

A special meeting of the City Council of the City of Newburgh was held on Wednesday, May 22, 2019 at 5:30 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Moment of Silence (Prayer)/ Momento de Silencio (Rezo)

Mayor Harvey asked for a Moment of Silence followed by the Pledge of Allegiance.

Pledge of Allegiance/ Juramento a la Alianza

Roll Call/ Lista de Asistencia

Present: Mayor Harvey, presiding; Councilman Grice, Councilwoman Mejia, Councilwoman Monteverde, Councilman Sklarz, Councilwoman Sofokles - 6
Absent: Councilwoman Rayford - 1

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

There were no comments.

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

Councilman Grice said he is very excited about this special meeting tonight because one of the most important things we can do as a City Council is appoint a City Manager. Our City Manager is the person who takes care of our daily operations, oversees all of the departments and submits a Budget to the Council for approval so he is very happy and proud of this resolution. Since the day Mr. Donat came here he has hit the ground running and has had an open door policy. He has empowered our staff in all of the departments and he has a great vision for our City. *"We support Mr. Donat one hundred percent and I look forward to his tenure with us".*

Councilwoman Mejia said on general matters that this past week they all received notification, and it was also stated in the newspaper, that we had a reported animal cruelty incident that took place within the City limits. This is something that she and some of the other Council members want to encourage the Police Department to do a full investigation on and to make them aware of it. How we treat each other includes our non-speaking animal inhabitants that we have here in the City. She has received some comments about

this and just wanted to state for the public that they are aware of it and it is being investigated because it is important and every life is valuable. On the resolution for tonight she noted that she is the senior Council member and throughout her tenure here one of the things that has been at the forefront for her has been the stability of the City of Newburgh and how we put our best foot forward in terms of making sure we have a balanced voice between the policy making body and the executive office. She works with individuals in those positions to the best of her ability and she looks forward to continuing that relationship in a professional format again with the forefront always being what is in the best interest of the City and how we continue to project that stability and forward vision for our City and our residents. *"I am really happy to be able to support this resolution that we are going to be voting on and with a big exhale I look forward to voting and welcoming you so thank you for being part of our community"*.

Councilwoman Monteverde reiterated that she is very excited about this special meeting and appointing Mr. Donat as the City Manager. She thinks this will be great for the City moving forward because he has great vision and exciting things to come. She continues to hear a lot of negative things that people post on social media about this Council and the current City government and she wanted to say that we are all in this together trying to move the City forward. She knows that people were upset with recent property assessments but it's what happens and people just get so negative about that. *"We as a Council are unified and we are talking about doing some good things that are coming up on the agenda. Getting back to Mr. Donat I think it is going to be exciting and I'm looking forward to working with him"*.

Councilman Sklarz said that he and Joe started around the same time and one of the positive things he feels he gets from this job is constituent services. Often times a citizen will contact him with a problem and Joe is his go to guy so normally within minutes of sending an email or making a phone call he gets a concise three word response; *"Consider it done"* and it gets done. That's his normal and what he's used to but that's not what everyone in this room is used to because they felt they didn't received the appropriate follow up in the past . *"All I hear now are good and positive things about your prompt follow up which is greatly appreciated but more importantly it gives Newburgh a good name which is what we are looking for so I welcome you for many years to come"*.

Councilwoman Sofokles said she is very excited that he accepted and came here to be a part of this City. We now have a Police Chief, a Comptroller, our legal adviser, Michelle Kelson and our Assessor. She has worked with four Assessors but this one is the best. She is really excited and she doesn't listen to the naysayers or social media as we have to overlook that because we know what is going on in this City. She has been involved in city politics and volunteering for thirty five years and she has never felt the excitement that she feels now. When you drive around the City you can see what's going on so don't listen to the negativity. *"Joe Donat is the best City Manager that we have had in many, many, many years and if you don't stay for at least twenty years I am coming after you"*.

Mayor Harvey said he is really excited about this special meeting and what is about to transpire. Words cannot articulate how super significant it is and was for Mr. Donat to trust the City Council and the Mayor's Office that his work would not only be seen, recognized, respected and appreciated but that it would also transition from Interim to our

full time City Manager. It took a lot of risk and uncertainty coming out of Congressman Maloney's Office and stepping into City Hall to deal with all of the challenges that we have. People don't realize that one year ago we had a tornado and right after that we had three executive positions resign including the former City Manager, Comptroller and City Planner during the Budget season. People don't realize how challenging that was for him as Mayor and the entire City Council but Joe came in, put his feet on the ground and got his hands dirty, in a positive way and in a good sense, right away. They just spent three days at Harvard University's John Fitzgerald Kennedy School of Government where they were in intense classes and think tanks on how to analyze the stakeholder's engagement and how to continue to revitalize this City. He, himself, Councilwoman Mejia, Mr. Donat, Allie Church and our Assistant Fire Chief Bill Horton spent three days together with some of the greatest minds in America so we can get rid of these abandoned buildings, get one hundred percent code compliance, clean our streets and infrastructure and have top notch technology to do that. We are in line for some serious money if we win that Grant and we've already won Phase one, two and three of the RISE Grant. *"The work continues so I thank you for what you have done thus far and I am excited"*.

Joseph Donat, Interim City Manager said that it is an honor and a privilege to be here with them this evening. Back in December when he took the post, he stated that 2019 will be the year of Newburgh and half way through he thinks we have put enough points on the board for people to be convinced or cautiously optimistic that that will continue to be the case. This City has been through a lot over the last several years and he is grateful for having worked here for the past six years and seen firsthand some of the things he has become intimately familiar with over the past six months. He started his career twelve years ago with the House of Representatives and one of the first people he met was Harry Porr. Since that time he has developed a close professional relationship with him and he has served as a mentor on many levels. Whenever you talk to Harry you can see the love that he has for this place to this day. We are a united body with the Mayor and the Council, we are a united City with our departments and we have two terrific members in the State Senate and State Assembly. Together the unity we share here from locally all the way up to the Senate will be a cornerstone for our success as the rest of the year unfolds. The fact of the matter is that he has simply shown up and come to work every day for the last six months but there are people here who have been doing that for years and without their success and unrivaled commitment and dedication to this City, who knows what the future would be. It's easy for him to suit up, show up and come to work every day but they have been here day after day for the past several years or decades often times without any recognition or praise. Councilman Sklarz talked about the constituent services aspect of his role and he reiterated that he wants to be a resource and he wants to be accessible. Those who are here with us tonight are part of the solution not part of the problem and it's his intention to continue to focus on what unites us not what divides us because as long as we are committed to the vision and the success it will be a great year ahead. The City is poised for success and we are on the brink of achieving that. He learned earlier today that fortune telling is against the law in New York State. He is not sure if that law has been enforced but it is not his job to predict what the future holds. It's his job to solve the problems day after day and plan accordingly. *"I believe deep down inside that as long as we're united and committed to the task at hand the future is going to be great no matter what the outcome is."*

CITY MANAGER'S REPORT

Resolution No. 121-2019 - Appointing Joseph P. Donat as City Manager of the City of Newburgh

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 5:52 P.M.

**LORENE VITEK
CITY CLERK**

RESOLUTION NO.: 121 - 2019

OF

MAY 22, 2019

A RESOLUTION APPOINTING JOSEPH P. DONAT
AS CITY MANAGER OF THE CITY OF NEWBURGH

BE IT RESOLVED, by the Council of the City of Newburgh, New York that Joseph P. Donat be and hereby is appointed as City Manager of the City of Newburgh effective as of 8:30 A.M. on May 23, 2019 pursuant to City Charter Section C.5.00(A)(3). The terms and conditions of the appointment shall be memorialized in a written contract of employment as follows:

1. The term of the agreement shall be two (2) years.
2. He shall receive an annual salary gross salary of \$135,000.00 with a performance-based increase to follow a performance review after six-months.
3. He confirms residence within the City of Newburgh as required by City Charter Section C.5.00(C) and the Public Officers Law.
4. He shall be entitled to carry over 5 vacation days and 3 sick days as provided for his service as Interim City Manager. He shall be entitled to an additional 10 vacation days in the first six months of the contract and thereafter he shall be entitled to the same vacation as other non-bargaining unit members as set forth in Resolution No. 60-2019 of March 11, 2019.
5. Except for vacation and the sick leave carryover covered above, he shall be entitled to the same paid leave policies as other non-bargaining unit managerial employees as set forth in Resolution No. 60-2019 of March 11, 2019.
6. He shall be entitled to the same paid holidays as other non-bargaining unit managerial employees as set forth in Resolution No. 60-2019 of March 11, 2019.
7. He shall be entitled to the same health, dental, optical, life and disability insurances as other non-bargaining unit managerial employees as set forth in Resolution No. 60-2019 of March 11, 2019.
8. He shall be entitled to participate in the New York State and Local Employees' Retirement System and the New York State Deferred Compensation Plan as provided to all City employees to the extent provided by New York State law.
9. He shall be entitled to the exclusive use of a vehicle provided to him by the City at all times while he is employed as City Manager for both business and personal use subject to the City Vehicle Usage Policy.
10. The City Council shall make an annual budget appropriation for the cost of courses, conferences and seminars for the purposes of education and

professional development; to pay for dues and membership fees in the International City/County Management Association and other professional and local civic organizations relevant to the duties of City Manager; and to pay the cost of travel expenses associated with professional and official travel to meetings, conferences and other events for the purposes of carrying out the duties of City Manager.

11. He shall be entitled to defense and indemnification of legal claims arising out of the scope of his employment as City Manager as provided to all other public officers and non-bargaining unit managerial employees as provided by Section 18 of the Public Officers Law and City Charter Section C.3.92.
12. Termination shall be in accordance with City Charter Section C.5.00(D). Upon separation from service for any reason, he shall be entitled to the same severance as provided to other non-bargaining unit managerial employees as set forth in Resolution No. 60-2019 of March 11, 2019.

BE IT FURTHER RESOLVED, by the City Council of the City of Newburgh, New York that the Mayor be and he hereby is authorized to execute a written employment agreement for the services as City Manager with Joseph P. Donat incorporating and consistent with the terms and conditions provided in this Resolution and with applicable law.