want to get developers in here and get money to hire code inspectors to crack down on these slumlords then we need to help people qualify for the housing that we already have. She wishes there were more conversations on this and if we wait too long on voting no then we give them a chance to get their funding together and much like the Mid-Broadway Project we are going to get sued.

Ann Sullivan, Spring Street said that she is in full support of the Alembic proposal. She is pleased that it includes such a wide range of housing and rents and that it will bring taxes into the community. She would love to see some contractual commitments as this project moves forward with housing preferences for the Newburgh residents and a pipeline for residents on the job. She would like to see the mall gap closed more between the lowest income and the next step up but she is in full support of this.

Jerry Maldonado, 182 Montgomery Street expressed his appreciation to all of the City staff who work hard every day. A special thanks to the Planning and Development team for the integrity and commitment in which they have served our community and grace they have shown this evening among some false and slanderous accusations. He told the Council that they are what he calls examples of courageous leadership. Newburgh is at a crossroads with these debates and who we want to be as a City. Will we be a City that celebrates our diversity and creates housing and job opportunities for everyone as proposed by the Alembic Project or will we start the next phase of urban renewal? The choice is quite simple. Will you support a fiscally responsible project that will generate hundreds of thousands of dollars in tax revenues for the City or not? Will you support a project that will create over two hundred temporary construction jobs and eighty permanent jobs with small business opportunities that will help lift our families out of poverty or not? Will you support a project that will restore two of the City's historic treasures or let them collapse over time by neglect? We support a project that will provide decent affordable housing for all of our hard working families. For too long the politics of misinformation have held the City back. Moving forward we all have an opportunity to turn a page on the history and build a stronger more prosperous and just city. For the sake of our children and our families he hopes they choose wisely.

Mr. Mclymore, City of Newburgh said they held an event on Saturday Newburgh called The Newburgh Community Block Party and he thanked Councilwoman Patty Sofokles and Deirdre Glenn for sponsoring it. The Police Department was there and he wanted to give a shout out to them because he feels it deserves recognition. In the midst of them being underpaid and undermanned with no resources and tools to do their jobs they still saw fit to bless our community to feed people for free and have fun. He thanked the City of Newburgh Police Department for sponsoring that event. He is a Detective Sergeant so he stands with the emergency services. We train them and get them prepared for the job but they are leaving because they are underpaid so if we start eliminating jobs we will be in trouble. What price can you put on safety? He has four children and it is very important that every person is safe in this community. Instead of eliminating jobs we should start looking for ways to support our firemen and police officers because we need them to stay.

Tom Roberts, Central Avenue said he is not in favor of Alembic. Once this goes through all of those units are open to outside communities not just City of Newburgh residents. He noted that at the last meeting when Councilwoman Rayford brought up a referendum two of the Council members and the City Manager walked out which was very disrespectful. When you are meeting as a City Council then you should finish together. Ask Alembic if every resident will have an opportunity to live there and you will be surprised by the answer.

Judy Thomas, City of Newburgh said she was pleased with the presentations tonight. She thanked the Firefighters for the t-shirt they gave her and said she stands with them. She is against Alembic because she believes that this bill should be left alone at least for the time

being because we can see that it is a very contentious project. On the 4th of July she was on that hill at the waterfront and it was packed with people who could not find a parking spot. Everyone from Newburgh was there and it was an amazing event. She was concerned because it was so jammed pack with vehicles that emergency vehicles couldn't have gotten through if they had to. In regard to the Dutch Reformed Church and our tourism there could be an amazing opportunity for tourism, education and other things. She would like to turn that hill into an interpretive trail about the history of Newburgh.

Gabriel Lynn, City of Newburgh said that communication has suffered and he is on the fence about Alembic. Someone asked earlier who would rent in Newburgh for \$3,000.00 a month when they could by a house in New Windsor but people aren't moving from Brooklyn to New Windsor. Newburgh does have issues and the taxes are too high but people are moving here anyway. Alembic is problematic and they haven't seemed interested in explaining why this is the right project for Newburgh so there are many questions that still need to be answered. Newburgh is in desperate need of new houses and yes we should be rehabbing historic homes. Habitat for Humanity does fantastic work but Newburgh's housing crises cannot be solved by rehabbing one house at a time. We need more mid-level, mid-sized mixed income housing. One of things not mentioned in the funding is sales tax and we need to take that into account when making these calculations.

He thanked Councilwoman Mejia for the work she is doing and he knows that Councilman Grice is out there trying to listen as much as possible.

Lillie Howard, Walsh Road said she was born on Smith Street which is not mentioned in this project and that the poor will be with you always. With these rent breakdowns why not have people of different economic levels living together? What is wrong with that? That's the way it should be so we can get to know one another and realize all human beings. Newburgh is a jewel but it has never been marketed properly. All roads lead to Newburgh so why is it so hard to get businesses to come here? With the Airport you would think it would be easy to market Newburgh. There are no jobs and we need jobs here in the City of Newburgh. Why isn't the City being marketed properly?

Juanita Lewis, Community Voices Heard said in the last few months as this project has been discussed she has never heard such hateful and vile things. People are saying that everyone should have an opportunity but if you are disabled you shouldn't get housing or if you are a single mother trying to make ends meet and pay rent for a slumlord apartment you don't deserve to be able to move up in housing, which this project could actually do. She is in support of the Alembic Project because it is starting in the right direction. It's not perfect but she has never seen a project where all luxury changes a community it only pushes people out who have built communities and brings in people who don't have the same love. This is the first step of what real housing could look like for all income levels in the City of Newburgh. For people saying that the jobs won't come the City Council can say that there has to be local hiring preferences for the City of Newburgh residents. The people we are talking about moving into these new units are people who take care of a lot of the family members that are here right now as teaching assistants. In the past two months she has had almost twenty families come to her office saying that they are going to be evicted because a slumlord is not fixing their property. The people who are against affordable housing and this project need to talk to these slumlords. This project allows people to move in, continue to thrive and support their communities.

Angela, City of Newburgh said she is disturbed by this. She wanted to make it clear that you can be against Alembic and still be in favor of the housing. She feels like no one is hearing each other. If there is a property that can be sold to give some money to the City then there should be enough places to do housing. Keep the jewel that we have until we can sell it to the right people and not have such high taxes. It is common sense. We need more people to pay taxes.

Erica, Clinton Street said she is for the safety of Newburgh and not cutting the fire and police departments. She added that there are house sized holes at the bottom of her hill making it difficult to access her home. The water main was broken by people replacing the lines and her water is coming out like mud. It's not drinkable and she can't bathe in it causing an extra expense to wash her clothes and bathe elsewhere. Taxes are too high and she has noticed more not-for-profits getting buildings here. Someone mentioned that Mt. St. Mary's bought property and they charge their students to reside there when they attend school. When you have a not-for-profit the tax levy is on the people that live here and are vested which is unfair. You should have Mt. St. Mary's return what they are getting in tax freedom by maybe sponsoring a child to go to school for free.

Ms. Waters lives across the river but looked to move her company to Newburgh and she fell in love with it and spent millions of dollars in the community last year. She gets concerned when she hears people throw out versus from the Bible like, "*Love Thy Neighbor*" and use it to defend their point. At Mass yesterday the Priest handed out flyers from an organization claiming that ninety-five percent of the money collected goes to the recipients but when she looked it up she found out that only sixty-five percent goes to them. At the meeting on Thursday someone said that there is legal push back for community preference so anyone who thinks that this is being built to help the people in the community are actually incorrect. There are conditions for the money coming in to pay for this and you can't earmark it for the community. Someone else said that the City isn't being marketed properly and it needs to be business friendly. People say that if we work together we can fix what ails us but you can't if there are no jobs.

Stuart Sachs, 28 Lander Street said that on his block and others near him RUPCO recently developed forty units of formerly City owned properties which is all affordable. Habitat has also done several buildings which boosts people into the middle class so he urged the City Council to think about more collaboration with Habitat. He doesn't believe that anyone has been opposed to RUPCO so when the City starts thinking about large development all of these things should be taken into consideration. It seems to him that this is all one hundred percent affordable and we need more clarity on the numbers. The Dutch Reformed Church is very near and dear to his heart and he asked the Council to please separate these two projects. The Dutch Reformed Church needs to be developed in its own as a center for art and culture as it used to be.

Michael, Spring Street noted that there are fences blocking Spring Street which is causing cars to go down a one way street causing chaos. Why is this project the Alembic Project? Why is it not the Newburgh Project or the 2 Montgomery Project? It's our space and he is concerned that we are not talking about the same things because jobs are incredibly important. With 2 Montgomery we are concerned that those apartments aren't going to Newburgh residents. If we are getting money from the State or County then they will dictate who those apartments can go to. We need to do an impact study to figure out how

many of those jobs are guaranteed to go to Newburgh residents and get those apartments. What will the impact be to us on our property taxes? \$300,000.00 sounds like a lot but compared to what? Is this the best project for us? We could do a lot for this City if we could be more creative with this.

Anna Brooks, Bayview Terrace said she looked at the proposal and slide show on the City's website and everyone can read about the funding opportunities they are going for. The funds dictate who can apply for the housing so we cannot control that this housing goes to City of Newburgh residents. Thirty-eight percent is supportive housing and in need of services and the other forty-two percent will be for \$900.00 to \$1800.00 month. This project, which is fully subsidized, competes with the very same people that we have attracted to come here and have chosen to invest in Newburgh. What do negative projects do? She has seen her neighbors lose their homes over high taxes which destroys neighborhoods. She would rather see things like RUPCO which brings neighborhoods to life.

Gisella Pacheco, City of Newburgh said the taxes are too high and that's not good. We have to be sure of what is good and what is bad for the community and we have to vote for the right people. We have to act wisely when making decisions and we have to be good on the inside to help the people outside.

Richard Rosencrans, 88 Washington Street said he sees a lot of garbage on the streets every day and he sang the song from a movie he saw last night, *"Won't You Be My Neighbor"*.

Pastor Thomas, City of Newburgh asked why we have to build something new when we already have housing that needs to be renovated, repaired or restored. We have so many slum landlords now and the City doesn't do anything but make the tenants pay for these apartments which is atrocious. The City Council needs to oversee all its agencies starting with Code Compliance to see if they are doing the work they are paid to do. There are four buildings on Broadway that were condemned. The lights and water were cut off on two of them and the tenants were made to move out. With the other two nothing was done and they are still occupied so something is wrong there. This City needs to oversee the landlords because the tenants are paying for infested broken down apartments.

Ms. Wolf, City of Newburgh said that when we talk about development we need to understand what our legacy as a culture is. The Council works for the City and if the decisions that they are making are not taking into consideration the way that every aspect of this project affects the land and the well-being of the community, then they are not serving us well. She has not heard how this will improve our infrastructure or quality of life. If we are not thinking about how we are developing for the sake of the community with respect for the land and honoring the legacy of all the mistakes we have made as a culture when we develop, and thinking about how what we are doing is moving us forward, then she thinks we are not ready to make this decision until those things have really been contemplated.

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

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Councilman Grice thanked everyone for coming out tonight and for staying. It is his hope that people will come out in force like this for other issues as well as for something positive. He told the Firefighters that he hears their concerns and he is willing to work with them to get to some resolution with that situation. He works with Ms. Peterson at the Newburgh Enlarged City School District so he is on the committee for Newburgh Basics. In regard to the Codes Department, we asked for an independent investigation some time ago so we need to take a closer look at what they are doing. For Alembic he is asking that they have more conversations with our residents. He noted that putting together committees is very hard work and they just initiated the Parking and Transportation Advisory Committee but there are others we need as well such as a Housing Committee, a Health and Wellness Committee and others. He added that a dear friend of his who he grew up with, Anthony "Chubby" McDonald, passed away in a motorcycle accident so he asked to use his last few seconds for a Moment of Silence to honor him.

Councilman Jacobson thanked everyone for sitting through this. He told the Firefighters that they are not cutting any engines on his watch and the only thing they are voting on tonight is to employ the three firemen that were laid off. Hopefully we will get the SAFER grant money which Congressman Maloney, Senator Schumer and Senator Gillibrand have been working very hard on. He is very optimistic and hopes we get those firefighters back. In regard to Alembic, he thinks that Newburgh will always be diverse and will continue to have affordable and supportive housing. He thinks the way the question has been laid out has inflamed people and they are making a false choice. The question is whether we have the best use for this property that will generate the most good for the City of Newburgh. He has looked at what was presented but the numbers don't make sense and they didn't even get the parking right. He feels they should start over and separate the three projects.

Councilwoman Mejia thanked everyone for coming out tonight and being vocal on what our future will look like. In regard to the Firefighters, she was a little perplexed on where their communication came from as she did not hear that at the Work Session and was not informed of any changes that will impact public safety. She heavily advocated the keeping of at least three of our firefighters with the layoffs and the SAFER Grant. With that Grant part of the process is that you have impending layoffs so that is where those letters are coming from and there was commitment to be creative if we don't get the SAFER Grant and what we do moving forward. We showed and demonstrated our commitment by adding three firefighters so she hopes that is recognized. In terms of the residential development, she doesn't call it the Alembic Project. She calls it the Dutch Reformed, City Club and Urban Renewal Parcel. We now have numbers so we need to vet them and come to a decision about what the future of our City looks like. We have prioritized and they are looking for direction from the City and the community about which aspect of the supportive housing we want. They are looking for a direction around the supportive housing definition and they are looking for community preferences. It was also said that we need to make sure that the language would legally uphold. There is more to be said but she does support

it.

Councilwoman Monteverde thanked everyone for coming out and she appreciates all of the comments. She supports the Firemen and feels that as a Council we want to hold them accountable with the overtime to figure out a way to keep that down so it works and doesn't take the Budget. She likes the idea of approaching Mt. St. Mary's to ask for services in lieu of taxes. With the Alembic Project she thinks we are just at the beginning stages as we just got the numbers and she likes that it's a project that will work for all income levels. She would like to set up a meeting to speak with each group that is for it and against it so we are not pitted against each other. We need to support the development of housing for people and families with a variety of income levels and doing so makes sense from an economic development perspective and it's a start. It's not a perfect project as it needs to be tweaked and she thinks we need to look at the tax PILOT and tell them we would like to prioritize housing for our residents. We want to make sure that if the project does get started, these jobs will go to Newburgh residents. She looks forward to talking to everybody and said there is no need for personal attacks.

Councilwoman Rayford thanked everyone for coming out and said she hears everyone that is for and against the Alembic Project. As she stated at previous meetings, there will be a Resolution on the table tonight for new business. She heard mother Howard say that the poor will be with us always and that is what the word of God says but he also says, "*My people are destroyed for lack of knowledge because they have rejected knowledge*". The RFP was put out for two months and five days which is inadequate for any developer to come up with a strategic plan. The timing was the day after Thanksgiving and there was no transparency with these companies; Alembic and Hester Street. Also in regard to conflict of interest what ties do some of our Council members and city workers have with these companies? What partnerships do we have with them? We need to hire a company that specializes in RFP'S and RFQ's because we are not developers.

Councilwoman Sofokles said she is thankful to everyone who came out tonight and she doesn't know where the information came from about the Fire Department. The only thing that was said was that the Mayor proposed one truck and we all agreed that we couldn't do that. We would never do anything to hurt the Fire Department and she is here to fight for them, the Police Department and DPW. You have to understand that Newburgh has gone through sixty years of mismanagement and we can't change it overnight but we can try. One positive thing she wanted to note was that The Times Herald Record recently gave four cheers to the City of Newburgh with four positive articles. She added that the last woman who spoke used to have a Café on Broadway for a few years and then the landlord raised her rent by \$5,000.00 and put her out of business so we have to address these landlords and have some kind of control. In regard to the Alembic Project, more has to come out on that as she is not convinced about the parking or the taxes because our services will have to be used. As an Accountant she looks for the fiscal responsibility and she is not convinced yet that this is the right project for Newburgh but she is willing to listen. The best thing she heard tonight was from Barbara Smith when she said that we have lost \$900,000.00 in taxes when those houses were taken off the tax rolls. That can't happen anymore.

Mayor Harvey said it's been a very long and productive night and as he stated in the beginning, public safety is our number one priority. He spoke with our Acting Chief who

mistakenly put something on social media that was not said. It is on video and on record that he asked a question which is his fiduciary responsibility. He asked how many trucks, how many men are on the trucks and what would it look like if one truck was on call as opposed to all of them. What are the calls between 8:00 p.m. and 8:00 a.m.? It was just an inquiry and asking questions to creatively participate in how to address the overtime in the Fire Department and the Police Department. By no means was there a resolution to take a truck offline and by no means were we trying to shut down a company because we would never do that. *"I was simply inquiring about different ideas and things that came to my mind to think about in terms of trying to cut down on the overtime. I support the Firemen and the Policemen one hundred and fifty percent for the record."* In terms of the SAFER Grant, it was protocol to send out layoff letters and we saved three jobs so we are hopeful to see something come through with that Grant. He sees positives and negatives with the Alembic Project and everyone expressed valid points so he is willing to give it more time to understand. Someone else mentioned investigating the tax negatives and positives and trying to come to a compromise. He thanked everyone for coming out tonight.

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

CITY MANAGER'S REPORT

Resolution No. 162 - 2018 - Central Hudson Agreement for DPW

Councilwoman Monteverde asked if they could have a conversation on this later. Have we switched over completely to LED lighting and have we looked into the possibility of using solar lighting a well?

Corporation Counsel, Michelle Kelson said Central Hudson has a Grant Program to promote energy efficiency projects to customers. This particular project is for DPW to replace all of the existing bulbs with LED fixtures at no cost to the City for the installation and there will be an energy savings to the City over time. This was presented to us and we have not explored solar for this particular purpose but this Grant is only out there for a limited time.

Councilwoman Monteverde asked if it is possible to look at the other buildings for a savings.

Ms. Kelson said that the Superintendent of Public Works has other proposals that we plan to bring forward for other city buildings.

City Manager, Michael Ciaravino said we would absolutely want to maximize any Grant opportunity. We will look into whether this program is available to others so it will be looked into.

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

Resolution No. 163 - 2018 South Water Street Sewer Separation Project Change Order No. 3

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

Resolution No. 164 - 2018 to Accept Donations for the Emergency Stabilization of City Owned Properties

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

Resolution No. 165 - 2018 Community Resource Officer Program Agreement

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

Resolution No. 166 - 2018 Temporary Position - Supervising Cashier

Councilwoman Rayford said she needs clarity. Why do we need a supervising cashier on a temporary basis?

Katie Mack, City Comptroller said that the Tax Collector is on a leave of absence for the month of July and rather than pay out of title pay we are instituting a Supervising Cashier temporarily to ensure that the daily deposit is done. She also noted that they lost a Cashier in that office who left recently.

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

Resolution No. 167 - 2018 Amend 2018 Personnel Book to add three firefighters

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

Resolution No. 168 - 2018 Personnel Book amendment -- Pavement Plan Intern

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

Resolution No. 169 - 2018 Purchase of 380 Liberty Street

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

Resolution No. 170 - 2018 Purchase of 93 Carpenter Avenue

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

Resolution No. 171 -2018 - Release of Restrictive Covenants - 26 Forsythe Place

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

Resolution No. 172 -2018 Satisfaction of Mortgage - 110 and 112 Washington Street

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

Resolution No. 173 -2018 2019 Summer Playground

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

Resolution No. 174 -2018 Books & Balls Afterschool Program

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

Resolution No. 175 - 2018 2019 Youth Boxing Program

Councilwoman Monteverde asked if this means that Leonard Lee will be working if we get this Grant.

City Manager, Michael Ciaravino said this does not mean that he will be on the payroll. This is a Grant that was applied for to support that program.

Councilwoman Rayford said that at the Work Session they brought up Hook Elite but she doesn't want this resolution to undermine the asking of him to partner with us. We don't want that to happen. We can't ignore the fact that he would like to be part of our City Recreation Department. She is thankful to Mr. Stanton for getting this Grant and for supporting the Hook Elite program. Things are moving forward in our Recreation Department.

Mayor Harvey asked Mr. Stanton what he has in mind if awarded this Grant.

Derrick Stanton, Recreation Department Director said that the Grant would go towards travel and equipment for the Boxing Program.

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

Resolution No. 176 - 2018 Youth Soccer Program

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

Resolution No. 177 -2018 Year Round Basketball Program

Councilwoman Rayford thanked Mr. Stanton for this. She wants the community to know that Mr. Stanton has supported other basketball organizations throughout the City such as the High School and the Boys and Girls Club. This Grant can be used and utilized for our City's children so she is grateful for this.

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

Resolution No. 178 - 2018 Youth Baseball Program

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 179 -2018 South Street Park CFA Grant

Mayor Harvey said one our residents brought up a concern regarding this.

City Manager, Michael Ciaravino said this will enable us to improve this Park and we had an internal discussion about the Parks we have and the resources needed to keep them maintained. We have Tyrone Crabb Park and promises that were made for some of the other Parks by volunteers that maintain them. DPW has done the right thing and they are strained for resources but they continue to maintain theses Parks. This Parks Grant was advocated for by Deirdre Glenn and her team but we are going to continue to be strained and will maintain all of our Parks. We will continue to address all of the details regarding our strained resources in every department.

Mayor Harvey said that Mrs. Dillard brought a piece of the Audrey Carey Park mat and some other constituents called him recently regarding the Parks and their maintenance. Is this Grant for just one Park or could these resources be used for several Parks as we have several of them in the City.

City Manager, Michael Ciaravino said this would be for the South Street Park only.

Corporation Counsel, Michelle Kelson said this is not a maintenance Grant. South Street Park has been designed but it has not been constructed and it is not open. We are desperately seeking funding and resources so that we can actually construct this park so that it can be open and available to the public and residents of the City of Newburgh. Mrs. Dillard called her on Friday because she was concerned about what the proposed uses would be in the Park and she just wanted to make it clear that the Park would be available to those who wanted to come to sit and enjoy it. It would not be solely reserved for watercraft usage whether it be motorized or non-motorized and she wanted to make sure it was available to the children of the City of Newburgh. It has been a long time since she has looked at the design of the Park so she referred her to the Planning and Development Department where she had a conversation with our City Planner, Ali Church. This Grant is to help us actually construct so we have a usable Park available to the City.

Councilwoman Rayford asked what the actual address is for this Park.

Deirdre Glenn, Planning & Development Director said it is absolutely on the waterfront at the foot of South Street next to the Blue Point Restaurant. The land has been designated as a Park.

Councilwoman Rayford asked if this is the Park to be named after Father Bill.

Ms. Glenn said that is correct.

Councilwoman Rayford said that once it is constructed will we then have a ceremony?

Ms. Glenn said absolutely.

Councilman Grice added that later on he wants to have a conversation specifically about Audrey Carey Park.

Ms. Glenn said that one of their problems is that we don't have money to rehabilitate equipment but we can do something in terms of planning for more staff there or something for maintenance.

Councilwoman Mejia said that Audrey Carey Park has not been touched prior to three years ago when we replaced the floor mat there. We have to have constant maintenance at all of our Parks. We have to make sure that they are properly lit, they have garbage cans and they are maintained. When we are having discussions later on around the Budget, these are things we have to take into account. Just like the rehabilitation or stabilization fund that we just approved in terms of taking donations from individuals to assist with that. We are trying to make improvements whenever possible on a rotation basis and while change seems to take a long time, they are getting done.

Councilwoman Monteverde wanted to add the Courtney Avenue Park in the Heights to that because it really needs attention. This coming Saturday a group of volunteers are getting together to clean it up but it really needs to be addressed.

Councilwoman Rayford said that the Gidney Avenue Park is a death trap because there is only one way in and one way out. If there was an active shooter in the middle of that entrance then nobody could get out. She said that the fence gate has to have another opening so it will not be such a hazard.

Councilwoman Monteverde moved and Councilman Grice seconded.

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

Adopted

Resolution No. 180 -2018 Professional appraisal services for tax certiorari proceedings

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 181 - 2018 CFA 2018 - Safe Harbors of the Hudson's Ritz Theatre restoratio

Councilwoman Monteverde noted that she would recuse herself from this vote.

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 182 - 2018 2018 CFA application of St. George's Church, Newburgh

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Resolution No. 183 -2018 2018 CFA Application - Best Resource Center

Councilwoman Rayford moved and Councilman Grice seconded.

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

Resolution No. 184 -2018 2018 CFA - Best Resource Center Inc on behalf of RIPRAP LLC

Councilman Grice moved and Councilwoman Rayford seconded.

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

Resolution No. 185 - 2018 Appointments -- Parking and Traffic Advisory Committee

Councilman Jacobson noted that the names should be read aloud to the public.

Councilman Grice repeated that putting together a Committee is a lot of hard work so he thanked those who helped with this and for stepping up to volunteer. This is his first of many committees and he appreciates it.

Mayor Harvey said we live in an urban setting so parking can be a challenge and a lot of the phone calls and e-mails he gets are regarding parking tickets. This is a great step in the right direction and he is available to assist in any way that he can.

Councilwoman Monteverde asked how long the term is for.

Councilman Grice said it is a two year term.

Michelle Kelson, Corporation Counsel read the names of the members.

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Resolution No. 186 -2018 Appointments -- Arts & Cultural Commission

Mayor Harvey thanked Stuart Sachs for bringing back the Arts & Cultural Commission. He had the wonderful opportunity to serve on this Committee from 2006 to 2009 and it was a wonderful experience so he is excited to see this come back. For a point of clarification, this resolution supports the transition that Mr. Sachs was referring to so hopefully we can welcome them. Lastly he added that we should read the names of these members aloud as well.

Councilwoman Monteverde thanked Stuart for coming tonight and giving us a brief history on the original Arts Council and she is really excited that this is actually happening because it will be great for the City of Newburgh.

Councilwoman Monteverde moved and Councilman Grice seconded.

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

Adopted

Resolution No. 187 - 2018 Downing Park Shelter House

Councilman Grice said this will allow the Shelter House to sell spirits in a controlled environment.

Michelle Kelson, Corporation Counsel said what it will do is serve as support to the State Liquor Authority to grant a License for that purpose. She will send the proprietor a letter that will add some terms and conditions to the License Agreement for keeping the service within a confined area related to the Shelter House.

Councilman Grice said that is exactly what he was looking for because there was also another organization called Power Tobacco that we had conversations with regarding keeping our Parks and public areas smoke free.

Councilwoman Rayford said she doesn't think the City of Newburgh is ready to have our Parks licensed to have alcohol in a confined or restricted area. Corporation Counsel said at the Work Session that she has to find out the legalities of this and what it will entail if we have people drinking there. Will crime escalate? What services are we paying for if they trash the place on the outside? Will we be paying more for DPW to clean and for more Police to break up disputes? At this point, she thinks they should table this until these questions are answered in respect to our community. If we allow drinking in one Park then all of them will want to have it and the City of Newburgh doesn't need that right now.

Councilwoman Sofokles said she has been a member of the Downing Park Planning Committee for thirty three years and they have always been a self-sustaining group. They renovated the Shelter House and have held hundreds of events where the people were responsible. They took a City owned property and made it a destination so she resents the fact that anyone would say they would be irresponsible. People are just going to have a glass of wine with a sandwich outside in the Park and every Café sells beer and wine. Central Park does it as well as every Park in Poughkeepsie and Kingston. We are just asking for a Tavern License for Downing Park to help them make it as a Café. If you haven't been there yet, it is absolutely beautiful and people are loving it so to think we would be irresponsible and abuse this privilege is insulting to the Downing Park Planning Committee. The first time she went to that Park in 1985 the Shelter House was boarded up and there was graffiti and needles everywhere. They as a group have maintained that Park and she is really insulted that anyone thinks they would be irresponsible. There won't be any fights and she doesn't want to table this because people go in there every day asking if they can get a glass of wine.

Councilwoman Rayford said this is just discussion and she has questions and concerns. She has been in there twice and she is concerned because he doesn't own the facility so if something does happen then the City will be liable for litigation.

Michelle Kelson, Corporation Counsel said that the Café operates pursuant to a license agreement with the City and some of the concerns we do have are about making sure we don't have an open container issue and making sure we limit the City's liability. She has

prepared an agreement that would supplement the License Agreement which would require beer and wine to be limited to the inside of the premises and a ninety feet area outside of the Shelter House. It would only be during certain hours and the Café is responsible for the maintenance of the area that they license including the patio area. There would be additional insurance requirements and it does not authorize the sale or possession of alcohol throughout the entire Park or any other Park. She is trying to come up with a comprehensive legislative amendment that would be a more comprehensive policy which would be available to everybody in a more objective way.

Councilwoman Rayford feels that is more reason to table this because we need to hear what this comprehensive amendment would be.

Councilman Grice believes there was a time sensitive issue with this agreement as well.

Mayor Harvey said they have the application in Albany and fees were paid so this is time sensitive to be submitted with support of the Council so they don't lose those fees. He appreciates Michelle's response because it gives a little more clarification as to liability and what will be added with this letter. Albany has to officially decide if the license for serving beer, wine and cider would be granted so we are not the point of authority solely on this.

Councilman Grice moved and Councilman Jacobson seconded.
Ayes: Grice, Jacobson, Mejia, Monteverde, Sofokles, Harvey - 6
Nays: Rayford-1
Adopted

Resolution No. 188 -2018

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

Resolution No. 189 - 2018

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

NEW BUSINESS

Councilwoman Rayford presented Resolution #190-2018 to the Council. A resolution to terminate the proposed project by Alembic at 2 Montgomery Street, the Newburgh City Club and the Dutch Reformed Church.

Councilwoman Rayford moved and Councilman Jacobson seconded that the resolution be adopted.

Corporation Counsel, Michelle Kelson asked if everyone understands what the motion is and what they are voting on.

Councilwoman Mejia said that essentially we are voting against and killing the project we just had an entire process about. She wants to make sure that everyone around the table knows, *"Do not ever talk to me about your commitment for a diverse community that has space for multiple incomes around affordability"*. This is a project that is giving you at every possible level that option and you are not even willing to continue to vet the numbers which is where we are presently at. If that is the current motion on the table right now, nobody from the public had a chance to comment on that. She said she is voting "no".

Councilman Grice said that he is changing his vote to "no" also.

Councilwoman Monteverde said her vote is, *"Absolutely not"*.

Councilwoman Rayford said we already have in litigation a three million dollar lawsuit and that project was before she came onto the Council so just be prepared. Her vote is, "yes" for this. She added that the Attorney General is also involved.

Ayes: Councilman Jacobson, Councilwoman Rayford – 2

Nays: Councilman Grice, Councilwoman Mejia, Councilwoman Monteverde, Councilwoman Sofokles, Mayor Harvey – 5

DEFEATED

OLD BUSINESS

Councilwoman Monteverde said she would like to set up a meeting as soon as possible with the Fire Chief and Brandon to talk about the overtime and plan. She wants to make sure they understand that the Council fully supports them and they are not shutting anything down. Let's start communicating.

Councilman Grice said he would like to know about the investigation into our Codes Department and he would like to see the Matrix from the Police Department also.

Councilwoman Rayford said she would like to hear from Corporation Counsel on our Tourism Program.

Ms. Kelson responded that it was not done as of yet.

Councilwoman Monteverde asked if the Matrix is in drop box. Can we access it there?

City Manager, Michael Ciaravino said if it's not we can get it there.

Councilwoman Rayford said she also requested information from Corporation Counsel about when a person should recuse themselves with relationships, direct or indirect, on proposals and such.

Ms. Kelson said she has been reviewing the Ethics Code but is not finished at this point.

City Manager, Michael Ciaravino told Councilwoman Monteverde that Chief Solomon just informed him that the Matrix is already available on the City's Website.

Councilwoman Mejia noted that we are not adhering to the definition of old business. We discussed term limits at one point and Michelle did some preliminary research so she would like to put it on the Agenda for the August meeting.

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

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice said it has been a very long day for him and he has no further comments.

Councilman Jacobson said he is glad that we added three Firemen and as the Alembic Project stands now we have to have a definite timeline to know what is going to happen. If it wasn't for the meeting in June when we said we had to have the plans by June 30th he doesn't know if we would have had anything at this point. It was a long meeting so he thanked everyone for hanging in there and he wished everyone a good night.

Councilwoman Mejia said there is so much going on through the reflection process on how we are communicating and interacting with each other both in person and on social media. As she said at the Work Session, this is a pivotal moment for the City of Newburgh in terms of the housing decisions that we make. If we cannot have a conversation about a mixed income development project that also is contributing to the City's coffers and in the same breath say that no one is going to be willing to pay \$2,000.00, \$3,000.00 to live on that parcel, where is the market rate that everyone continues to discuss and talk about? How do we do it in a responsible form? She hopes that is the lesson that we take from tonight but it's time to go home and noted that language does matter.

Councilwoman Monteverde apologized that things got a little out of hand and said we need to remember to keep ourselves in check. This is a very pivotal project and she wants to make sure that they look at it from all angles. With everything in social media and trying to work together she thinks we all want the same things for this City. We are all very dedicated and she loves the diversity of this City. Being worthy of trust builds trust in others. Building a community starts with clear and open communication.

Councilwoman Rayford said that at past Work Sessions Councilwoman Mejia spoke about the other developer and why she opposed it because it only had one bedroom and then she speaks up for this project because of concerns for her community. She said that she has been in Ward one for five years and they don't know her except for the ones who live on Grand and Montgomery Street. We have had a non-for-profit organization for twenty-five years and not once has she visited. She apologized like Councilwoman Monteverde said for things getting out of hand but it got out of hand when you walked out at the last City Council meeting when I was asked to Pray. We need to respect one another and when it's time for the City Council to talk, everyone needs to be listening. To her new constituents on the Council she said that these things are not personal. When she

voted against the liquor license, she knew that it was going to pass. When she spoke to Councilwoman Sofokles today she was in favor of tabling this but didn't because she went against the liquor license. She told her this is just politics and it's not personal. It's a job and we have to move this City forward.

Councilwoman Sofokles said that she didn't take it as personal. We talked about tabling it because she is not ready to make her decision yet on the Alembic Project. She is new here and it may be something we can do but she doesn't know if it will really bring the City \$300,000.00 in taxes or not. We only had one presentation and if she knew we were planning to end it then we should have told all of the people who spoke here tonight. Tabling and ending something are two different things so she is not ready to end it and she already said she would give them until August. She is more concerned with the Firemen and she Prays for that SAFER Grant every night so she really thinks we are going to get it. Nothing is more important than the Policemen, Firemen and our DPW services to protect our community. That is really what we should be focusing on tonight. She congratulated Steven and wished him all the luck in the World and she thanked everyone for being here tonight.

Mayor Harvey said he respects everyone on the City Council for who they are and what they do for this City. It's not easy to sit at this table and just listen. It's not easy to sit at this table and hear people on two sides of an issue and make personal attacks often times for things that the City Council isn't directly responsible for. It's not easy to sit here and hear the Council attack each other. We have had a long night and it's been very difficult but he heard a lot of information on both sides of the arguments regarding Alembic and he also agrees it's too soon to make a decision on this. It needs more time and we need to hear more information but he has heard compelling arguments on both sides of this project. He has heard people who support this project say that there are things they want to see adjusted and changed and he has heard people who are opposed to it offer positive elements as well. It's his fiduciary responsibility to try to be evenhanded and try to hear all points of view and perspectives to make an informed decision. No one controls his vote. He is trying to do what Mayor Kennedy asked him to do with finishing her term and no matter how easy or how tough those decisions are his position will be his position and his vote will be his vote because the people who voted him as a Councilman trusted his judgement. He doesn't care that it's an election year and he will take his position when he feels he has received enough information from all sides and perspectives. Until the City Clerk takes the vote you will not know his position because he is still fact finding and vetting the process. He thanked everyone for coming out tonight and for their hard work and efforts to move this City forward.

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

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 11:58 P.M.

LORENE VITEK
CITY CLERK

RESOLUTION NO.: 162-2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A CENTRAL HUDSON GAS & ELECTRIC TRADE ALLY COMMERCIAL LIGHTING
PROGRAM AGREEMENT WITH LIVINGSTON ENERGY GROUP FOR
LED LIGHTING REPLACEMENT AT THE DEPARTMENT OF PUBLIC WORKS

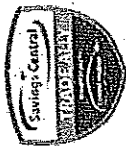
WHEREAS, Central Hudson Gas & Electric Corporation n/k/a CH Energy Group, Inc. ("Central Hudson"), is offering a grant through its trade ally program to promote energy efficiency projects for its customers; and

WHEREAS, the Livingston Energy Group is a Central Hudson trade ally and has proposed an energy efficiency project to install LED fixtures at the City of Newburgh Department of Public Works; and

WHEREAS, there will be no upfront cost to the City of Newburgh for said installation and will result in a reduction of electrical costs to the City as compared with the existing lighting; and

WHEREAS, the City's participation in this project requires an agreement between Central Hudson, Livingston Energy Group and the City of Newburgh and this Council finds that entering into such agreement is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the attached Central Hudson Gas & Electric Commercial/Industrial Lighting Program Agreement with Livingston Energy Group for the installation of LED lighting at the Department of Public Works.



CENTRAL HUDSON GAS & ELECTRIC
COMMERCIAL/INDUSTRIAL LIGHTING
PROGRAM PROJECT PROPOSAL

LIVINGSTON ENERGY GROUP PROGRAM
City of Newburgh DPW
88 Pierces Rd
Sunday, June 3, 2018

PROPOSED UPGRADE		ESTIMATED ENERGY SAVINGS BY UNIT		MEASURE COST	
NEW EQUIPMENT	QTY	INSTALLATION	ANNUAL	LIFETIME	UNIT
LED HIGHBAY SML CIRCULAR	48	Garages at 20'	\$14,885	\$327,470	\$378.00
LED LINEAR 4'	64	Garages, walls at 10'	\$2,523	\$55,503	\$234.00
OCCUPANCY SENSOR	22	Linears and HB at 1'	\$0	\$0	\$270.00
LED LINEAR 4'	26	Halls & Offices at 8'	\$1,435	\$31,568	\$234.00
LED FLOOD LIGHT SMALL	30	Ext Front Side Back at 10'	\$2,470	\$54,347	\$234.00
LED FLOOD LIGHT MEDIUM	3	Ext Side Overhang at 15'	\$478	\$10,523	\$288.00
LED FLOOD LIGHT SMALL	12	Ext Walls at 15'	\$410	\$9,019	\$234.00
					\$2,808.00

PROJECT ENERGY + MAINTENANCE SAVINGS
ANNUAL \$26,854
LIFETIME \$590,796
LIFETIME CO2 EQUIVALENT (LBS) 6,308,263

PROJECT COSTS
SUBTOTAL \$55,836.00
TAX \$4,536.68
TOTAL \$60,372.68

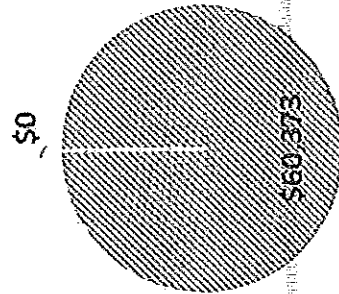
10 YEAR WARRANTY PROJECT TOTAL \$0.00

INCENTIVES

PROGRAM CLIENT

Est. Payback (Months)

0.00



Client is only responsible for "PROJECT TOTAL," due upon installation. Failure to make payment may result in late fees or interest being added. Payment plans may be available upon request. This proposal is only valid while funding is available, which Central Hudson reserves the right to change or discontinue at any moment; in this event, any party may deem this proposal as void without further obligation. Available funding will be allocated to projects by Central Hudson on a first come first serve basis, using the date of signature as a placeholder. Client reserves the right to cancel at any time prior to installation.

CLIENT SIGNATURE

DATE

V. TERMS & CONDITIONS

1. Equipment and services must be purchased January 1, 2016, through December 31, 2018, or while funding for rebates for this program are still available.
2. Work must be completed by a participating Central Hudson SavingsCentral Trade Ally.
3. Incentives are available for commercial electric and gas customers of Central Hudson. Measures installed in newly constructed commercial buildings are not eligible for rebates.
4. It is the responsibility of the customer to ensure that all requirements for the rebate are met and that all required documentation is provided.
5. Rebate payments will be based on the equipment purchase date.
6. Failure to provide any of the required information will prevent processing of your application.
7. Central Hudson reserves the right to review the installations in order to ensure compliance with all program requirements. Central Hudson may choose to review locations to verify completion of the projects and to measure and verify energy savings. Such reviews will be made at a time convenient to the applicant, with advanced notice given to the applicant. Misrepresentation of installation location or measure eligibility may result in forfeiture of the incentive award.
8. Program procedures, requirements and rebate levels are subject to change or cancellation without notice.
9. One rebate check will be issued to the customer for each approved and completed application. Where applicable, a separate check will be issued to the contractor for each approved and completed application.
10. Installations must be completed in accordance with all laws, codes and other requirements applicable under federal, state and local authority.
11. You are urged to seek appropriate consultation concerning any tax liabilities that could be associated with the receipt of the rebate.
12. Customer verifies that they have not received any other incentives from any other programs for the same equipment where a rebate is being requested in this form.
13. Central Hudson is entitled to 100% of the energy benefits associated with the rebated measures, excluding the value of energy cost savings realized by the customer.
14. Central Hudson assumes no responsibility for the performance of the equipment and equipment warranty, the quality of the work, labor and/or materials supplied, and/or the acts or omissions of the Trade Ally.
15. The equipment must be purchased new and installed at the above listed customer location.
16. The customer hereby relieves and indemnifies Central Hudson of any and all liability associated with this project.
17. I understand that I may be contacted by Central Hudson via survey or questionnaire to provide feedback on my satisfaction with the program.

By signing this application, the customer agrees to the terms and conditions of this document. The customer hereby consents to the utilization and release of his or her energy consumption data and usage by Central Hudson and/or its designees including program administrators and evaluation contractors. These administrators and contractors are obligated to Central Hudson to keep customer information confidential. The release and usage of data will be only for program evaluation, program eligibility determination, energy savings purposes and analysis and will be kept confidential.

Customer Name _____

Trade Ally Name _____

Customer Signature _____

Date _____

C&I Trade Ally Payment Authorization

I. SIGNED ACCOUNT HOLDER AUTHORIZATION

This form is to confirm the willingness of (Account Holder) _____

to participate with (Trade Ally) Livingston Energy Group, LLC in the Central Hudson Commercial and Industrial (C&I) incentive programs.

The Account Holder listed above authorizes all incentives from Central Hudson Gas and Electric related to the C&I Programs to be paid directly back to the Trade Ally listed above.

Date: _____

Central Hudson Account #: _____

Account Holder Signature: _____

Trade Ally Signature: _____

HVAC (Select One):

- ☐ Gas Furnace with A/C
- ☐ Oil or Propane Heat
- ☐ Chiller - Water Cooled Screw
- ☐ Constant Volume with Economizer
- ☐ Constant Volume without Economizer
- ☐ Electric Resistance Heat Only
- ☐ Electric Resistance with A/C
- ☐ Fan Coil w/ Chiller & HW Boiler
- ☐ Gas Furnace or Boiler
- ☐ Heat Pump
- ☐ No HVAC
- ☐ Steam Boiler
- ☐ Variable Air Volume with Economizer

RESOLUTION NO.: 163 - 2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
CHANGE ORDER NO. 3 WITH W.M. SCHULTZ CONSTRUCTION, INC.
IN THE AMOUNT OF \$19,500.00 IN CONNECTION WITH
THE SOUTH WATER STREET SEWER SEPARATION PROJECT

WHEREAS, by Resolution No. 213-2017 of August 14, 2017, the City Council of the City of Newburgh awarded a bid to and authorized the execution of a contract with W.M. Schultz Construction, Inc., for the construction of the South Water Street Sewer Separation Project in the amount of \$1,654,00.00; and

WHEREAS, due to unforeseen conditions encountered during construction related to the disposal of contaminated soils, and obstructions discovered during underground boring operations requires the inclusion of the additional work which will increase the total cost of the Project by \$19,500.00 to a total contract price of \$1,673,500.00 and requires a change order to the contract; and

WHEREAS, funding for the change order shall be derived from the existing Project funding provided by the New York State Environmental Facilities Corporation identified as Clean Water State Revolving Fund No. C3-7332-11-00;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to execute Change Order No. 3 increasing the total contract price by \$19,500.00 from \$1,654,00.00 to \$1,673,500.00 in connection with the W.M. Schultz Construction, Inc., contract for the South Water Street Sewer Separation Project.

Jason Morris, P.E.
City Engineer
City of Newburgh
83 Broadway
Newburgh, NY 12550

Arcadis of New York, Inc.
855 Route 146
Suite 210
Clifton Park
New York 12065
Tel 518 250 7300
Fax 518 250 7301
www.arcadis.com

Subject:
South Water Street Sewer Separation Project
Bid No. 12-17
CW SRF Project No. C3-7322-11-00
Change Order No. 3

Water

Date:
June 26, 2018

Contact:
A.J. Brooks

Phone:
518 250 7374

Email:
a.j.brooks@arcadis.com

Our ref:
04881005.0000

Dear Mr. Morris:

Pursuant to your request, Arcadis has prepared Change Order No. 3 for the City's consideration and action. Change Order No. 3 is an increase of the contract price of \$19,500.00 and adds no additional time to contract duration. The South Water Street Sewer Separation Project is required by a New York State Department of Environmental Conservation (NYS DEC) Order on Consent as a result of the Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP).

As you are aware, unforeseen conditions arise on almost all construction projects, especially in urban settings with aging infrastructure. This is true with the South Water Street Sewer Separation Project as well. The contract currently includes the following payment items:

Payment Item No.	Description	Payment Amount
1	General Construction	\$1,510,118.66
2	Sewer Laterals	\$15,000.00
3	Rock Excavation	\$11,500.00
4	Contingency Allowance	\$117,381.34
Total Contract Price:		\$1,654,000.00

To date the Contractor has encountered many unforeseen conditions described in the correspondence dated January 30, 2018. Since that time the Contractor encountered additional obstructions that necessitated changes in the proposed

Mr. Jason Morris, P.E.
June 26, 2018

bore under the CSX railroad. Originally the bore was designed to be a 16-inch diameter casing pipe, but that encountered an obstruction on December 1, 2017. Change Order No. 2 increased the casing pipe to 30-inches, which would allow access and hand excavation if additional obstructions were encountered. In order to complete the new boring, the existing 16-inch casing was filled with concrete and abandoned in place.

The boring pit was moved north to facilitate the new 30-inch diameter casing pipe. An obstruction was encountered on March 15, 2018, which damaged the steering head and resulted in loose soils entering the casing pipe with approximately 55 linear feet installed. The CSX representative did not allow additional hand excavation due to the loose soils as the casing pipe was directly under the active rail line. Quick and direct negotiations between the Contractor and our geotechnical engineer resulted in a secondary plan to push a 24-inch diameter casing through the 30-inch casing pipe. This resulted in additional costs for materials and some additional time onsite for construction. Another obstruction was encountered on March 23, 2018 with approximately 120 linear feet installed. The most cost-effective solution was to push a 16-inch casing pipe through the 24-inch casing pipe to complete the bore under the CSX railroad, which was completed on March 24, 2018.

As was identified in the January 30, 2018 correspondence, petroleum impacted soil was encountered in South Water Street. This was stockpiled on the Consolidated Iron site and tested to determine how it could be disposed of. Laboratory results showed that the soil was non-hazardous and could be disposed of at a facility that accepts non-hazardous contaminated soil. A total of 333.6 tons of contaminated soil was disposed of at Bayshore Recycling Corp in Keasbey, NJ on April 10, 2018. Contamination in this location was not expected.

As a result of the additional boring pit and the excavation for the wet well, additional contaminated soil on the Consolidated Iron site was encountered. Contaminated soil in this location was expected and a reason for the inclusion of the contingency allowance in the original Bid Documents to deal with this unknown cost. In October 2017, the Contractor received approval from the US EPA and NYS DEC to place contaminated soil back in the excavation for backfill below a demarcation layer (approximately five feet below grade) on the Consolidated Iron site. However, due to the elevation of groundwater much of the contaminated soil was saturated and unsuitable for backfill. To save the City money, the upper 5 feet of cap material that could not be used where the wet well was located was used to backfill the wet well and bore pit in lieu of importing additional select backfill material. As a result, a total of 447.3 tons of contaminated soil were removed from the site and disposed of at Bayshore Recycling Corp. between April 16 and April 17, 2018.

Due to these unforeseen conditions, Arcadis requested that the Contractor provide change order proposals in order to continue the Work. Arcadis has reviewed the proposals based on the net changes to the Work, and through negotiations, reduced the total requested amount from \$136,886.85 to \$131,881.34, which seems fair and reasonable relative to the Work completed. These change order proposals are summarized in the table below.

	Description	Cost
FO#6	Non-hazardous Petroleum Impacted Soil from South Water Street	\$35,416.58
WCD#1	Additional Costs to Continue Advancement of Bore	\$54,664.65
FO#7	Contaminated Soil from the Consolidated Iron Site	\$41,800.11
TOTAL:		\$131,881.34

Mr. Jason Morris, P.E.
June 26, 2018

The sum of these change proposals exceeds the current Contract Price by \$19,500. We are recommending that the remaining funds of \$112,381.34 in the Contingency Allowance be moved to Payment Item No. 5, plus an additional \$19,500 be added to Payment Item No. 5 which will be designated as Change Order No. 3 to authorize payment for this Work. Change Order No. 3 will result in a net increase in the Contract price to a total sum of \$1,673,500.00. The table below is a breakdown of this cost. Please note that the second lowest Bid received for the Project was \$1,717,520.00 and the Project still below that cost.

Payment Item No.	Description	Payment Amount
1	General Construction	\$1,510,118.66
2	Sewer Laterals	\$20,000.00
3	Rock Excavation	\$11,500.00
4	Contingency Allowance	\$0.00
5	Change Order No. 3	\$131,881.34
Total Contract Price:		\$1,673,500.00

We have spoken to the Project Engineer who is overseeing the project for the New York State Environmental Facilities Corporation (NYS EFC) to inform him of the Change Order and the increase in the Contract price. NYS EFC indicated that this increase in the Contract Price would not be an issue with the funding source.

Attached please find three copies of partially executed Change Order No. 3, along with marked-up copies of these Change Order Proposals, which have been agreed to by the Contractor. If accepted, please authorize this work under Change Order No. 3 by signing where indicated for signature by the Owner on the Change Order form. Please keep one original for the City's records and return two copies to this office. If you have any questions or concerns, please do not hesitate to call either Robert Ostapczuk or myself at (518) 250 – 7300.

Sincerely,

Arcadis of New York, Inc.



A.J. Brooks, P.E.
Project Engineer

Copies:

K. Ture, W.M. Shultz
R. Ostapczuk, Arcadis
Enclosures

Date of Issuance: June 26, 2018
Owner: City of Newburgh
Contractor: W.M. Shultz
Engineer: Arcadis of New York, Inc.
Project: South Water Street Sewer Separation

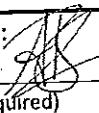
Effective Date:
Owner's Contract No.: 12-17
Contractor's Project No.: M-155
Engineer's Project No.: 04881005.0000
Contract Name: General Construction

The Contract is modified as follows upon execution of this Change Order:

Description: Removal of non-hazardous petroleum impacted soil from South Water Street, removal of unsuitable non-hazardous contaminated soil from below the demarcation layer on the Consolidated Iron Site, and additional costs to advance the bore under the CSX railroad.

Attachments: Contractor Change Order Proposals

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 1,654,000.00	Original Contract Times: Substantial Completion: <u>270</u> Ready for Final Payment: <u>365</u> days
Increase from previously approved Change Orders No. to No. 2: \$ 0.00	Increase from previously approved Change Orders to No. 2: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$ 1,654,000.00	Contract Times prior to this Change Order: Substantial Completion: <u>270</u> Ready for Final Payment: <u>365</u> days
Increase of this Change Order: \$ 19,500	Increase of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price incorporating this Change Order: \$ 1,673,500.00	Contract Times with all approved Change Orders: Substantial Completion: <u>270</u> Ready for Final Payment: <u>365</u> days

RECOMMENDED: 		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)		Owner (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)
Title: Project Engineer	Title: _____	Title: _____	Title: _____	Title: _____	Title: _____
Date: June 26, 2018	Date: _____	Date: _____	Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

RESOLUTION NO.: 164 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT DONATIONS
FOR BUILDING STABILIZATION OF CITY-OWNED BUILDINGS**

WHEREAS, a City-owned building located at 260 Liberty Street (the "Property") was determined to be structurally unsound and a danger to the life, health and safety of the public; and

WHEREAS, a potential purchaser of the Property worked with the City to design an emergency stabilization and shoring plan to avoid the demolition of the building and has raised the funds for the actual cost of the stabilization work; and

WHEREAS, the potential purchaser has offered to donate the funds and reimburse the City for the actual costs of the stabilization work; and

WHEREAS, other City-owned buildings also may be structurally unsound and in need of emergency stabilization work and similar contributions to preserve and stabilize these buildings may be needed and offered;

WHEREAS, this Council deems it to be in the best interests of the City of Newburgh to accept such donations to off-set the costs of emergency stabilization of City-owned buildings such as 260 Liberty Street;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager of the City of Newburgh be and he is hereby authorized to accept a donation for reimbursement of the cost of emergency stabilization of 260 Liberty Street 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 Comptroller be and she is hereby authorized to create a Building Stabilization account designated TE.3620.0400.3620.0002-Emergency Building Stabilization and to accept future donations for the purpose of funding the costs of emergency stabilization of City-owned buildings.



CITY OF NEWBURGH

FIRE DEPARTMENT

123 Grand Street
Newburgh, New York 12550
Phone: 845-569-7419 Fax: 845-569-7435

TO: Michael Ciaravino, City Manager
FROM: William F. Horton, Asst. Chief of Fire Prevention & Building Inspector
DATE: June 14, 2018
SUBJECT: 260 Liberty Street, City of Newburgh

260 Liberty Street in the City of Newburgh (S/B/L 18-6-30) is a city owned three-story residential dwelling of wood frame construction with a brick and rubble foundation. The building is known to have been continually unoccupied for a minimum of fifteen years.

After receiving notification of possible structural collapse, I completed a review of the building file and a field inspection of the building on June 12, 2018, the building has noticeable deflection in the front West-facing wall. I requested Superintendent Garrison to erect temporary fencing on the Liberty Street side to keep the public out of the potential collapse zone. I can attest that the structure is presently unsound and in danger of further collapse. In my opinion, the building, in its present condition presents an immediate threat to public safety and the City should make all necessary plans to either stabilize the building to prevent any further collapse or commence an emergency demolition of the building immediately.

JACK GRACE INC.
ONE HOWLAND ROAD
GARRISON, NEW YORK 10524
914-382-8159

June 26, 2018

Sigler Henderson Studio LLC
11 Spring Street 2H
Newburgh, New York

Hello Paul

As requested, this will serve as the invoice to the City of Newburgh for the 260
Liberty: Phase I Stabilization of upper portion of west façade Project.

Boom Rental:	\$1674.00
Materials: Jack Grace:	\$ 996.00
Materials: Paul Henderson:	\$ 52.50
Credit for fall protection equipment:	\$- 212.00
Labor:	\$2400.00

Sub-total:	\$4910.50
Job Conditions [7%]:	\$ 344.50
Sub-total:	\$5255.00
Insurance [4%] :	\$ 210.00
Sub-total:	\$5465.00
Overhead & fees [7%]	\$ 383.00

TOTAL: **\$5848.00**

Thanks,
Bob

Robert P. Convertino
President: Jack Grace Inc.

ONE HOWLAND RD. • GARRISON, NY • 10524
PHONE: 914-382-8159 • FAX: 845-424-4461



More saving.
More doing.™

1220 ROUTE 300 NEWBURGH, NY 12550
(845)561-6540 STORE MGR DANIEL GRACE

1250 00005 19827 06/21/18 11:28 AM
CASHIER MORAIMA

750298111116 2X4-96 STUD <A> 17.12
2X4-96" BURRILL PREMIUM FIR STUD 11.12
434.28
095945050532 CDR UNDERCDS <A> 11.12
16" #4 CEDAR UNDERCOURSE SHGL
CJA 1/2X10 HB EA <A> 2.33
HEX BOLT 1/2 X 10

SUBTOTAL 30.57
SALES TAX 2.48
TOTAL \$33.05

XXXXXXXXXXXX0349 DEBIT

USD\$ 33.05

AUTH CODE 760208
Chip Read
AID A0000000980840
TVR 8080046000
IAD 06010A03600000
TSI 6800
ARC 00

Verified By PIN
US DEBIT



1250 05 19827 06/21/2018 8649

RETURN POLICY DEFINITIONS

PAUL

Hales Hardware & Home Supplies
199 Broadway, Newburgh, NY 12550

Transaction#: A22810
Associate: Manager
Date: 06/21/2018 Time: 12:37:17 PM

*** SALE ***

Bill To:
Our Valued Customer

RAKE BOW WELDED WOOD HDL
2284321

1.00 EACH @ \$17.99 T \$17.99

Subtotal: \$17.99
8.125% - State Tax: \$1.46
TOTAL: \$19.45

DEBIT: \$19.45
CHANGE: \$0.00

BUYER AGREES TO PAY TOTAL AMOUNT ABOVE
ACCORDING TO CARDHOLDER'S AGREEMENT
WITH ISSUER

US DEBIT *****0349 0

APPROVAL: 00

EXP: **/**

AID: A0000000980840

TC 978BF20E8C47B9A2 40

TERMINAL: 60095545 8000048000

VALIDATION: ONLINE PIN

PAYMENT SERVICE: 05

PIN VERIFIED

NAME: HENDERSON/ PAUL

AMT: \$19.45

THANK YOU!



RENTAL RETURN INVOICE

158451110-001

BRANCH 232
124 WINDSOR HIGHWAY
NEW WINDSOR NY 12553-6203
845-562-4560
845-562-4574 FAX

Job site
Address

RESIDENCE
260 LIBERTY ST
NEWBURGH NY 12550-4623

Office: 845-424-4461 Cell: 845-424-4461

Customer # : 1872096
Invoice Date : 06/22/18
Rental Out : 06/21/18 09:00 AM
Rental In : 06/22/18 09:00 AM
UR Job Loc : 260 LIBERTY ST, NEWB
UR Job # : 1
Customer Job ID :
P.O. # : NPOR
Ordered By : ROB CONVERTINO
Reserved By : ANTONIO LAGALA
Salesperson : GEORGE ESPOSITO

CONVERTINO, ROBERT
JACK GRACE INC
1 HOWLAND RD
GARRISON NY 10524-3212

Terms: Due Upon Receipt
Payment options: Contact our credit office 888-481-2660
REMIT TO: UNITED RENTALS (NORTH AMERICA), INC.
PO BOX 100711
ATLANTA GA 30384-0711

RENTAL ITEMS:		Description	Minimum	Day	Week	4 Week	Amount
Qty	Equipment						
1	10402753	BOOM 40-50' ARTICULATING Make: JLG Model: 450AJ Serial: 0300207937 Meter out: 737.60 Meter in: 742.00	581.00	581.00	1242.00	2597.00	581.00
1	10588889	BOOM 40-50' ARTICULATING Make: JLG Model: 450AJ Serial: 0300226342 Meter out: 169.20 Meter in: 173.00	581.00	581.00	1242.00	2597.00	581.00
Rental Subtotal:							1,162.00
SALES/MISCELLANEOUS ITEMS:		Description	Price	Unit of Measure	Extended Amt.		
Qty	Item						
1	ENVIRONMENTAL SERVICE CHARGE	[ENV/NCI]	15.100	EACH	15.10		
1	DELIVERY CHARGE		105.000	EACH	105.00		
1	PICKUP CHARGE		105.000	EACH	105.00		
PAYMENT HISTORY		REF #	AUTH #	TRANS TYPE	AMOUNT	APPLIED	
DATE	TYPE						
6/18/18	AMERICAN EXPRESS	**4007	268107	CHARGED		1425.00	
6/19/18	PAY ON RETURN						
6/20/18	AMERICAN EXPRESS	**4007	283000	CHARGED		1075.00	
6/22/18	AMERICAN EXPRESS	**4007		CREDITED		825.89-	
Sales/Misc Subtotal:							225.10
Agreement Subtotal:							1,387.10
Rental Protection:							174.30
Tax:							112.71
Total:							1,674.11
Deposit:							2,500.00
Amount refunded:							825.89

COMMENTS/NOTES:

CONTACT: ROB CONVERTINO 845 424 4461
1 DAY AUTO PU
PLEASE CALL CONTACT ON WAY-PART OF RD IS
CLOSED-COMING FROM THE SOUTH WE SHOULD
BE OK

Amount refunded to customer: 825.89

THIS INVOICE IS ISSUED SUBJECT TO THE TERMS AND CONDITIONS OF THE RENTAL AGREEMENT, WHICH ARE INCORPORATED HEREIN BY REFERENCE.
A COPY OF THE RENTAL AGREEMENT IS AVAILABLE UPON REQUEST.

You Can Now Access Invoice History and Update Purchase Orders Online
To Sign Up, contact URControlSupport@ur.com

RESOLUTION NO.: 165 - 2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH THE
NEWBURGH ENLARGED CITY SCHOOL DISTRICT TO PROVIDE
POLICE SERVICES IN CONNECTION WITH THE
COMMUNITY RESOURCE OFFICER PROGRAM FOR COMPENSATION IN THE
AMOUNT OF ONE HUNDRED THOUSAND DOLLARS

WHEREAS, the City of Newburgh and the Newburgh Enlarged City School District wish to enter into a cooperative agreement to provide the presence and services of City police officers in schools in and for the Newburgh Enlarged City School District; and

WHEREAS, such officers can provide valuable education, security, an enhanced learning environment, role modeling, timely response and other valued benefits; and

WHEREAS, this Council has reviewed the attached agreement and finds that the execution of the same is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to enter into an agreement with the Newburgh Enlarged City School District, in substantially the same form as annexed hereto with such other terms and conditions as may be required by the Corporation Counsel, to provide police services in connection with the Community Resource Officer Program for the 2018-2019 school year for compensation paid by the District to the City of Newburgh in the amount of One Hundred Thousand (\$100,000.00) Dollars.

COMMUNITY RESOURCE OFFICER AGREEMENT

AGREEMENT MADE THIS ____ DAY OF _____, 2018 by and between the Board of Education of the Newburgh Enlarged City School District, having its principal place of business at 124 Grand Street, Newburgh, New York 12550 (hereinafter "the Board of Education") and The City of Newburgh having its principal place of business at City Hall, 83 Broadway, Newburgh, NY 12550 (hereinafter referred to as "the City").

WHEREAS, the City and the Board of Education agree to establish the position of Community Resource Officer (hereinafter "CRO"), to be filled by police officers from the City of Newburgh Police Department, at Newburgh Free Academy; and

WHEREAS, the School Board has agreed that they will reimburse the City for its expense in participating in the CRO Program in the amount of One Hundred Thousand (\$100,000) for the period of September 1, 2018 through August 31, 2019 school year and, the City of Newburgh Police Department will provide one officer at the school specified above, each day that school is open for the hours of 7:30 a.m. – 3:30 p.m., during the school year and during the summer months on such days and times that summer school or the extended year program is being held in the buildings, on the terms and conditions set forth herein:

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The School Board and the City of Newburgh by and through the City of Newburgh Police Department have established the following goals and objectives with regard to the CRO Program in the Schools: (a) to maintain a safe campus environment that will be conducive to learning, (b) to create a relationship based upon cooperation and mutual support between law enforcement and school officials; (c) to improve relationships between law enforcement, school, community and the youth of the school; (d) for Police Officers to serve as consultants to school staff, parents, and youth on safety matters and any other matters which will provide a better environment for the students and the teachers in which to pursue their respective tasks; (e) for police officers to serve as a role models to students; (f) to provide a continuum of youth services between the school and the community with the support of the Police Department and other City staff and agencies.
2. The City agrees that the City of Newburgh Police Department shall provide one officer as CRO during the term of this agreement. The CRO shall be subject to the administration, supervision and control of the City of Newburgh Police Department at all times, unless otherwise provided in this agreement.
3. The officer assigned as the CRO will be selected by the Chief of Police

based upon the Police Chief's judgment and discretion, taking into consideration other criteria, the officer's training, qualifications, experience, interest in the position and the officer's ability to effectuate the goals and objectives set forth in paragraph 1.

4. The Board of Education shall have the right to request the removal of any CRO and have an officer substituted in his or her place by communicating such request to the Chief of Police at any time during the school year, which request will not be unreasonably denied.
5. The City of Newburgh agrees to provide and pay the CRO's salary and employment benefits in accordance with the current Newburgh PBA contract.
6. It is understood and agreed that the City of Newburgh Police Department, in its sole discretion, shall have the authority to discharge and discipline an officer assigned as a CRO as provided under the terms of any agreement between the City of Newburgh and the applicable collective bargaining unit, and/or by law. The City shall indemnify and hold harmless the Newburgh Enlarged City School District from any claims, suits, or causes of action arising out of allegations of unfair or unlawful employment practice brought by an officer assigned as a CRO.
7. The following named police officers shall be initially assigned by the Chief of Police of the City of Newburgh Police Department to act as CROs as follows:

Newburgh Free Academy – Robert Pedrick

It is understood that such assignments may be changed by the Chief of Police or other commanding officers as in their judgment circumstances may require.

8. It is understood and agreed that the Board of Education shall not be responsible for any overtime pay earned by an Officer serving as a CRO in connection with his or her duties as a CRO and that the cost of same shall be borne solely by the City of Newburgh. The entire extent of the obligation of the School District to compensate the City for CRO services as provided herein shall be as provided hereinabove.
9. It is understood and agreed that, should a CRO become unable to perform his or her duties as a result of illness or injury that causes the Officer to be absent in excess of five school days, the City of Newburgh Police Department shall assign another officer to fill the CRO position at the affected building.

10. It is understood and agreed that the CROs to be appointed by the City of Newburgh Police Department shall have the following qualifications:

- (a) The CRO shall be a full time police officer with a minimum of two (2) years of law enforcement experience;
- (b) The CRO shall possess sufficient knowledge of applicable Federal, State and County Laws and Town ordinances as well as the School Board's policies and regulations;
- (c) The CRO shall be capable of conducting in depth criminal investigations;
- (d) The CRO shall possess an even temperament and set a good example for students;
- (e) The CRO shall possess good communication skills, which would enable the CRO to function effectively within the school environment.

The Board of Education may, at its discretion, waive the requirement set forth in paragraph "a", above, upon the request of the Police Department and upon an interview by the Board of Education of the officer being proposed for the position.

11. The following are the duties of the CRO:

- (a) Consult with and coordinate activities as requested by a school's principal.
- (b) Abide by School Board policies to the extent that such compliance does not interfere with or impede the CRO in the performance of his or her duties as a law enforcement officer.
- (c) The CRO shall develop an expertise in presenting various subjects; including meeting Federal and State mandates in drug abuse prevention education and shall provide these presentations at the request of school personnel in accordance with the established curriculum;
- (d) Encourage group discussions about law enforcement with students, faculty and parents;
- (e) Under no circumstances shall a CRO be a school disciplinarian. The CRO will not be involved in the enforcement of disciplinary infractions that do not constitute violations of law;

- (f) Attend meetings with parents and faculty groups to solicit their support and understanding of the CRO school program and to promote awareness of law enforcement functions;
- (g) Where possible, serve as a member of the school student services committee, familiarizing students with all community agencies which offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc. Where necessary, the CRO may make recommendations for referrals;
- (h) To confer with the principal of the school to which the CRO is assigned to develop plans and strategies to prevent and/or minimize dangerous situations on or near campus or involving students at school related activities;
- (i) Perform such duties as determined and requested by a given school principal. However, such duties shall not include things normally assigned to school personnel such as lunchroom or hall duty. Nothing herein shall preclude the CRO from being available in areas where interaction with students is expected;
- (j) The CRO shall familiarize himself/herself with and shall abide by School Board policy and applicable law concerning interviews with students should it become necessary to conduct formal law enforcement interviews with students or staff on school property or at school functions under the jurisdiction of the School Board insofar as same shall be in harmony with standard police practices and standing general orders;
- (k) Initiate law enforcement action as necessary and notify the school principal as soon as possible, and, whenever practicable advise the principal before requesting additional law enforcement assistance on campus and undertake all additional law enforcement responsibilities, as required by standard police practices and standing general orders;
- (l) The CRO shall act as a liaison for other law enforcement officers in matters regarding School Board policies while on school grounds;
- (m) The CRO shall affirm the role of law enforcement officer by wearing the City of Newburgh Police uniform, unless doing so would be inappropriate for scheduled school activities. The uniform shall be worn at events where it will enhance the image of the CRO and his/her ability to perform his/her duties;
- (n) The CRO shall patrol and maintain a safe corridor within ½ mile radius directly surrounding the school to which he or she is assigned,

including, but not limited to, other school buildings within that radius. The CRO shall be dispatched, as available, to calls for service emanating from within such a radius related to juvenile criminal activity.

12. It is understood and agreed that while the CRO will be stationed at one of the schools within the School Board's jurisdiction, the CRO shall remain an employee of the City of Newburgh Police Department, adhering to all policies and procedures of the Police Department.
13. The CRO shall report to the Main Office at the start of each work day and shall sign in on a log by the school. The CRO shall sign out at the end of each work day using the same log.
14. It is understood and agreed that the CRO in pursuing the performance of his/her duties shall coordinate and communicate with the school principal or the principal's designee.
15. The City of Newburgh Police Department shall provide the appropriate in-service training for the CRO, to enable the CRO to function efficiently. The School Board may also provide training in school policies, regulations and procedures, or additional training in other matters relating to students and their safety.
16. The City of Newburgh Police Department shall provide a standard marked patrol vehicle for the CRO, which vehicle shall be maintained by the City of Newburgh Police Department, providing among other things, fuel, tires, etc. and all expenses associated with the operation of the vehicle including insurance. The Police Department will also provide the CRO with a service weapon and ammunition and the usual and customary office supplies and forms required in the performance of the CRO's duties as a police officer. The CRO is authorized to carry a service weapon on school grounds.
17. Should the CRO program continue into future school years, it is understood and agreed that the School District shall evaluate annually the CRO Program and the performance of the CRO on forms to be developed jointly by the parties to this Agreement. Such evaluation by the School Board and the City of Newburgh Police Department shall be performed in order to evaluate the performance of the CRO in accordance with the Department rules and regulations and also to ascertain what, if anything, can be done to improve the CRO Program.
18. The City agrees to maintain at all times during the term of this Agreement a general comprehensive liability insurance policy for a minimum of \$1,000,000 and agrees to indemnify and hold harmless the School Board and the Newburgh Enlarged City School District, its agents and employees from and against any and all claims, suits or causes of actions arising from

or in any way out of the performance of the duties of the CRO or the CRO Program.

19. The School Board agrees to compensate the City for services rendered in connection with the CRO Program, in the amount of \$100,000. Such compensation shall be paid by the School Board to the City of Newburgh in monthly installments of \$10,000 per month from September 1, 2018 – June 30, 2019 commencing within thirty (30) days of ratification of this agreement by all parties.
20. The terms of this agreement are for the period commencing with the provision of such services and ending on the 31st day of August, 2019.

BOARD OF EDUCATION OF THE NEWBURGH
ENLARGED CITY SCHOOL DISTRICT

Dr. Roberto Padilla
SUPERINTENDENT OF SCHOOLS

CITY BOARD OF THE CITY OF NEWBURGH

Michael G. Ciaravino
CITY MANAGER
CITY OF NEWBURGH
Per Res. No.:

Document Title: _____

Approved as to Form:

MICHELLE KELSON
Corporation Counsel
Per Res. No. _____

DATE

KATHRYN MACK
City Comptroller
Per Res. No. _____

DATE

RESOLUTION NO.: 166-2018

OF

JULY 9, 2018

A RESOLUTION AMENDING THE 2018 PERSONNEL ANALYSIS BOOK
TO ADD ONE (1) SUPERVISING CASHIER ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH TAX COLLECTOR'S OFFICE

WHEREAS, the Finance Department has advised the City Manager that due to a personnel issue it is necessary to create the position of Supervising Cashier in the Tax Collector's office; and

WHEREAS, the creation of the Supervising Cashier position will be on a temporary basis; and

WHEREAS, the City Council has determined that adding one temporary Supervising Cashier position in the Tax Collector's office will promote economy and efficiency within the office; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2018 be amended, and that there be and hereby is created one (1) additional position on a temporary basis in the job title "Supervising Cashier" in the Tax Collector's office.

CITY OF NEWBURGH
DATE ADOPTED: 8/14/90

SUPERVISING CASHIER

GENERAL STATEMENT OF DUTIES:

Performs responsible work involving the receipt and accounting for public monies on a large scale; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS:

This is responsible public contact work involving the receipt and accounting for public monies on large scale and the coordinating of the work of others engaged in these functions. The supervising cashier is responsible for the consolidation of the monies received for deposit and the maintenance of the control records of receipts. An employee in this class is responsible for any shortages or irregularities in monies handled. The work is performed under general supervision.

EXAMPLES OF WORK: (Illustrative only)

Supervises and participates in the consolidation of receipts and the preparation of deposit slips; Supervises and participates in the checking of control records of receipts and expenditures for arithmetic and clerical accuracy and completeness and proper extension; Receives large amounts of money over counter or by mail in payment for a wide variety of bills and obligations; Answers requests for information and conducts correspondence; Instructs employees in the specialized details of the work; Operates calculating, computing and other office machines.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES:

Thorough knowledge of modern methods used in keeping and checking financial receipts; thorough knowledge in office terminology, procedures and equipment; thorough knowledge of business English; ability to handle money rapidly and accurately; ability to detect counterfeit money; ability to understand and carry out complex oral and written directions; ability to make arithmetic computations rapidly and accurately; ability to deal effectively with the public; ability to secure the cooperation of others; mental alertness; neatness; good judgment; a very high degree of accuracy; good hearing and eyesight; integrity; tact and courtesy; good physical condition.

ACCEPTABLE EXPERIENCE AND TRAINING:

Graduation from high school or possession of a high school equivalency diploma and two years experience in public contact work involving the handling and accounting for large amounts of money.

RESOLUTION NO.: 167-2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE ADDITION OF
THREE (3) FIREFIGHTER POSITIONS UNDER THE GENERAL FUND
IN THE CITY OF NEWBURGH FIRE DEPARTMENT

WHEREAS, the Department of Homeland Security Staffing for Adequate Fire and Emergency Response ("SAFER") Program grant will end on or before July 30, 2018; and

WHEREAS, the City Council determined to add 3 firefighter positions to the General Fund to offset a staffing loss after SAFER Program grant ends; and

WHEREAS, the Personnel Analysis Book for the fiscal year 2018 must be amended to create 3 firefighter positions in the General Fund and is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2018 be amended, and that there be and hereby are three (3) additional positions in the job title "Firefighter" under the General Fund in the Fire Department effective July 30, 2018.

RESOLUTION NO.: 168 -2018

OF

JULY 9, 2018

A RESOLUTION AMENDING THE 2018 PERSONNEL ANALYSIS BOOK
TO ADD ONE (1) INTERN POSITION ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH DEPARTMENT OF PUBLIC WORKS

WHEREAS, the City Council approved funding for a pavement management plan to be developed for the City of Newburgh; and

WHEREAS, The Cornell Asset Management Program offers assistance to the City by training a qualified intern to collect the pavement inventory and condition data and utilize the Cornell Asset Management Program—Roads and Streets software to create a five-year maintenance plan for the municipal road network; and

WHEREAS, by Resolution No. 140-2017 of May 22, 2017, the City Council of the City of Newburgh approved the amendment of the 2017 Personnel Analysis Book to create a temporary intern position in the Department of Public works; and

WHEREAS, the Department of Public Works advises that the intern who assisted in the preparation of the pavement management plan will return in the summer of 2018 on a temporary basis to continue the work on the pavement management plan and funding for such position will be derived from A.5110.0206 DPW Streets and Bridges-Highway Resurfacing; and

WHEREAS, the City Council has determined that adding one intern position in the Department of Public Works to continue the work on the pavement management plan is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2018 be amended, and that there be and hereby is created one (1) intern position on a temporary basis in the Department of Public Works.

RESOLUTION NO.: 169 - 2018

OF

JULY 9, 2018

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 380 LIBERTY STREET (SECTION 10, BLOCK 1, LOT 36)
AT PRIVATE SALE TO LUIS GUALPA FOR THE AMOUNT OF \$31,600.00

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 380 Liberty Street, being more accurately described as Section 10, Block 1, Lot 36 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to THE CITY OF NEWBURGH, such sums are to be paid on or before October 12, 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>
380 Liberty Street	10 - 1 - 36	Luis Gualpa	\$31,600.00

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

380 Liberty Street, City of Newburgh (10-1-36)

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 2018-2019, 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 2018-2019, 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. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
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 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 October 12, 2018 ("Closing Deadline"). 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. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
12. 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 from the Closing Deadline. 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 its consideration.
13. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. 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.
14. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. 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.
15. 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, tax reimbursements, buyer's

premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**

16. 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.
17. 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. Any survey description shall be 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.
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 Closing Deadline date. If such conveyance occurs, 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.: 170 - 2018

OF

JULY 9, 2018

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 93 CARPENTER AVENUE (SECTION 22, BLOCK 1, LOT 19)
AT PRIVATE SALE TO LIBAN ADDE FOR THE AMOUNT OF \$10,700.00

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 93 Carpenter Avenue, being more accurately described as Section 22, Block 1, Lot 19 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to THE CITY OF NEWBURGH, such sums are to be paid on or before October 12, 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>
93 Carpenter Avenue	22 - 1 - 19	Liban Adde	\$10,700.00

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

93 Carpenter Avenue, City of Newburgh (22-1-19)

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 2018-2019, 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 2018-2019, 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 City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before October 12, 2018 ("Closing Deadline"). 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. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
11. 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 from the Closing Deadline. 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 its consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. 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 is conveyed on the actual day of closing. 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, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance 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. Any survey description shall be 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. 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 Closing Deadline date. If such conveyance occurs, 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.: 171 -2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO JOSEPH AFONSO AND MARIA AFONSO
TO THE PREMISES KNOWN AS 26 FORSYTHE PLACE
(SECTION 9, BLOCK 3, LOT 5)

WHEREAS, on November 3, 2017, the City of Newburgh conveyed property located at 26 Forsythe Place, being more accurately described on the official Tax Map of the City of Newburgh as Section 9, Block 3, Lot 5, to Joseph Afonso and Maria Afonso; and

WHEREAS, Mr. Afonso has requested a release of the restrictive covenants contained in said deed; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 26 Forsythe Place, Section 9, Block 3, Lot 5 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated November 3, 2017, from THE CITY OF NEWBURGH to JOSEPH AFONSO and MARIA AFONSO, recorded in the Orange County Clerk's Office on November 22, 2017 in Liber 14324 of Deeds at Page 1401 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed

THE CITY OF NEWBURGH

Michael G. Ciaravino, City Manager
Pursuant to Res. No.: _____-2018

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

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

RESOLUTION NO.: 172 - 2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A MORTGAGE FROM ANITA B. SCHWARTZ TO NEWBURGH COMMUNITY DEVELOPMENT AGENCY AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SATISFACTION OF MORTGAGE IN CONNECTION WITH THE PREMISES LOCATED AT 110 AND 112 WASHINGTON STREET (SECTION 36, BLOCK 4, LOTS 19 AND 20)

WHEREAS, the Newburgh Community Development Agency ("NCDA") issued a mortgage to Anita B. Schwartz in the principal sum of \$15,000.00 for premises located at 110 and 112 Washington Avenue (Section 36, Block 4, Lots 19 and 20) ("Premises"), dated December 6, 1999, and recorded in the Orange County Clerk's Office on December 13, 1999, in Liber 7567 of Deeds at Page 84; and

WHEREAS, the NCDA assigned said mortgage to the City of Newburgh on November 15, 2010, said mortgage being recorded in the Orange County Clerk's Office on November 22, 2010 in Liber 13085, Page 845; and

WHEREAS, said mortgage converted into a grant over a period of time provided that, among other things, the owner did not sell, convey, or transfer title to the Premises within 10 years from the issuance of the mortgage; and

WHEREAS, Mrs. Schwartz sold the Premises to AFSW Realty LLC on or about November 1, 2003, said date being within 3 years from the date of the issuance of the mortgage; and

WHEREAS, the attorney for AFSW Realty LLC has requested settlement of the mortgage in the amount of \$12,000.00, said amount being eighty percent (80%) of the amount of the original mortgage; and

WHEREAS, this Council has determined that settling the mortgage for said amount and issuing and executing a Satisfaction of Mortgage, a copy of which is annexed hereto, is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the mortgage issued by Newburgh Community Development Agency ("NCDA") to Anita B. Schwartz in the principal sum of \$15,000.00 is hereby settled in the amount of \$12,000.00, and the City Manager is hereby authorized to execute the attached Satisfaction in connection with said mortgage.

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT

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

Does hereby consent that the following mortgage be discharged of record:

MORTGAGE bearing the date of December 6, 1999, made by Anita B. Schwartz to the Newburgh Community Development Agency, given to secure payment of the principal sum of \$15,000.00, and duly recorded in the office of the Orange County Clerk's Office on December 13, 1999, in Liber 7567, Page 84; and

ASSIGNED from the Newburgh Community Development Agency to the City of Newburgh by Assignment dated November 15, 2010, and duly recorded in the Orange County Clerk's Office on November 22, 2010 in Liber 13085, Page 845; and

which Mortgage has not been further assigned of record.

Dated: July ____, 2018

THE CITY OF NEWBURGH

By: _____
Michael G. Ciaravino, City Manager
Pursuant to Res. No.: ____-2018

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

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

Notary Public

RESOLUTION NO.: 173 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$19,800.00 REQUIRING NO CITY MATCH
FOR THE 2019 SUMMER PLAYGROUND PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from the New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a YDP Grant in an amount not to exceed \$19,800.00 for the 2019 Summer Playground Program which is a 6-week day camp for boys and girls in grades 1st through 6th from June 1, 2019 until August 9, 2019; and

WHEREAS, funds will be used to hire instructors to teach healthy eating, video production, science and art (Kids Got Talent); and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in the amount of \$19,800.00 requiring no City match for the 2019 Summer Playground Program; and to execute all such further 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.: 174 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN THE AMOUNT OF \$21,000.00 REQUIRING NO CITY MATCH
FOR THE BOOKS AND BALLS AFTERSCHOOL PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a YDP Grant in an amount not to exceed \$21,000.00 for the Books and Balls Afterschool Program which is an afterschool program from 3:00 pm to 6:00 pm, Monday through Friday during the school year for teens ages 14 - 19 using basketball as a tool to get them to do their homework, stay physically active, and avoid unhealthy activities; and

WHEREAS, funds will be utilized for the rental of the gym and classroom; and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in the amount of \$21,000.00 requiring no City match for the Books and Balls Afterschool Program; and to execute all necessary documents to receive and comply with the terms of such grant and to carry out the program funded thereby.

RESOLUTION NO.: 175 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN THE AMOUNT OF \$30,500.00 REQUIRING NO CITY MATCH
FOR THE YOUTH BOXING PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a YDP Grant in an amount not to exceed \$30,500.00 for the Youth Boxing Program from January 2019 through December 2019; and

WHEREAS, funds will be utilized for the costs of a coach, first aid equipment, cleaning supplies, ring and chairs for shows, rental vans, gloves, shoes, uniforms, wraps, gauze, tape, protectors, head gear, pass books etc., and air and ground transportation; and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in the amount of \$30,500.00 requiring no City match for the Youth Boxing Program; and to execute all necessary documents to receive and comply with the terms of such grant and to carry out the program funded thereby.

RESOLUTION NO.: 176 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN THE AMOUNT OF \$8,760.00 REQUIRING NO CITY MATCH
FOR THE 2019 YOUTH SOCCER PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a YDP Grant in an amount not to exceed \$8,760.00 for a Youth Soccer Program which includes soccer training and recreational leagues conducted in the winter, spring, and fall of 2019; and

WHEREAS, funds will be utilized for the costs of referees, gym rental, and equipment; and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in the amount of \$8,760.00 requiring no City match for the 2019 Youth Soccer Program; and to execute all necessary documents to receive and comply with the terms of such grant and to carry out the program funded thereby.

RESOLUTION NO.: 177 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$47,160.00 REQUIRING NO CITY MATCH
FOR THE 2019 YEAR AROUND BASKETBALL PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded an YDP Grant in an amount not to exceed \$47,160.00 for the 2019 Year Around Basketball Program to conduct basketball leagues during the winter, spring, summer and fall seasons; and

WHEREAS, funds will be utilized for the costs of referees, security guards, and a scorekeeper; and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in an amount not to exceed \$47,160.00 requiring no City match for the 2019 Year Around Basketball Program in the City of Newburgh; and to execute all necessary documents to receive and comply with the terms of such grant and to carry out the program funded thereby.

RESOLUTION NO.: 178 - 2018

OF

JULY 9, 2018

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES YOUTH DEVELOPMENT PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$8,400.00 REQUIRING NO CITY MATCH
FOR THE 2019 YOUTH BASEBALL PROGRAM**

WHEREAS, the City of Newburgh Recreation Department has advised that the Orange County Youth Bureau is accepting a Request for Proposals for grant funding available from New York State Office of Children and Family Services Youth Development Program (YDP); and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a YDP Grant in an amount not to exceed \$8,400.00 for the 2019 Youth Baseball Program to conduct baseball training and recreational leagues during the winter, spring, and fall seasons; and

WHEREAS, funds will be utilized for the costs of umpires, bases, tees, paint, chalk, lime, quick dri, conditioner, uniforms and trophies; and

WHEREAS, no City matching funds are required; and

WHEREAS, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

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 Office of Children and Family Services Youth Development Program Grant in an amount not to exceed \$8,400.00 requiring no City match for the 2019 Youth Baseball Program in the City of Newburgh; and to execute all necessary documents to receive and comply with the terms of such grant and to carry out the program funded thereby.

RESOLUTION NO.: 179 -2018

OF

JULY 9, 2018

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE SUBMISSION OF A
NEW YORK STATE CONSOLIDATED FUNDING APPLICATION FOR A
NEW YORK STATE OFFICE OF PARKS RECREATION AND HISTORIC
PRESERVATION ENVIRONMENTAL PROTECTION FUND PROGRAM GRANT
FOR PARKS, PRESERVATION AND HERITAGE BY THE CITY OF NEWBURGH
FOR THE CONSTRUCTION OF SOUTH STREET PARK

On motion of Councilperson **Monteverde**, seconded by Councilperson **Grice**, the following resolution was adopted by the City Council of the City of Newburgh, New York:

WHEREAS, New York State is accepting applications for the 2018 Funding Round of the New York State Consolidated Funding Application ("CFA") Program; and

WHEREAS, the City of Newburgh intends to apply for a New York State Office of Parks, Recreation & Historic Preservation Grant through the 2018 CFA to construct South Street Park at an estimated cost of \$548,817.00 with a 25% match of \$137,205.00 to be derived as follows: \$100,000.00 - CDBG 2019 Budget and \$37,205.00 - 2019 General Fund Budget;

NOW, THEREFORE, BE IT RESOLVED, by the City of Newburgh's City Council that the City Manager is hereby authorized to submit a Consolidated Funding Application for the 2018 Funding Round from New York State Department of Parks, Recreation and Historic Preservation's EPF Parks Program, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the City of Newburgh and 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; and

BE IT FURTHER RESOLVED that the aforementioned potential grant agreements are subject to the approval of the City's Corporation Counsel as to form and content.

Torrance Harvey, Mayor
City of Newburgh

CERTIFICATION:

I, LORENE VITEK, the clerk of the City of Newburgh hereby certify that at a meeting of the City Council on July 9, 2018 the above RESOLUTION was duly adopted.

AFFIX GOV'T SEAL:

City Clerk

RESOLUTION NO.: 180-2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH CERTIFIED APPRAISAL SERVICE
FOR PROFESSIONAL APPRAISAL SERVICES AT A COST OF \$5,500.00
IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST
THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING
ORANGE COUNTY INDEX NOS. 5204-2015; 4642-2016; 5537-2017 INVOLVING
SECTION 32, BLOCK 2, LOT 1.2 (PRISMATIC DYEING & FINISHING)

WHEREAS, Prismatic Dyeing & Finishing has commenced tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2014-2015, 2015-2016 and 2016-2017 tax assessment years bearing Orange County Index Nos. 5204-2015, 4642-2016 and 5537-2017; and

WHEREAS, the parties have been unable to resolve these matters and it is necessary and appropriate to retain a licensed appraiser to provide professional appraisal services in support the City's defense in the aforesaid proceedings; and

WHEREAS, upon the recommendation of Richard B. Golden, Esq. of Burke, Miele, Golden & Naughton, LLP, Special Counsel for the City of Newburgh, the firm of Certified Appraisal Service has been identified as a qualified and cost-effective firm to provide said services and has submitted the annexed proposal;

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 the proposal and enter into an agreement in substantially the same form as annexed hereto, with such terms and conditions as Special Counsel may require, with Certified Appraisal Services for professional appraisal services in connection with tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2014-2015, 2015-2016 and 2016-2017 tax assessment years bearing Orange County Index Nos. 5204-2015, 4642-2016 and 5537-2017 at a cost of \$5,500.00.

CERTIFIED APPRAISAL SERVICE

626 East Main Street, Middletown, NY 10940
Phone (845)-343-6463 Fax (845) 343-7733

June 21, 2018

Kelly Naughton, Esq.
Burke, Miele, Golden & Naughton LLP
40 Matthews Street, Suite 209
Goshen, NY 10924

Re: City of Newburgh
40 Wisner Ave
SBL: 32-2-1-2
City of Newburgh, NY

Dear Ms. Naughton:

In accordance with your recent request, we can furnish you with a tax assessment analyses on the above referenced property, for the 2015, 2016 and 2017 tax year as follows:

Summary, Narrative appraisals with two (2) copies in a format which would be suitable for determining the appropriateness of the current property assessment and suitable for exchange in a tax certiorari proceeding for the 2015, 2016 and 2017 tax years. The cost of this analysis would be \$3,500 for the base year and \$1,000 for each additional year.

If the above is acceptable to you, please have the owner or individual responsible for payment of the above, sign and return one copy of this letter together with a check in the amount of \$5,500.

The estimated time of completion for this project is prior to August 24, 2018. Should you have any questions or require further clarification, feel free to contact the undersigned.

Yours truly,

William Buchalter

Accepted By/Date

William Buchalter
NYS License #46-5523

RESOLUTION NO.: 181 - 2018

OF

JULY 9, 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE 2018 CONSOLIDATED FUNDING APPLICATION OF
SAFE HARBORS OF THE HUDSON, INC. TO NEW YORK STATE HOMES AND
COMMUNITY RENEWAL, THE OFFICE OF COMMUNITY RENEWAL,
FOR A NEW YORK MAIN STREET TECHNICAL ASSISTANCE GRANT FOR THE
CONTINUING RESTORATION OF SAFE HARBOR'S RITZ THEATER

WHEREAS, the New York Main Street Technical Assistance grants are available to assist projects that will directly improve a community's capacity or readiness to administer a future New York Main Street building renovation program; and

WHEREAS, Safe Harbors of the Hudson intends to apply for \$20,000 in grant funding under the New York Main Street Technical Assistance Program for planning and design to support the restoration of its historic Ritz Theater to contribute to the City of Newburgh's Main Street revitalization and serve to further stimulate reinvestment in our commercial-civic-residential downtown thereby creating a healthier, economically vibrant community; and

WHEREAS, the City Council finds that supporting the restoration of the Ritz Theatre is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, that the City of Newburgh fully supports the 2018 Consolidated Funding Application of Safe Harbors of the Hudson to the Office of Community Renewal under the Main Street Technical Assistance Program for planning and design to support the Ritz Theater restoration.

RESOLUTION NO.: 182 - 2018

OF

JULY 9, 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE 2018 CONSOLIDATED FUNDING APPLICATION OF
ST. GEORGE'S EPISCOPAL CHURCH TO THE NEW YORK STATE OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION FOR
AN ENVIRONMENTAL PROTECTION FUND GRANT

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

WHEREAS, St. George's Episcopal Church is applying to OPRHP for a grant under the Environmental Protection Fund to stabilize and repair the historic building located at 105 Grand Street, a site located within the territorial jurisdiction of this Council; and

WHEREAS, as a requirement under the rules of this program, St. George's Episcopal Church must obtain the approval of the governing body of the municipality in which the project will be located; and

WHEREAS, this Council finds that the repair and restoration of St. George's Episcopal Church 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 does hereby approve and endorse the 2018 Consolidated Funding Application of St. George's Episcopal Church to the New York State Office of Parks, Recreation and Historic Preservation for an Environmental Protection Fund Grant for the preservation of St. George's Episcopal Church located at 105 Grand Street in the City of Newburgh.

RESOLUTION NO.: 183 - 2018

OF

JULY 9, 2018

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
APPROVING AND ENDORSING BEST RESOURCE CENTER INCORPORATED
IN ITS 2018 CONSOLIDATED FUNDING APPLICATION TO
NEW YORK STATE HOMES AND COMMUNITY RENEWAL UNDER
THE NEW YORK MAIN STREET GRANT PROGRAM

WHEREAS, the Best Resource Center Incorporated desires to apply for \$500,000.00 in financial assistance through the 2018 Consolidated Funding Application (CFA) under the New York Main Street Grant Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings on 69-79 William Street between Hasbrouck Street and Benkard Avenue; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh approves and endorses the 2018 Consolidated Funding Application to New York State Homes and Community Renewal under the New York Main Street Grant for assistance prepared and to be submitted by Best Resource Center Incorporated.

Motion By: Councilwoman Rayford

Seconded By: Councilman Grice

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

Affirmative City Council Members: Grice, Jacobson, Mejia, Monteverde, Rayford,

Affirmative: # 7

Sofokles, Harvey

Negative: # 0

Abstain: # 0

I, Lorene Vitek, City Clerk, do hereby certify that resolution #183-2018 was passed at a meeting of the City Council held on July 9, 2018, and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended or revoked and is in full force and effect.

RESOLUTION NO.: 184 - 2018

OF

JULY 9, 2018

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
APPROVING AND ENDORSING BEST RESOURCE CENTER INCORPORATED
IN ITS 2018 CONSOLIDATED FUNDING APPLICATION TO
NEW YORK STATE HOMES AND COMMUNITY RENEWAL UNDER
THE NEW YORK MAIN STREET GRANT PROGRAM
TO COMPLETE THE PS 6 CENTER FOR FILM & TELEVISION
LOCATED AT 1 LIBERTY STREET

WHEREAS, the Best Resource Center Incorporated desires to apply for \$500,000.00 in financial assistance through the 2018 Consolidated Funding Application (CFA) under the New York Main Street Grant Program; and

WHEREAS, the application proposes funding to complete the PS 6 Center for Film & Television located at 1 Liberty Street; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh approves and endorses the 2018 Consolidated Funding Application to New York State Homes and Community Renewal under the New York Main Street Grant for assistance prepared and to be submitted by Best Resource Center Incorporated to complete the PS 6 Center for Film & Television located at 1 Liberty Street.

Motion By: Councilman Grice

Seconded By: Councilwoman Rayford

Passed by the following vote of all City Council Members voting in favor thereof:
Affirmative City Council Members: Grice, Jacobson, Mejia, Monteverde, Rayford,
Affirmative: # 7 Sofokles, Harvey
Negative: # 0
Abstain: # 0

I, Lorene Vitek, City Clerk, do hereby certify that resolution #184-2018 was passed at a meeting of the City Council held on July 9, 2018, and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended or revoked and is in full force and effect.



City of Newburgh
Deirdre Glenn, Director of Planning and Development
Via email: dglenn@cityofnewburgh-ny.gov

Dear Deirdre:

We are writing in the hope that we might secure the City of Newburgh's assistance in applying for a grant through the New York's Economic State Development Fund, which will help with the completion of the proposed PS 6 Center for Film & Television located at 1 Liberty Street in Newburgh, NY. The program is:

The NY Main Street Program

ESD's Community Development, which uses the Consolidated Funding Application due July 27, 2018.

We will be using a non-profit fiscal sponsor in the application process:

Best Resources Center Inc.

49 Grand St, Newburgh, NY 12550

We will be requesting a total sum of \$500,000 to **P.S.6 Liberty Street LLC.** from the fund for the first stage of the rehabilitation work on the Liberty Street School at 1 Liberty St. Work to be funded will include demolition, exterior sitework (including drainage, paving and retaining wall reconstruction) as well as funds for new utility connections, exterior masonry work and a sprinkler system. These costs constitute the first phase of construction and total approximately 20% of the overall anticipated cost of refurbishment. We have secured a bank loan to help with completion financing and also have matching funds to contribute to the this Liberty St. anchor project.

In order to apply for this funding, we will need the City of Newburgh to approve a formal resolution supporting our application for the proposed NYMS project.

Can you please add this project to your agenda for the next work session on the 5th of July, which can be presented to the Council on the 9th of July? Please let us know if there is anything else we can provide you with to help facilitate the resolution process.

With Great Appreciation,
Thomas B. Dodd
Managing Member RIPRAP LLC.
Managing Member P.S. 6 Liberty St. LLC.

RESOLUTION NO.: 185 - 2018

OF

JULY 9, 2018

A RESOLUTION APPOINTING 9 MEMBERS TO TWO YEAR TERMS
ON THE TRANSPORTATION, TRAFFIC AND PARKING ADVISORY COMMITTEE

WHEREAS, by Ordinance No. 1-2009 the City Council created the Transportation, Traffic and Parking Advisory Committee to advise the City Council on parking and transportation-related matters and to guide the preparation and planning of plans and programs; and

WHEREAS, it is necessary and in the best interests of the City of Newburgh to appoint members to this Committee for new two-year terms commencing on July 10, 2018 and ending on July 9, 2020;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the following City residents be and are hereby appointed as members of the Transportation, Traffic and Parking Advisory Committee for two-year terms:

Gabriel Berlin
C. Kippy Boyle
Naomi Hersson-Ringskog
Richard Rosencrans
Malinda Ware
Hannah Walsh

and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the following individual be and is hereby appointed to the Transportation, Traffic and Parking Advisory Committee for a two-year term as a representative of an agency or organization which represents and/or advocates for persons with disabilities:

John Harper, Independent Living, Inc.

and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the following City employees be and are hereby appointed to the Transportation, Traffic and Parking Advisory Committee for two-year terms:

Alexandra Church, City Planner
Chad Wade, Assistant City Engineer

RESOLUTION NO.: 186 - 2018

OF

JULY 9, 2018

A RESOLUTION APPOINTING 13 MEMBERS OF THE CITY OF NEWBURGH
ARTS AND CULTURAL COMMISSION

WHEREAS, the City of Newburgh has created an Arts and Cultural Commission to develop and promote arts and culture in the City as an integral part of City life; to encourage tourism; to foster a creative environment which reflects the rich diversity of our City; and to increase and enhance the role played by the arts in education in all its forms; and

WHEREAS, many citizens have expressed their interest in donating their time and efforts to this Commission, and well-qualified persons have been identified as appropriate appointees thereof;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the following individuals be and are hereby appointed to the Arts and Cultural Commission for the terms as specified:

One (1) Year Term

Clayton Buchanan
Trisha Halverson
Mary Medina
Belinda McKeon
Jo'Van O'Neal

Two (2) Year Term

Garin Baker
Mark Carranceja
Vincent Cianni
Stuart Sachs

Three (3) Year Term

Michael Gabor
Jacqueline Hesse
Nancy Layne
Christine McCartney

BE IT FURTHER RESOLVED, that the terms provided for herein shall commence on July 10, 2018.

RESOLUTION NO.: 187 - 2018

OF

JULY 9, 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
SUPPORTING THE OLMSTEAD VAUX SHELTER HOUSE CAFÉ, INC.

D/B/A SHELTER HOUSE CAFÉ APPLICATION TO
THE NEW YORK STATE LIQUOR AUTHORITY FOR
AN ON-PREMISES WINE, BEER AND CIDER LICENSE

WHEREAS, Resolution No.: 192-2017 of July 10, 2017, the City Council of the City of Newburgh, New York authorized a license agreement with Olmsted Vaux Shelter House Café Inc. d/b/a Shelter House Café to allow access to City owned property known as The Olmsted Vaux Shelter House located within Downing Park for the purpose of establishing a food concession to be open to the public; and

WHEREAS, Olmsted Vaux Shelter House Café Inc. d/b/a Shelter House Café has applied to the New York State Liquor Authority for an on-premises wine, beer and cider license for the premises; and

WHEREAS, the City Council of the City of Newburgh finds that supporting the application of the Olmsted Vaux Shelter House Café Inc. d/b/a Shelter House Café has applied to the New York State Liquor Authority for an on-premises wine, beer and cider license to be in the best interests of the City of Newburgh.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York hereby supports and approves of the Olmsted Vaux Shelter House Café Inc. d/b/a Shelter House Café application to the New York State Liquor Authority for an on-premises wine, beer and cider license for The Olmsted Vaux Shelter House located within Downing Park.

RESOLUTION NO.: 188 - 2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PAYMENT
OF CLAIM WITH JENNIFER O'CONNOR IN THE AMOUNT OF \$5,916.38

WHEREAS, Jennifer O'Connor brought a claim against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the amount of Five Thousand Nine Hundred Sixteen and 38/100 (\$5,916.38) Dollars in exchange for a release to resolve all claims among them; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the claim of Jennifer O'Connor in the total amount of Five Thousand Nine Hundred Sixteen and 38/100 (\$5,916.38) Dollars and that the City Manager be and he hereby is authorized to execute documents as the Corporation Counsel may require to effectuate the settlement as herein described.

RESOLUTION NO.: 189 - 2018

OF

JULY 9, 2018

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
PAYMENT OF CLAIM WITH DANIEL AND SUSAN COOKE
IN THE AMOUNT OF \$6,376.00

WHEREAS, Daniel and Susan Cooke brought a claim against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the amount of Six Thousand Three Hundred Seventy-Six and 00/100 (\$6,376.00) Dollars in exchange for a release to resolve all claims among them; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the claim of Daniel and Susan Cooke in the total amount of Six Thousand Three Hundred Seventy-Six and 00/100 (\$6,376.00) Dollars and that the City Manager be and he hereby is authorized to execute documents as the Corporation Counsel may require to effectuate the settlement as herein described.

DEFEATED

The City Council hereby votes to terminate the proposed project by Alembic at 2 Montgomery Street, the Newburgh City Club and the Dutch Reformed Church.

The development of these sites should be separated and the process begun anew with a definitive timeline for submission of proposals, financing, public input and City Council and other approvals.