

A regular meeting of the City Council of the City of Newburgh was held on Monday, February 10, 2020 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Moment of Silence/ Momento de Silencio

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

Pledge of Allegiance/ Juramento a la Alianza

Roll Call/ Lista de Asistencia

Present: Mayor Harvey, presiding; Councilman Grice, Councilwoman Mejia, Councilwoman Monteverde, Councilman Shakur, Councilman Sklarz, Councilwoman Sofokles - 7

COMMUNICATIONS

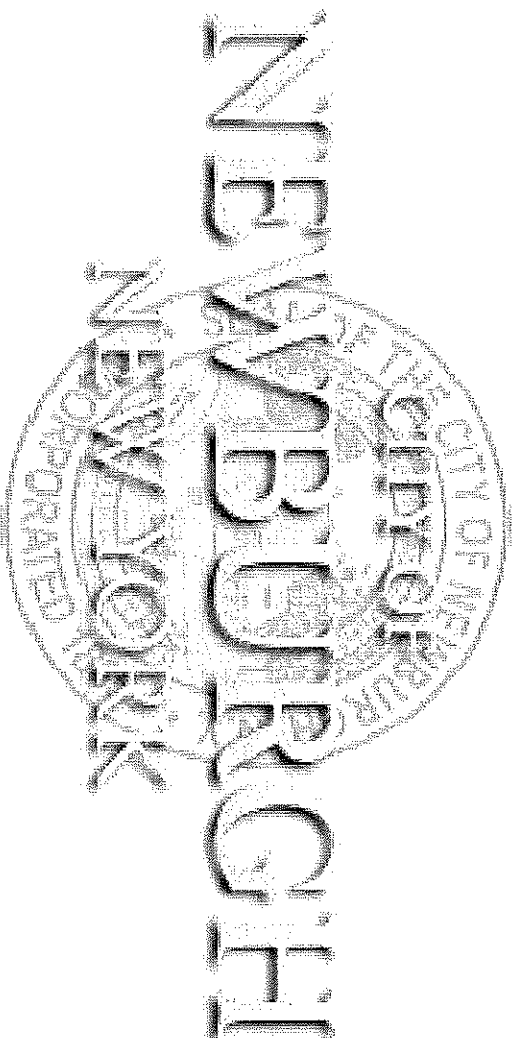
Approval of the Minutes of the City Council Meeting on January 27, 2020

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

CARRIED

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



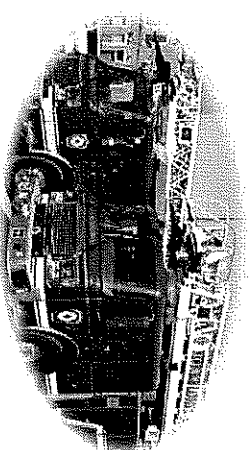
City Manager's Update

Newburgh City Council Meeting

Monday, February 10, 2020



Newburgh Fire Department Year End Summary



Calls for Service

2,797 Total

- Rescue calls 796
- Service calls 770
- False alarms 680
- Hazardous conditions 281
- Good intent calls 139
- Fires total 115

Mutual Aid

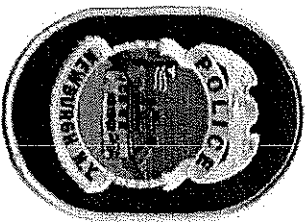
- | | |
|--------------------------|-----|
| • Calls for Mutual Aid | 46 |
| • Total Time MA provided | 133 |
| • Mutual Aid Received | 10 |
| • Total Companies Called | 34 |
| • Total Time MA used | 230 |

Incidents

- 61 were building fires which resulted in the loss of property or injuries.
- 1 civilian fire death in February 2019
- 5 firefighter ground injuries that resulted in lost time
- 12 hazardous material exposure incidents

Requests for Mutual Aid totaled 46 assignments, most occurring in the Towns of Newburgh and New Windsor.

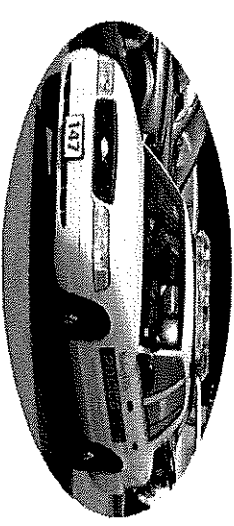
The City requested and received Mutual Aid 10 times with resources typically coming from the West Point and Stewart Air Guard Fire Departments as well as Departments from New Windsor, Town of Newburgh and Cornwall.



Newburgh Police Department



May – 2020



Year End Summary

32,304 service calls

Officer initiated activity accounted for 36% of 2019 activity.

Top 10 most frequent call types:

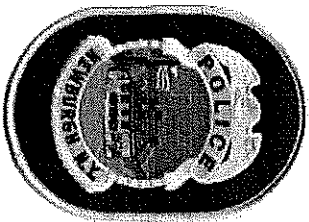
- Traffic complaint
- Disorderly person
- Patrol plan
- Motor vehicle accident
- Alarm – disable/silent

Officers on the Scene

Officers helped a 13-year old female avoid a suicide attempt and connected individual with mental health professionals.

Officers recovered two loaded weapons on two separate occasions.





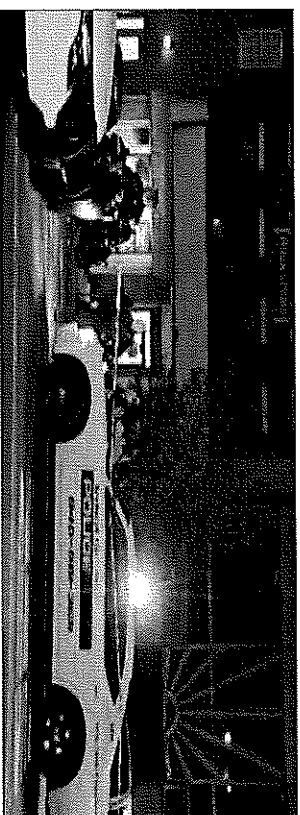
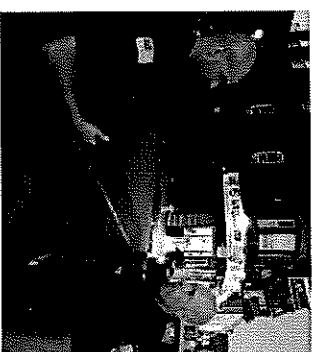
Gun Involved Violence Elimination (GIVE) Grant

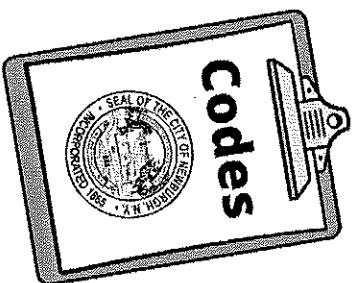
Over \$424,000 to support crime reduction, Youth Police Initiative,

investigations, software and gun buy funds



- Detective - A position specifically to investigate gun/group-related crime
- Crime Analyst – Civilian position for tracking and analysis of gun-related activity
- Weekly review of emerging hotspots
- Youth Police Initiative





January

Permits – 126

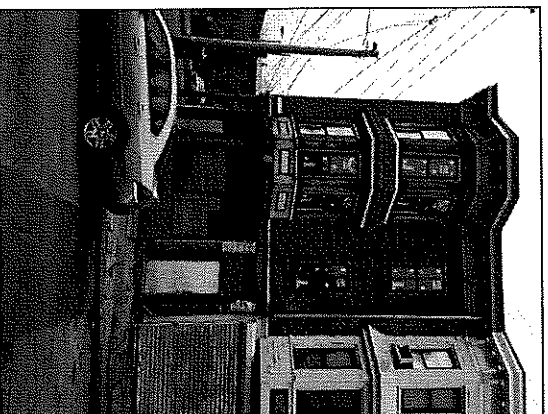
Violations - 143

Inspections - 225

Rental Inspections - 38

Vacant Bld Inspections - 47

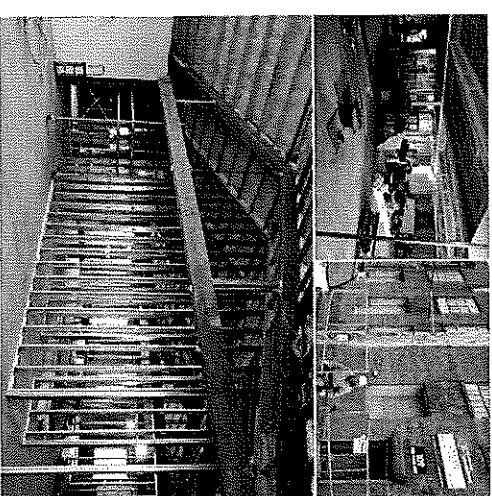
Developments in Formerly City-Owned Properties



41 Liberty Street
Private engineering
office



31 Benkard Avenue
3-family residence



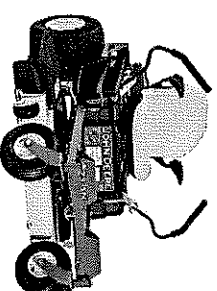
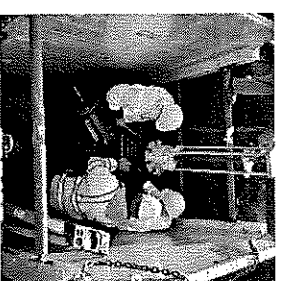
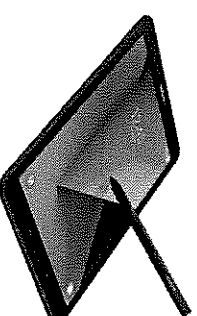
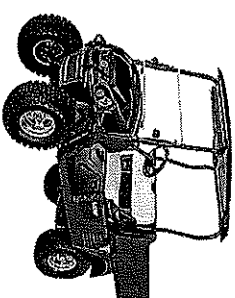
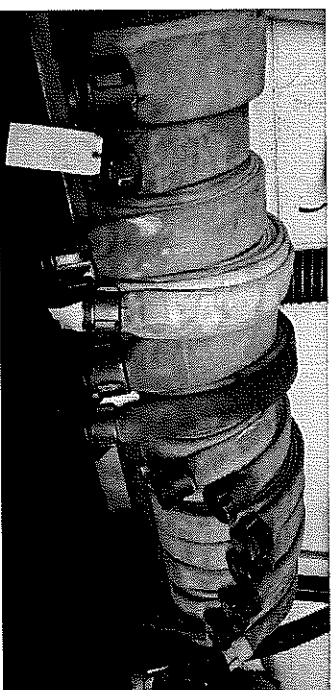
109 South William Street
Mixed-use space

Capital Bond

Almost \$15 million for over 100 projects will give departments the resources needed.

Equipment

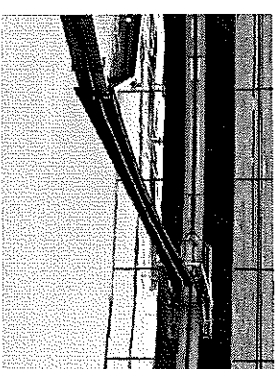
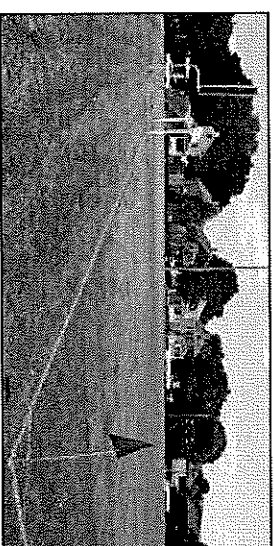
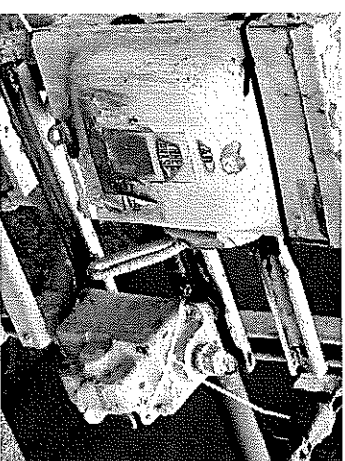
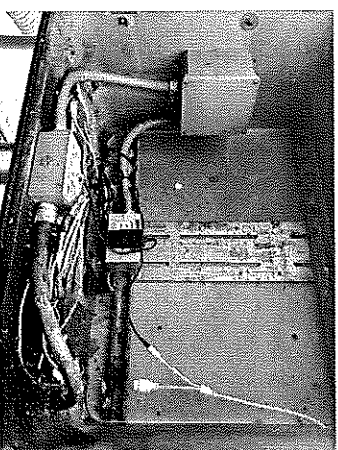
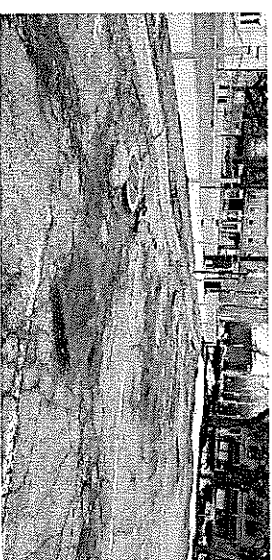
- Firehose lengths & turnout gear
- Bobcat with attachments
- Sanders / snow removal items
- 18' landscape trailer
- Watering tank with hose for CAC
- Crack sealing machine / hot box
- Field maintenance machine & rake for Rec
- IT upgrades - Virtual desktop infrastructure & critical upgrades to firewall



Capital Bond

Infrastructure

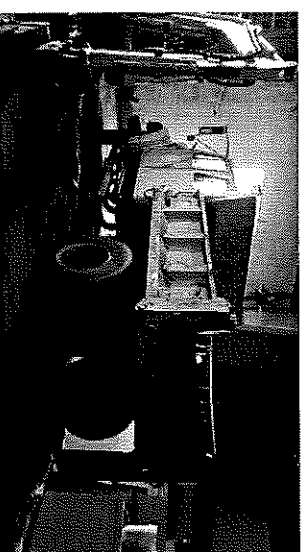
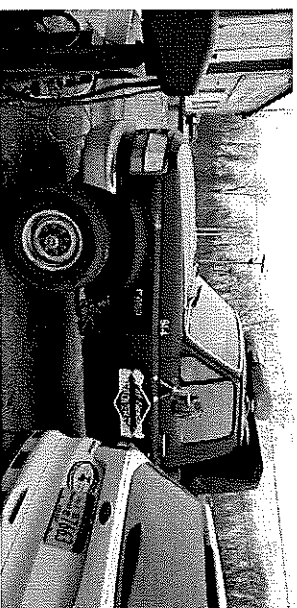
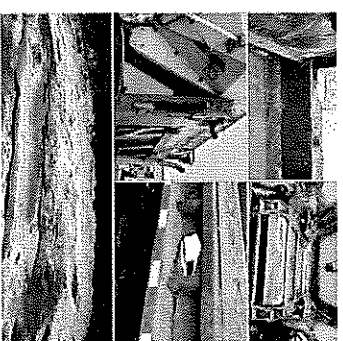
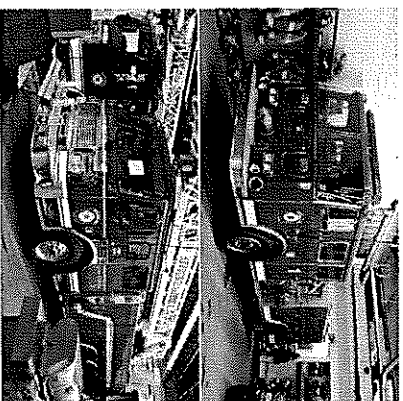
- Grand Street Courthouse & Broadway School windows, floors & ADA curb ramps
- Repave municipal lots: West End Fire house at Broadway, City Hall lot on Grand Street, Library parking lot, public safety building
- Roof replacement at 401 S. Lander street
- Sanitary Sewers - Pipe relining, manhole installation, pump station rebuild
- Sewage treatment plant electrical & skimmer upgrades
- Bleachers, fencing, heavy machinery, and leveling of soccer field for Delano-Hitch facilities



Capital Bond

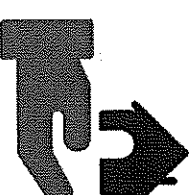
Vehicles

- 5 Police vehicles to replace non-working patrol cars
- Replace 2 fire engine apparatus
- Refurbish fire trucks
- DPW dump trucks
- Front end loader & snow pusher
- Plows & sanders
- Bucket truck/chip box
- Ford Transit passenger van for Recreation
- Pickup w/ plow & utility vehicle for Recreation





Emergency Tenant Protection Act



HOUSING NEEDS ASSESSMENT IS UNDERWAY – conclude in early 2021.

- Set methodology to determine “vacancy rate” per the ETPA
- Process will inventory housing and identify gaps in housing types / needs

Public participation is encouraged and participants should attend:

Housing Coalition Meeting - Held on last Monday of each month at 10am

Locations alternate between Habitat Newburgh and the Activity Center

Meetings feature presentations from stakeholder organizations and industry experts.

Information on public meetings and workshops for the Housing Needs Assessment will be released next week. The public should subscribe to the City Newsletter, City website updates, and social media platforms to receive updates.

Human Resources

Assume On-boarding Functions

- Job postings, interviews, training

Assume day-to-day Unemployment Insurance, FMLA & Workers Comp function

- Process claims, receive payments, hearings

Support Department Heads

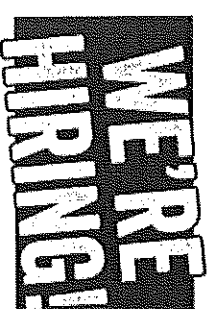
- Provide coaching and counseling
- Conduct interviews and investigations

Labor Relations

- Reestablish committees (Accident Review, Health & Safety)

Federal & State Reporting

- Federal EEO-4 report, survey of injuries and illnesses



Seeking applications

Clerk (part-time at Police Department)
Motor Equipment Operators (2 at DPW)
Sanitation Enforcement Officer (DPW)

Interviewing

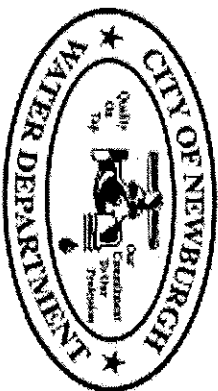
Police Dispatcher

Seeking grant approval

Recycling Coordinator (part-time) who will work with the public to increase the recycling rate to reduce the garbage tonnage.

Onboarding

Planner (Planning & Development)
Water Treatment Plant Operator Trainee (Water Dept)
Assistant Maintenance Mechanic (Water Dept)



Quality On Tap!

Our Commitment
Our Profession



Plant Tour

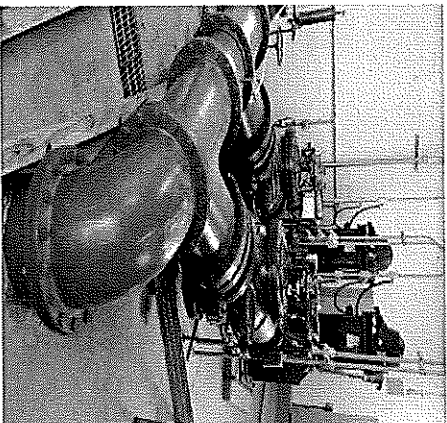
GAC Plant Tour

Distribution Tour

Q&A with Staff

Lab Tour

Water Tasting



City of Newburgh Water Department

Open House & Tour

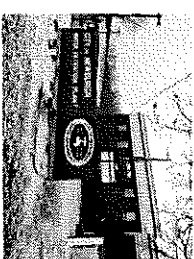
Our Water Department invites you to see first-hand how water travels from its source to your tap. Come learn about the pumps, pipes and people who work around the clock to ensure our water is safe to drink and is delivered efficiently.

Saturday, February 15, 2020 10:00AM

Water Filtration Plant

493 Little Britain Road, Newburgh, NY 12550

Attendees must call the Water Department at
(845) 565-3356 to reserve a spot



Job Fairs in Newburgh

Orange Works Job Fair

3 Washington Center, 4th Floor, Newburgh, NY 12550

February 18, 2020 10:00 AM-12:00 PM



OVER 100 JOB OPENINGS!

NO PRE-REGISTRATION REQUIRED

Please visit employer's websites for their job opening.
For further information contact Susan Hansen at 845-568-5114
or shansen@orangeworksny.org



OPENING 2020!

Join the AWESOME LEGOLAND® New York
Resort opening team!
Apply online at LEGOLAND.com/new-york/jobs



COME SEE US AT OUR NEXT EVENT!

LEGOLAND Job Fair

Wednesday, March 18th

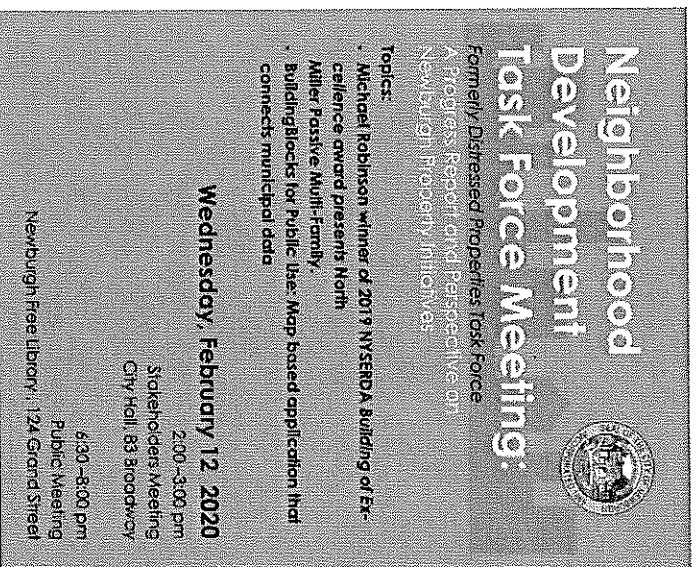
SUNY Orange Newburgh Campus – Kaplan Hall
1 Washington Center Newburgh, NY 12550

2:00 PM – 6:00 PM

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Neighborhood Development Task Force Meeting

Wednesday, February 12
City Hall at 2pm & Library at 6:30pm



Neighborhood Development Task Force Meeting:
Formerly Distressed Properties Task Force
A Progress Report and Perspective on
Newburgh Property Initiatives

Topics:

- Michael Robinson winner of 2019 NYSEDA Building of Excellence award presents North Miller Passive Multi-Family
- BuildingBlocks for Public Use: Map based application that connects municipal data

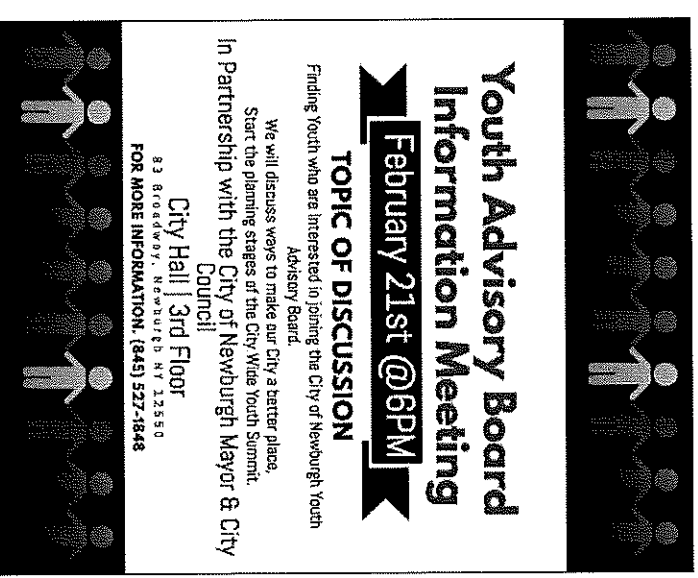
Wednesday, February 12, 2020

2:00-3:00 PM
Stakeholders Meeting
City Hall, 83 Broadway

6:30-8:00 PM
Public Meeting
Newburgh Free Library, 124 Grand Street

Youth Advisory Board Information Meeting

Friday, February 21 at 6pm
Council Chambers



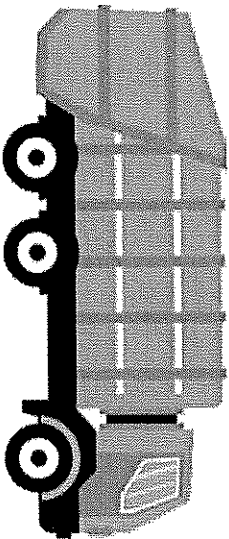
Youth Advisory Board Information Meeting
February 21st @6PM

TOPIC OF DISCUSSION

Finding Youth who are interested in joining the City of Newburgh Youth Advisory Board.

We will discuss ways to make our City a better place.
Start the planning stages of the City Wide Youth Summit.
In Partnership with the City of Newburgh Mayor & City Council

City Hall | 3rd Floor
83 Broadway, Newburgh NY 12550
FOR MORE INFORMATION, (845) 527-1848



Sanitation Collection Changes Next Week

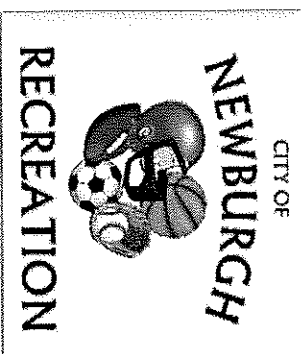
Presidents' Day Garbage Collection

Monday pickup pushed to Tuesday.

Tuesday pickup pushed to Wednesday.

There will be no bulk or yard waste pickup.

Call the Sanitation Line at 845-565-1082 if
you have any questions.



Spring Sports

SOCCER

Registration open until April 30

Ages 3-5 and 6-7

\$65/child

League will begin May 7

To register:

- Stop in to the Activity Center
- Visit www.cityofnewburgh.recdesk.com



**CENTERS FOR DISEASE
CONTROL AND PREVENTION**

Newburgh PFAS Exposure Assessment Kickoff Meeting

Tuesday, February 11, 2020
5:30 p.m.–8:00 p.m.
Activity Center

- Learn about the exposure Assessment
- Hear about other PFAS research activities
- Ask questions
- Gain information to share with your community.

ATSDR
AGENCY FOR TOXIC SUBSTANCES
AND DISEASE REGISTRY

ORANGE COUNTY, City of Newburgh, NY



PFAS Exposure Assessment

Information Session

Hosted by The Centers for Disease Control
and Prevention (CDC) and the Agency for Toxic
Substances and Disease Registry (ATSDR)

Tuesday
FEBRUARY 11, 2020
5:30–8:00 p.m.

Newburgh Activity Center
401 Washington Street
Newburgh, NY 12550

**EXPOSURE TO SOME PFAS
MAY BE LINKED TO HARMFUL
HEALTH EFFECTS**

Why Attend?

- Learn about the Exposure Assessment and how it can benefit your community
- Hear about other PFAS research activities in Newburgh
- Ask questions and talk to the researchers
- Gain information to share with your community

For More Information

Visit www.atsdr.cdc.gov/pfas
email pfas@cdc.gov
or call 1-800-CDC-INFO



The City of Newburgh, NY drinking water system was found to contain chemicals called PFAS (per- and polyfluoroalkyl substances). While PFAS are no longer found in the drinking water at levels above the Environmental Protection Agency's health advisory, residents may want information about levels of PFAS in their bodies.

The exposure assessment taking place will help individual participants and their community better understand their exposure to PFAS and provide information that the community can use to reduce PFAS exposure. It will add new information to PFAS testing already done in the area.

If you live in a home that contains drinking water from the City of Newburgh you may be invited to participate.

United States Census 2020

Newburgh Counts Committee

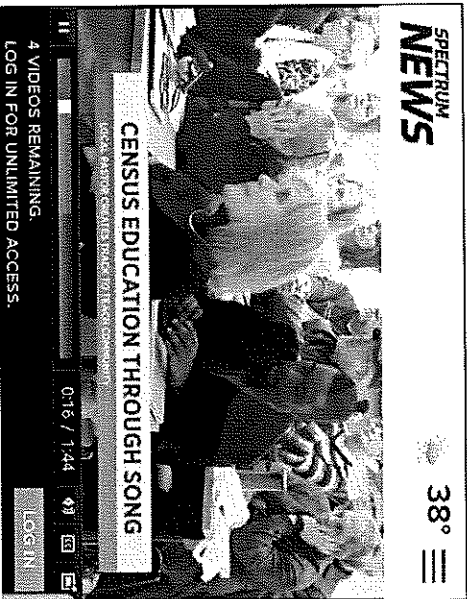
Upcoming Meetings:

Thursday, February 13, 2020
6:30pm, Newburgh Library

Thursday, February 27, 2020
6:30pm, Heritage Center

Thursday, March 12, 2020
6:30pm, Heritage Center

'Counted' Music Video



SPECTRUM NEWS 38°

CENSUS EDUCATION THROUGH SONG

4 VIDEOS REMAINING.
LOG IN FOR UNLIMITED ACCESS.

HUMAN INTEREST

Orange County Pastor Writes
Song To Educate About The
Census

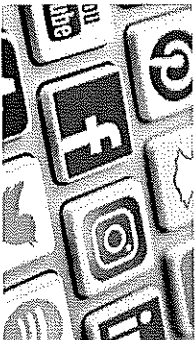
BY BEN NANDY | KINGSTON
UPDATED 4:17 PM ET FEB. 04, 2020

Facebook, Twitter, Email, Print, Share, Comment icons

The public is invited to the
recording of a music video
for 'Counted.'

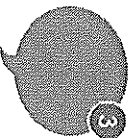
It was written by Orange
County Pastor Michael
Flowers and will be
performed by
"Revival Town".

Saturday, February 15
Activity Center
401 Washington Street
Please arrive by 10:15am
Filming begins at 11:00am



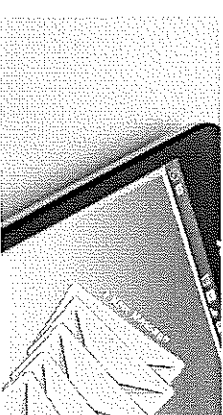
Social Media

Stay connected with the City through social media!



Notifications

Be the first to know about news, events and more. Sign-up on the city website.



Community Newsletter

Want to know what's happening in your City government? Check out the January newsletter for updates on the swearing in of Fire Chief Bill Horton, a refresher on emergency snow parking, and to meet the first couple to be married at City Hall in 2020!



Sign up for emails, calls and texts about emergencies.

- City-wide - Snow Emergency parking
- Neighborhood-specific - Boil water notice

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

Tom Roberts, City of Newburgh said that a lot of people in the City are nervous about the gun violence that has been happening lately so he would like to know if we are getting a handle on this. It seems like since we lost police officers gun violence has increased. He added that there is still an issue with cab drivers urinating on Broadway and it just doesn't look good.

Veronica Artiss, City of Newburgh, Mullins said this is her second time speaking about issues and concerns with the Newburgh Housing authority. Instead of just her issue with the fence they put up as retaliation harassment, she started speaking with the seniors at Fogarty's and found out that they were going through the same thing. They have drug raids and overdoses and they have had retaliation with no heat for three or more days. They have security issues because we are supposed to have cameras on both sites but the cameras at Mullins are still not up and functioning at this time. Items have gone missing from apartments without forcible entry and there is a known drug user who is supposedly a security guard at Fogarty. When these issues were brought to the Board, they looked at each other like it wasn't true so she told them that they act like they don't want to be here. These issues and concerns are not being addressed and it's very alarming. These are senior citizens and they should feel secure in their homes. She wants the Council to know that these issues are still going on with the Newburgh Housing Authority.

Kenneth Sampson, Chaplain for the Christian Ministerial Fellowship said a Prayer.

Rich Rosecrans, City of Newburgh said he supports the Water Department's Open House. He went there a few months ago and got an extensive tour of the facility where he learned a lot. He encouraged everyone to go take a tour to really understand how it works so we as a community can know even more about our drinking water. That way we become more informed and involved with working together to protect our water forever.

Carla Johnson, 52 S. Miller St. said that our veterans and senior citizens who don't have any family are living in horrible conditions at Fogarty. All of the senior homes she visited for voter registration in other areas were beautiful but this senior home looks bad. There should be a security guard there and it should be more secure for our senior citizens. She added that our veterans are sleeping outside on the ground in the winter so since nothing is being done for them as far as housing is concerned let's try to do something for the senior citizens who don't have families to help them. They are spending all of their money to live there and they are not comfortable in their own homes. She hopes that the City Council, Mayor, Chief Solomon and Codes will get together to look into this.

Carol Lawrence, Foundry, 44 Johnes Street noted that they have over sixty-two units there and over half are owner occupied. She congratulated DPW for their response to a big problem they had where they cleaned up a huge mess. It took six men, two trucks, two

officers and the City Engineer. She is thankful they take care of these problems.

There being no one else wishing to speak this portion of the meeting was closed.

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

Councilman Grice thanked the City Manager for his report. He noted that in regard to Mr. Robert's question, he will have the Police Chief comment on what they are doing but he thinks they have a very good plan for that. As far as what's going on at Fogarty and Mullins, Mayor Harvey, Councilman Shakur and I have met with Ms. Artiss at least once so we were vaguely aware of the situation but she updated us today. This is concerning to us so he thinks that a meeting is in place to go see for ourselves what is happening there. Tenants should not be afraid to speak up when issues are happening where they are living because we are here to protect the tenants in this City. He noted a few upcoming dates: tomorrow, February 11th is his birthday and he will be at the Activity Center for the event Mr. Donat mentioned. On February 12th the Transportation Advisory Committee will be meeting at 123 Grand Street at 6:00 P.M. so if you have transportation concerns please bring them to that Committee. February 14th is Valentine's Day and on February 17th there will be a Winter Fest at Crystal Lake from 12:00 P.M. to 3:00 P.M. Census 2020, Census 2020, Census 2020.

Councilwoman Mejia thanked the City Manager for his report which was super informative and had everything. She appreciates the way that 2020 is shaping up and wants to figure out how to crack down on Broadway. She believes that about three years ago we passed a resolution around public urination that gave the Police the power to do this. The issue that Mr. Roberts raised has been happening for a while so we took action on it but our struggle is with the enforcement of it. She thanked Councilman Shakur for making sure all of our residents, especially our seniors, are kept abreast of what is going on. If you haven't connected with us, the City Manager mentioned all of the different ways that you can get information about our City. We are meeting for the Census this coming Thursday and at the last Work Session we had a very concrete example as to how getting counted impacts the amount of money that gets received just on the sales tax. The sales tax was just an example as it impacts everything from education, Hospital, infrastructure funding and CHIP's money. It will be hitting mailboxes the end of March and on April 1st we have to start getting counted.

Councilwoman Monteverde thanked everyone for coming out and said she appreciated the City Manager's Report which had a lot of information. There are a lot of exciting things going on in the City and she believes that 2020 will be a banner year for us. She would like to hear from Chief Solomon on how soon we can start to see results with regard to the Grant. It would also be good to hear what he is working on to address the recent shootings. She has received many calls from people who are afraid and concerned and they want to know what is going on. It would be good to get some sort of Press Release out so people can hear that there is a plan in place and they are working on addressing the

violence. She is very excited about the Capital Bond because we will be purchasing a lot of equipment for DPW, the Fire Department and IT. Without this Capital Bond we couldn't buy the dump trucks and garbage trucks or do these upgrades for IT. She is excited about the development going on over in her ward and she has been watching 41 Liberty Street where they are making great progress. That is an exciting pivotal corner and then right down the street we have the Baxter Group working on the wire brush factory, Atlas and Ted Doering's building. We have a nice neighborhood group occupying a couple of houses on Benkard and they would also like to hear from the City and the Police Chief about what we are doing to address the recent shootings. She told Tom Roberts that she sees the activity on Broadway and agrees that the taxi drivers urinating outside of their vehicles is not acceptable. There is also drug activity going on out of a silver Chrysler where they are selling Crack and everybody on Broadway knows what they are up to. She told Chief Solomon that she will give him that information and hopefully they can address that as well.

Councilman Shakur said he has been getting a lot of reports from Fogarty and Mullins Apartments so he wants to go there to find out what is going on and invited the Council members from the first and third wards to go with him. He has been hearing that there are things going on there and he wants to see with his own eyes as it is City property and we need to be on top of it. In regard to the Census, this Saturday we will be doing a video at the Activity Center starting around 10:30 A.M. and they would like people from the City to come out and get the counting started. April 1st is very important because a lot of our funding comes from the Federal Government and he is pretty sure that we are undercounted here in the City of Newburgh so let's make sure we get counted properly. He has been getting reports about these guns on our streets and a young man showed him a picture of a guy with an AK47 so where are these guns coming from? There are a lot of shootings in the City of Newburgh so we need to stay on top of that.

Councilman Sklarz thanked everyone for coming out tonight. Last week he attended the City of Newburgh Drug Treatment Court where they give non-violent misdemeanor offenders a second chance to participate in treatment and perhaps lower their sentence upon completion of the program. He had the pleasure of watching families celebrate people who had gone through the program but most importantly he saw Judge Williams and his staff's dedication to making this program work. Newburgh has a lot of things to be proud of and this program is certainly one of them. He also went to the Restoration Advisory Committee meeting last week and there was an article in the paper that they started the Granular Activated Carbon (GAC) System early in December but it only lasted one month before they shut it down. They found that they were changing filters three times a day so this is another example of how the experts have underestimated the seriousness of this problem. He added that three or four of the Council members went to Poughkeepsie to see the Queen City Lofts Project by the builder who is proposing to do a similar project here on Colden Street. It is a very impress building that fit into the community and stabilized a section of Poughkeepsie that was having difficulty so it's a good start for us here if that project is approved.

Councilwoman Sofokles thanked the City Manager for his thorough report tonight. There is definitely a problem at Fogarty Apartments which has been going on for years so she is glad to see that is going to be addressed. To Mr. Roberts she said that she has received many complaints regarding the taxi drivers which is a quality of life issue that we need to deal with. Everyone heard all of the dates for upcoming events and she is very excited

about the Baxter Project and the Colden Street Project so we have a lot of things going on right now in the City. Keep your eyes open.

Mayor Harvey thanked everyone for being here tonight. In regard to the gun violence we have had a number of conversations with Chief Solomon and the City Manager as well as some young people on some initiatives we are going to be starting. There will be a Youth Advisory meeting happening on February 21st at 6:00 P.M. which has been advertised with flyers and postings on our City website. We want to get all of the young people who are interested in being a part of the first Newburgh Youth Advisory Committee. We are not new to gun violence and believe it or not we are doing well when it comes to some of the violence we have seen since 2010 so we have made significant strides. We are applying for the GIVE Program as we have in the past to continue the Youth Police Initiative Program and we also have call ins. According to David Kennedy with the John Jay School of Criminal Justice there is a small group of people wreaking havoc in our community so we are focused on that. We have also discussed a License Plate Reader Program because we believe that guns and drugs are being driven and shipped into our City. We have some funds for additional cameras so we will be upgrading and enhancing our video surveillance program which is very important and we are looking at Grants to assist residents financially with getting cameras for their homes. He added that they have had several meetings with SNUG which is a program that has been working to address the gun violence in urban cities throughout New York State. Thanks to Senator Skoufis we were awarded about a year ago \$200,000.00 to start our SNUG Program and that money has just now been released. We were told that \$200,000.00 isn't enough to start the SNUG Program so there will be additional funding coming for that program. They are interviewing people right now; potential interrupters who are people from our own community who know the streets. That initiative is aggressively moving forward right now and they will be doing some training on April 13th after staff is put together. It is important to continue to look at ways to be innovative and creative with maintaining public safety because it's our number one priority.

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

CITY MANAGER'S REPORT

Resolution No. 30 - 2020 - Award of Bid# 2.20 Wastewater Treatment Plant Grinder Replacement Project

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 31 - 2020 - Supporting the Findings of the Meadow Hill Relief Sewer Evaluation

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 32 - 2020 - SEQRA Type II - Capital Bond

Mayor Harvey thanked the City Manager for his extensive and well prepared update. He also thanked everyone involved with this particular Capital Bond because he knows that there are so many things that have been broken and neglected for decades. People don't realize how important it is to address these infrastructural issues for revitalization because these are quality of life issues. We have to work consistently and diligently at improving the quality of life in this City which is directly correlated to employment, attracting businesses and making commercial corridors so people can have meaningful employment and we can get rid of poverty. Addressing the housing needs is also super important for everyone whether it be for the elderly, the homeless, veterans and children in our City so when you look at this Capital Bond and you go line by line you will see that we are addressing things across the board.

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 33 - 2020 - SEQRA Type I - Capital Bond

Councilwoman Sofokles moved and Councilwoman Monteverde seconded.

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

Adopted

Resolution No. 34 - 2020 - 2020 Capital Bond

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 35 - 2020 - Agreement with CMA for 2020

Mayor Harvey thanked Councilwoman Monteverde for her comment earlier which he agrees with that 2020 is going to be a staple year for this great City. We all need inspiration and we all need to know that we are going to make a mark this year.

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 36 - 2020 - Newburgh Progress - Amendment to Agreement

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 37 - 2020 - 746 Broadway - Satisfaction of Mortgage

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 38 - 2020 - 25 Benkard Avenue - Release of Covenants

Mayor Harvey said that this is on Benkard Street and there were some concerns with that street but there is significant planning happening for that ward and Benkard Street is a top priority particularly with paving. It should be paved either this spring or summer so with businesses and development happening there we are paying close attention to that area.

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 39 - 2020 - Purchase of 352 Third Street

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 40 - 2020 - Purchase of 234 First Street and 236 First Street

Councilwoman Sofokles congratulated the family that is buying these two properties. They have done other properties in the area so she wishes them a lot of luck with these buildings.

Mayor Harvey agrees with Councilwoman Sofokles. Look at the amount of properties between 2018 and now that are going back on the rolls for revitalization and taxes. In 2019 there was a record breaking number of abandoned buildings being fixed up and occupied which Mr. Venning gave a report on stating that 96% of taxes were collected and with delinquents we are at 105%.

Councilwoman Sofokles added that the City used to auction off properties and everyone can buy a house for \$5,000.00 but who has the \$150,000.00 to fix it up? What was happening was that after eighteen months they were reverting back to the City until the buildings were torn down. That's not what happens now and Allie Church has been instrumental in that department because now people have to have money in an escrow account to fix the house up. In her ward alone she thinks there are twelve buildings being worked on right now so it's not like it was before which is a big accomplishment.

Councilwoman Shakur said there is a group of people coming here, buying houses and putting people out of their homes too. He doesn't understand how they are coming here to buy houses when they are collecting social services in their town. If that's the case, people here on social services can by their own houses. We have to be aware of this.

Mayor Harvey said that what Councilwoman Sofokles is saying is that if you buy a house for a low price because it's an abandoned property, you have to prove that you have the financial means to fix that property. He doesn't know how it was done in the past but the Planning & Development Office has a strict vetting process with credit checks and financials.

Councilman Shakur said he is talking about people that are coming here and buying apartments with people already in them, putting them out and not giving them a chance.

There are other options because some people come here with deep pockets which people here don't have so we have to understand what's going on. Because of the lack of Banks in this City right now we need to come up with a plan to work with the residents of the City of Newburgh and make sure they are not pushed out.

Councilman Grice said we are very happy that our properties are selling and he is happy with the process that the Planning & Development Department has put in place as he thinks it's a better process than before. He and Mayor Harvey met with several Banks and even sent a letter of support to one of the Banks to get a Grant to work with low income residents and people who have bad credit. That Bank is moving forward with their process and they are very community oriented.

There is a fine balance between having residents who have been here for a long time in their own homes, which we definitely want, but at the same time we cannot stop others from coming in if they have the resources and they are making these properties look nice. He would not be happy with them if they are doing displacement, however, so that is something they will have to look into.

Councilwoman Sofokles said we are getting off track because that is not what this resolution is about. This resolution is about abandoned buildings that people are taking and we are selling them for fair market value. We are not selling them for \$5,000.00. If you look at the history over the last two years, they are selling for \$50,000.00 and \$60,000.00 and the people have the money to fix them up.

Mayor Harvey noted that Councilman Shakur's point is very well taken. As Councilman Grice mentioned he has had several Banks at the table and in his office with the City Manager and when they go through all of the efforts we've made in the last few years with revitalization, the last thing they ask is what will happen with the gun violence? We have been in negotiations with two or three Banks and a couple days later we have gun violence in our City which ruins the negotiations we've had.

Councilman Shakur asked how Poughkeepsie negotiates. They have just as many shootings as we do.

Mayor Harvey said that Poughkeepsie in the 1960's got IBM. IBM was supposed to come to Newburgh but some things went on under the table with people who didn't want to compete with the working wages that IBM was going to provide and they were able to politically maneuver things and get IBM to run to Poughkeepsie. When IBM went to Poughkeepsie, it changed the entire economics in that city.

Councilman Shakur said they have had just as many shootings in the last year as we had.

Councilwoman Mejia said that there is a private sector and a public sector and we can have sort of a safety net around what we currently own. If anyone is interested in buying property from the City, we have a whole process for it on the City's Website. We hired a firm to show the properties and there is limited inventory available which is a good sign. As for the Banks and what they are supposed to be doing in our City and how they are participating with us, they are mandated to do so. The Community Reinvestment Act says they have to participate in communities like ours so how do we continue to partner with them and tell them that they are obligated to do this kind of investment in distressed areas? She encouraged everyone to come to one of the Neighborhood Development Task Force

meetings on Wednesday. There will be one from 2:00 P.M. to 3:00 P.M. here at City Hall or from 6:30 P.M. to 8:00 P.M. at the Library. Again, we have an opportunity to do things differently here in the City.

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 41 - 2020 - Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) Pubic Hearing and 15-Day Public Comment Period

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 42 - 2020 - 2020-2021 Gun Involved Violence Elimination(GIVE) Initiative

Councilman Grice said that the issue of gun violence came up several times tonight so he asked if Chief Solomon would speak to this issue.

Police Chief, Douglas Solomon said we are applying for the seventh round of GIVE funding which is Gun Involved Violence Elimination. The National Network for Safe Communities out of John Jay Community College founded by David Kennedy has formed this philosophy that the most violent individuals and the most violent groups perpetuate the majority of the crimes in a community such as ours and that philosophy is spot on. When it comes to the activities funded under the Grant, we are focused on the most violent individuals and the most violent groups. We have been spending a lot of time looking for funding for ShotSpotter, which has definitely been a critical piece to the puzzle to get gun violence under control. We respond to more often than not many incidents of gunfire where we haven't received any calls from the community. We have recovered numerous firearms because of ShotSpotter and made many arrests so we have been spending quite a bit of time reaching out to different entities trying to identify ways to continue to fund this program which is very important. It was noted earlier that we are funded through May right now and one of the challenges with ShotSpotter is that it's a subscription service so it doesn't fall under traditional Grant funding opportunities like an equipment purchase would. Something else that has challenged us is the Criminal Justice Reform, most notably the discovery laws. When an arrest is made, the District Attorney's Office is required to turn over all pertinent evidence, documents and information within fifteen days of an arrest. When you talk about drug or major gun investigations, we have had to change our tactics and some of these investigations are now going to take more time so that when we do ultimately bring an enforcement action down we are able to comply with the discovery rules set in place by the new Criminal Justice Reform. Also, in regard to the gun violence, we are meeting with SNUG on Wednesday and he believes that the Police Department is involved with interviewing the interrupters. From what he understands, that program should be up and running in April and we are hoping it will have a positive effect on the gun violence. It has been a challenge within the Police Department due to training and keeping abreast of what this Group Violence Initiative is really all about so we are having some people from the National Network come at the end of the month for a training day to get everyone on the same page. Once the entire department is on board with the techniques

and the philosophy on how this works we will be that much more effective. He added that a big factor when it comes to crime reduction is proactive time which is officer generated activity. A benchmark on an officer's proactive time is about forty to fifty percent and just prior to the layoffs we were just starting to breach that forty percent mark which is very good. It is going to be a challenge moving forward with less manpower to reach the proactive time that we are looking to achieve so we are reworking our tactics. The GIVE funding will put in place overtime for emerging hot spots and foot patrols in our gun violence areas as well as enforcement actions, custom notifications, continuation of the YPI Program with some overtime set aside for investigations as well.

Mayor Harvey said that he, the Police Chief and the City Manager have had numerous conversations because we can't arrest our way out of the gun violence and some of the challenges that we have in our community so this is why we are working diligently to put together the Youth Advisory Committee. The young people are very much engaged with some of the violence that goes on at the schools and then spills out into the community which is why we are pushing hard for this. We want to get the young people involved in positive activities that will hopefully discourage some of the violence that is happening in our City and also get the families engaged. He has received phone calls in the last few weeks from family members with concerns that with the federal sweeps that happened in 2010, there is going to be an increase in re-entry from some of those arrests. His response to that is that we are working on programs that deal with some of the community needs such as the GIVE Program, the YPI Program, Call Ins and the Youth Advisory Committee because we cannot arrest our way out of the crimes and the challenges that we have. He reminded everyone that the Criminal Justice Reform is a State Legislation and we have partnerships with the Federal Law Enforcement Agencies who are very much present in Orange County and Newburgh. If some of those challenges get to the point where it's difficult to manage because of the new Criminal Justice Reform at the State level, what is the likelihood of our police department turning some of the jurisdiction of those criminal acts and cases over to the federal agencies?

Councilman Shakur said that legitimate gun owners are bringing guns into our City so we should see who owns them and if they have been reported stolen. They should be charged too because they are bringing these guns to our kids.

Mayor Harvey said that since this Criminal Justice Reform is a State law what is the likelihood of some of the jurisdictions and some of these criminal proceedings being partnered with the federal agencies?

Chief Solomon said that we have been and will continue to participate in the Hudson Valley Safe Streets Taskforce which is run out of the FBI Office. Going forward there may be certain cases where it will be appropriate to go the federal route rather than the state route and this is something he has been discussing with his staff. As far as figuring out where these firearms are coming from, we also work closely with the ATF so when guns are recovered we do traces through them. There is a machine at the Criminal Analysis Center in Goshen that when shell casings are recovered it is entered into a database and we can get results right away rather than sending the shell casings out of town to get them analyzed so things are progressing with that as well.

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 43 - 2020 - Amend the 2020 Personnel Book to add a Temporary Fire Lieutenant Position

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 44 - 2020 - Consent Judgement for Woods Hill Newburgh LLC

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 45 - 2020 - Regulatory Agreement for 257 Liberty Street

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution 46 - 2020 - Supporting an Increase in the Sales Tax in Orange County

Mayor Harvey said he is excited about this resolution and he thanked Harold Porr, Steve Neuhaus and all of the Orange County Legislators for looking into doing something like this. When we talk about gun violence and the challenges that we have with our infrastructure, equipment, trucks and facilities they all take significant financial resources and we can't keep taxing residents to address these issues. This is one way we can look at taxes that may not directly affect us and our residents when we talk about sales tax. He is still working on getting State support for a 1% non-resident payroll tax and he spoke with Attorneys in Albany at the New York Conference of Mayors regarding the utilities tax which is the gross receipts tax. We are looking at 1% for corporations that pay the utility tax so it won't affect our residents directly and a possible payroll tax for people who come into this City to work but don't live here and then leave. There are thousands of people who do that by working for the City, at the Hospital, the School District and other private entities. He did not get a lot of traction from our State Representatives on this 1% non-resident tax but the problem is you can't have it both ways. We had to lay off Police Officer and Firemen, which the Council did not want to do, but when you ask people who work here but don't live here to put one penny of every dollar earned into the City they don't want their money to be touched. He has come up with different ideas to try to increase revenue sources in this City so we can make sure our Police Department, Fire Department and safety services are well staffed and paid for and it's not all on the shoulders of the tax payers who live here but people get upset and angry with him for making these suggestions. He has spoken with Senator Skoufis and Assemblyman Jacobson and they are not supportive of a 1% non-resident payroll tax because they represent constituents outside of our City as well. If someone's car gets broken into, if there is a fire or a water main break at their place of employment then our public safety services are going to be called so they are utilized by everyone whether you live here or not. We are looking at trying to figure out how we can create revenue to restore our Police and Fire Departments and this resolution is one way but there are other taxes that

won't be a burden to the residents that live here.

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

NEW BUSINESS

There was no new business to discuss.

OLD BUSINESS

There was no old business to discuss.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice said it's been a great meeting.

Councilwoman Mejia said that comments were made by Councilman Shakur around displacement which has predominately been taking place in the private sector and she reminded everyone that there is a limitation to what the Council can influence. When it comes to that, the latest legislation that was passed last year around the expansion of the Emergency Tenant Protection Act one of the things that was not passed and included as part of that bundle was the Just-Cause Eviction. That would be the legislation that would impact these types of displacements that are taking place. Again, it's not up to this Body but she encouraged individuals to contact Senator Skoufis and Assemblyman Jacobson to remind them that the language in that Bill is really important because that's how it's manifesting itself here in the City of Newburgh. If anyone is interested in becoming more informed about what that pushes, it's around the New York homes guaranteed aspect which is basically the idea that all New Yorkers have the right to a safe, stable and affordable place to live. Affordability is that depending on which income bracket you are in, you should not be spending more than thirty percent of your income. Affordability is a definition of what you should be spending on rent or a mortgage and we are living in times when everyone is rent or mortgage burdened. These are goals as a State that we are trying to accomplish so she encouraged everyone to follow up with their State Representatives because the Just- Cause is exactly what would be the remedy to the displacement that Councilman Shakur is speaking about.

Councilwoman Monteverde reminded everyone to come out to the tour at the Water Department on Saturday at 10:00 A.M. People want to learn about how our water is tested and how the Water Department operates so it's an exciting tour. She took it last year and it was very insightful.

Councilman Shakur said this was a good meeting and he wants to make sure everyone knows that when we speak about Fogarty's it's about looking out for our children and seniors in our community. He wants to make sure that moving forward everybody is on the right track.

Councilman Sklarz thanked everyone for coming out tonight. He noted that there is a Winter Carnival at Crystal Lake next Monday the 17th. It's a nice event so come on out.

Councilwoman Sofokles said she was talking to a hard working young lady in her office today who pays \$1,300.00 a month for rent and she makes \$36,000.00 a year. We need to address this situation because maybe she can't qualify for a mortgage but that doesn't mean she has to be gouged in rent and not be able to afford other things for herself and her children. She added that the gun violence is a big problem but we don't have the manpower now in our Police Department. What Councilman Shakur also said is true that people are coming in and trading guns for drugs so we have to work towards getting the manpower to investigate these things. On the 1% tax, she does a lot of tax returns for people from all over and most municipalities have that 1% local tax. We also have a lot of not-for-profits here and Mount St. Mary's took \$900,000.00 worth of properties off our tax rolls so we can't let that happen anymore. They need to pay for services too because there are a lot of false alarm fire and police calls and we are not collecting the amount that we should be so the 1% tax is one way to do that.

Mayor Harvey thanked everyone for coming out tonight and for everyone's hard work day to day. Health and wellness is very important and the CDC tomorrow night at the Activity Center at 5:30 P.M. is super important. About a year ago he received many phone calls on how and why Newburgh should be considered for this CDC Study on human effects of PFAS. It was a big deal because we were talking about remediating the source of the contamination at Rec Pond and Silver Stream and how it got into Washington Lake. There was a twenty five million dollar granular activated carbon filtration system being built at our Water Plant so we went to a meeting at Mt. St. Mary's College with the New York State Department of Environmental Conservation and New York State Department of Health. At that gathering he kept yelling that the human element needed to be equal to the remediation of the contamination. We also needed free blood testing and to look at the human effects because many people have been contaminated so we were awarded the opportunity to be part of this study tomorrow on February 11th from 5:30 P.M. to 8:30 P.M. at the Newburgh Activity Center to hear what the human effects are.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 8:50 P.M.

LORENE VITEK
CITY CLERK

RESOLUTION NO.: 30 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD BID #2.20
TO DUPERON CORPORATION IN THE AMOUNT OF \$215,300.00, AND
TO PURCHASE AN OPTIONAL 2-YEAR WARRANTY IN THE
AMOUNT OF \$5,600.00, BOTH FOR THE WASTEWATER
TREATMENT PLANT GRINDER REPLACEMENT PROJECT**

WHEREAS, the City of Newburgh has duly advertised for bids for the purchase and installation of equipment for the City of Newburgh Wastewater Treatment Plant Grinder Replacement Project; and

WHEREAS, the bids have been duly received and opened and Duperon Corporation is the low bidder, having submitted a bid amount of \$215,300.00; and

WHEREAS, the cost of an optional, 2-year, all-inclusive warranty for all equipment used in connection with the project is \$5,600.00; and

WHEREAS, the City Council believes it is in the best interests of the City of Newburgh to purchase the optional warranty for all equipment in the amount of \$5,600.00; and

WHEREAS, the funding for the purchase and installation of the equipment, and the purchase of the warranty, shall all be derived from New York State Environmental Facilities Corporation combination grant/loan CWSRF No. C3-7332-11-00;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the bid for the purchase and installation of equipment for the Wastewater Treatment Plant Grinder Replacement Project be and is hereby is awarded to Duperon Corporation, in the amount of \$215,300.00; that approval for the optional, 2-year, all inclusive warranty for all equipment in the amount of \$5,600.00 is hereby granted; and that the City Manager be and he is hereby authorized to enter into a contract for such work in these amounts.

RESOLUTION NO.: 31 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION SUPPORTING THE ENGINEERING EVALUATION FINDINGS
OF ARCADIS OF NEW YORK, INC. REVIEWING
THE TOWN OF NEWBURGH MEADOW HILL PARALLEL SEWER RELIEF PROJECT
AND AUTHORIZING THE CITY ENGINEER TO ISSUE A LETTER TO PROCEED**

WHEREAS, the City of Newburgh and the Town of Newburgh are parties to an Inter-Municipal Sewer Agreement governing sewage treatment service and the construction of additional sewage treatment plant capacity dated May 6, 2004; and

WHEREAS, the Town of Newburgh proposes to undertake the Meadow Hill Parallel Relief Sewer Project; and

WHEREAS, the City of Newburgh is subject to an Order on Consent with the New York State Department of Environmental Conservation (NYS DEC) to resolve violations at the Wastewater Treatment Plant and for the development of the Combined Sewer Overflow Long Term Control Plan; and

WHEREAS, by Resolution No. 6-2020 of January 13, 2020, the City Council authorized an agreement with Arcadis of New York, Inc. (Arcadis) to provide professional engineering services for review of the Town of Newburgh's Meadow Hill Parallel Relief Sewer Project to assess possible impacts to the City of Newburgh's Combined Sewer Overflow Long Term Control Plan; and

WHEREAS, Arcadis completed its review and submitted a report finding that Town of Newburgh's Meadow Hill Parallel Relief Sewer Project will not impact the City of Newburgh's Combined Sewer Overflow Long Term Control Plan and will not require a modification to the Order on Consent for Case No. R3-20110107-17 between the City of Newburgh and the NYS DEC; and

WHEREAS, this Council determines that accepting the report and findings provided by Arcadis of New York, Inc. and authorizing the City Engineer to issue a "no objections" letter and notice to proceed to the Town of Newburgh is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Council supports and accepts the report and findings provided by Arcadis of New York, Inc.; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, that the City Engineer be and hereby is authorized to issue a "no objections" letter and notice to proceed to the Town of Newburgh in connection with the Meadow Hill Parallel Relief Sewer Project.

RESOLUTION NO.: 32 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
ASSUMING LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY
REVIEW ACT (SEQRA) FOR CERTAIN 2020 CAPITAL PLAN PROJECTS, DECLARING
THE PROJECTS TO BE TYPE II ACTIONS, FINDING NO SIGNIFICANT ADVERSE
IMPACT ON THE ENVIRONMENT AND AUTHORIZING THE CITY MANAGER
TO EXECUTE ALL SEQRA DOCUMENTS**

WHEREAS, the 2020 Capital Plan prioritizes the repair and renovation of existing structures or facilities; repaving of existing highways; and purchase and/or replacement of necessary equipment, which will be financed by the sale of bond anticipation notes, as follows:

1. Grand Street Courthouse: replace building pneumatics with electronics; replace boilers; remove oil tank; repaint and replace interior flooring; renovate basement; repair and repave parking lot; reseal windows; repair outside steps
2. Broadway School Courthouse: repair roof, steps, sidewalks, and walls; software and computer replacement
3. Parking Meter System Improvements
4. Property Management - Maintenance: Dump Truck with plow; equipment
5. Municipal Buildings: HVAC equipment; construction and maintenance machinery and apparatus; equipment; repair and replacement of roof, walls, windows, doors
6. Central Printing Equipment
7. Information Systems Software and Hardware
8. Police Equipment
9. Traffic: Construction and maintenance machinery and apparatus and traffic control system repairs and improvements
10. Fire Department: Ladder Truck replacement; Engine Apparatus replacement; equipment; facility repair
11. Code Enforcement Equipment and Software
12. DPW Administration: Construction and maintenance machinery and apparatus; office and radio equipment
13. DPW Streets and Bridges: Construction and maintenance machinery and apparatus; equipment; highway repaving
14. DPW Garage: repair or replace roof, fuel pumps, ventilation system, fuel pump landing, locker room, gutters, paint interior; equipment
15. Police Garage: Construction and Maintenance Machinery and Apparatus; motor vehicles; equipment
16. Snow Removal: Construction and Maintenance Machinery and Apparatus; equipment
17. Parks: Construction and Maintenance Machinery and Apparatus; equipment

18. Conservation Advisory Council equipment
19. Recreation: motor vehicles; equipment; facility repair
20. Zoning Board, Planning Board, Architectural Review Commission: equipment
21. Water Administration equipment
22. Water Ponds and Reservoirs equipment
23. Water Purification: equipment; facility repair
24. Water Distribution: Construction and Maintenance Machinery and Apparatus; equipment; highway repaving
25. Sanitary Sewers: Construction and Maintenance Machinery and Apparatus; generator equipment; equipment; facility repair
26. Sewage Treatment Plant: Facility upgrades, repairs, equipment and software
27. Sanitation: Construction and Maintenance Machinery and Apparatus; equipment

WHEREAS, the City of Newburgh intends to adopt a bond resolution necessary to finance these capital improvement projects; and

WHEREAS, the City desires to comply with the New York State Environmental Quality Review Act ("SEQRA") and the regulations contained within 6 NYCRR Part 617 (the "Regulations") with respect to the certain capital equipment purchase and replacement projects; and

WHEREAS, the capital improvement projects listed above are defined as Type II Actions, and therefore, classified as categorical exclusions to SEQRA under Section 617.5(c)(1) of the SEQRA Regulations as the maintenance or repair involving no substantial changes in an existing structure or facility; under Section 617.5(c)(2) of the SEQRA Regulations as the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in Section 617.4; under Section 617.5(c)(5) of the SEQRA Regulations as the repaving of existing highways not involving the addition of new travel lanes; and under Section 617.5(c)(31) of the SEQRA Regulations as the purchase or sale of furnishings, equipment or supplies, including surplus government property, other than land, radioactive material, pesticides, herbicides, or other hazardous materials;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the capital improvement projects listed in this resolution constitute "Type II", as the quoted term is defined in the SEQRA Regulations and that no further review for SEQRA purposes is required; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and hereby is authorized to sign and file any/and all other documents that may be necessary in connection with this SEQRA classification of the capital improvement projects listed in this resolution.

RESOLUTION NO.: 33 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH DECLARING
ITSELF TO BE LEAD AGENCY UNDER STATE ENVIRONMENTAL QUALITY
REVIEW ACT (SEQRA) FOR THE MUNICIPAL PARKING LOT PAVING PROJECT,
ADOPTING AN ENVIRONMENTAL ASSESSMENT FORM AND
ISSUING A NEGATIVE DECLARATION**

WHEREAS, the City of Newburgh proposes undertake the financing of several capital improvement projects including the Municipal Parking Lot Paving Project (the "Project") which includes municipal parking lots identified as the West End Fire House Parking Lot, the Grand Street Parking Lot, the Library Parking Lot and the Public Safety Building Parking Lot; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA), the City Council of the City of Newburgh wishes to assume Lead Agency status, classifies the Project as a Type I Action, and proposes to approve and adopt a Long Environmental Assessment Form; and

WHEREAS, the City of Newburgh has taken a hard look at the environmental impacts of repaving these municipal parking lots, several of which are located within the East End Historic District and has determined that there will be no negative environmental impacts regarding same;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York as follows:

1. That the City Council of the City of Newburgh hereby declares itself to be Lead Agency status for the environmental review of the action pursuant to 6 NYCRR 617.6; and
2. That this Council proposes to adopts the Long Environmental Assessment Form attached hereto; and
3. Issues a Negative Declaration pursuant to the SEQRA; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and hereby is authorized to sign and file any/and all other documents that may be necessary in connection with this SEQRA classification of the Municipal Parking Lot Paving Project.

RESOLUTION NO. 34 - 2020

OF

FEBRUARY 10, 2020

BOND RESOLUTION OF THE CITY OF NEWBURGH, NEW YORK, ADOPTED FEBRUARY 10, 2020, AUTHORIZING VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$15,748,506, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,748,506 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

THE CITY COUNCIL OF THE CITY OF NEWBURGH, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said City Council) AS FOLLOWS:

Section 1. The City of Newburgh, in the County of Orange, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in column A of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column B of such Schedule I, such projects having been determined to be Type II actions for purposes of the State Environmental Quality Review Act ("SEQRA") which will not have a significant impact on the environment and require no further proceedings under SEQRA. The total estimated cost of such projects, including preliminary

costs and costs incidental thereto and to the financing thereof, is \$15,748,506 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$15,748,506 bonds of the City, and any bond anticipation notes issued in anticipation of the sale of such bonds, to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$15,748,506 are hereby authorized to be issued in the principal amounts indicated in column C of Schedule I for each of the respective objects or purposes indicated in column A of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law as referenced in column E of the attached Schedule I, are set forth in column D of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller/Director of Finance, the chief fiscal officer of the City.

Section 7. Pursuant to the provisions of section 16 of Chapter 223 of the New York Laws of 2010, the City is authorized to include in this resolution the following pledge and agreement of the State of New York (herein called the "State") contained in said Section 16:

"The state does hereby pledge to and agree with the holders of any bonds, notes or other obligations issued by the city during the effective period of this act and secured by such a pledge that the state will not limit, alter or impair the rights hereby vested in the city to fulfill the terms of any agreements made with such holders pursuant to this act, or in any way impair the rights and remedies of such holders or the security for such bonds, notes or other obligations until such bonds, notes or other obligations together with the interest thereon and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully paid and discharged."

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This Bond Resolution shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in "*The Sentinel*," "*The Mid Hudson Times*," and "*The Hudson Valley Press*," three newspapers each having a general circulation in the City and hereby designated the official newspapers of said City for such publication.

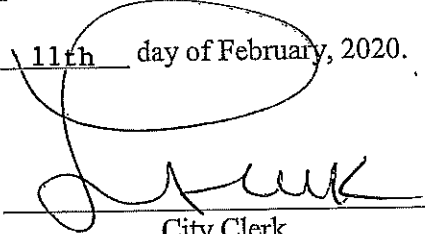
CERTIFICATE

I, LORENE VITEK, City Clerk of the City of Newburgh, in the County of Orange, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the City Council of said City of Newburgh duly called and held on February 10, 2020, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said City Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Newburgh this

11th day of February, 2020.

(SEAL)


City Clerk

Schedule I

2020 Capital Improvement Plan

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
<u>Project Description (object or purpose)</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulness</u>	<u>PPU Section 11.00 a. Reference</u>	<u>Specific or Class of Objects Purposes and COMBO</u>
Grand Street Courthouse	1,127,000	1,127,000	10	90	COMBO
Oil Tank Removal – 123 Grand Street	40,000	40,000	5	35	S
Broadway School Courthouse Roof Repairs	80,000	80,000	15	12(a)(2)	S
Broadway School Courthouse Steps, Sidewalks	50,000	50,000	10	24	S
Broadway School Courthouse software and computer replacement	25,000	25,000	5	35	S
Parking Meter System Improvements	2,000,000	2,000,000	5	89	COMBO
Dump Truck with Plow (Property Management)	75,000	75,000	15	28	S
Equipment (Property Management)	50,000	50,000	5	32	S
HVAC Equipment (Municipal Buildings)	1,500	1,500	10	13	C
Improvements to Various Municipal Buildings (Municipal Buildings)	1,587,000	1,587,000	15	12(a)(2)	C
Construction and Maintenance Machinery and Apparatus (Municipal Buildings)	120,000	120,000	15	28	S
Equipment (Municipal Buildings)	1,500	1,500	5	32	C
Computers and Equipment (Citywide)	350,000	350,000	5	89	COMBO
Software and Hardware (Information Systems)	320,000	320,000	5	32	C
Equipment (Police)	60,500	60,500	5	35	C
City-wide Intersection Reconstruction (Traffic)	500,000	500,000	15	20(c)	C
Construction and Maintenance Machinery and Apparatus (Traffic)	160,000	160,000	15	28	S
Traffic Control System (Traffic)	64,500	64,500	10	90	COMBO
Two Engine Trucks Replacement (Fire)	1,300,000	1,300,000	20	27	S
Engine Apparatus Refurbishment (Fire)	350,000	350,000	20	27	S
492 Broadway Partial Reconstruction	50,000	50,000	15	12(a)(2)	S
Equipment (Fire)	199,082	199,082	5	32	C
Equipment and Software (Code Enforcement)	13,300	13,300	5	89	COMBO
Construction and Maintenance Machinery and Apparatus (DPW Administration)	55,000	55,000	15	28	S
Office and Radio Equipment (DPW Administration)	2,200	2,200	5	89	C
City-wide Sidewalk Reconstruction (DPW)	25,000	25,000	10	24	C

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
<u>Project Description (object or purpose)</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulness</u>	<u>PPU Section 11.00 a. Reference</u>	<u>Specific or Class of Objects Purposes and COMBO</u>
Streets and Bridges)					
City-wide Road Repaving (DPW Streets and Bridges)	754,000	754,000	15	20(c)	C
Construction and Maintenance Machinery and Apparatus (DPW Streets and Bridges)	565,000	565,000	15	28	C
Equipment (DPW Streets and Bridges)	8,800	8,800	5	89	COMBO
Building Reconstruction (DPW Garage)	164,000	164,000	15	12(a)(2)	S
Equipment (DPW Garage)	15,000	15,000	5	32	C
Motor Vehicles (Police Garage)	250,000	250,000	3	77	C
Tow Truck (Police Garage)	90,000	90,000	5	29	S
Equipment (Police Garage)	3,000	3,000	5	32	C
Construction and Maintenance Machinery and Apparatus (Snow Removal)	841,000	841,000	15	28	C
Various Parking Lot Repaving (Off Street Parking)	320,000	320,000	15	20(c)	C
Construction and Maintenance Machinery and Apparatus (Parks)	341,000	341,000	15	28	C
Equipment (Parks)	4,500	4,500	5	32	C
Equipment (Conservation Advisory Council)	960	960	5	32	C
Motor Vehicles (Recreation)	80,000	80,000	5	89	COMBO
Various Improvements (Recreation)	377,314	377,314	15	91	COMBO
Office Equipment (Zoning Board)	1,000	1,000	5	32	C
Office Equipment (Planning Board)	1,000	1,000	5	32	C
Office Equipment (Architectural Review Committee)	1,000	1,000	5	32	C
Equipment (Water Administration)	68,500	68,500	5	89	COMBO
Equipment (Water Ponds and Reservoirs)	45,000	45,000	5	89	COMBO
Equipment (Water Purification)	82,350	82,350	5	89	COMBO
Road Improvements (Water Distribution)	15,000	15,000	15	20	C
Construction and Maintenance Machinery and Apparatus (Water Distribution)	225,000	225,000	15	28	S
Equipment (Water Distribution)	66,000	66,000	5	32	C
Pipe relining, sewer main & manhole reconstruction (Sanitary Sewers)	500,000	500,000	30	4	C
City-wide Pump Station Reconstruction (Sanitary Sewers)	300,000	300,000	30	4	C
Generator Equipment (Sanitary Sewers)	30,000	30,000	5	89	COMBO
Construction and Maintenance Machinery and Apparatus (Sanitary Sewers)	845,000	845,000	15	28	C
Equipment (Sanitary Sewers)	15,000	15,000	5	89	COMBO

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
<u>Project Description (object or purpose)</u>	<u>Estimated Maximum Cost</u>	<u>Amount of Bonds Authorized</u>	<u>Period of Probable Usefulness</u>	<u>PPU Section 11.00 a. Reference</u>	<u>Specific or Class of Objects Purposes and COMBO</u>
Various Improvements (Sewage Treatment Plant)	358,000	358,000	30	4	C
Motor Vehicle Refurbishment	10,000	10,000	5	35	S
Construction and Maintenance Machinery and Apparatus (Sanitation)	750,000	750,000	15	28	S
Equipment (Sanitation)	14,500	14,500	5	32	C
Totals:	\$15,748,506	\$15,748,506			

RESOLUTION NO.: 35 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH CAPITAL MARKETS ADVISORS LLC
TO PROVIDE PROFESSIONAL SERVICES TO THE CITY OF NEWBURGH
RELATING TO NEW ISSUE BONDS, BOND ANTICIPATION NOTES,
TAX ANTICIPATION NOTES, DEFICIT NOTES AND BUDGET NOTES**

WHEREAS, the City of Newburgh is authorized under the New York State Local Finance Law to issue bonds, bond anticipation notes, tax anticipation notes, deficit notes, budget notes and other securities; and

WHEREAS, it is necessary and appropriate for the City of Newburgh to retain independent professional services in connection with the planning, marketing and sales associated with such securities and financing; and

WHEREAS, by Resolution No. 164-2016 of July 11, 2016 and Resolution No. 149-2017 of June 12, 2017, the City Council authorized the City Manager to enter into a professional services agreement with Capital Markets Advisors, LLC to provide such securities and financing services; and

WHEREAS, a written professional services agreement between the municipal advisor and its municipal clients is required by the Securities and Exchange Commission and City Council deems it to be in the best interests of the City to continue such professional services agreement with Capital Markets Advisors, LLC for such services;

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 an agreement in substantially the same form as annexed hereto with Capital Markets Advisors, LLC to provide professional services in connection with the planning, marketing and sales associated with the issuance of bonds, bond anticipation notes, tax anticipation notes, deficit notes, budget notes and other securities.

RESOLUTION NO.: 36 - 2020

OF

FEBRUARY 10, 2020

A RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT
MADE BY AND AMONG THE CITY OF NEWBURGH, LIBERTY PROGRESS
LIMITED PARTNERSHIP, AND NEWBURGH PROGRESS HOUSING
DEVELOPMENT FUND COMPANY, INC.

WHEREAS, pursuant to Resolution No. 66-2019, the City of Newburgh authorized a payment-in-lieu-of-taxes ("PILOT") agreement ("Agreement") by and among Liberty Progress Limited Partnership ("Partnership") and Newburgh Progress Housing Development Fund Company, Inc. ("HDFC"); and

WHEREAS, the Agreement called for the first PILOT payment to be made on or before February 15, 2020, provided that the HDFC acquired title to the properties listed in the Agreement on or before that date; and

WHEREAS, the HDFC has indicated that it will not be able to take title to the properties listed in the Agreement on or before February 15, 2020, but expects to take title to the properties in March 2020; and

WHEREAS, an amendment to the Agreement is required to reflect the anticipated closing date and timing of the PILOT payments; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to enter into the attached amendment to the Agreement;

NOW, BE IT RESOLVED, that the City Manager is hereby authorized to execute and deliver the foregoing amendment to the Agreement, in substantially the same form as annexed hereto, with other provisions as Corporation Counsel may require on behalf of the City to effectuate the Agreement and the amendment.

RESOLUTION NO.: 37 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
SATISFACTION OF MORTGAGE IN CONNECTION WITH THE PREMISES
LOCATED AT 746 BROADWAY (SECTION 25, BLOCK 4, LOT 40)**

WHEREAS, the Newburgh Community Development Agency ("NCDA") issued a mortgage to Joseph Accettura and Vincent Accettura in the principal sum of \$3,750.00 for the premises located at 746 Broadway (Section 25, Block 4, Lot 40) ("Premises"), dated October 17, 1989, and recorded in the Orange County Clerk's Office on October 25, 1989, in Liber 3563 of Deeds at Page 42; and

WHEREAS, said mortgage converted into a grant over a period of time provided that, among other things, the owner did not sell, convey, or transfer title to the Premises within 5 years from the issuance of the mortgage; and

WHEREAS, the mortgagor has appeared to comply with the terms and conditions of said mortgage and is entitled to a discharge of record; and

WHEREAS, this Council has determined that issuing and executing a Satisfaction of Mortgage by the City of Newburgh, as successor in interest to the NCDA, is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the mortgage issued by Newburgh Community Development Agency to Joseph Accettura and Vincent Accettura in the principal sum of \$3,750.00 is hereby satisfied, and the City Manager is hereby authorized to execute the attached Satisfaction in connection with said mortgage.

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT

The City of Newburgh, a municipal corporation with a principal place of business at 83 Broadway, Newburgh, New York 12550, as Successor in Interest to the Newburgh Community Development Agency;

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

MORTGAGE bearing the date of October 17, 1989, made by Joseph Accettura and Vincent Accettura to the Newburgh Community Development Agency, given to secure payment of the principal sum of \$3,750.00, and duly recorded in the office of the Orange County Clerk's Office on October 25, 1989, in Liber 3563 of Deeds at Page 42; and

which Mortgage has not been further assigned of record.

Dated: February ____, 2020

THE CITY OF NEWBURGH

By:

Joseph P. Donat, City Manager
Pursuant to Res. No.: ____-2020

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

On the ____ day of February in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH P. 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.

Notary Public

RESOLUTION NO.: 38-2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO ROY LETHEN TO THE PREMISES KNOWN AS
25 BENKARD AVENUE (SECTION 45, BLOCK 5, LOT 3)**

WHEREAS, on August 2, 2017, the City of Newburgh conveyed property located at 25 Benkard Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 5, Lot 3, to Roy Lethen; and

WHEREAS, Mr. Lethen 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 25 Carpenter Avenue, Section 45, Block 5, Lot 3 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 2, 2017, from THE CITY OF NEWBURGH to ROY LETHEN, recorded in the Orange County Clerk's Office on August 4, 2017, in Liber 14268 of Deeds at Page 1889 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: _____, 2020

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: ____-2020

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

On the ____ day of _____ in the year 2020, 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.: 39 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 352 THIRD STREET (SECTION 16, BLOCK 8, LOT 17)
AT PRIVATE SALE TO FLOR E. ROMANO FOR THE AMOUNT OF \$45,000.00**

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

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

WHEREAS, the City of Newburgh desires to sell 352 Third Street, being more accurately described as Section 16, Block 8, Lot 17 on the official tax map of the City of Newburgh; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before May 15, 2020, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
352 Third Street	16 - 8 - 17	Flor E. Romano	\$45,000.00

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

Terms and Conditions Sale

352 Third Street, City of Newburgh (SBL: 16-8-17)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2019-2020, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2019-2020, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office by the date listed in the approved City Council Resolution, notwithstanding any extensions of time granted pursuant to terms contained herein ("Closing Deadline"). Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
11. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days from the Closing Deadline. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for its consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
13. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
14. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**
15. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh. Any survey description shall be provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.
18. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.
19. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
20. Notice is given that the property lies within either the East End Historic District or the Colonial Terraces Architectural Design District as designated in the City of Newburgh's current zoning map. This parcel is sold subject to all provision of law applicable thereto. It is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance any additional laws, rules or regulations applicable to those districts.
21. Within ten (10) business days of approval of sale by the City of Newburgh, the purchaser shall tender a non-refundable downpayment in the amount of **\$4,500.00** payable to "City of Newburgh" by money order or guaranteed funds to the City of Newburgh Comptroller's Office. At closing, the downpayment amount shall be credited against the purchase price.

ACKNOWLEDGED AND AGREED

Date: _____

Flor E. Romano

RESOLUTION NO.: 40 - 2020

OF

FEBRUARY 10, 2020

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN
AS 234 FIRST STREET (SECTION 22, BLOCK 5, LOT 21) AND
236 FIRST STREET (SECTION 22, BLOCK 5, LOT 22) AT PRIVATE SALE
TO SONIA SIGUENCIA FOR THE TOTAL AMOUNT OF \$21,000.00

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

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

WHEREAS, the City of Newburgh desires to sell 234 First Street and 236 First Street, being more accurately described as Section 22, Block 5, Lots 21 and 22, respectively, on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase these properties at private sale; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before May 15, 2020, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
234 First Street	22 - 5 - 21	Sonia Siguencia	\$10,500.00
236 First Street	22 - 5 - 22		\$10,500.00

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

Terms and Conditions of Sale
234 First Street, City of Newburgh (22-5-21)
236 First Street, City of Newburgh (22-5-22)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2019-2020, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2019-2020, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed

by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office by the date listed in the approved City Council Resolution, notwithstanding any extensions of time granted pursuant to terms contained herein ("Closing Deadline"). Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees. The City is not required to send notice of acceptance or any other notice to a purchaser.* At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
11. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days from the Closing Deadline. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for its consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
13. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
14. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**
15. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City

may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh. Any survey description shall be provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.
18. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.
19. The property located at 236 First Street (22-5-22) is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
20. Notice is given that the property lies within either the East End Historic District or the Colonial Terraces Architectural Design District as designated in the City of Newburgh's current zoning map. This parcel is sold subject to all provision of law applicable thereto. It is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance any additional laws, rules or regulations applicable to those districts.

ACKNOWLEDGED AND AGREED

Date: _____

Sonia Siguenca

RESOLUTION NO.: _____ 41 _____ - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION SCHEDULING
THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)
PUBLIC HEARING AND OPENING OF
THE 15-DAY PUBLIC COMMENT PERIOD FOR FISCAL YEAR 2019**

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

WHEREAS, a jurisdiction is required to submit an annual report to the U.S. Department of Housing and Urban Development (HUD) that summarizes accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days after the program year; and

WHEREAS, the CAPER provides the community with information regarding how HUD entitlement funds were used to address housing, community development and essential service needs; and

WHEREAS, prior to submitting the CAPER, the City publishes a draft of the report and provides the general public with an opportunity to submit comments;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that there is scheduled a public hearing to receive public comment on the Consolidated Annual Performance and Evaluation Report (CAPER) with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2019; and that such public hearing be and hereby is duly set to be held at 7:00 p.m. on the 24th day of February, 2020 in the City Council Chambers, 83 Broadway, City Hall, 3rd Floor, Newburgh, New York; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the 15-day period to receive written public comment on the City of Newburgh's proposed City of Newburgh's proposed Consolidated Annual Performance and Evaluation Report (CAPER) with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2019 shall commence on February 25, 2020 and close on March 11, 2020.

RESOLUTION NO.: 42 - 2020

OF

FEBRUARY 10, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR AND ACCEPT IF AWARDED A GRANT FROM
THE NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES
UNDER THE GUN INVOLVED VIOLENCE ELIMINATION ("GIVE") PARTNERSHIP
TO ENHANCE LAW ENFORCEMENT IN THE CITY OF NEWBURGH
TO ACHIEVE SUSTAINED, LONG-TERM CRIME REDUCTION
IN THE AMOUNT OF \$425,000.00
WITH NO CITY MATCH FOR THE PERIOD JULY 1, 2020 TO JUNE 30, 2021

WHEREAS, the City of Newburgh wishes to apply for and accept a Grant Award in an amount not to exceed \$425,000.00 under the Division of Criminal Justice Services Gun Involved Violence Elimination ("GIVE") Partnership; and

WHEREAS, the GIVE Grant Program provides funding to the the City of Newburgh for the Group Violence Intervention and Hotspot Policing Strategies and will continue to support emerging hotspot patrols, long term hotspot foot patrols, investigations of shootings/homicides involving identified group members, the Youth and Police Initiative, the Crime Analyst position and a field intelligence officer position and partially fund an investigator position; and

WHEREAS, the Program funding shall be for New York State fiscal year beginning July 1, 2020 and ending June 30, 2021; and

WHEREAS, the Program will enhance enforcement and prosecution efforts against crime in the City of Newburgh and no City matching funds are required, except the City of Newburgh will be responsible for certain fringe benefit costs which are not covered by the grant; and

WHEREAS, this Council has determined that accepting such funding is in the best interests of the City of Newburgh and the safety of its residents and visitors alike;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to apply for and accept if awarded a grant award from the New York State Department of Criminal Justice Services under the Gun Involved Violence Elimination ("GIVE") Partnership, in an amount not to exceed \$425,000.00 with no City match required for New York State Fiscal Year beginning July 1, 2020 and ending June 30, 2021, to be used to carry out the program; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: 43 -2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AMENDING THE 2020 PERSONNEL ANALYSIS BOOK
TO ADD ONE (1) LIEUTENANT POSITION ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH FIRE DEPARTMENT**

WHEREAS, the Fire Department has advised the City Manager that the department is in need of an additional individual to perform the duties of "Lieutenant;" and

WHEREAS, the creation of the additional Fire Department Lieutenant position will be on a temporary basis; and

WHEREAS, the City Council has determined that adding one temporary Lieutenant position in the Fire Department will promote economy and efficiency within the Department; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2020 be amended, and that there be and hereby is created one (1) additional position on a temporary basis in the job title "Lieutenant" in the Fire Department.

RESOLUTION NO.: 44-2020

OF

FEBRUARY 10, 2020

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDINGS AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NOS.

EF5871-2017, EF7948-2018 & EF5863-2019

INVOLVING SECTION 14, BLOCK 3, LOT 26.3 (WOODS HILL NEWBURGH LLC)

WHEREAS, Woods Hill Newburgh LLC has commenced tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2017-2018, 2018-2019 & 2019-2020 tax assessment years bearing Orange County Index Nos. EF5871-2017, EF7948-2018 & EF5863-2019, respectively; and

WHEREAS, it appears from the recommendation of the City Assessor, Joanne Majewski, and Eric D. Ossentjuk, Esq. of Catania, Mahon, Milligram & Rider, PLLC, and Kelly Naughton, Esq. of Burke, Miele, Golden & Naughton, LLP, Counsel for the City of Newburgh in the aforesaid proceedings, upon a thorough investigation of the claims that further proceedings and litigation by the City would involve considerable expense with the attendant uncertainty of the outcome, and that settlement of the above matters as more fully set forth below is reasonable and in the best interests of the City; and

WHEREAS, Woods Hill Newburgh LLC is willing to settle these proceedings without interest, costs or disbursements, in the following manner:

- 1- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2017-2018 as tax map number 14-3-26.3 be set at an assessed value of \$1,255,000.00 prior to the application of the RPTL §485-b exemption.
- 2- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2018-2019 as tax map number 14-3-26.3 be set at an assessed value of \$1,260,000.00 prior to the application of the RPTL §485-b exemption.
- 3- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2019-2020 as tax map number 14-3-26.3 be set at an assessed value of \$1,260,000.00 prior to the application of the RPTL §485-b exemption.

NOW, THEREFORE BE IT RESOLVED, that the proposed settlement as set forth and described above, and the attached Order and Stipulation of Settlement are hereby accepted pursuant to the provisions of the General City Law and other related laws; and

BE IT FURTHER RESOLVED, that Joseph P. Donat, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Eric D. Ossentjuk, Esq. of Catania, Mahon, Milligram & Rider, PLLC, Kelly Naughton, Esq. of Burke, Miele, Golden & Naughton, LLP and be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

RESOLUTION NO.: _____45_____ - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A
REGULATORY AGREEMENT IN CONNECTION WITH THE PREMISES
LOCATED AT 257 LIBERTY STREET (SECTION 18, BLOCK 8, LOT 1.1)**

WHEREAS, the City of Newburgh commenced legal action against RUPCO, Inc., current owners of record of the premises known as 257 Liberty Street (Section 18, Block 8, Lot 1.1), to enforce its reverter and re-entry rights to the premises that existed in a prior deed made by the City to 257 Liberty, LLC; and

WHEREAS, the City of Newburgh and RUPCO, Inc. have reached a regulatory agreement in a manner and form substantially similar to the agreement annexed hereto; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to enter into the attached regulatory agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Office of the Corporation Counsel is hereby authorized to settle the legal action pending against RUPCO, Inc., and the City Manager is hereby authorized to execute the written regulatory agreement and any other documents as the Office of the Corporation Counsel may require, to effectuate the regulatory agreement as herein described.

RESOLUTION NO.: 46 - 2020

OF

FEBRUARY 10, 2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
SUPPORTING AN INCREASE IN THE SALES TAX
IN ORANGE COUNTY TO FOUR PERCENT**

WHEREAS, the City Council of the City of Newburgh continuously efforts to explore ways to provide reasonable and affordable services to all residents in the City of Newburgh; and

WHEREAS, the City Council is aware that Orange County is seeking an increase in the sales tax to four percent (4.0%); and

WHEREAS, the City Council finds that an increase in the sales tax to four percent (4.0%), is an amount already charged in most of the counties in the State, and said increase will have a significant impact on meeting local budget requirements; and

WHEREAS, the City Council believes that supporting Orange County's request for an increase in the sales tax to four percent (4%) is in the best interests of the City of Newburgh;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Newburgh expresses its support for Orange County's request to increase the sales tax to four percent (4%).