

A regular meeting of the City Council of the City of Newburgh was held on Thursday, November 21, 2019 at 7:00 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 (arrived after roll call), Councilwoman Monteverde, Councilwoman Rayford, Councilman Sklarz, Councilwoman Sofokles - 7

COMMUNICATIONS

Approval of the Minutes of the City Council Meeting on November 12, 2019

Councilwoman Rayford moved and Councilman Grice seconded.

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

Carried

City Manager Update/ Gerente de la ciudad pone al dia a la audiencia de los planes de cada departamento

City Manager, Joseph Donat said that last month we gathered here at the Activity Center to learn more about the Proposed Budget and the difficulties we faced. Since that time we have been working around the clock to finalize the amendments to the Budget which will be discussed in greater detail tonight. He commended the Mayor and the Council for their dedication over this past month as we move closer to the adoption phase of the Budget. The one thing that has been abundantly clear to him since he started ten months ago is that our workforce has some of the most dedicated groups of people he has ever come across. We are surrounded this evening by many of our colleagues all of whom he looks up to more than they know and unfortunately, over the course of the last few months we have had some very difficult conversations of what the future holds for some of them. It's been a very hard time for the City. Decisions that were made going into the Proposed Budget were some of the hardest decisions he had to make personally and professionally. Initially he refused to accept the severity of the situation we are now faced with and desperately searched for any other alternative other than what we are now confronted with. These layoffs are painful and he can't begin to imagine the agony felt by those directly affected. Before serving as City Manager he tirelessly worked to overcome some of the issues that the City has faced in the past. Whether it was working to provide funding and resources needed to clean up

the Consolidated Iron Site, potentially create a Port outside of Steelways or provide both our police and fire departments with increased federal resources. He assured everyone here this evening that the same level of dedication and commitment he has put into this City over the last several years before serving as City Manager is here to stay. Every day that he walks into City Hall that commitment comes with him and he is confident that we will be able to overcome what lies ahead. The only way out of the situation we are faced with is together and he knows we are a united front in that regard. He told the Mayor and Council that the work they put in to this is certainly worthy of praise and it's through our continued collaboration that we will be able to lay the firm bedrock on which an economically viable city can grow.

PRESENTATIONS

Public hearing on proposed ordinance to increase water rates

Mayor Harvey called a public hearing that was advertised for this meeting to hear comments concerning an ordinance to increase water rates.

Julie Lyndell, First Street said she doesn't want the increase because the sanitation rates have already gone up and assessed values have increased so it's all adding up and it's overwhelming to carry. To top it off we now have this water coming out of our taps that stinks and you can't drink it. There is something wrong with this water that is coming out of Brown's Pond and a lot of people have noticed it. It is so strong of chlorine and some kind of metal so has it been tested? Is it safe? She doesn't understand how they can increase the water rates when we can't even drink it. She wants to make an appeal to Senator Skoufis to do something about our water issues because the City Council can't do everything and we need someone in the State Government to do something about this water.

John Russo, 438 Powell Avenue said we are having some of the same arguments that we have had for years and it all has to do with the taxes and the water rates. His daughter has a Habitat house and her taxes are now twice what her mortgage is. She is working a nightshift and is probably going to lose her house just like her neighbors lost their Habitat house. She can't afford another tax hike and water rate hike so we have to come up with money to run the City. He knows of two Hotel projects that were refused to go forward and he also knows of one trying to get on paperwork but no one returns their calls. The Kaplan Project was shut down, which would have brought jobs and money to the City for the properties he was going to purchase, because of a parking issue. We need jobs but we voted not to go forward with the power plant which is one of the only good paying jobs in the area. When people say they are working towards helping the financial situation of the City, the only thing he sees that is helpful is not-for-profits. They help us some but they cost us money. We need jobs and we need tax ratables. He has had businesses complain to him that doing business in the City of Newburgh is the most painful thing they have ever had to do and that it is the most unfriendly business environment in the Hudson Valley. This is why the businesses that are here are leaving and the ones who want to come here have given up. Think about what is not going on and move forward with a positive business atmosphere.

Tom Roberts, Central Avenue said that Washington Lake is polluted and he would like to know if Brown's Pond is polluted as well.

Mayor Harvey said it is not polluted.

Mr. Roberts continued that we can't drink our water because it smells terrible. What are we doing to help alleviate this issue? The residents are going to have to pay another rate increase and we can't even drink the water.

Michelle Basch, resident and business owner in the City of Newburgh said you can't drink the water so she gets bottled water. She has filters in her restaurant because the water is terrible and now they are going to increase the rate which is just the tip of the iceberg. It was sanitation before and taxes now which are pushing businesses out of the City. If the City doesn't want jobs and business, then they are doing a great job right now. Most people who are renting generally don't have washing machines so they have to go to a laundromat and how will the laundromats be able to afford to stay open if water rates go up? How are these people going to wash their clothes? For the past several years the Water Department has done due diligence to get rid of leaks, make sure that the water is working as well as possible and put filters on that supposedly didn't work so now it's going up? She would only agree to an increase if the people working for the Water Department and DPW would actually get a raise but they get cuts or less money. She knows it's not easy being on that side of the table but you must understand what we see. We see water going up, sanitation going up, less police and fire and our roads are a disaster. She feels that things would be better if we didn't have a government.

Mayor Harvey asked some people in the back of the room to please refrain from yelling, whistling and shouting out. If that cannot be controlled they will be removed from the meeting.

Bill Conye, Town of Newburgh said that the last time we were here we had discussion about why water rates are going up and there were questions on if that was a budgetary issue on shortages or was it related to the water contamination. We were told that it had nothing to do with contamination of the water but he believes he saw an earlier presentation where the rationale for the increase was to be prepared for more litigation and if that's true then the water is going up because of the pollution. Is that true?

Mayor Harvey responded, *"It's not true."*

Mr. Conye said that either way he thinks this comes down to some aspect of political will. Our water has been polluted so we should stand up and demand that we stay on the Catskill Aqueduct, that it be free and that we do not have to raise our water. We should not raise the water so that we are all in a position of anger and readiness to fight this battle. We should go forward and ask for remediation for what has been done to our water.

Mayor Harvey noted that the water fund just like our sewer and sanitation are Enterprise Funds which have to pay for themselves. He and the Council recommended a five percent increase instead of the ten percent because constituents made a special request after the sanitation fee went up to have increases go up in small increments. He asked the

Comptroller to speak to the numbers and why this increase was requested.

Todd Venning, City Comptroller, said that when we went to balance the water budget for 2020 we were short about \$900,000.00. We also received our audited financial statements from 2018 and the water fund ended at about a positive \$19,000.00 which means the water fund was very close to hitting a possible deficit. In looking to close that gap we decided to do a balance of a water rate increase and take from the appropriate fund balance and in doing so that stops the public from receiving a twenty-four percent rate increase. As was explained with the sanitation fund which was already insolvent, if we catch these things early we don't have to have dramatic increases. Unlike sanitation, which has a negative two and a half million dollar fund balance, water is not there yet because we had a positive \$19,000.00 and in the current year it might end the same or slightly negative. We are just trying to be proactive and the comments from the public earlier in the year were that they would have preferred the sanitation increase to be five percent a year for the next seven years. He proposed ten percent and the Council rejected that and have re-proposed five percent with the remainder to come from the Fund Balance.

Mayor Harvey asked Mr. Vradenburgh, Water Superintendent to speak to a comment made earlier asking if Brown's Pond is contaminated.

Wayne Vradenburgh, Water Superintendent said that anytime they switch water sources they have to do a full sweep of contaminates which all came back in great shape so the State Department of Health and Orange County Department of Health approved the switchover. We have been switched over for about two and a half weeks now. The water is monitored every hour and tested by his staff every single day. He believes it's the temperature because as it gets colder the chlorine stays in the water a lot longer but it is within drinking water standards.

Mayor Harvey said, *"For the record since you are the expert, is the water safe to drink?"*

Mr. Vradenburgh answered, *"Absolutely."*

Mayor Harvey added that according to Scientists for every fifteen minutes that you are in the shower because of your pores your body is consuming three glasses of water. Whether you are drinking the water directly from the tap or not your body is consuming the water and the water is safe. He reminded everyone that New York State purchased a twenty-five million dollar carbon filtration system to add to the already highly sophisticated filtration system our Water Department had. Because of the contamination in Washington Lake that twenty-five million dollar investment by New York State was created and added to our water system about two years ago and it's one of the most sophisticated water filtration systems in the Nation. He said that if anyone has any questions about our water safety or our water filtration process Mr. Vradenburgh and his staff welcome anyone to visit the Water Department to see what these professionals do on a day to day basis to filtrate the water. They are skilled professionals and he trusts their work.

There being no further comments this public hearing was closed.

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

Nancy Ryan said she is not a resident of Newburgh but she is here to speak for her brothers in the Fire Department. She knows these firefighters who are willing to put their lives on the line for this City and its residents. Some she has known since young children and some she worked with side by side as volunteer firefighter in the community we share. Now you look to put their lives and every resident in the City of Newburgh in danger with staffing cuts yet some of you are convinced that this department needs to give up more but they are giving up Grants and protective gear. They have been dancing this dance for ten years with no one at your table coming up with viable solutions for funding and how to keep staffing levels at a safe number for everyone. Where are you coming up with the large amount of grant money you now have to give back because the City Council failed to live up to what you promised when you accepted yet a third Grant from the Government. Do any of you even know what these Firefighters do? Spend a day at the Country training center. I have. Wear seventy pounds of gear and sweat until you can't sweat anymore. I have. Spend one day in the belly of a fire. I have. Climb a ladder as high as it goes and ride in a ladder bucket to go on a roof. I have. Rather than sit and bash the Fire Department be grateful. Walk in their boots for a single day. Shame on each and every one of you who thinks this department is extravagant. You have members who returned instead of looking elsewhere for a job when the last layoffs happened because they have a commitment to this City. When you call on another city for help it's called mutual aid which is not a bargaining chip or a way to charge other departments. This City and its residents are worth it. Who will do the jobs that are cut from police, fire and DPW? Loss from fire, crime and crumbling infrastructure will grow and the City will crumble. She urged the Council to do the right thing for the residents of this City and for your employees who are willing to give their all every time they are called.

Michael, City of Newburgh said he grew up with volunteer firefighters in Massachusetts and only the Chief made money so if we want to make this work then we have to make cuts. The crime and the delinquent buildings everyone is talking about are symptoms not causes. They are symptoms of economic issues which are exacerbated by the taxes which are already too high. If they keep raising them there will be more people in economic trouble with more crime and the cycle will continue with a future City Council blaming the current City Council for the problem they inherited. He feels that this tax thing is a hindrance to economic recovery and future investment in this City so if we have to make cuts for it to work then that is what we have to do. If we all care about this City then we all know we have to do the right thing.

Teddy Obrien, Sr., Ward one resident said he supports no layoffs to Police, Fire or DPW. It has been two and half years since he last attended a meeting but he watches them all and is in contact with Councilwoman Mejia and he has known Councilwoman Sofokles for over twenty-five years. The City would not be in this situation if they listened to the residents who came forward week after week, month after month and year after year. It

hasn't been decades of mismanagement because for two and a half years there has been no city contract or business coming into the City. The RFP system you have is broken and has been broken for many years. Sell all the abandoned properties like the Dutch Reformed Church and the Waterfront and bring in commercial buyers. Bring in positive people who want to invest in the City of Newburgh. He is retired and could reside anywhere he wants but he chose to live here in the City of Newburgh for over twenty-five years. Bring in the real estate investors and people to buy these buildings because selling them one at a time isn't working. This contract proposal is a mess. If the City votes this in the streets will crumble, crime will go up, buildings will burn down and people will die. The Police, Fire and DPW are the hardest working people he ever met so please think about this.

Nick Bedetti, Vice President of Local 589 and New Windsor resident said that the last few speakers said it all. The public is telling the Council something and they need to listen. He reminded the Council that the City was in a bad place in 2009, 2010 and this Union was first to step up and make concessions. We gave back 2.2 million dollars to help this City get back on its feet and in 2013 we landed our first Safer Grant. Since then over six million dollars of wages have been paid through Safer Grants but where did it get us? We are right back to where we were in 2009 and now you want more from us but we have nothing left to give. They want to cut sixteen positions which is a twenty five percent reduction in our staff and we can't do it. In 2018 a Staffing Analysis was done by Comptroller Duffy and they wanted to fix the overtime but he doesn't know what happened. They were here willing to work with the City and we are in this position because of years and years of mismanagement. We need a Chief and we can't have cuts.

Cassie, Town of Newburgh said they don't live in the City of Newburgh because the taxes on the home they wanted to purchase were \$14,000.00. Her husband is a City of Newburgh Police Officer and she is a Nurse here but as you can see the Police Officers are not here tonight because they are disgusted with this whole process. She lies awake at night wondering if her husband will be coming home in one piece. She worries about them all because on Thanksgiving, Christmas and Easter when they are out saving our City the Council is home eating with their families while she is cooking for all of them because they can't spend time with their own families. You are going to cut them right before the holidays? They have families but you will enjoy your holidays with no problem. They have to figure out how they are going to live. Her husband works with four people on a shift. There were five shootings in three weeks and there were not enough cops to cover it then. He works sixteen hours three or four times a week because he doesn't have a choice and he cares about the people he works with. As a Nurse here in the City she asked the Council if they know what it's like when the lights come on and you are wondering what your night is going to be like because a stabbing or shooting has come into the building. The Cops have to stand outside of the building to protect them when there are several other things they could be doing to protect this City. Let's think about who we are cutting.

Delores, City of Newburgh said she has been here since 1997 and she hears a lot of bickering going on and it's not helping to solve anything. Can't we come to more positive resolutions and decisions that will help everyone? It's not just the Fire or Police because we have a lot of people who are homeless here living in abandoned and condemned houses. Let's try to find more ways to figure this out because the way that we are carrying on is just showing everyone watching that our City can't stick together. In order to do better we have to work together and come to some kind of conclusion to make it better without all of

this arguing and bickering at every meeting because nobody is being heard.

Weaver, Lander Street said he heard a lot of talk and anger which is very frustrating for him. He understands the concern that a lot of people don't live here but the most important thing is not where we live or where we work. He lives here but he doesn't work here and the most important thing is how we live. This is a beautiful city but a lot of resources are being cut and taken away. When we go to sleep at night we want to feel safe and the most important thing is knowing that if there is an emergency like a shooting or a fire we will have the police or fire to help us. Cutting the services that we have for our protection is not a wise idea as there are a multitude of ways to resolve these issues. What if there is an active shooting or a fire at a School? Who will help our kids? Cutting the police, fire and DPW which are vital resources for a city to run is a big mistake.

Carla Johnson, 52 S. Miller Street said we need our Police and Fire Departments but feels there are more shootings than fires taking place here. There have been a lot of shootings so how can we work together as a community? Maybe the Fire Department can get together with the Boys and Girls Club or the Boxing Club and try to get volunteers to be firefighters for false alarms. Get our community involved in how to be firefighters.

Linda Ferullo said she has lived in the City of Newburgh since 1989. She has seen a lot of changes in the City and she knows that the problems the City started long before the current Council. We now have to rely on the Council to help us and we don't want to fight but we would really like protection. The City of Newburgh is known for being one of the most dangerous cities in the United States so to cut Police Officers is outrageous. We also need our Firemen to protect us and save us because when there is dangerous activity going on fires are set. People are homeless here and they try to get warm with fires which could lead to a dangerous situation. The Firemen aren't getting paid for what they are doing but please keep their jobs. She has seen so many things change here but not for the better and she asked the Council to find a different way to fix it. The Armory is making big dollars with rentals so take from there. She tried to rent there and they were asking for \$5,000.00 a night so that's money that could be used to save some of these jobs. Mistakes happened like an \$850,000.00 Skate Park for a handful of people to use and the expense for the little planters that were put on the corners could have gone towards better use.

Caitlin Bowes, Forsythe Place said that in 2012 the City of Detroit laid off half of their firefighters and when that happened the firefighters needed to choose which fires they were going to fight and which fires they were going to let burn. What happens if two buildings are burning and there are children and people in both of them? She has lived on Grand Street for five years and when there was a shooting in the summer she heard it and within thirty seconds the police responded. If our first instinct is to lay off police and fire then this will turn into the Wild, Wild West and the image that Newburgh has in other communities will self-perpetuate and we don't want that. She bought a house on Forsythe Place and now pays \$12,000.00 a year in taxes and now we are talking about an increase. She has a nine year old child and she wants him to be able to play and feel safe but if we are cutting the people who keep us safe how is that alright? She read the Budget and saw a lot of consulting fees so there are a lot of things we can cut. She is a grant writer so she knows what it is like to pad a grant with consulting fees and how we get our money. They set themselves up in case there are problems that arise along the way and she understands that but we have to work on bare bones in order to keep our Firefighters, Police and the people who believe in the City of Newburgh to stay here. In a year if her taxes go up again and

she can't afford it, then she will be selling her house.

Julie Lyndell, First Street knows that this is a tough situation and there is no easy answer. Raising the taxes means higher fees and rents so there will be more people losing their homes and there won't be as many affordable apartments. Maybe there is a way to find other areas to cut such as someone who is asking for new cars or trucks that we can put off. It's nice to see all of these new vehicles but we are all hurting right now. Is it possible not to move so aggressively to balance the Budget this year? Maybe if we stepped it down an inch or so it wouldn't hurt so many people.

Debra, Town of Newburgh said she is a teacher in the Newburgh Enlarged City School District. She chose to work in this district because she wanted to give back and felt like she could do that but she has been to more students funerals than she ever thought she would have to attend. Please do not reduce the Police Officers in this City because she doesn't know how many more funerals she can take. She appealed to their hearts and sense of humanity to not do this. There was a suggestion made that an add on tax be placed on people who work in the City but don't live here. She earns every cent of her salary and gives a lot of it back to help feed the students and their families. She also washes clothes for students and buys them new clothes. She is not alone as there are many others who give up their hard earned money to help this community. She is not happy that they would think she doesn't infuse enough money into this community and that she should give up part of her salary to balance the Budget.

Chester Hayes, Castle Lane said he is a retired City of Newburgh Firefighter and if they approve to lay off fourteen Firefighters and there are major injuries or a death to your city residents or his brother Firefighters then that will lay squarely on the Council's shoulders. He urged them to think wisely on their vote because this City needs Firefighters. Keep what you have now and God help you if you don't.

Wahdea Lewis, City of Newburgh said that we need the Police Department. There was a triple homicide that her uncle was caught up in and they have gone years without answers. She has two daughters that have to grow up in this World today and you want to cut Police Officers? Do you see what goes on every day here? She lives on Renwick Street and she see it every day all day long so without Police and Fire who is going to protect us? She lives on the second floor and doesn't have a fire escape so there is only one way in and one way out of her house but what happens if there is a fire? Without them this City is nothing. In regard to the apartment buildings and landlords, it's said that they bow down to these landlords and they are afraid to do what they were supposed to do. Without the tenants where would Newburgh be because we pay taxes too?

Michelle Basch, City of Newburgh said that when Judy Kennedy became Mayor she decided to find new ways to do things and we were able to grow and flourish to a point. One of those great things was ShotSpotter which she believes is now being taken off due to the cost and it's her understanding that the Hospital sees eighty percent less shootings because of ShotSpotter. We cannot in this City afford to endanger the residents and the people who come into our City. The City needs to be business friendly and it's not. It is very difficult to do business here if you are a developer or trying to build a house. She is the Chairperson on the ARC Board and said it takes way too long for the permitting process and for people to come in to do what they have to often with no answer. People are leaving and not developing here because it is way too difficult. If you don't have the

developers and people with the money coming in then you are not going to have the jobs or taxes. Going up on the non-homestead means that the rent in her restaurant will go up and the taxes and fees are already almost already three times higher than her rent is. She will have to charge \$15.00 for a hamburger so maybe it's time to sell and move. What are we supposed to do?

Rob Mclymore, City of Newburgh resident, Pastor and law enforcement told the Council he wouldn't want their jobs. We understand that they have to make decisions but cutting emergency services will put our City in devastation. The Criminal Justice Reform Act will be coming in January and if we cut the emergency services we will see the crime increase. If you cut emergency services, then the ones we have now will be under more pressure, stress and prone injuries and we will be paying for those injuries so we have to rethink this. We have to come together and decide what is better for the City and the community. The Holidays are coming which means more fires because those who don't have heat will use their ovens. If we don't have firefighters to come put out the fires that will leave more injuries and deaths so we have to rethink this. He knows the Council has a hard job and he wouldn't want to be in their position but we have to keep our emergency services. They inherited this and it was put on them but hopefully we can resolve this and make the right decision for generations to come. He knows they have to cut somewhere but please rethink cutting our Police, Fire and DPW.

Phillip Howard, City of Newburgh said there has to be a better way and you have to get creative. We are talking about laying off fourteen firefighters and nineteen police officers and cutting firefighters will not help the City be safe. A job like firefighting includes injuries and when you have injuries you have to have overtime so this is not the solution. He hopes that when they vote they vote with their heart and conscience. Understaffing the fire department will impact the quality of life in this City and you will see this when you have the need for emergency services. Look at the history and talk about the best case scenario for everybody involved. As a taxpayer he does not feel safe living in this City when they are talking about cutting our fire and police because we need them when we need them. Take it back to the table and find more creative ways to do this. He respects their job and what they do but this is not the answer.

Kaylee, City of Newburgh asked the Council to reconsider these cuts. She is a mother raising her daughter and she received a call from the school alerting them of a van that was following children which is very concerning. If you cut the police and fire and there is no one to call or their response is delayed, how would you feel if a child goes missing? Crime is high here and she has lost several friends due to crime so she feels that cuts like this are unfair to everyone. Her daughter wants to feel safe here too so she would like the Council to take this into consideration and think about the kids.

Daniel Rodie said he used to live on Farrington Street but he lost that house with the last contract and they all took pay cuts so he now lives in Poughkeepsie. During that time he was offered another job with another department for more money but decided to stay. He loves this City but his body hurts. He has had surgery on his spine from injuries here, he has broken his ankles here and he has had countless cortisone shots in his joints. The taxes he pays come from his body and he is willing to give his life for this City and its residents. There are days he can't get out of bed for his daughter because his back hurts so much from the injuries he sustained here. He understands the residency issue but we pay our fair share of taxes with our blood, sweat and pain. Our bodies can't take this

again. Why can't we welcome business? Other areas like Kingston, Beacon, Poughkeepsie and Middletown are thriving because they set things in motion to have businesses come in. The money we have spent to the Council in negotiations is close to a million dollars. Come to the table and negotiate with us in good faith because we are willing to help. Think of our families and the taxes we pay with our bodies here in this City because we love this City.

Elka said she is new to the City of Newburgh and came tonight to learn about her new City. She is trained as an Urban Planner and it's her job to help governments be more efficient so she feels it is her obligation having chosen this City to share some of her experience. There are a number of thoughts that have come up tonight that have touched on mistakes that other cities have made. There are plenty of places with volunteer fire departments but that doesn't work in a place where people are fighting to survive. When talking about the Budget she thinks that these twenty-nine positions are chump change compared to the kinds of things that we could be saving on if we looked at overlap redundancies in City functions. She chose Newburgh because of the opportunity to do things in a unique and different way that taps into the unique character of this place.

Tamara Rafkin, Courtney Avenue told the Council that she knows they have been working really hard and this is not an easy thing and she respects everyone in this room. Everyone keeps talking about all of these items but they are not interconnected and she wished everyone would look at it as a whole. If we get rid of the service personnel and fires and incidents go up, we are not going to get that new business that we need to make us viable. She doesn't have an answer but feels it's like a spider web with all of the connections and if we start cutting out big chunks, the whole thing will fall apart. She finally found a place where she could become part of this community and she is concerned that if we get rid of these guys it will pull the rug out from under all of us. If there are not enough firemen to handle the fires then the landlords who are not taking care of their buildings will let those buildings burn because they will make more money from the insurance. She implored the Council to get as creative as they can to find other answers.

Omari Shakur, 55 Liberty Street said there are a lot of emotions in the room tonight and we have to do what is best for the City. We need firefighters and police in our community but right now our City is doing badly. He told the Police, Firemen and people in this City that if they really want to help then come sit at the table and talk. This emotional stuff is just pushing us further apart. He knows we need firemen and police but we need a better Newburgh so how can we fix this? We got here because of a lack of empathy from the people who live here and the people who don't live here. When he was a kid Newburgh was the Queen of the Hudson and an All American City. Can we get back to that? He understands it's emotional but if you care about Newburgh then let's make it work. Let's talk about it.

Fred Sylvester, Firefighter in Coldenham, Town of Montgomery said he has been doing this for thirty-nine years. For the past twenty-seven years he has been coming to the City under mutual aid helping the City of Newburgh fight fires. As a training officer he has been educating the public and for those who don't know, fire burns twenty percent faster than it did twenty years ago which means they have a tough job to do. You also have to understand that every firefighter has a seat assignment and if you take two or three of these seat assignments out with these cuts, the jobs of those seats have to be filled. If the seats are not filled then someone is working double or triple hard to get the job done.

Because it's burning faster we have tougher jobs with a lot of old buildings in this City so it's not easy. This is what they do.

Tom Roberts, Central Avenue said we have been going through this for a number of years now and he feels bad because he supports the Firemen and Police but he also supports his household. It's come down to a choice to either lay them off or we lose our homes. He feels bad for everyone here. He owns his own home, still pays a mortgage and he is collecting Social Security. This is a hard choice to make and it's a sad day for Newburgh.

Jim Slevin, New York City Firefighter and District Vice President of the International Association of Firefighters said he is here tonight speaking his brothers and sisters here in Newburgh and for every Firefighter across the Country. He asked the Council to reconsider because once they take this vote there is no turning back or getting back to that previous level of public safety. You are dealing with Federal SAFER Grants and once you turn that money back you will never get those Grants again in the future. They should reconsider and let's sit down. The Firefighters have a track record of being willing to come to a reasonable agreement and find alternatives. You can't make this decision tonight not knowing what impact it's going to have. He has seen what happens with budget cuts and how it affects public safety so he knows it will have a negative impact. Everyone in this room knows it is going to have a negative impact. If you want to have an economically viable tax base, you have to provide your core government services to the people of Newburgh. Public safety has to be a number one core government obligation. Where are your priorities? What direct impacts will these cuts have? What will change operationally in the Fire and Police Departments? There will be an increased cost in overtime. Are we replacing those layoffs with overtime? Everyone in this room deserves to know how you will implement those cuts. You can't just make a decision without putting out the full information. This will probably force us to go to Court because it will impact the safety of his members and the residents of Newburgh. Their lives will be in greater danger in the event of a fire which will force us to go to Court and will cost us money but we have resources. It will also cost the City money to defend it which will probably be expensive. You may have a short term gain but in the long term it will cost you a lot more. He again urged them to reconsider because you can't turn back this decision once it's made.

Rita Flynn, Orange County said that she has worked as a Parole Officer for over thirty years in the City and she is here to speak on behalf of the Police Department. When we started decades ago it was a department of over one hundred people and it served the community well but over the years it has diminished. It is one of the most overworked, unappreciated and underpaid dedicated departments she has ever worked with throughout her career. She would like the Council to consider that things have deteriorated over the years with less mental health services and a greater drug epidemic so you are not only jeopardizing the lives of the Officers but also the community at large especially the younger population.

Lillie Howard, City of Newburgh said she has heard talk about the possibility of a Forensic Audit being done here so has anything been done?

Mayor Harvey said we will be doing an Operational Audit in 2020 on the police and fire.

Ms. Howard added that it needs to be done to show what has been going on with the money. In regard to economic development, the City of Newburgh has many ways to

access it. You can get here by air, road, water or highway so this is a city that could be marketed and people and businesses will want to come here. She doesn't know what the problem is or how it's being marketed. Go on the HUD website to see what other municipalities are doing with their community development funds. She asked what is going on with the property on West Street. It was going to be used but for some reason it fell apart so that is a good place to market for businesses to come here. She wished everyone a Happy Thanksgiving, Merry Christmas and a Happy New Year.

Joe Alvarez, We are Newburgh said he has a lot of respect for the Council, our Policemen and our Firemen and he thinks we could exercise other alternatives instead of cuts. He spoke about introducing the ambulance to the Fire Department to generate revenue so they don't have to go through this situation. There are a lot of other ways to find funds somewhere because our City needs Police and Fire. A lot of people spoke about how bad this City is which makes him feel really bad because there are a lot of wonderful people here who created change so crime has gone down. We need to start giving our Police, Fire and service people a little credit. Instead of talking about how bad the City is talk about how much we have done in the past few years to improve. We have to find a way to market our City better to generate funds so this doesn't happen again. As a community we have to work together to better our City. People like to point fingers but until they find themselves in someone else's shoes they don't get a real understanding of it. This is a welcoming City and it has something to offer that no other city around us has but we have to respect one another. We can't sit here and scream about it without knowing the truth to it. One thing he has learned about this City is that we never give up and we never say no. He knows that they are going to protect the City to the best of their ability which is all we can ask for.

Torrance, Orange County said he is a retired Corrections Officer and he was a Fire Chief at Downstate Correctional Facility so he knows what Budgets are. He thinks if they brainstorm the heads of each department they could tell you where to cut. You have to go to the people who are actually doing the job. From his experience he knows what emergency services are and they happen real quick so before you know it someone might lose their life. To cut firemen and police officers is a no win situation. If you go to the heads of these departments and they want this to work, they will be happy to sit at the table and brainstorm to get this money together. This is a great City and we all believe in it so everyone has to give.

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

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Mayor Harvey said he wanted to address many of the public concerns so he asked Todd Venning, City Comptroller to speak on why the proposed cuts have been made from Police and Fire and what the minimum staffing requirements are by the National and State Government. He asked him to also speak on what the alternatives are if this Budget doesn't pass.

Todd Venning, City Comptroller said he would take a minute to address several comments that were made. A lot of times people say things that are not correct and then the public leaves with that information so he is going to clarify those points so we can hopefully have a

better understanding of where we are at. These cuts were proposed to actually preserve the entire City. The City's current fund balance is half of the recommended minimum which means if we have any revenue shortfalls, if the economy dips and the sales tax comes in lower, which is our second largest revenue source or if any of our expenditures are under budgeted that comes out of the fund balance. To put it into perspective the Government Finance Officers Association (GFOA) recommends that each municipality keeps two months of expenses in their fund balance. If you relate that to your personal budget, everyone has heard that you should have three months of savings if you get fired but everyone knows that you probably will not find a job in three months. The City's fund balance is in critical condition. He doesn't know what anyone has heard or what they have been told but it is not good. If we don't do these cuts there isn't going to be any police or fire department and we won't be able to pay anybody. The entire City's solvency is at risk. He comes to these meetings and everyone talks about businesses but if our bond rating does not stay stable then we are not going to attract businesses. The City of Newburgh is currently BAA2 medium quality moderate credit risk and we are putting the City in a position to move from BAA2 to BAA1 and to start that we have to stay stable and then move into upper medium quality low credit risk. Everyone knows that the City has had a lot of mistakes in the past and everyone he has worked with on the Council, the City Manager and Corporation Counsel has been trying to rectify that. He wants to let everyone know that the only way we even got to cutting a single public safety job is because the entire City is at risk. He wanted to remind everyone that seventy five percent of the Budget is personnel and expenses so you are already starting with a quarter of the Budget that has to go to other services before we can invest in things that actually produce those revenues. Someone mentioned the planters and the planters outside of City Hall were donated so we didn't pay for those. The Skateboard Park is heavily used so he doesn't know what time they are going there but it is heavily used. As far as staffing the Fire Department it is currently meeting their minimum staffing requirements and after these proposed cuts he understands that it is not the same and it's better to have more but after these proposed cuts the Fire Department will still be working with four platoons and meeting their minimum staffing requirements. This Budget incorporates along with the Capital Budget that will be coming out later which incorporates resources so the Fire Department has better equipment and better trucks that they ask for. So everyone understands it has been confirmed that they will be meeting their minimum even when you exclude the personnel that have other operational duties so they can't be on the platoons and when you exclude the active employees that are on OJI. He understands that does not make up for the reductions in staff but as far as everyone's safety you are not losing out on minimum staffing. To the reference of Detroit, as a Financial Analyst he said that we are very far from Detroit and we are able to pay our light bill but the lights are not on in some places because they can't afford electricity. When people make these comments, as the Chief Financial Officer he would like everyone to know we are very far from some of these places that you are mentioning. Additionally, there is a decrease proposed tonight to the homestead taxes. He doesn't know how that is getting lost but he understands there is a lot going on and everyone worked very hard from the Manager's Proposed Budget to get to that decrease. It's a very small decrease but when we started with increases a decrease is a very good thing. To the reference about padding any Grants he would like everyone to know that is not the case and all of our Grants are vetted by the State and Federal Government. We don't just get to tell them what we are doing. They have an Audit, we have our own Audit and the State and Federal Government has their Audits. We would be at risk of losing our State and Federal Aid which would put the City at risk. He wasn't here in 2009 but it was mentioned by someone earlier that in 2009 some of the Unions came

to the table to give concessions so cuts would not be made. In the forty-five days from the Manager's Proposed Budget to now the only thing he has heard is honking. No one has come to the table. No one has said we are going to give these concessions so we do not lose jobs. He is not going to presume to know what is going on but he wants that to be very clear to the public. We were asked how much it would take and how much it would cost to eliminate the reductions. It was 1.3 million in fire and 1.7 million in police and no one has come to any table. He wants the public to be aware of the City's view and what we have been experiencing during this process.

Mayor Harvey asked Mr. Venning to address the minimum staffing requirements for police and fire according to the National and State Government which he gave them.

Mr. Venning said to clarify that we have recommendations from our own Fire Department listed in work rules dated April 16, 2018 where they put ten as a minimum to their platoons. When you go by the work rules that the Fire Department themselves have created then we are actually meeting those minimums. IAFF has their own recommendations but he is speaking specifically to the minimum that these departments themselves came up with operationally.

Mayor Harvey said that the other question he had was regarding the Budget vote. People are saying do not vote for this Budget and find innovative and creative ways to deal with the money. We have all been in multiple meetings since the Proposed Budget came out and every one of us has been meeting at night looking and going through the numbers to minimize these cuts. People assume that we haven't done that and that we haven't looked at all of the ways to prevent this because they don't want to cut one fireman or police officer. We know how significant the public safety is and it's our number one priority. What is the alternative if the Budget does not pass?

Todd Venning, City Comptroller said that speaking to the fund balance and the solvency of this City what we are really looking at is not having enough money to operate. When the City went insolvent in 2009, we received a loan from OSC because we were essentially bankrupt. They don't allow bankruptcy in New York so OSC gave us a fifteen million dollar loan and he would like everyone to understand that we are still paying on that loan until 2024. He doesn't want to have to go back to OSC and say, *"We did it again. Can you give us another loan when we are not done paying off the first loan?"* The City is not going to go insolvent again and one of the things we have is this excessive personnel and benefits so we are doing everything we can to work with everyone. As he said earlier, in the last forty-five days those conversations have not been had and the other side of the table has been empty. If there is anything that someone would like to contribute solution wise, we are all ears and we have been all ears for forty-five days. We have been meeting with the various departments and what everyone in this City needs to understand is that this would never have been proposed if the situation was not critical. Newburgh has an opportunity right now to pivot, reset and start fixing some of these problems and this is one of the ways we can do it. He can't make anyone come to the table or give concessions but we have to fix this Budget otherwise we are going to become insolvent again very quickly. When we go insolvent you won't have any services because we won't be paying anyone so everyone would leave and find another job. That is the reality and the alternative is much worse. We didn't just wake up and decide to cut fire and police. Everyone who has sent him an e-mail on the Budget has received very clear and transparent answers. We have

responded to people so they know what it is and there is no fluff or fat in this Budget. On the staffing of the Police Department, he said that he would have to defer to the Police Chief because currently there is not a required minimum it just has to be a reasonable level.

Douglas Solomon, Police Chief said they have what is called suggested man power and that is analyzed about every six months with our in-house Crime Analyst. We determine the suggested manpower based on the calls for service and severity as well as times of the day and days of the week. Generally speaking the minimum is five and we analyze it down to the lowest four hour blocks. On the weekends it goes up to seven and for special events it is eight or more. He said that he wasn't part of any discussions regarding the cuts in the Police Department as it relates to our suggested staffing.

City Manager, Joseph Donat said it has been mentioned a few times tonight and over the last forty-five days or so that this is not what he or Todd anticipated when they took the job. It's not what they wanted to do but it's what they need to do. Todd spoke about the insolvency and what is around the corner if action is not taken. None of this is easy or what anyone wants but unfortunately we don't have too many other choices. We have explored every other option available to us and in his mind this is the only way to move forward.

Mayor Harvey said a young woman by the name of Jada Robles wanted to speak about her opportunity to represent the City of Newburgh as Miss New York Teen USA.

Jada Robles said that she has been chosen to represent Newburgh in the upcoming 2020 Miss New York Teen USA Pageant and she is in search of sponsored donations which is a tax deduction. Her ultimate goal is to represent Miss New York State while also being a role model to the community especially girls her age. A year ago she would not have imagined that she would be given this opportunity and she is thankful to represent Newburgh. She will be an example to those who do not believe in themselves that if you love yourself and are confident then you can achieve whatever you put your mind to. With these sponsorship donations she will embrace this version of herself as she continues to grow and mature. She thanked everyone for their support and generosity throughout her journey.

Councilwoman Sofokles said that she has known the Robles family for a long time and she will donate the first \$200.00.

Mayor Harvey told Miss Robles that as Mayor for the City of Newburgh he will donate \$100.00 too and he wished her good luck.

Councilman Grice told Miss Robles that he will help her out also. This month is *No Shave November* for him and he usually donates those funds to a Cancer organization but he will donate them to her instead.

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

Councilman Grice thanked everyone for coming out tonight. There have been some heated discussions which he appreciates. He remembers a time when only a few people would attend these meetings so to see everyone involved and caring is appreciated. He was born and raised here in Newburgh and he grew up on some of the streets mentioned so it offends him when people say how bad our City is. Please do not say things like that because this is a beautiful City. The City Council is excited about the opportunity for a Hotel to come into the City of Newburgh but he doesn't recall any real conversations about that. If there were phone calls that were not returned, he would be upset about that. Our process does need to be better with some things and he has asked for suggestions on how to make it better. The Mayor started an Economic Advisory Committee and they are doing hard work. When we talk about Economic Development it does not happen overnight and there has to be a process to it and it takes some time. We are doing those thing but unfortunately they will not happen by December. He knows that some people in the audience disagreed with what Mr. Venning said but those facts are verifiable and you can research those facts yourself. They were not just made up. The Budget has been very transparent and it's on the City's Website for all to see. We have cut everywhere and he agrees we need to make sure that the departments are working together.

Councilwoman Mejia thanked everyone for coming out tonight. *"This year's budgeting process has been excruciatingly painful and messy and no one on this Council, especially me, is happy with any of the choices that the City Manager has presented us with. The entire process has made clear to me that our system is fundamentally broken. That the checks and balances we believed existed in the executive office around financial reporting, monitoring and auditing do not and have not existed for quite some time and have not protected us. As the policy making body, the Council depends on being presented with accurate financial data and estimates of our revenues and expenses on an annual basis to make responsible budgeting decisions. Unfortunately it is now clear as emphasized by a recently completed financial audit report that we literally just received via presentation earlier this month that this is not the case and that several of our previously approved budgets have been based on false and or grossly misinterpreted data given to us by previous City Managers. Even this year this Council was asked to approve a set of funding decisions by our current City Manager that in hindsight I would not have supported if we had been presented with a more accurate snapshot of our City's fiscal health. The City Manager system was created with an assumption that it would insure our finances and operations would be professionally managed. This legislative body cannot govern effectively if we cannot trust the data coming out of the executive office upon which our decisions are based. While I don't blame our current Comptroller and current City Manager for the decisions of our predecessors I want to make that clear. It is clear to me that this system does not function and I am committed to ensuring much more fiscal accountability from the office moving forward which is why one of my suggestions tonight is to create a Fiscal Oversight Committee chaired by Councilwoman Sofokles but that doesn't help us resolve why we are here this evening. As I said in my opening, we have been presented with some very difficult options by the City Manager tonight. The City Manager has asked us to make some hard choices between taxing our hard working residents and small businesses to oblivion, which I strongly reject, or significantly reducing our expenses and staffing costs. Both of these choices come with difficult tradeoffs none of which I am happy to make tonight. My only consolation and hope*

this evening is that some of the decisions made tonight can be changed in 2020. If we can find a more effective way of containing our overtime costs in the future and responsibly and equitably lowering our tax base in a way that benefits all of our residents. Maybe, just maybe we will get to the point of finally using the overtime line to staff accordingly as I have been advocating for years."

Councilwoman Monteverde said it is tough to follow that and what our Comptroller spoke about. She hopes he made it perfectly clear to everyone that we are not hiding anything. She appreciates all of the comments and said that this is a very difficult position to be in. She doesn't want to lay off anyone. It's hard because everyone has families and responsibilities but we have no other choice but to do this. We can't keep kicking the can down the road and we have to be fiscally responsible so we have to right this ship that has not been going in the right direction for many, many years. She feels that if they do make this decision tonight then they will be on the way to getting the City back on track. This is why she ran and is sitting on this side of the table but it's very difficult.

Councilwoman Rayford thanked everyone for coming out tonight. She ran for this seat four years ago and said that she wasn't a politician but a Preacher so she knew that God sent her here. She knows that God's hand is on this as well. Newburgh is resilient. We have come from a mighty long place where we have thrived and fallen but now it's time to stand up. She thanked the community for coming out and standing up for a place that you love because she knows that she loves Newburgh. Many times she doesn't feel safe being on the Council or being a resident but that won't stop her from helping. She ran with the slogan, "*Lets redeem our City together*" and it takes all of us to do so. People may not have their jobs but she knows that jobs are coming to this area. We have Lego Land, Amazon and Bricks 4 Kids coming and they are paying good salaries. From the time she got on the Council she asked "*What is our City Manager doing?*" She is not talking about Joseph Donat. She is talking about Michael Ciaravino. Many of them have abruptly left their positions and she wonders why. She saw things that the rest of the Council didn't see and she wasn't here to make friends. She wanted her community to know what she knew so she told her community. He created a lot of jobs and she asked him how he was going to afford it but her questions were ignored. She believes that when she leaves this Council they will be more transparent and held accountable for what they do. She trusts that God will bring Newburgh through this hard time so you have to believe that by getting involved and staying in tune.

Councillman Sklars said that he has been in Newburgh for about half a century and prior to that he lived in a small town in Upstate New York where they had a volunteer fire department that was staffed by people who lived and worked close by. On the night of his fire in a large apartment complex they got there very quickly and had no chance of saving the building but they saved many lives that night. He knows what they go through and how hard they work. He entered into this process in early October optimistic that we could do something. There has been talk on both sides of the table about concessions to be made by the fire department or the police department but there is no way to make concessions that will get us out of this because the numbers are too deep. From their perspective over the last six to eight weeks they have worked very hard asking questions on every line of this Budget trying to save money and question how it is being spent and each and every time they received prompt, complete and thorough responses from the Comptroller explaining where we are fiscally and why we have our backs to the wall. We can't tax our way out of

this and he's glad we can't because taxes are already too high. They are in a tough spot right now and they are disappointed that they couldn't have done better.

Councilwoman Sofokles thanked a teacher in the audience and said that her mother worked for the district for many years and did the same thing by making sure the kids were taken care of. Everyone here knows that she is the mother of a NYPD Detective and she worries about him coming home every night. There is not a bone her body or the Council's that wants to lay off police and firemen. She has been crying for a month because this is a terrible situation but everyone has to understand that this City Manager and Comptroller are right on the money. When we started asking questions last year the Comptroller and the City Manager resigned which should tell you a lot. Her mother told her that this has been going on since Urban Renewal with one bad administration after another. The last thing they want to do is layoffs with this new law coming into effect in January where criminals will be released on streets. We are not going to have the police on the streets to take care of this and we are already shorthanded. In regard to the Firemen, they saved her building on Broadway that she owns when there was a fire and they responded within two minutes. How do you comprehend what will happen if we layoff firemen and policemen? This has been weighing on all of them and it's a horrible thing. On a lighter note she congratulated Jada.

Mayor Harvey said that Martin Luther King, Jr. once said, *"The measure of a man is not where he stands in moments of comfort and convenience but where he stands at times of challenge and controversy."* He told all of the firefighters and police officers that he loves them because they are public safety personnel. The reaction he had earlier was a reaction by the Vice President of the IAFF Chapter here in Newburgh because he sat as a Councilman three years ago with three Assistant Fire Chiefs begging them to take the Chief position but that didn't happen. We have all had passionate discussions and he hasn't slept since October. He is in three Unions; the Newburgh Teachers Association, the Screen Actors Guild and he is a CSEA member so he fights with his brothers and sisters in Unions. He thanked all of the teachers who came out tonight because no matter how passionate our debates become we can disagree without being disagreeable. He loves his teaching colleagues because they are all public servants and this is the most difficult decision he has ever had to make. He decided to run for City Council and when he ran in 2015 with Councilwoman Rayford and Jonathan Jacobson they ran as a team for change to make this City a better place for all of us. He is still committed to that and never thought he would have to make a decision like this one tonight. It's for the betterment of this community and all of the people involved whether you live and work here or not because we are all one community. He is not comfortable with this decision. We don't want to lay off one firefighter or police officer but if that's what happens we have already talked about contingency plans. Those police officers and firefighters will be on a preferred list and if we can find those revenue sources in 2020, they will be coming back. He appreciates their services and all that they do every day. There are times when we have all stood side by side each other, shaking hands, hugging, laughing and talking about how the City of Newburgh is improving. Where we were and where we are now are totally different than where we are going to be in the near future. There is a bright future for this City so we just have to work together, put our differences aside and know that no one wants to make this decision.

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

CITY MANAGER'S REPORT

Ordinance No. 10 - 2019 Amending Chapter 163 Titled "Fees"

Councilwoman Rayford moved and Councilman Grice seconded.

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

Nays: Mejia-1

Adopted

Local law No. 3 - 2019 - Authorizing a property tax levy in excess of the GML Section 3-c limit

Mayor Harvey said that at the Work Session they received clarification on these matters. If this Local Law is not passed, it forces us to the two percent tax cap and at the same time if we go over that tax cap with the Budget then we are subject to heavy penalties and will have major problems. As it stands now, the non-homestead taxes will decrease 2.5% with the City Managers Proposed Budget. We also had an opportunity for a 2% decrease in homestead but the majority of the Council didn't think it was right to have a 2% decrease and a 6% increase for non-homestead. To share the burden a little bit as it stands now in the City Manager's Budget if it passes tonight there will be a .25% decrease in homestead taxes and an increase for non-homestead of 4.26%. At the Work Session Councilman Grice asked for the non-homestead properties to be defined and make clarification between non-homestead and homestead. Non-homestead properties are one, two and three family properties. If you do not live in this City and you own a structure that is one, two or three family, you are still homestead and you will get a decrease in your taxes. If you own property that is four family or more then you are non-homestead because it's a multi-family unit. If you own a property where there is a commercial business and rentals that is also non-homestead. He needed that clarification because people assume that if you don't live in the City and you own a rental property then your property is non-homestead which is not true.

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 287 - 2019 - To certify base percentages and base proportions under RPTL Article 19

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution 288 - 2019 - Adopting the FY2020 budget

Councilwoman Rayford moved and Councilman Grice seconded.

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

Nays: Sofokles-1

Adopted

Resolution No. 289 - 2019 - Passport Labs Contract Amendment #1

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 290 - 2019 - Lease Agreement Ricoh copiers

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 291 - 2019 - Surplus of IT equipment

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 292 - 2019 - 93 Hasbrouck Street - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 293 - 2019 - 221 City Terrace - Releases of Restrictive Covenants

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 294 - 2019 - 7 Locust Street - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 295 - 219 - 100 Courtney Avenue - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 296 - 2019 - 120 Johnston Street - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 297 - 2019 - 45 Robinson Avenue - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 298 - 2019 - 110 Johnston Street - Release of Restrictive Covenants

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 299 - 2019 - Tax Foreclosed Property Liability Insurance Renewal

Councilwoman Rayford moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 300 - 2019 - SAM Grant Project#19385 Purchase of a Fire Dept. Ladder Truck
\$950k

Councilwoman Rayford moved and Councilman Grice seconded.

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

Nays: Mejia-1

Adopted

Resolution No. 301 - 2019 - Apply for and Accept if Awarded entrance into the New York State
Anti-displacement Learning Network, Phase 1

Councilwoman Rayford said this is for a Grant but the amount is not listed.

Michelle Kelson, Corporation Counsel said this is phase one of a multi part program and there is no grant funding associated with this. You have to go through the training process and then in the next phase if the City is invited to continue there will be opportunities for funding.

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 302 - 2019 - 2019 DEC Urban & Community Forestry Grant

Councilwoman Rayford moved and Councilman Grice seconded.

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

Adopted

Resolution No. 303 - 2019 - To reappoint Chuck Thomas to the CAC

Councilwoman Rayford moved and Councilwoman Sofokles seconded.

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

Adopted

NEW BUSINESS

There was no new business to discuss.

OLD BUSINESS

Councilwoman Rayford asked about the Forensic Audit and understands they are going to wait for 2020 to present the Operational Audit. She would like to see if they could put that on the table tonight and vote for that Operational Audit because the public needs this as soon as possible.

Mayor Harvey asked Corporation Counsel to please advise the Council on that.

Michelle Kelson, Corporation Counsel said that the rules do permit items to be addressed if they are not on the Work Session but the Council has to accept the offer of the proposal.

Councilwoman Sofokles said we were going to do this Operational Audit but have to find out if we can get it. We can't just vote on something that we don't know for sure the Comptroller is going to do.

Joseph Donat, City Manager said that is correct. There could be a resolution in support of this but we would need more details than we have available to us at this time.

Mayor Harvey said that there is a motion on the table to support an Operational Audit for fiscal year 2020 in our public safety departments and we are going to take a vote. As Councilwoman Sofokles mentioned we have not yet had communication with the State Comptroller's Office for a possible Operational Audit at no cost to us. If not then he believes that the City Council is in agreement with looking into the proper protocol to pay for an Operational Audit so we can get a full staffing analysis and a full report on ways that the police and fire departments could minimize overtime.

Councilwoman Rayford said she would also like to include the investigation of the former City Manager who left abruptly. She is quite sure that many things transpired to where people felt uncomfortable performing at their best because of the threat of losing their jobs under his authority.

Mayor Harvey said that there was a request made to the District Attorney's Office toward the end of the former City Manager's tenure for an investigation. Some of those matters commenced and the District Attorney's Office concluded that there wasn't enough to pursue any criminal behavior.

Michelle Kelson, Corporation Counsel said that documents were submitted to the District Attorney's Office but they will not confirm or deny if they are actually investigating anything. She has not heard anything further so she can't confirm or deny what the District Attorney's Office did or did not do.

Councilwoman Rayford said her concern is that the Council was aware that he was not here in the City of Newburgh on many days when he should have been. Even the City employees did not know he was out of town taking days off without deducting accrued time. Those are taxpayer's dollars and they should know as well as the City Council.

Mayor Harvey said that there is a motion on the table to support an Operational Audit on

public safety. Anything regarding former employees probably needs to be discussed through our legal department on what can or cannot be done regarding that.

Councilwoman Rayford agreed but she would like to go ahead with the public safety operational audit. If she is not here she hopes that the Council and the community will try to find out how long this mismanagement and neglect of manning has been going on in our City.

Councilman Grice said he is a little confused. This motion was brought to the table to support an Operational Audit and the other item that Councilwoman Rayford spoke about is a separate item.

Councilwoman Sofokles said we are just voting to pursue it and support it and go forward to the Comptroller's Office to ask them to do it because we don't have the money to pay for it. A Forensic Audit would cost money and she understands it's a separate issue so we are voting to pursue the option to do an Operational Audit on overtime.

Councilman Grice moved and Councilwoman Rayford seconded the confirmation of an Operational Audit for fiscal year 2020.

Ayes: Grice, Mejia, Monteverde, Rayford, Sklarz, Sofokles, Harvey – 7
CARRIED

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice said that October 15th was the day we got the Budget and we haven't slept since then. We cut the Budget to the bone and we looked at everything so this was a tough decision but we made it. He appreciates everyone on the Council and noticed fellow Councilwoman Eugenie Abrams in the audience. When he answers with "aye" it is in honor of her and her tenure with the City.

Councilwoman Mejia said that many of us are at a loss for words and this was probably the most difficult vote she has had to make. She had flashbacks of one of our past budget meetings that went on past midnight and this one was by far tougher than that. She is sick to her stomach but wants to end on the fact that she asked Councilwoman Sofokles about a Fiscal Committee because she thinks we need that and we need to support the numbers that the Comptroller is working with. She thinks it's fitting that it be chaired by her and we will have to figure out the structure of it. The things they have fought so hard for to establish checks and balances have failed. This is what we can do moving forward to reset and restart as it was stated earlier. She is going to keep harping on the overtime until that Committee comes back with having redone the overtime amounts. She understands that overtime is part of our lives and she is not saying do away with it but if we are already spending 1.4 million in overtime why not take \$400,000.00 for overtime and use the other million for proper staffing. It's just basic math so she hopes with new leadership and energy to move forward that we can do that for 2020. She doesn't want to be in this same place next year when having our Budget discussions. For the headline tomorrow our media will say, "*Here we go again, this is Newburgh.*" It's very disappointing when she

sees other elected officials, especially from the County, putting in their two cents at the eleventh hour. This is not an easy decision and we didn't come to it lightly but when you engage in that back and forth and don't propose solutions when you have access to the very things we are asking for. We are a professional multi county wide fire department and police department so they are asking for assistance and she hopes that tone changes. Brace for the story in the headlines tomorrow because that's not the story that we are going to paint.

Councilwoman Monteverde said that before tonight's meeting she received an email from a Legislator at the eleventh hour asking if there was any possible way to rethink this and save both departments and she thought to herself, where were you two weeks ago? It's a little too late. We got a lot of information during this process but we didn't get enough information when we should have. To get the Budgets on October 15th is not enough time. This is a big Budget and it is extremely difficult to go through. She likes the idea of a Fiscal Committee to oversee and make sure there are checks and balances. She is in support of doing something because we have to keep track and we have to have accountability with the overtime so we need to look at patterns as to why this is happening. We need that data from the police and fire departments and we need to know how they are manning their departments and why we are going into overtime. People are saying that nobody listens to them so she would like to start listening to them and putting their ideas to work. Maybe we have to create a Committee to meet and talk because it's going to take a community to get us ahead. As difficult as this was, we now need to roll up our sleeves as we have hard work to do. We welcome businesses and developers and we go above and beyond to make sure that they succeed.

Councilwoman Rayford thanked Mr. Joseph Donat and Mr. Todd Venning for what they have seen and are trying to fix as well as their honesty and integrity. She knows that the numbers given to the Council in the past few years weren't the real numbers and they have allowed the Council to see the things that they see and not push away or disrespect the Council. With the past City Manager we were disrespected and not inclusive and numbers were dummed up to make it look good when it really wasn't. She also thanked Michelle Kelson and her staff for their hard work. Throughout the years she has seen Michelle work tirelessly and she knows that she loves Newburgh. God bless all of you who have stayed here in the City of Newburgh. She thanked George Garrison and the entire City staff because she doesn't believe they are in it just for a paycheck. She thanked the Council because she may not have the opportunity to do so again. They have talked about accountability and transparency and they see it right here on this Council. When it comes down to the business of Newburgh all hands are on deck and we want honesty so we can help one another. Our hearts are in it for the people so we can thrive and be that example. They put us down for so long that we said no more. It's time to rise up. God bless you.

Councilman Sklarz thanked everyone for coming and staying tonight. The information we received tonight and the feedback that we received was difficult to hear but helpful. He thanked Todd because as he spoke tonight he looked around the room and saw lights go on. You finally got the realization across of where we are and how difficult a decision this was to make. It's been a very long and painful night.

Councilwoman Sofokles concurred with what Councilman Sklarz said. When Councilwoman Mejia suggested the Fiscal Committee to her she said that she would love

to work with Todd once in a while because she feels she could learn a lot. The answers he gave everyone tonight cleared up so much for all of us because he was so right on about everything. The same thing with the City Manager too. They couldn't give us too much earlier because they were cleaning up audits that hadn't been for years. She respects that he got all of that done and still presented a Budget that we might not all be happy with but what are we going to do? It is what it is. When Todd spoke no one was making a sound because he said what we all needed to hear. She would love to meet with him and looks forward to learning about budgets. She appreciates all of the department heads because they all have a tough job. We will survive this.

Mayor Harvey thanked everyone for coming out tonight. He has never been so hurt and torn with a decision in his life. As Councilwoman Mejia said he has a sick stomach right now. He told our City Manager that he is the real deal and he thanked him for his hard work and efforts. He told Todd Venning that he has never seen anyone move numbers the way he does. He has proven that numbers don't lie over and over again. When he walked into this office he told us that 2016 was filed but it was so botched up that it wouldn't align with 2017 so it wasn't even submitted and that's a mandatory annual document that has to go to the New York State Comptroller's Office. 2018 hadn't even been started so when Mr. Venning told us all about this he already knew this City was on its way to being turned around. There is so much intellectual power on this City Council and in the Executive Office. Wayne, Jason, Nick, Chief Horton, George Garrison, Chief Solomon, Ali Church and every single person on this team is a super hero. Every person in this organization is amazing and we have an A team. We are going to make the firefighters and police officers whole and we are not going to stop until we restore our public safety so he is committed to that. When we find those revenue sources in 2020 we are bringing those brothers and sisters back from that preferred list. We had a few bad apples and we have done some movement so now we are ready to rock and roll. 2020 is going to be a new Newburgh and we are going to turn this City around. Revitalization is going to happen. He said that Ms. Kelson is one of the best attorneys he has ever worked with in his entire life and that legal department is amazing. People don't know that Todd Venning is not only a numbers man but he has a Doctorate from a Law School so he is a trained Lawyer. We have a lot of intellectual power with the two Lawyers in our Legal Department, Todd Venning, our City Manager and our leadership staff so you haven't seen nothing yet. It's going to be a new Newburgh.

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

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 10:06 p.m.

LORENE VITEK
CITY CLERK

ORDINANCE NO.: 10 - 2019

OF

NOVEMBER 21, 2019

AN ORDINANCE AMENDING CHAPTER 163 ENTITLED "FEES" OF THE CODE
OF THE CITY OF NEWBURGH

BE IT ORDAINED by the City Council of the City of Newburgh that:

Section 1. Chapter 163 entitled "Fees" of the Code of the City of Newburgh be and hereby is amended as follows:

§ 163-1. Applicability.

Notwithstanding any other provision in this Code, the following schedule of fees is hereby established with respect to licenses, permits, registrations, applications, subscriptions and activities required or regulated under the provisions of the Code of the City of Newburgh. Specific requirements and regulations shall be as set forth in the chapter to which reference is made below. The following schedule of fees shall remain in effect until rescinded or amended.

Code Section	Type of Fee	Amount
§ 293-38	Quarterly metered water rates per 1,000 gallons	
	First 1,000 gallons	Inside City: \$6.127 <u>6.44</u> Outside City: \$9.196 <u>9.66</u>
	Additional usage	Flat rate of \$6.127 <u>6.44</u> (\$9.196 <u>9.66</u> outside City) per 1,000 gallons
	Minimum quarterly charge:	
	Meter Size	Gallons Allowed
	(inches)	Inside City
		Outside City
	+5/8	6,000
		\$36.76 <u>38.64</u>
	+5/8	9,000
		\$82.76 <u>86.94</u>
	3/4	14,000
		\$85.78 <u>90.16</u>
	1	24,000
		\$147.05 <u>154.56</u>
		\$220.70 <u>231.84</u>

Underlining denotes additions

~~Strikethrough~~ denotes deletions

1 1/2	42,000	\$257.33 <u>270.48</u>	\$386.23 <u>405.72</u>
2	83,000	\$508.54 <u>534.52</u>	\$763.27 <u>801.78</u>
3	120,000	\$735.24 <u>772.80</u>	\$1,103.52 <u>1,159.20</u>
4	180,000	\$1,102.86 <u>\$1,159.20</u>	\$1,665.28 <u>1,738.80</u>
6	315,000	\$1,930.01 <u>2,028.60</u>	\$2,896.74 <u>3,042.90</u>
8	675,000	\$4,135.73 <u>4,347.00</u>	\$6,207.30 <u>\$6,520.50</u>

A surcharge shall be added to the above charges for water services in the amount of 14%. This extra charge is made for the purpose of financing the cost of obtaining water from the New York City Aqueduct. Such surcharge shall be effective on October 1, 1981, and shall continue to be made in every quarterly billing period in which any water is taken from the Aqueduct tap.

Section 2. This Ordinance shall take effect on January 1, 2020.

Underlining denotes additions
~~Strikethrough~~ denotes deletions

LOCAL LAW NO.: 3 - 2019

OF

NOVEMBER 21, 2019

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c**

BE IT ENACTED by the City Council of the City of Newburgh as follows:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to allow the City of Newburgh to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

SECTION 2. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The City Council of the City of Newburgh, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

SECTION 4. SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO.: 287 -2019

OF

NOVEMBER 21, 2019

A RESOLUTION TO CERTIFY THE BASE PERCENTAGES, CURRENT
PERCENTAGES, CURRENT BASE PROPORTIONS AND
ADJUSTED BASE PROPORTIONS UNDER THE HOMESTEAD
OPTION OF ARTICLE 19 OF THE REAL PROPERTY TAX LAW OF
THE STATE OF NEW YORK

BE IT RESOLVED, by the Council of the City of Newburgh, New York, that this Council does hereby certify the base percentages, current percentages, current base proportions and the adjusted base proportions as set forth on the annexed certificates, pursuant to Article 19 of the Real Property Tax Law of the State of New York.

RESOLUTION NO.: 288 - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION ADOPTING THE BUDGET
FOR THE FISCAL YEAR 2020**

WHEREAS, the City Manager, on October 15, 2019, submitted to the City Council of the City of Newburgh, New York, a detailed estimate, including the "Manager's Proposed Fiscal Year 2020 Budget" and the "Manager's Proposed Personnel Analysis Book" of same date, of revenues and expenditures necessary and proper for all municipal activities accounted for in the General, Water, Sewer, Sanitation and Self-Insurance Funds during the fiscal year of 2020; and

WHEREAS, such detailed estimates have been filed in the City Clerk's Office as required by the Charter of the City of Newburgh so that said estimates may be inspected by anyone interested, and a public hearing was held on November 12, 2019 in reference to said estimates for any item thereof; and

WHEREAS, the Council has made such changes, alteration, corrections and amendments to the said budget as it appears to said Council to be proper, including incorporating such changes as deemed necessary in response to the New York State Office of the State Comptroller's budget review report #B19-6-11 dated November 15, 2019; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Newburgh, New York does hereby approve, determine and adopts the budget for the year 2020 as appears in the annexed "City Council Adopted Fiscal Year 2020 Budget" on November 21, 2019; and

BE IT FURTHER RESOLVED, that the sum of \$22,184,692 be levied and raised on account of City taxes for the year 2020 on all the taxable property in the City of Newburgh according to the valuation of the last assessment roll of said City for State, County and City purposes, being \$570,726,881 for Homestead Properties and \$393,605,603 for Non-Homestead Properties, including special franchise assessments, in accordance with the Real Property Tax Law of the State of New York; and

BE IT FURTHER RESOLVED, that the City Collector is authorized and directed to cause said amount of \$22,184,692 to be extended and apportioned and adjusted on said assessment roll at \$19.606286 for Homestead Properties and \$27.933692 for Non-Homestead Properties on every \$1,000 of taxable real property, including special franchise assessments; and

BE IT FURTHER RESOLVED, that the required sewer, water and sanitation fees for the taxable and non-taxable properties for the year 2020 is as set forth in Section 163-1 of the City Code of Ordinances; and

BE IT FURTHER RESOLVED, that the City Collector is authorized and directed to cause any and all amounts reported as omitted taxes to be levied against the real property subject to said omitted taxes and to cause the amounts reported by the City Collector as overdue and unpaid water rents, sewer rents and sanitation user fees, and unpaid charges of property abatement, with the interest and penalties thereon, to be added to the tax levied against the real property for which or in connection with which such water, sewer and sanitation was provided; and

BE IT FURTHER RESOLVED, that said City tax roll shall be delivered to the City Collector on the 2nd day of January 2020, signed by the City Manager and under the seal of the City, directing and commanding said City Collector to receive and collect in the manner provided by the law for the levying and collecting of County taxes by City Collectors, these several amounts in the roll specified as against the persons or property therein mentioned and described, and that said warrant shall direct the City Collector to collect said assessments in four equal installments as follows:

The first installment commencing on the 2nd day of January 2020, and collect up to and including the 5th day of February 2020, without fees, and to add 5% from the 6th day of February 2020, up to and including the 31st day of March 2020.

The second installment commencing on the 1st day of March 2020, and collect up to and including the 6th day of April 2020, without fees, and to add 5% from the 7th day of April 2020, up to and including the 30th day of May 2020.

The third installment commencing on the 1st day of May 2020, and collect up to and including the 5th day of June 2020, without fees, and to add 5% from the 6th day of June 2020, up to and including the 30th day of July, 2020.

The fourth installment commencing on the 1st day of July 2019, and collect up to and including the 5th day of August 2020, without fees, and to add 5% from the 6th day of August 2020, up to and including the 1st day of October, 2020.

In addition, thereto, for all late payments remaining unpaid for ninety (90) days after the first date designated for the collection of same, there shall be added an additional penalty in the amount of 10% per annum computed from said first date of collection; and

BE IT FURTHER RESOLVED, that the amounts, when collected, be deposited daily with the Key Bank of NY, N.A., Chase, TD Bank, Sterling National Bank, or in any of the said banks in compliance with the requirements set forth in the Newburgh Fiscal Recovery Act by said City Comptroller and credited and applied to the several respective funds and accounts as stated in the Adopted Budget for taxes now confirmed and approved by said City Council, including credit balances heretofore appropriated.

RESOLUTION NO.: 289 - 2019

OF

NOVEMBER 21, 2019

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENT NO. 1
WITH PASSPORT LABS, INC. FOR MUNICIPAL PARKING SERVICES
AND RELATED EQUIPMENT

WHEREAS, by Resolution No. 195-2019, the City Council of the City of Newburgh authorized the City Manager to enter into an agreement to upgrade its technology related to municipal parking services and enforcement with Passport Labs, Inc.; and

WHEREAS, additional services are required to address parking violations for non-New York State residents; and

WHEREAS, Passport has submitted Amendment No. 1 to address the fee structure for collecting fines from non-New York State residents and this Council finds that signing Amendment No. 1 is in the best interests of the City of Newburgh; and

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 Amendment No. 1 with Passport Labs, Inc. for municipal parking services and enforcement, said amendment addressing the fee structure for collecting fines from non-New York State residents.

RESOLUTION NO.: 290 - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A COPIER LEASE AGREEMENT RENEWAL WITH RICOH USA, INC.
FOR CITY HALL, CITY CLERK AND THE WATER DEPARTMENT
AT A COST OF \$637.66 PER MONTH FOR A PERIOD OF 36 MONTHS**

WHEREAS, the City of Newburgh's City Hall, City Clerk and Water Department are in need of new lease agreements for copiers to perform their statutory duties, assigned tasks and day-to-day operations; and

WHEREAS, a review of available equipment and systems has determined that a renewal agreement with RICOH USA, Inc. is the most appropriate and cost-effective alternative; and

WHEREAS, the total cost of the copiers and related equipment is \$637.66 per month for a period of 36 months; and

WHEREAS, such funds are established and shall be derived from Budget Line A.1670.0400—Central Printing and Mailing; and

WHEREAS, a copy of said Lease Agreement is attached hereto; and

WHEREAS, this Council has reviewed such agreement and has determined that it is in the best interests of the City of Newburgh to enter into such agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to execute a Lease Agreement with RICOH USA, Inc. in substantially the same form as annexed hereto for copiers and related services according to the terms therein stated at the cost of \$637.66 per month for 36 months.

RESOLUTION NO.: _____291_____ - 2019

OF

NOVEMBER 21, 2019

A RESOLUTION DECLARING 22 DESKTOP COMPUTERS
AND 19 MONITOR SCREENS AS SURPLUS AND
AUTHORIZING DISPOSITION PURSUANT TO THE CITY OF NEWBURGH'S
SURPLUS PROPERTY DISPOSITION POLICY AND PROCEDURE

WHEREAS, the City of Newburgh IT Department has reported that it is in possession of 22 desktop computers and 19 monitor screens that are of no use by the City of Newburgh; and

WHEREAS, the IT Department has requested that the computer equipment be designated as surplus and sold; and

WHEREAS, the City Council has determined that declaring the computer equipment as surplus is in the best interests of the City of Newburgh; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the desktop computers and monitors identified on the schedule attached hereto and made part hereof are hereby declared to be surplus and of no further use or value to the City of Newburgh; and

BE IT FURTHER RESOLVED, that the City Manager and/or City Comptroller be and they are hereby authorized to execute any required documents and conduct all necessary transactions to dispose of said surplus desktop computers and monitors in accordance with the City of Newburgh's Surplus Property Disposition Policy and Procedure adopted by Resolution No. 174-2014 of July 14, 2014.

RESOLUTION NO.: 292-2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO J & J PARTNERS REALTY, LLC TO THE PREMISES KNOWN AS
93 HASBROUCK STREET (SECTION 38, BLOCK 5, LOT 7)

WHEREAS, on March 12, 2018, the City of Newburgh conveyed property located at 93 Hasbrouck Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 38, Block 5, Lot 7, to J & J Partners Realty, LLC; and

WHEREAS, a member of J & J Partners Realty, LLC has requested a release of the restrictive covenants contained in said deed; 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.

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 93 Hasbrouck Street, Section 38, Block 5, Lot 7 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 March 12, 2018, from THE CITY OF NEWBURGH to J & J PARTNERS REALTY, LLC, recorded in the Orange County Clerk's Office on April 5, 2018, in Liber 14383 of Deeds at Page 1732 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: 293 -2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO JOSE A. GUADRON TO THE PREMISES KNOWN AS
221 CITY TERRACE (SECTION 17, BLOCK 7, LOT 10)

WHEREAS, on August 22, 2018, the City of Newburgh conveyed property located at 221 City Terrace, being more accurately described on the official Tax Map of the City of Newburgh as Section 17, Block 7, Lot 10, to Jose A. Guadron; and

WHEREAS, Mr. Guadron has requested a partial release of the restrictive covenants contained in said deed; 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 partial release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

PARTIAL RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 221 City Terrace, Section 17, Block 7, Lot 10 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 August 22, 2018, from THE CITY OF NEWBURGH to JOSE A. GUADRON, recorded in the Orange County Clerk's Office on August 27, 2018, in Liber 14451 of Deeds at Page 787 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: 294-2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO JIMMY R. MERA TO THE PREMISES KNOWN AS
7 LOCUST STREET (SECTION 25, BLOCK 5, LOT 18)

WHEREAS, on February 26, 2018, the City of Newburgh conveyed property located at 7 Locust Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 25, Block 5, Lot 18, to Jimmy R. Mera; and

WHEREAS, Mr. Mera has requested a partial release of the restrictive covenants contained in said deed; 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 partial release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

PARTIAL RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 7 Locust Street, Section 25, Block 5, Lot 18 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 February 26, 2018, from THE CITY OF NEWBURGH to JIMMY R. MERA, recorded in the Orange County Clerk's Office on March 22, 2018, in Liber 14378 of Deeds at Page 824 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: 295-2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO AAMIR MUMTAZ TO THE PREMISES KNOWN AS
100 COURTNEY AVENUE (SECTION 48, BLOCK 1, LOT 27)

WHEREAS, on April 10, 2017, the City of Newburgh conveyed property located at 100 Courtney Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 48, Block 1, Lot 27, to Aamir Mumtaz; and

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

WHEREAS, it has been determined that such release be granted; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh 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.

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 100 Courtney Avenue, (Section 48, Block 1, Lot 27) 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 April 10, 2017 from THE CITY OF NEWBURGH to Aamir Muntaz, recorded in the Orange County Clerk's Office on May 3, 2017, in Liber 14266 of Deeds at Page 1602 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RECORD & RETURN TO:

RESOLUTION NO.: ____296__-2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO 120 JOHNSTON, LLC TO THE PREMISES KNOWN AS
120 JOHNSTON STREET (SECTION 18, BLOCK 10, LOT 1.2)

WHEREAS, on June 12, 2015, the City of Newburgh conveyed property located at 120 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 10, Lot 1.2, to 120 Johnston, LLC; and

WHEREAS, a member of 120 Johnston, LLC has requested a release of the restrictive covenants contained in said deed; 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.

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 120 Johnston Street, Section 18, Block 10, Lot 1.2 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 June 12, 2015, from THE CITY OF NEWBURGH to 120 JOHNSTON, LLC, recorded in the Orange County Clerk's Office on July 1, 2015, in Liber 13914 of Deeds at Page 1311 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: _____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: ____297____-2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO RAMON SOLIS AND TELMA BARILLAS TO THE PREMISES
KNOWN AS 45 ROBINSON AVENUE (SECTION 28, BLOCK 2, LOT 7)

WHEREAS, on November 21, 2016, the City of Newburgh conveyed property located at 45 Robinson Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 28, Block 2, Lot 7, to Telma Barillas and Ramon Solis; and

WHEREAS, Mr. Solis and Ms. Barillas have requested a partial release of the restrictive covenants contained in said deed; 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 partial release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

PARTIAL RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 45 Robinson Avenue, Section 28, Block 2, Lot 7 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 21, 2016, from THE CITY OF NEWBURGH to TELMA BARILLAS AND RAMON SOLIS, recorded in the Orange County Clerk's Office on February 22, 2017, in Liber 14185 of Deeds at Page 1558 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: 298 -2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO JUAN GALAVIZ (A/K/A JUAN G. GALAVIZ) TO THE PREMISES
KNOWN AS 110 JOHNSTON STREET (SECTION 18, BLOCK 10, LOT 11)

WHEREAS, on February 1, 2018, the City of Newburgh conveyed property located at 110 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 10, Lot 11, to Juan Galaviz (a/k/a Juan G. Galaviz); and

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

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 110 Johnston Street, Section 18, Block 10, Lot 11 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 February 1, 2018, from THE CITY OF NEWBURGH to JUAN GALAVIZ (a/k/a JUAN G. GALAVIZ), recorded in the Orange County Clerk's Office on February 14, 2018, in Liber 14362 of Deeds at Page 775 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2019

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2019

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

On the ____ day of _____ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: 299 - 2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING APPROVAL OF A GENERAL LIABILITY INSURANCE
POLICY FOR CITY-OWNED TAX FORECLOSED PROPERTIES FOR THE PERIOD OF
NOVEMBER 27, 2019 TO NOVEMBER 26, 2020

WHEREAS, the City of Newburgh has maintained general liability insurance coverage for City-owned tax-foreclosed properties since 2010; and

WHEREAS, Arthur J. Gallagher of New York, Inc. has recommended a renewal of liability insurance coverage for Fiscal Year 2019-2020;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Newburgh, New York hereby approves the insurance coverage for the term beginning November 27, 2019 through November 26, 2020 with all liability insurance to be provided by Scottsdale Insurance Company; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to execute agreements with Arthur J. Gallagher of New York, Inc. to provide for insurance coverage for the City-owned tax foreclosed properties for the period of November 27, 2019 to November 26, 2020.

RESOLUTION NO.: 300 - 2019

OF

NOVEMBER 21, 2019

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT
A DASNY STATE AND MUNICIPAL FACILITIES PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$950,000.00 TO PURCHASE A LADDER TRUCK
FOR THE CITY OF NEWBURGH FIRE DEPARTMENT

WHEREAS, the City of Newburgh was awarded a 2019 State and Municipal Facilities Program Grant administered through the Dormitory Authority of the State of New York State to purchase a ladder truck for the City of Newburgh Fire Department; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to accept a State and Municipal Facilities Program Grant administered by the Dormitory Authority of the State of New York (Project ID: 19385) in the amount of \$950,000.00 to purchase a ladder truck for the City of Newburgh Fire Department; and

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

RESOLUTION NO.: 301 - 2019

OF

NOVEMBER 21, 2019

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED ENTRANCE INTO
THE NEW YORK STATE ANTI-DISPLACEMENT LEARNING NETWORK PHASE I
FROM ENTERPRISE COMMUNITY PARTNERS AND
THE OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL

WHEREAS, Resident displacement is a significant contributor to destabilizing communities, occurs in strong and weak housing markets, can be caused by a variety of triggers, including gentrification, limited supply of quality rental housing, and tax foreclosures, can be exacerbated by local code enforcement and housing policies and disproportionately harms low-income communities, under-resourced, marginalized, and communities of color, causing lasting impacts on poverty and economic mobility and overall community well-being, and when low-income people of color are displaced from communities, research shows emerging patterns of re-segregation perpetuating racial and economic inequity; and

WHEREAS, Enterprise Community Partners, Inc. and the New York State Attorney General seek to support efforts of local government that wish to reduce or prevent the displacement of low-income communities through peer learning and funding of targeted strategies and welcomes applications from municipalities that have identified displacement triggers that push low income people, people of color, and other vulnerable populations out of their homes or neighborhoods; and

WHEREAS, Enterprise Community Partners, Inc., will provide technical assistance and peer-to-peer learning on anti-displacement strategies for up to 10 applicants in which each participant will join a peer learning exchange on a bi-weekly basis for 3 months, receive one-on-one technical support, and provide the opportunity to apply for grant funding of up to \$1million to implement a strategy that will have significant positive impact; and

WHEREAS, the City of Newburgh wishes to apply for and accept entrance into the New York State Anti-Displacement Learning Network Phase 1 from the Office of the New York State Attorney General and Enterprise Community Partners, Inc.;

WHEREAS, this Council has determined that making such application and accepting entrance into such program if awarded is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept entrance into the New York State Anti-Displacement Learning Network Phase 1 from the Office of the New York State Attorney General and Enterprise Community Partners, Inc.; and that the City Manager is authorized to execute all such documentation and take such further actions as may be appropriate and necessary to accept such entrance and administer the programs funded thereby.

RESOLUTION NO.: 302 - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
IF AWARDED A NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION 2019 URBAN AND COMMUNITY FORESTRY PROGRAM GRANT
IN THE AMOUNT OF \$40,000.00 WITH A 25% MATCH FOR TREE MAINTENANCE**

WHEREAS, the Conservation Advisory Council ("CAC") has requested that the City of Newburgh apply for and accept if awarded a New York State Department of Environmental Conservation 2019 Urban and Community Forestry ("UCF") Program Grant to be located within the territorial jurisdiction of the City Council of the City of Newburgh for tree maintenance projects in the amount of \$40,000.00; and

WHEREAS, such grant funds will be used to engage an arborist company to implement high risk tree removal, trimming and other maintenance activities for one year and match will be derived from in-kind services of the Department of Public Works, Grants Administrator and City equipment and CAC volunteers; and

WHEREAS, as a requirement of the UCF program, the CAC must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located;" 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 further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York hereby does approve and endorse the application of City of Newburgh and City of Newburgh Conservation Advisory Council for a grant under the Urban and Community Forestry Program for a project known as Tree Maintenance and located within this community; and

BE IT FURTHER 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 Department of Environmental Conservation 2019 Urban and Community Forestry Program Grant in the amount of \$40,000.00 with a 25% match to be derived from in-kind services for tree maintenance, with thanks to the Conservation Advisory Council; 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.: 303 -2019

OF

NOVEMBER 21, 2019

A RESOLUTION RE-APPOINTING CHUCK THOMAS TO
THE CONSERVATION ADVISORY COUNCIL FOR A TWO YEAR TERM

WHEREAS, the City Council of the City of Newburgh adopted Local Law No. 1-2013 of August 19, 2013 which added new Chapter 159 of the City Code of Ordinances entitled "Conservation Advisory Council"; and

WHEREAS, Chapter 159 provides for a seven-member Conservation Advisory Council, the members of which are appointed for terms of two years; and

WHEREAS, the two-year term of Chuck Thomas expires on November 30, 2019 and he wishes to continue to serve a new two-year term; 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 Chuck Thomas be and hereby is re-appointed to the Conservation Advisory Council for a two (2) year term commencing December 1, 2019 and ending on November 30, 2021.