

A regular meeting of the City Council of the City of Newburgh was held on Monday, February 24, 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

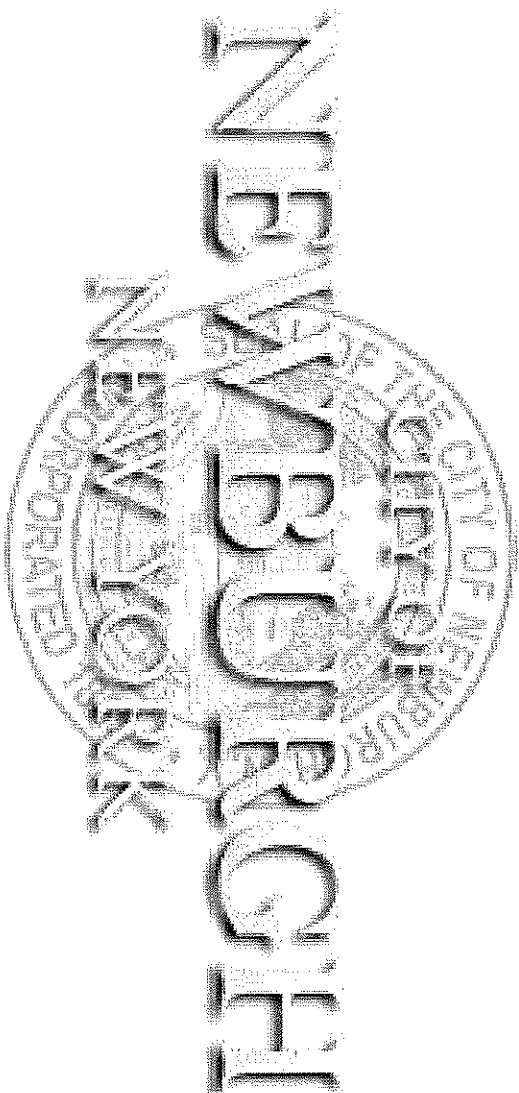
Approval of the Minutes of the City Council Meeting on February 10, 2020

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

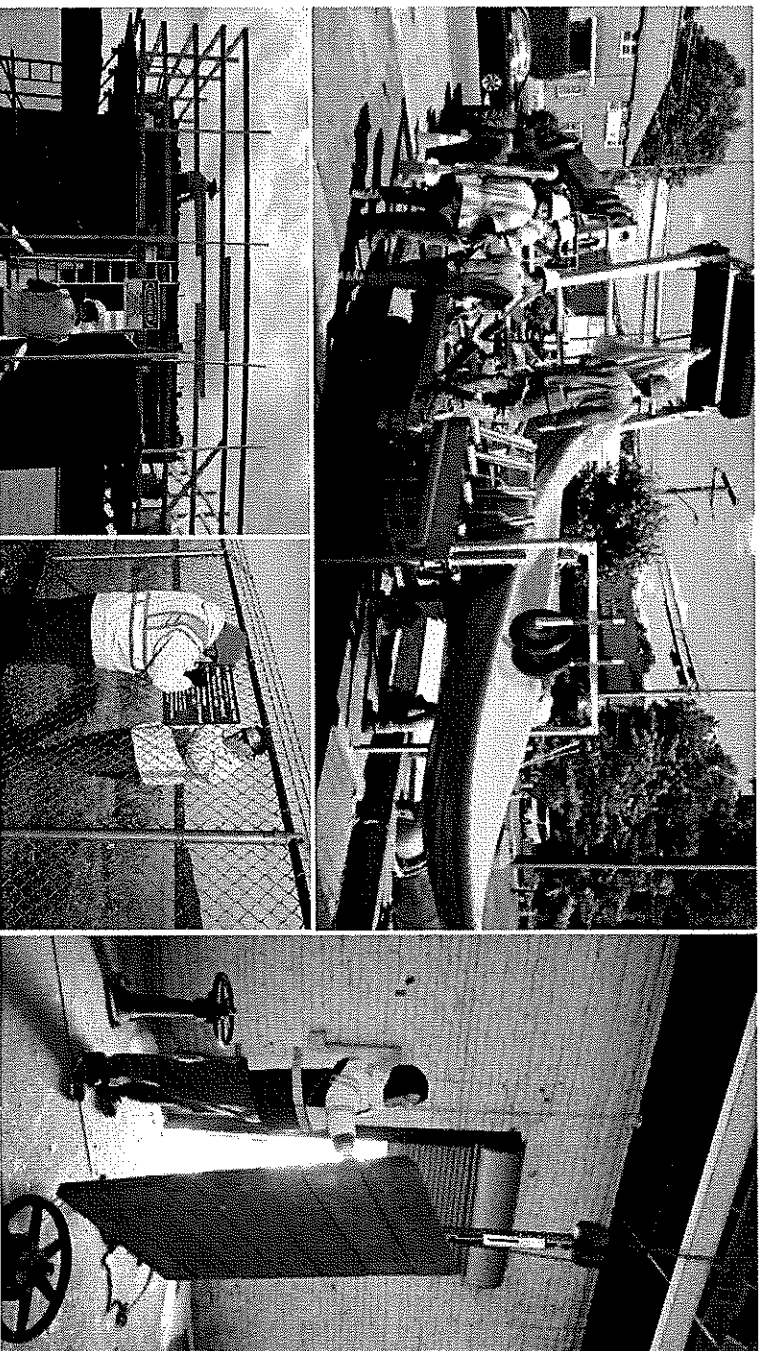
Monday, February 24, 2020

Engineering Week: February 16-22, 2020

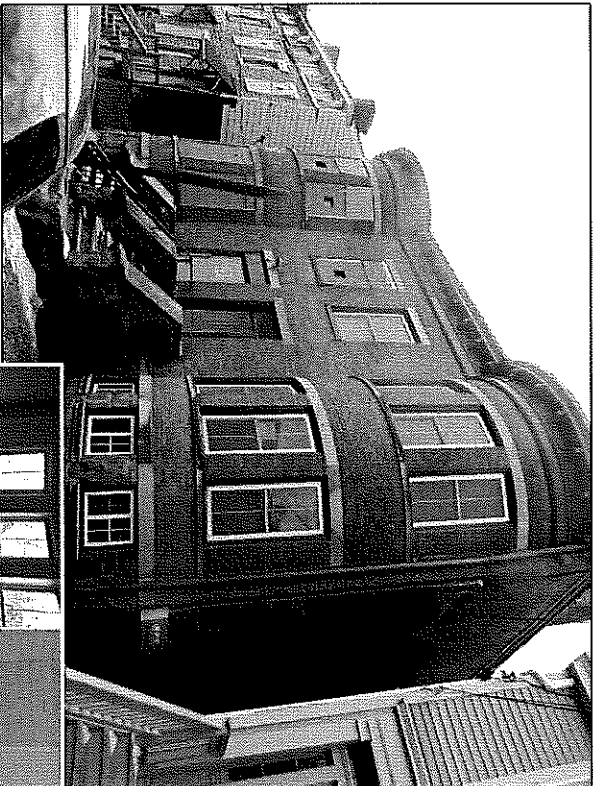
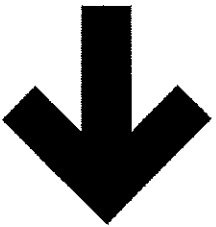
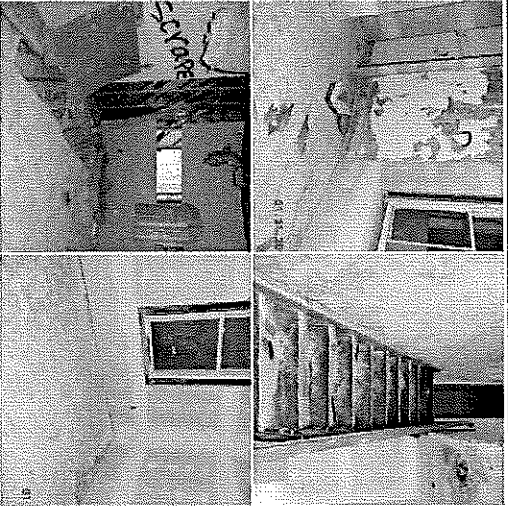
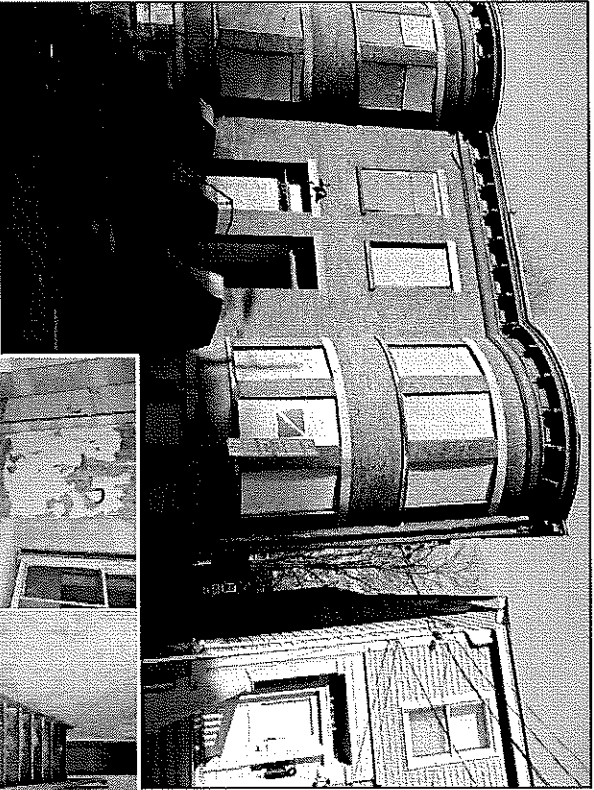


NATIONAL SOCIETY OF
PROFESSIONAL ENGINEERS

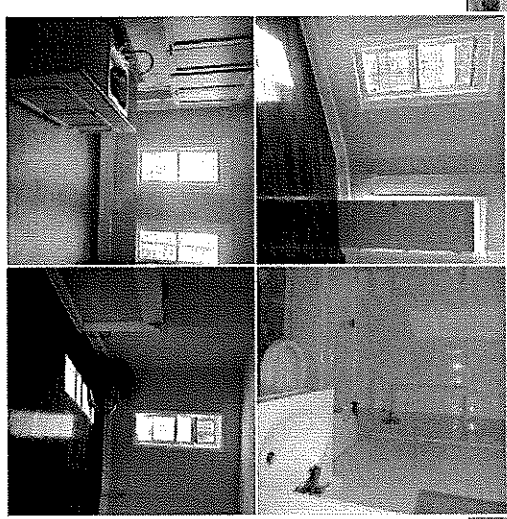
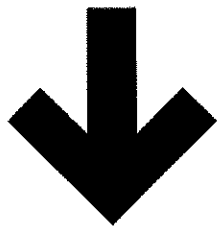
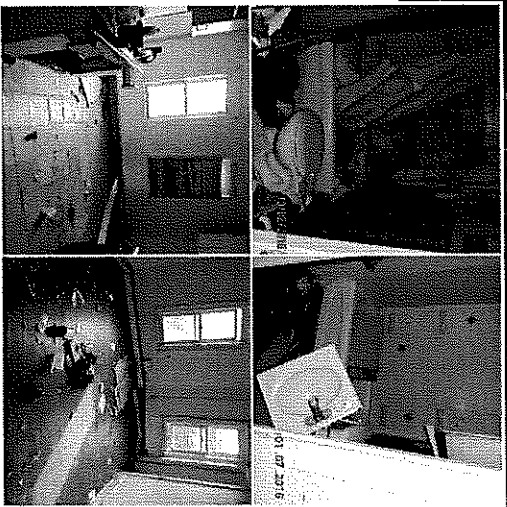
Champion | Guide | Advance | Unite



141 Chambers Street



182 Renwick Street



Electrical Standards Ordinance

Code Changes

Designates risk of license suspension of up to one year

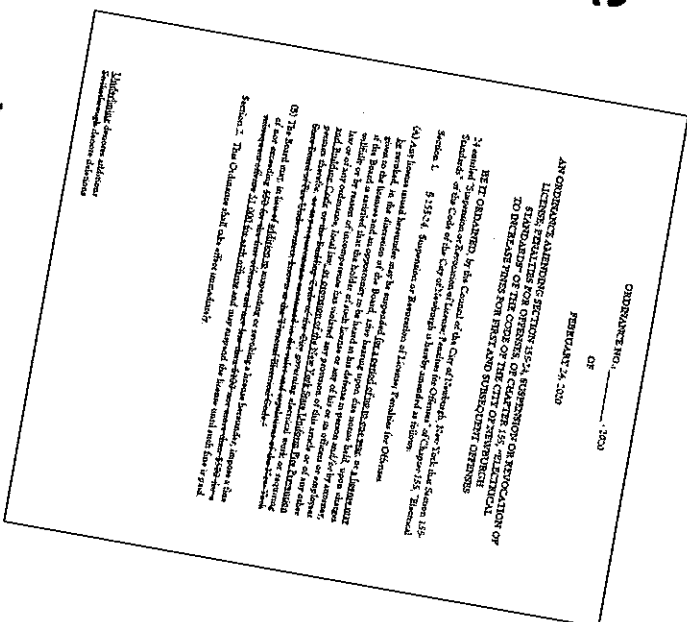
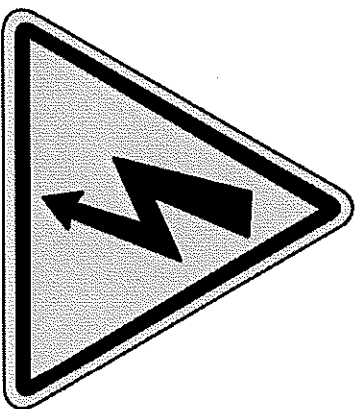
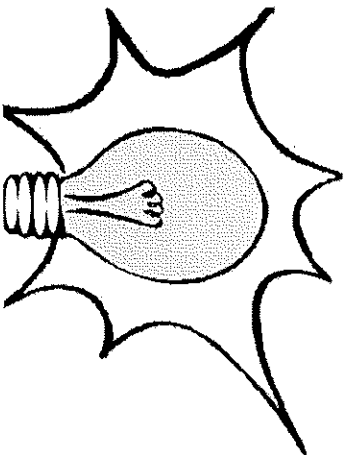
Clarifies risk of license revocation

Includes clear reference to provision of the NYS Uniform Fire Prevention & Building Code

Clarifies penalty can include both suspension or revocation as well as a fine

Increased fines from gradient of \$50-\$500 to \$1,000 for each offense

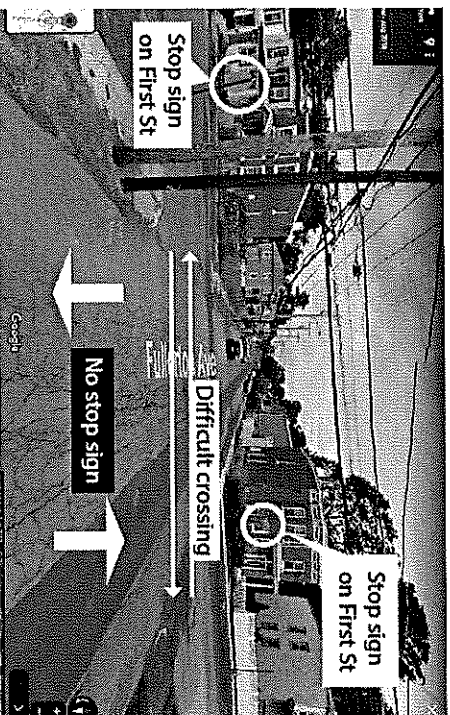
These changes take effect immediately



First & Fullerton Stop Signs

Seeking a remedy for this dangerous intersection

- Turn 2-way stop into 4-way stop
- Ensure pedestrians can cross safely
- Efficient and low-cost traffic-calming measure
- Will not adversely inhibit traffic on Fullerton
- Councilmember Sklarz advocated for it



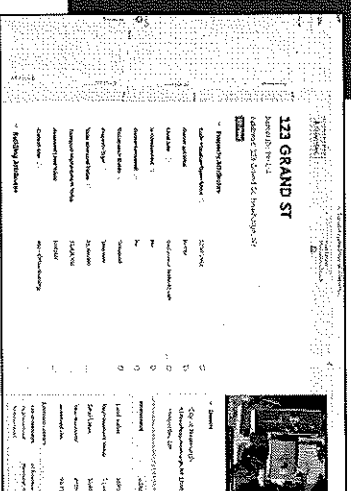
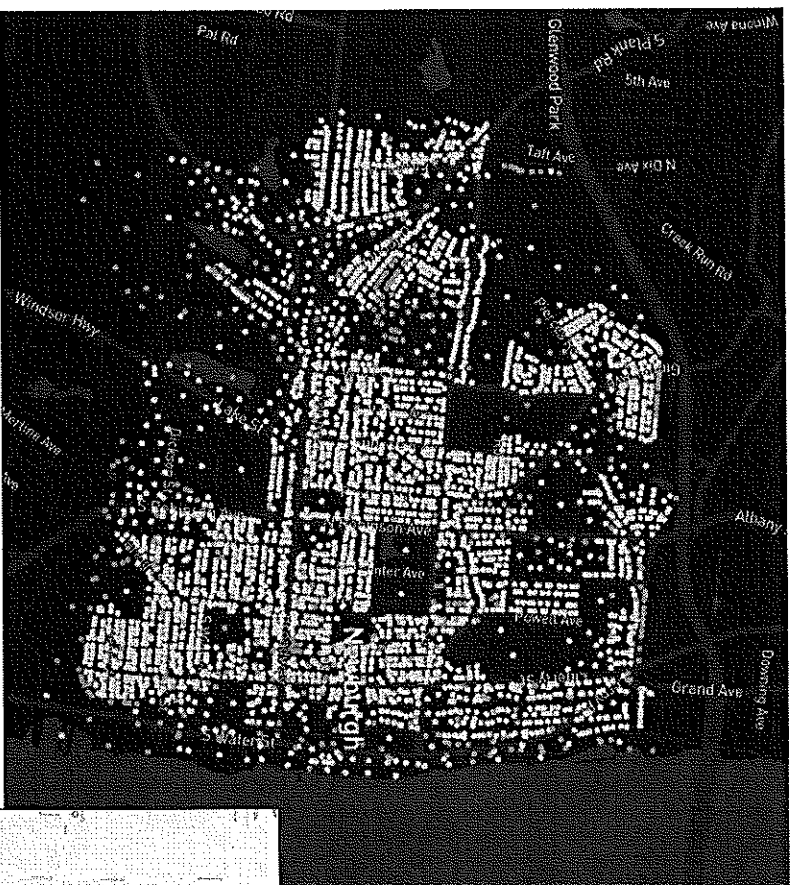
Washington Street Parking

Beginning in April, parking will be permitted on the South side of Washington Street between Liberty and Colden.

This is great news for the businesses right around the corner and for potential development opportunities in the vicinity.



BuildingBlocks

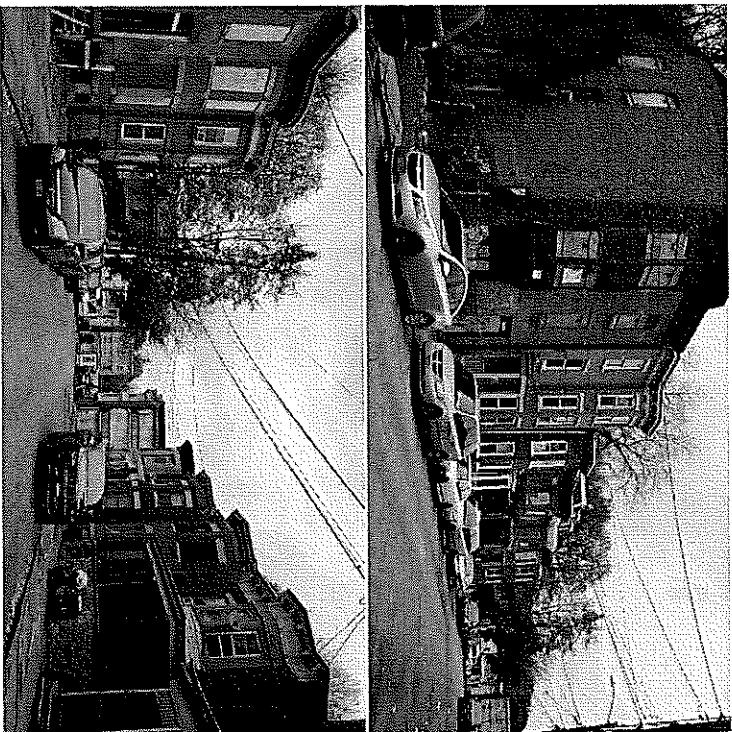


- Thanks to Cities RISE funding, the public can access BuildingBlocks to see:
- Current use, occupancy status
 - Building attributes, condemnations
 - Recent property transfers
 - Ownership
 - More features will be added later this year

Staff have been using the platform internally to address distressed building stock and are excited to share it.

Learn more on the City website.

Lutheran Street Light Replacement

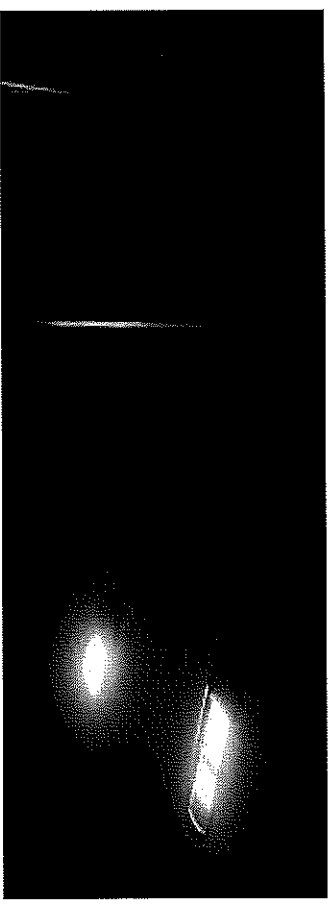


The area has had insufficient lighting for a long time.

6 poles will get LED cobra head model lamps which are optimal for illuminating roadways.

Cost to the City is \$13.67 per lamp per month.

During the Quality of Life Sweep last year, Planning, Police, DPW and Central Hudson evaluated and remedied lighting issues including tree overgrowth, a lightless pole, and a low-powered bulb. Central Hudson gave away 100 free LED bulbs to residents to illuminate both porches and interior hallways.



Quality of Life Sweeps in 2020

Staff will be conducting 3 Quality of Life Sweeps in 2020.

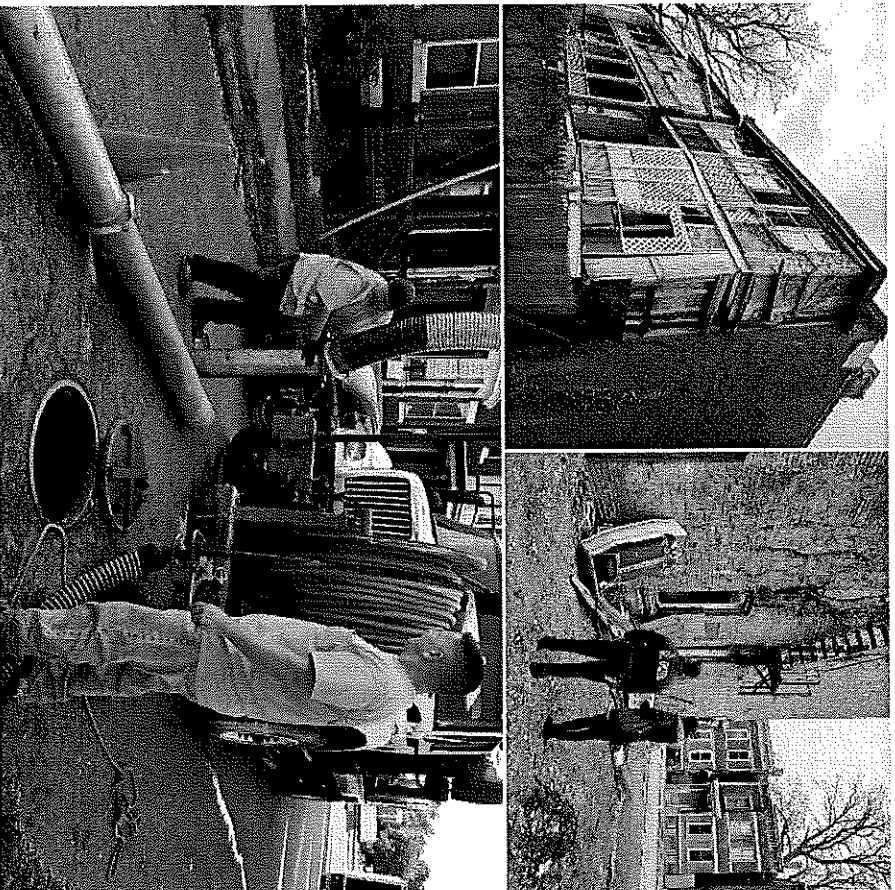
- William Street between Renwick & Hasbrouck
- First Street between City Terrace & Carpenter
- Liberty Street between Farrington & Clinton

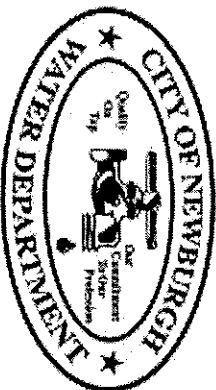
Funded through Cities RISE

Will address issues that lead to blight and crime

- Violent crime
- Homelessness
- Dumping
- Housing & infrastructure quality
- Building code violations

Town Hall meetings before the events will help residents and homeowners know what to expect.





Preliminary Meter Reading

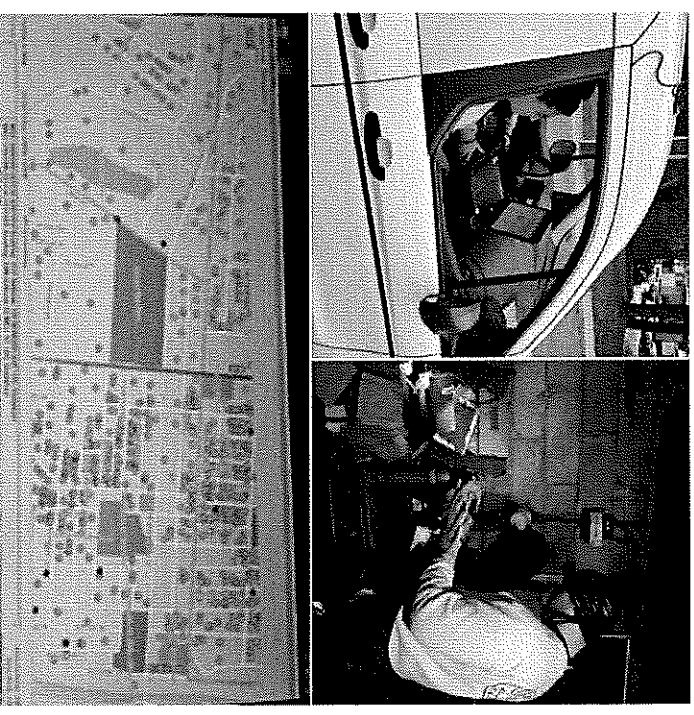
Field staff installed meters and reading devices with built-in leak detection, enabling them to read 5,500 meters in one day using a vehicle mount system. Administrative staff download the data and reviewed for high usage and possible leaks in the homeowners side of the meter.

Water Leaks Repaired in January

The repairs will save thousands of gallons of water each day.

Top sites for leak reduction were:

Liberty Street - 15k GPD
Robinson/Pine - 80k GPD
Hampton Place - 100k GPD

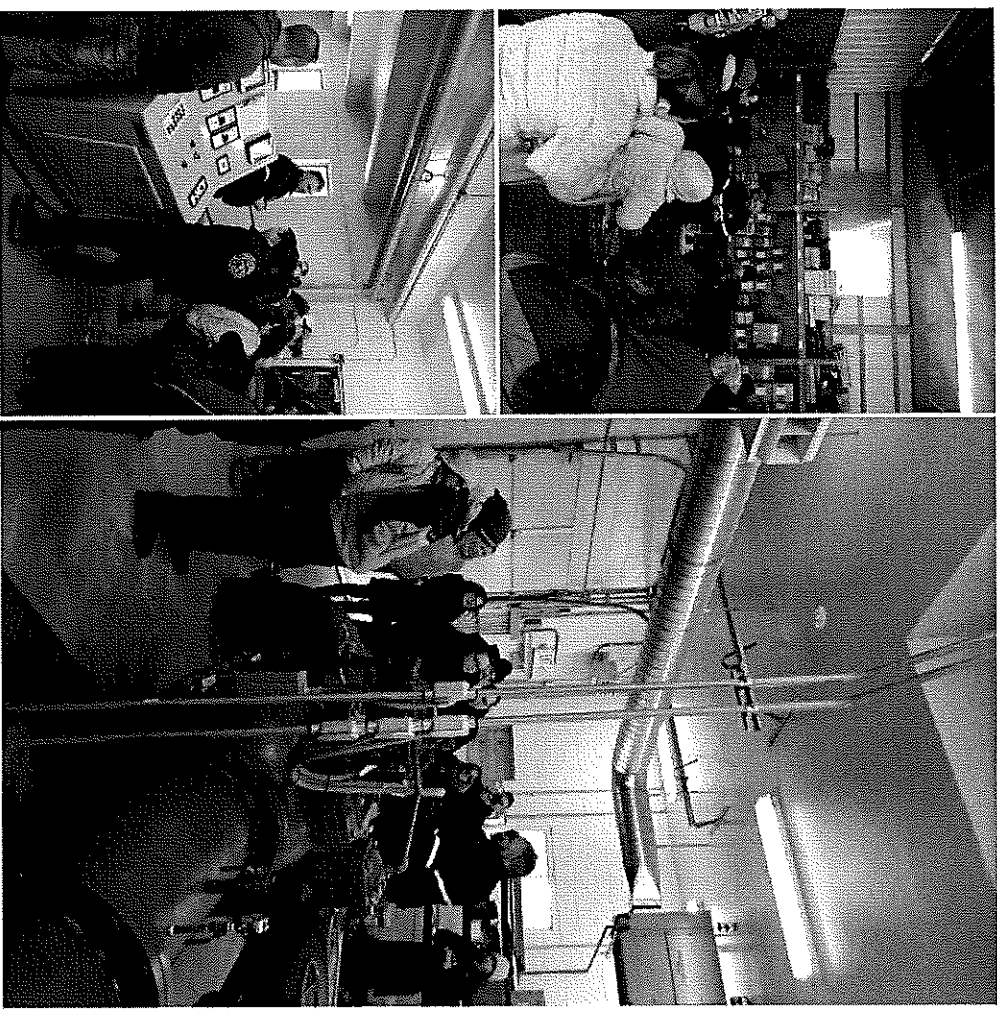




Drinking Water Filtration Plant Tour & Open House

On Saturday, February 15, 2020 over 25 people got an inside look at how the City's drinking water is sourced, filtered, and transported.

These tours happen throughout the year and the next tour will happen in the spring.



Language Translation

Williams DWS INT 2.2.0 Digi-wave
Language Interpretation System

- Portable, wireless system
- Ideal for presentation-style conferences , meetings and worship services
- Provides simultaneous interpretation of up to 14 languages
- Listeners select their language then listen to the interpreter
- Funded through CDBG
- Use is limited to CDBG-funded projects



Communication Improvements

Last September the City began examining its communication practices and made several positive changes that have allowed for increased awareness and improved messaging.

STANDARDIZATION

- Best practice guidelines brought templates
- Established a posting schedule
- Captioning is clear and concise
- Standardized graphic images are used for different purposes such as snow emergencies, street closures, and sanitation changes
- Text is optimized for mobile users and language translation

ASSORTED CONTENT

- Sharing photos and narratives that give people an inside look at operations
- Content includes staff at work, projects in progress, and developments in the works



PLATFORMS

Facebook

- Over 5,500 followers

Instagram ****New****

- Over 1,100 followers

Twitter

- Over 775 followers

LinkedIn ****NEW****

- Over 175 followers

Newsletter ****NEW****

- Over 350 subscribers. 3 issues generated

South Middle School Student Government

BLACK HISTORY MONTH

2nd Annual Black History Month Celebration

Performers & Speakers include:

Newburgh NAACP
Mayor Harvey
NYA Step Team
My Brother's Keeper
Empire Hip Hop
Pastor Woody's Gospel Choir
Newburgh Performing Arts Academy
& More!

Date: Thursday February 27, 2020

Location: SMS Cafeteria

Time: 6-8 pm

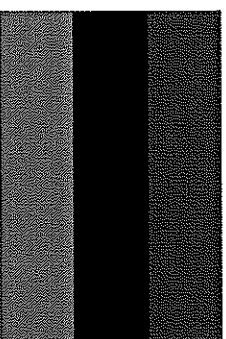
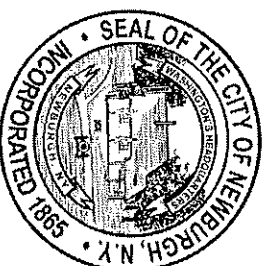
Some food provided from Eddy's on Broadway
Please bring a dish to share

Black History Month in Newburgh

The City of Newburgh celebrates Black
History Month with the

Raising of the Pan-African Flag

Wednesday, February 26, 2020 4:00pm
Broadway Park
(Intersection of Broadway & Colden Street)



BLACK HISTORY

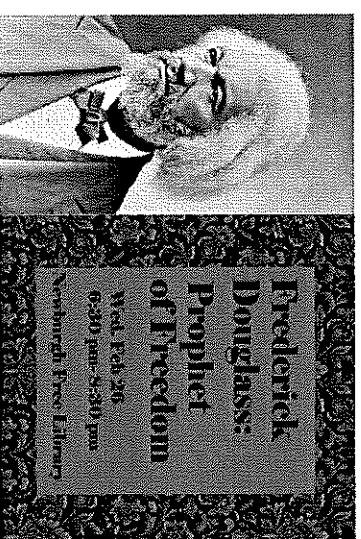
HONORING AFRICAN AMERICANS

FEBRUARY 25TH, 2020 6-7:30PM

LIVE MUSIC | DANCE | POETRY | SKITS

Come enjoy our 2nd Annual Black History Month
Program with our "Motown" Theme!

FOSTER TOWN E.L.C. MAGNET SCHOOL
364 Fostertown Rd Newburgh, NY 12550



United States Census 2020

Newburgh Counts Committee

Thursday, February 27 - Heritage Center 6:30 PM



Arts & Cultural Commission

Seeking new members! Meets 1st Monday of the month

Learn more on social media and on the City website.

Newburgh Urban Farm & Food Initiative



MEET THE FARM

FEBRUARY 29, 2020

At Grift Works - 145 Broadway, Newburgh, NY

TIME 11:00 - 2:00

Show Date March 14th

Come learn about the Downing Park Urban Farm (DPUF), located in the middle of the City of Newburgh.

Drop in to meet our team. See what is going on at the farm! Lettuce know what programs you'd like to see.

Let us know if you're coming! - See FB Event or email NewburghUrbanFarmFood@earthlink.net



grow food, grow change.

11:30 am
Meet the Farmers

Seed Swap!
bring seeds to share

What Workshops

Would You Like at the Farm?

Noon

Light Refreshments

Gallery Walk Of Best 2019 Moments

1:00 pm

Workshop: Winter

Sowing

Learn how you can become a volunteer



207 Carpenter Ave. at Elm
Newburgh, New York 12550

www.newburghurbanfarmfood.org
info@dufi.org



Handsome Devil Barbeque

- Featured champion on the Food Network's *Chopped*
- Reside in Newburgh with their daughters
- Mill Scale 1,000 gallon BBQ pit



Hudson Valley

This Hudson Valley Barbecue Master Won Food Network's Chopped

More foodies

Ed Randolph, owner of Handsome Devil BBQ, thrives on competition. He and his team have notched victories in BBQ competitions up and down the East Coast, even in the face of fierce competition. But when he got a casting call for a special, grill-themed episode of Food Network's *Chopped*, he knew he'd have to bring his A-game.

We sat down with Randolph ahead of



Safe Harbors Community Cleanup



VOLUNTEERS NEEDED!

10th ANNUAL Newburgh Community Cleanup

Saturday April 25

8:30 a.m. Registration and Refreshments
9 a.m. Cleanup

Habit Gardening Workshop
Hosted by NECSD students

SAFE HARBORS OF THE HUDSON
RESILIENT • ARTS • COMMUNITY

Be a part of what's GREAT in the City of Newburgh!

The community cleanup will kick off a city-wide effort to keep Newburgh clean and green all year!

Start/Finish at Safe Harbors of the Hudson
111 Broadway, Newburgh

Heavy duty gloves and garbage bags will be provided.

For event information, contact Jason Huey at 845.561.1111 • info@safeharbors.org

For information about volunteering, contact Karen Thayer at 845.561.1100 • info@safeharbors.org

Please print and complete the volunteer waiver form to take with you. We look forward to seeing you!

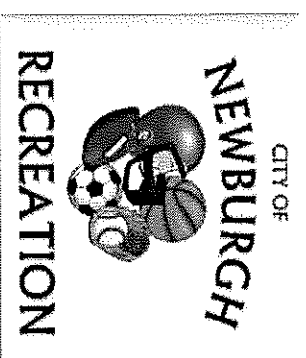
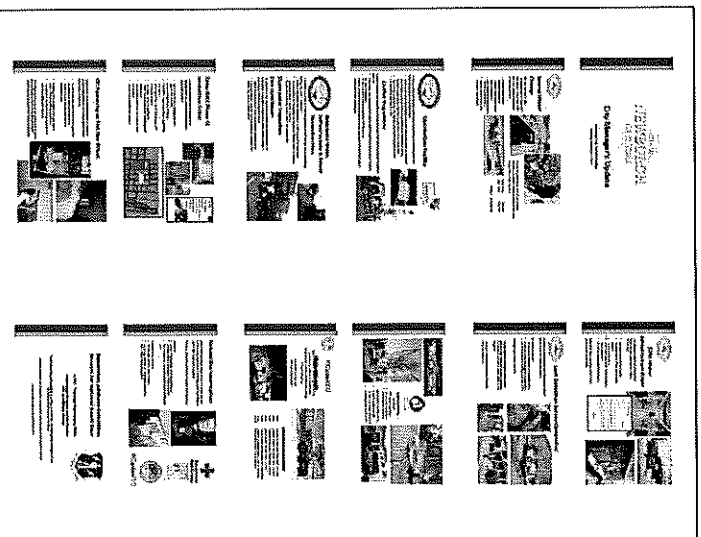
SPONSORS



Transforming lives and building community through housing and the arts.

City Manager Updates

Now available on the City website for download and reference.



Spring Sports

SOCCER Registration open until April 30

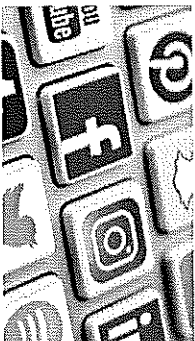
Ages 3-5 and 6-7

\$65/child

League will begin May 7

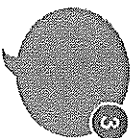
To register:

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



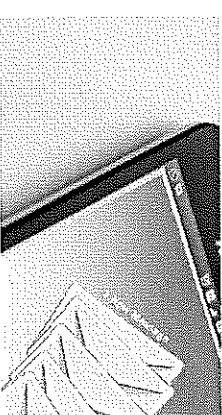
Social Media

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

PRESENTATIONS

Complete Counts Update - Census 2020

Ray Harvey, President of the NAACP and Co-Chair of Census 2020 thanked Pastor Michael Flowers for making this great video to help get a one hundred percent count of the people in our City. The 2020 Census will determine the next ten years of our lives including the school that our kids attend, the Parks we play in, the roads we drive on, our health care and so much more. All residents in the City of Newburgh deserve to be counted regardless of their race, immigration status, gender identification or income. It is important for us to make sure that the people not here tonight and our neighbors get counted. He believes it is around \$2500.00 per person per year that doesn't get counted which is a lot of money we could use here in Newburgh to fix the roads and everything else.

Rev. Michael Flowers said he is glad to be here. Everyone has a purpose and it's important to be counted because there is a void when we are not counted. God has provided systems in place to help us as a people and when we are not counted we end up in destruction.

****The Video was played for the audience.**

Mayor Harvey said this was a wonderful experience with a powerful message to push for Census 2020 to get everyone counted. It's a really catchy tune.

Councilman Shakur noted that there will be four town halls coming up in March and we will be pushing the Census starting April 1st.

Councilwoman Sofokles thanked them because people don't realize how important a Census is unless you get the word out. It's how we get federal aid for the City so everybody has to get counted.

Mayor Harvey said that the Census Report also determines how many representatives go into the House of Representatives for our particular district and it also ties in to the Presidential Election.

Community Development Block Grant (CDBG) 2019 Consolidated Annual Performance and Evaluation Report (CAPER) Public Hearing

Mayor Harvey called a public hearing that was advertised for this meeting to receive comments on the Community Development Block Grant (CDBG) 2019 Consolidated Annual Performance and Evaluation Report (CAPER)

Councilman Grice asked if there is a limit on the type of comments the public can submit in regard to CDBG.

Alexandra Church, Planning & Development Director said they will accept all comments but this is for comments on our 2019 Annual Report and there will be a similar comment

period for budgeting moving forward.

City Manager, Joseph Donat said to clarify the comments this evening during the public hearing regarding this matter have to be focused on.

Michelle Kelson, Corporation Counsel said that there are two things going on relative to soliciting public input. There is a public hearing tonight and anyone wishing to speak on the fiscal 2019 use and allocation of city funds for the fiscal year that is concluding may speak tonight. Public hearings allow people to speak for up to five minutes under the Council's Rules and Order of Procedure. There is also a public comment period which will continue for fifteen days for anyone to submit written comments on the same topic. If they couldn't attend tonight or are not comfortable speaking and they have something they would like to submit they are free to do that.

Lillie Howard, City of Newburgh said that she worked for the Newburgh Housing Authority back in the 70's and the bottom line to all of this is that Newburgh has never maximized the uses of CDBG for the City. Go on the HUD website and see what other cities have done with their CDBG funds. She feels it's an outrage and a sin because we have not done what we should have done with CDBG funds.

Ms. Dansey, City of Newburgh asked when the work will be done on the bridge at Lake Drive North. When they break down those sidewalks, how are the seniors supposed to get out of that complex? Is there a backup plan for a transit bus to come through there? She has been told to talk to her Assemblyman and Senator and they tell her to talk to the City Manager and the Engineer. How will people in wheelchairs and with walkers get out? We need to work on a solution now before the work begins.

Mayor Harvey said they will try to answer that at the end of the public comment section. This is a public hearing specifically for CDBG.

There being no further comments the public hearing was closed.

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

Carla, 52 S. Miller Street said there is a large hole in the street that's tearing up her car so she might have to submit a claim against the City. A gas line was repaired there but they left a big hole in the street that has to be fixed. It's on S. Miller Street near Broadway.

Councilwoman Monteverde noted that she hit the same pothole and believes the gravel is sinking there.

Mayor Harvey said it will be looked into. He also noted that photos could be sent to the FYI App where it will be sent to the proper department.

Anthony Slade, Pastor of Holy Temple Church, 179 South Street and resident of New Windsor said a Prayer. He asked about the traffic light at the intersection of 9W and

Broadway and feels there should be a left turn signal on it.

John Schmit, City of Newburgh expressed his disbelief of the despicable act that happened here in the City of Newburgh against our finest police officers. If he thinks he is just going to give an apology and download a template, it's not going to work that way here. He said he represents the business community and the good people of Newburgh and they don't expect or want nonsense like that from him. He needs to go. We all know what took place and the video is clear. When the Democrats were criticizing Trump for what he did, everyone was up in arms. Now all of our Council members are Democrats and he has done something wrong so he wants to see if they are going to stand up for what's right or wrong here. They all saw the video which was despicable and disrespectful. Is this what a Councilman should be? Is this someone we want representing the City of Newburgh? He wants something done about it and feels he should be removed or he should resign.

Nikki Chung, Poughkeepsie said she is Scenic Hudson's Environmental Organizer and she wanted to tell the Council about a Press Conference they are looking to have next month with the Mayors of Newburgh, Beacon and Poughkeepsie. It will be highlighting the municipal resolution passed memorializing opposition to the Danskammer Power Plant and it is an opportunity for all of the riverfront cities to unite and show solidarity. If we have these three cities come together as one united front, we could raise public awareness as to why the Plant should not even be considering repowering again. She told Mayor Harvey that if he was unable to attend that they would like to request he send someone in his absence.

Sherri Marvin, City of Newburgh, said that what she watched on that video was very disappointing. We need to come together as a community and not be divided. We, as leaders, need to show respect for each other and get people in Newburgh together not against each other like we are.

A City of Newburgh resident asked for the use of grooved pavement, rumble strips or speed bumps to deter speeding in the City of Newburgh.

Michelle Basch, City of Newburgh resident and business owner said that her understanding of elected officials in any capacity is that they are elected by the people to represent the people. She expects the Council people in this City to represent all of the City no matter what color, age, sexual orientation or religion in a respectful manner. We are to speak to each other in a respectful way and we are supposed to use a language with each other that shows respect. She was stopped by the Police also because she went through a Stop Sign so she went to the Town of Newburgh Court to turn in her paperwork and told them they were doing their job. She gave them her license and registration which was all that was needed. We are a Country of laws and those laws must be followed. In her opinion, the Council and the elected officials have an opportunity to show the young people and those who are struggling that there is a way to have a voice but that voice was shattered and destroyed.

Tom Roberts, City of Newburgh said this City Council member was elected to help our City move forward together. We are a diverse City who after so many years of violence and drugs have come together to make our City a nice place to come visit and live in. He believes that the citizens of Newburgh have a mutual respect for one another and even though we still have work to do we can see light at the end of the tunnel. *"I have to tell you*

how disappointed I am with your behavior last week as it was so unprofessional. Your treatment of our police officers was upsetting and unnecessary. Instead of just obeying the law like we as citizens do every day, you chose to rant and rave when you were totally at fault. I hope you understand how you have undermined the credibility of the Council and hurt the people who voted to put you in office in the first place. I understand that you have had many hardships in the past but so have a lot of others. We try to put our hardships behind us and move forward. Whatever is going on with you, you need to take control of the anger for the sake of our citizens and children. Our police men and women do a great job in our City. They work long hard hours undermanned and underpaid and no man or woman should carry on in the manner that you did towards them. I hope when you look in the mirror you will say, what have I done? I am better than that. What have I done to the citizens of our City and to the office I represent? We always say hi to each other and treat each other with respect so now I am asking you to show that same respect to everyone including your police and fire men and women. Remember that your actions be them good or bad effect all of us."

A City of Newburgh resident, 159 N. Miller Street said that he is employed at the Newburgh Ministry and he is speaking for a lot of people. He used to complain about the City until his friend Omari told him that he wasn't part of the political process and if he didn't vote then his voice wouldn't be heard. He helped to register over three thousand new voters to make a change but feels he is getting the same results. Councilman Shakur represents the people and he is there because we voted for him. He represents us and he speaks for the people who are scared or don't know how to speak for themselves.

Booker Curtis, Town of Newburgh spoke about the water situation in Newburgh. There is a gentleman named Lawrence Smith who has been trying to come speak to the community about the water situation in Newburgh as a whole. He claims that he has called the Mayor on numerous occasions but has not received a response. He would like to have an audience with the City residents so they know their water is poisoned and it will not go away because they put a filter out there. Even if the water comes out of that filter it's still going through the same dirty pipes so the water is contaminated. The Government is not the answer because they are the one that poisoned your water. He requested to have this person who is a Research Analyst come here to give a presentation. This water is not going to get better because they build a filtration plant. This is happening nationwide and we all drink water so we have to get a handle on it because it affects you, your family and your children.

Mayor Harvey noted for clarification that he spoke with Mr. Lawrence Smith for three hours a year ago. He is a Fraternity Brother and he was told that he is welcome to come make a presentation here in the City of Newburgh.

Ms. Amani, 111 Broadway said that she loves Newburgh because it has great potential. We all know of the drama that went on but how can we move forward? How can we have a relationship with the police and the community? At the end of the day if something happens to me, who do I call? This distrust, hate and disrespect has to stop or we will never change anything here in Newburgh. What is the Council going to do to heal the relationship between the police and the community?

Rob McLymore, Pastor and City of Newburgh resident said he is here with a message of hope. It is not about pointing fingers and who is wrong or right it's about us coming together and showing that there is no divide in our City. He believes that the hostility has

to be eliminated in the air and that we can come together to resolve the issues and show that we are a unified City. Right or wrong everyone makes mistakes so let's move past that. We have a good City Council and they all want to do the right thing for the City so let's get past this and get unified.

Jeff Woody, City of Newburgh said there is a lot of talk about the video and he was shocked when he saw it. Some people are calling for a resignation but what do we do as a City beyond this? We need to come together and recognize that there is an elephant in our City and we need to be able to come together and deal with it. Whenever you want to make progress there is always going to be something to make you take a few steps back. After the dust settles, whichever way it goes, we need to be able to work together so we can continue to see our City make the comeback that it's on its way to doing. Regardless of race, where you live, your profession or how much money you make we need to be able to get along and speak without hostility. After the dust settles let's try our best to work together and continue to build our City.

Ms. Agustin, City of Newburgh said she teaches for a living and saw the video. It was disturbing and not what she expects, however, we all believe in second chances. In her opinion, if it happens again then we can do something but right now let's give him a chance. Other than his behavior and the way he spoke, which she does not like, she has seen him in action and she has watched him work. She saw the video and according to the newspaper it's a bodycam so why don't we see the part where the police officer got out of his car and walked to him? Could it be that the police said something and his response is what was recorded? Yes, he was wrong but let's give him a second chance and let's work together.

Michael Briggs, 590 South Street, retired City of Newburgh Firefighter said that what he felt after watching the video is that Mr. Shakur was being harassed. He neglected to observe his governmental administration and in some part escalated the situation and he does not condone Mr. Shakur's reaction or language but he does recognize and understand it. *"You don't understand what it is to be a Black man that is confronted by an Officer in any type of aggressive manner. We have been scrutinized all our life. We don't have the same privilege as White people. My position is that if that was any of the other Council members of color they would have given him some courtesy. They detained and harassed him. They asked him for his Driver's License when they knew who he was. From my perspective the reason that happened is because they know of his past. If we are going to continue to scrutinize a person for their past, then we might as well scrutinize America for their past. When we talk about what we went through with slavery they say, "Can't we just get over it and forget about it? If America wants to change you have to recognize the past or racism will always be here. Instead of telling us to forget about it help us to forget about it and stop doing this stuff you keep burdening us with."*

Fanette Tallagran, 39 City Terrace said we are all human and we all make mistakes. Many are angered and offended by his actions and what they heard and the people who support him are not saying it was right. Everyone is upset and social media is horrendous because we are being called names just for supporting him and it hurts. He is the only Official she knows of that is seen after hours in the community asking what we need and how things are going. At the last meeting everyone was commending him and she wanted to let him know how proud of him she was. By putting the video out there it drew us into it

and now we are involved. We want you to understand that he is a human being, he has made mistakes and his emotions got the best of him.

Shaniqua McNeil, City of Newburgh agrees the incident was shocking but something must have led up to that behavior. She has seen him do everything in his power to be professional, courteous, helpful and a leader. As it was noted earlier, had it been any other Councilmember they would have kept it moving. We need more community relations with the police. She is afraid for herself and her sons and she's not even doing anything wrong. If you think his language was bad, you should hear the language of the officers. We are not spoken to with respect but that doesn't make it to the Media. We need to get community relations with this department or get rid of the officers who have been walking around with their chests out for years because they have been getting away with so much.

Gabrielle Burton Hill, Leroy Place said she is happy about the light at First and Fullerton. They have also come to the Council several times about a light at First and Carpenter which is a bad spot. She mentioned the Frederick Douglass Project and said they are working on a celebration so if anyone would like to participate they should contact her at gabriellehill1965@gmail.com. In regard to Mr. Shakur, she read or heard once that you can do ninety nine things right but people will only remember that one thing you do wrong and she hopes that is not the City that we have become. Mercy is a word or action that should be extended to all and everyone deserves respect. Not just because you have a title, money or who you know. She believes we can get past this. We now have an opportunity to get together and form something that is substantial and that our kids can be proud of.

Ray Harvey, NAACP President, 408 Carpenter Avenue said we have to continue to work on getting more people to come together. The police officers should meet with the residents to discuss how we feel when we interact and how we can build a relationship. We can either learn from this or stay divided so this is a teachable moment. This is not new so we need to address it now. It's not going to be easy but we need to work on it and continue the dialogue.

Lillie Howard, City of Newburgh, Omari's mom said she is eighty years old now and for years she saw many things go on in the City of Newburgh that were wrong. She is a member of the Police Community Relations Review Board so she sees complaints come in. Until we are strong enough to address that problem the City of Newburgh is never going to be able to rise up to what it could possibly be. You don't know what's going on out on the streets with the police with our people. You don't know how they are mistreated so she hopes and prays that this brings about a new beginning for the City of Newburgh where we start addressing that we have a problem with some of our police and we have to deal with it so we can move forward.

Juanita Lewis, City of Newburgh, Hudson Valley Organizing Director with Community Voices Heard said that their sister organization was proud to endorse Councilmember Shakur last April. During his whole campaign we saw him work hard and bring youth in that had never engaged in the process. We saw him learn and grapple with policy to live out the vision of what he wanted to see created in the City of Newburgh. The City he was born in, raised in and loves. Since getting elected he has studied process and procedure and asked questions because he is taking this job seriously. People say he should resign because of a moment but we all agree it came from some deep trauma that has not healed. The City also has that same type of trauma that hasn't healed and it's an opportunity to

actually build some real relationships and understanding so we can fight for the changes that need to happen in the City of Newburgh together. She thanked all of the Councilmembers who work hard to make sure all residents of the City are safe, living in decent affordable housing, have jobs that pay a livable wage and are treated with dignity and respect.

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

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

Councilman Grice thanked everyone for coming out. He appreciates a large turnout so they can get their message out to the public. Mr. Lawrence Smith is a fraternal brother of his also who he has reached out to and spoke with. He would like Mr. Vradenburgh to speak to our water because he does not want the community to think that their water is in any way compromised. He also asked Mr. Garrison to speak to rumble strips and speed bumps. There is a lot of energy and people in the room tonight so he hopes to see some of these same faces at some of our committee meetings that are coming up. For example we have the Quassaick Creek Water Shed and they meet every third Monday of the month. We have the Transportation Advisory Committee that meets every second Wednesday and we have other committees like the Police Community Review Board that need members. Please direct some of that energy to some of those committees. We have the Newburgh Counts Committee which most of the Council is on and you just saw the video on. The Armory serves over five hundred students every Saturday morning and they are always welcome to volunteers. Volunteers are also needed at our Food Pantries and there is a Newburgh Food Co-op that the City is trying to start. On March 7th there will be a Bikes Across the Hudson Valley Event at the Newburgh Armory and the PTO at your child's school needs you. We also have a Family and Community Engagement Department in the Newburgh Enlarged City School District and they are always looking for volunteers. We are Newburgh is having their Easter Event and they are looking for volunteers. We have a Riverkeeper event with a river sweep on May 2nd and Safe Harbors will do their Annual Cleanup on April 25th. Census 2020, Census 2020, Census 2020.

Councilwoman Mejia wanted to highlight some of the topics the City Manager spoke about. Building Blocks is one of the data pieces that we have been advocating in our efforts to improve communications with the community around tenants and landlords. The Quality of Life Sweeps used to be called Newburgh Strong which is our effort to bring the blocks together and have everyone get to know each other. The Department of Health would join in and it's also a way to know what is going on in terms of code enforcement on your block and the police community building relations. The language translation is really important and she is glad that we have taken the efforts to get that equipment available for our residents. *"This was a very tough week and given that there is an ongoing independent investigation of the recent incident with Councilmember Shakur I can't comment on the*

specifics of the case. I will say that I expect professionalism and respect from all of our City staff especially our elected officials. We are all on the same page that the language used was wrong and inappropriate and I appreciate his apology as a first step to healing community police relations. During these difficult moments I think it's important for us not to inflame the tensions that have divided us for too long. These moments call on us to summon our higher Angels and tone down the rhetoric on all sides. We need to recognize that we are all in this together as a City, we have a shared destiny and we need to learn to treat each other with more compassion, respect and dignity. Moving forward it's important that we learn from these incidents so we can take the appropriate actions to insure they are not repeated."

Councilwoman Monteverde thanked everyone for coming out tonight. She respects what everyone had to say tonight and it's unfortunate we are here having to discuss this very sensitive topic. Some people said that there is a message about this being a teachable moment and she thinks we need to come together as a community and be civil with each other. Always practice kindness, dignity and respect. As an elected official she always tries to be respectful when she interacts with people but sometimes our emotions get the best of us. The past few days have been intense but she knows that we will get through this as we have been through harder times. The thing she likes about the City of Newburgh is the diversity and kindness because the people in this City are very kind no matter what. She has seen when someone hits hard times, people reach out and help each other. She hopes we can continue to be good neighbors to each other and that we can get beyond this. She is feeling a lot of hostility in this room tonight but she knows that we will get through this. There was a lot of good information tonight as well. The City Manager's report is very exciting and there are a lot of events going on. Everything that's going on in the City is being put on Social Media so she commended the City staff for getting the word out. We are doing a lot of good things and this will not keep us from moving forward.

Councilman Sklarz said, *"Years ago I was involved in an altercation at work with a member of the public. I don't remember much of what was said or what happened but I do know that I could have handled the whole thing a lot better. What I do remember about the incident is being called to the boss's office afterwards."* The first thing she said to me was, *"You got your buttons pushed today didn't you Bob."* *"I started to explain what led up to it and what happened and she said to stop. It doesn't matter what happened before but what is most important is how you react once your buttons are pushed and once your emotions get the best of you. It's never productive and we let down our co-workers who may be placed in an awkward position of having to defend us. During the past week I was thinking about that advice I received many years ago. Omari, I feel like the actions of last Tuesday reflect on all of us and detract from all the good things that are being done in this City and its very disappointing. I know you've had a very difficult history with law enforcement and I cannot imagine the personal tragedy you have lived with over the years but your behavior of last week must not be normalized and it must not be emulated by others as it can only result in future tragedies. I know you work very hard in this community to improve things and I urge you now to look within yourself so you are able to productively move forward."*

Councilman Shakur said, *"First I would like to apologize to my City Council and the rest of the team."* Because this is under investigation he read a statement. *"My name is Omari Shakur. I am a proud member of the Newburgh City Council, a father, a grandfather, a great grandfather and lifelong resident of the City of Newburgh. I want to apologize to the*

residents of our City for the way I responded in a recent police encounter. The reaction displayed is not who I am and I felt sure for the love that I feel amongst my constituents and residents in the City of Newburgh and the leadership I want to truly represent. For the record I want to emphasize that the video being circulated does not capture the entire incident. Before the video footage there were approximately ten to fifteen minutes of unrecorded interaction with an undercover police officer during which I was subject to direct and personal harassment that was deeply disrespectful to me, my deceased son and my family. It was particularly painful to be treated this way while I was engaged in a discussion with a constituent around a particular set of challenges that we were trying to resolve. This constituent basically wanted to set up an appointment with the Police Chief at that time. Since starting my term I have made it a priority to extend the olive branch to the Police Department and have met regularly with the Police Chief so we can continue to improve community and police relations. I believe that all people should be treated with respect and dignity and that includes members of the Police Department and that respect must be reciprocated. Although I was not afforded that respect I shouldn't have reacted in the manner that I did. I have asked for an independent investigation of the incident so that the full facts can come to light. Again, to the residents of the City of Newburgh, I sincerely apologize for the offensive language that I used during this incident. I am working on doing better and will need the love and support of my community but as a man I come forth before my community and sincerely apologize. I can't change that moment but I can apologize for the moment. I look forward to continuing to repair the gap between the Police Department and the community despite everything else. Each day I will strive to do better and work for a better Newburgh where all residents can move and live in dignity."

Councilwoman Sofokles told Councilman Shakur that she accepts his apology but she also hopes that it doesn't happen again. *"I took it personally because my son is a police officer and I had no less than two or three hundred police officers call me over the weekend. Honestly and truly I am glad you apologized because one thing we have to teach our youth is that they have to respect our Police Department. Even if sometimes someone says something to you, you still give them your Driver's License or ID. There was no reason for all of it and I am glad you apologized because I have given you the benefit of the doubt a lot of times. I would not have liked to have my son treated that way because he doesn't treat people that way. He was raised that everybody is the same and if it doesn't happen like that all the time then I apologize to the people who have been abused. My family was personally insulted. He has done so much in the community which is why I gave him the benefit of the doubt. I have to implore everybody to please be respectful the police department because they were respectful on that video. I don't know what happened before because all I know is what I saw and I just want to move forward. I have been here through the 70's and through the riots. My father was one of the first members of the NAACP and I have been a member for thirty three years. I think everybody is the same. That's the way I look at everybody and anyone who knows me knows that's the way I feel but we all have to respect one another. If you don't like what someone is saying to you, zip it."* She thanked the City Manager for his updates as it's important to keep people informed of what's going on. She also thanked all of the department heads and everyone for coming out.

Mayor Harvey thanked everyone for being here tonight. He applauded Councilman Shakur for his apology and said that he accepts it also. He also applauded the police officers for their patience as seen in the video because he does not know what that

exchange was prior to the video so he is not going to make a judgement on that one way or another. The Officers that interacted with Councilman Shakur showed a great deal of patience and that is to be commended as we know that interaction could have gone a different way. As Councilman Shakur requested, there is an ongoing independent investigation through a third party agency going on outside of the City government. There will be interviews of all parties involved and once that investigation concludes, those recommendations will be given to me, the City Manager, Corporation Counsel and the City Council and we will make decisions moving forward. For the record he said, *"There is nothing in our City Charter or in our Law Books that the City Council or the Mayor can do to remove a City Council Member. With that being said this is a learning experience because nothing like this has ever happened before. It is a learning curve for all of us and the most important thing is that we all have to heal as a community and that's my job. I along with the Council Members have been put in a very peculiar and awkward situation so we are blazing new trails with this. There will be some actions once those findings come forward from the outside third party agency and we are also looking at the Mayor's ability to write and create along with the City Council penal ordinances that when misconduct happens in the future with any Council Member, it could be deemed a misdemeanor with fines or imprisonment. That does not include Mr. Shakur's case as there is currently nothing on the books."* He thanked everyone for coming out tonight as it has been a very difficult weekend for all of us. We are hoping and praying that we can find healing and unity in our community so we can come together as a whole to move forward and heal from this experience.

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

CITY MANAGER'S REPORT

Resolution No. 47 - 2020 - License and Access Agreement with Central Hudson

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 48 - 2020 - Lutheran Street - Amendment to Street Lighting Authority Order

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 49 - 2020 - Brown's Pond Water Quality Sampling and Analysis Contract

Councilman Grice said a comment was made earlier about the quality of our drinking water.

City Manager, Joseph Donat noted for the record that we have some of the best water in the Country right now as we are operating on the Catskill Aqueduct. The comments made earlier were categorically not true.

The Councilmembers agreed.

Water Superintendent, Wayne Vradenburgh said that as the licensed professional he will put our drinking water against anyone in the Country right now. If any City resident has any questions about their water quality, just give us a call. He will send a team out to take samples and show you the results from the independent lab. He urged everyone to come tour the Filter Plant to see what it takes to make your drinking water.

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 50 - 2020 - Purchase of 103 Washington Street

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 51 - 2020 - Budget Transfer of \$115,129.98 to Cover Improvements to 123 Grand Street

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 52 - 2020 - Declaring Washers and Dryers as Surplus and Authorizing Disposition Through Auction

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 53 - 2020 - 31 Benkard Avenue - Extension of Time to Rehabilitate

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 54 - 2020 - 182 Renwick Street - Release of Covenants

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 55 - 2020 - 141 Chambers Street - Release of Covenants

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Ordinance No. 2 - 2020 - Amending §288-71 to allow parking on the south side of Washington Street between Colden and Liberty Streets

Councilwoman Sofokles moved and Councilwoman Monteverde seconded.

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

Adopted

Ordinance No. 3 - 2020 - Amending Chapter 155 "Electrical Standards", Section 155-24 entitled "Suspension or revocation of license; penalties for offenses"

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Ordinance No. 4 - 2020 - 4-way stop at Fullerton Avenue and First Street

Councilman Grice said that this four way stop has been a long time in the making and he asked Ms. Church to please speak to this as she is on the Transportation Advisory Committee.

Alexandra Church said that if people have a request like this it should be sent to that Committee. This was sent over a year ago and they did extensive research on it. She wanted to note that Stop Signs do not solve speeding problems and it is not a one size fits all solution. We are required to follow the Manual on Uniform Traffic Control Devices (MUTCD) which is available online. When speed is the only reason that accidents are happening, a Stop Sign will not solve that. In this instance it was a good study and she feels it's a good improvement.

Councilwoman Sofokles thanked them for doing this as she has been waiting for it a long time herself. She would like to see the study going forward on how many accidents there is not going to be.

Councilwoman Mejia mentioned the rumble strips and speed bumps as deterrents. We continue to have this conversation around the challenges of implementing those but we have to figure out a way to move forward with it.

George Garrison, DPW Superintendent suggested they discuss it at the next Work Session.

Mayor Harvey asked about grooved pavement.

Mr. Garrison said it makes the surface of the pavement rough like the shoulders on the highway.

Michelle Kelson, Corporation Counsel said it raises your awareness of what you are doing.

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

NEW BUSINESS

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Mr. Garrison said it makes the surface of the pavement rough like the shoulders on the highway.

Michelle Kelson, Corporation Counsel said it raises your awareness of what you are doing.

OLD BUSINESS

There was no old business to discuss.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice said that in the beginning of the meeting he rushed through a lot of wonderful organizations and committees that he welcomes the public to be a part of. Please contact the City or a Councilmember and we can help get you involved in the great things the City is doing. Census 2020, Census 2020, Census 2020.

Councilwoman Mejia thanked everyone for coming and noted that the next work session will be next Thursday.

Councilwoman Monteverde thanked everyone for coming out. Many good things happened in 2019 with the CDBG Grant funds. For example we had the summer programs so it would be good to get feedback on films that took place over the summers for the families and kids. People loved coming out and the Police Officers held barbecues at the same time engaging with the community. She thinks it was positive and it would be good to hear about. If you are wondering where the CDBG funds go, this is where it went.

Councilman Sklarz thanked everyone for coming out and wished everyone a good night.

Councilman Shakur thanked everyone for coming out tonight. He noted that on Wednesday at 3:00 p.m. for the end of Black History month we are raising a flag so he invited everyone to come out.

Councilwoman Sofokles wished everyone a good night.

Mayor Harvey said he is doing a Black History month Pot Luck Dinner with his students on Wednesday at 2:30 so he will have to try to work something out. On Friday the Downing Park Planning Committee has asked him to read some Poetry for Black History month at the Shelter House at 6:00 p.m. He is excited about this and looks forward to sharing some poems from his new manuscript which hopefully will be coming out early in the fall. The Downing Park Planning Committee is doing an excellent job getting more people to visit the Park and the Shelter House. Now that the warm weather is on the horizon hopefully we can get more activity at the Park and Shelter House with special events like this. He thanked everyone for coming out tonight and remember Census 2020, Census 2020, Census 2020.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 9:17 P.M.

RESOLUTION NO.: 47 - 2020

OF

FEBRUARY 24, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE
AND ACCESS AGREEMENT WITH
CENTRAL HUDSON GAS & ELECTRIC CORPORATION AND
ITS CONTRACTED AGENTS TO ALLOW ACCESS
TO CITY OWNED PROPERTY IN CONNECTION WITH A
GAS MAIN RELOCATION PROJECT UNDER THE NEW YORK STATE THRUWAY**

WHEREAS, Central Hudson Gas & Electric Corporation ("CHG&E") is undertaking a gas main relocation project underneath the New York State Thruway (I-87) at New York State Route 207; and

WHEREAS, the gas main relocation project underneath the New York State Thruway (I-87) at New York State Route 207 includes temporary laydown, staging and storage yard/area for vehicles, equipment, pipes apparatus, and pipe string out for direction bore location on the City's water supply property located adjacent to the project site, which is owned and controlled by the City and identified as Section 4, Block 3, Lot 1.1 on the official tax map of Orange County ("the City Property"), as set forth on the map or plan hereto attached and made a part hereof; and

WHEREAS, CHG&E wishes to begin the work at the project site, and the City agrees to provide access to CHG&E to the portions of the City Property to allow CHG&E to perform the work, subject to the conditions provided within the attached agreement; and

WHEREAS, this Council has reviewed the attached agreement and has determined that entering into the same is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the license and access agreement, in substantially the same form annexed hereto, with Central Hudson Gas & Electric Corporation and their contracted agents to allow them access to City owned property in connection with the gas main relocation project underneath the New York State Thruway (I-87) at New York State Route 207, New Windsor, New York.

LICENSE and Access Agreement

THIS LICENSE, made as of this ____ day of ____, 2020 granted by **CITY OF NEWBURGH** having its principal office at **83 Broadway Newburgh, NY 12550** (hereinafter referred to as "Licensor" or City of Newburgh) to **CENTRAL HUDSON GAS and ELECTRIC CORPORATION** having an address of **284 South Ave Poughkeepsie, NY 12601** (hereinafter referred to as "Licensee").

Licensee has requested that Licensor allow Licensee to have access to a specific portion of Licensor's property for the specific purpose(s) set forth below. Licensee has represented to Licensor that Licensee will exercise due care in conducting the specific purpose(s) allowed by this License.

Permission and license ("License") is hereby granted to Licensee, to use a portion of property owned by Licensor located in the Town of New Windsor, County of Orange, State of New York, more particularly identified as Section 4, Block 3, Lot 1.1 on the official tax map of Orange County ("the City Property").

The portion of the City Property to which this License applies is shown and identified on the plan attached as Exhibit-A, and the License granted herein shall not relate or apply to any other portion of the City Property. The portion of the City Property to which the License relates is hereinafter referred to as the "License Area."

Licensee's use of the License Area pursuant to this License is limited to the following purpose(s): To use as a temporary laydown, staging and storage yard/area for vehicles, equipment, pipes apparatus, and pipe string out for direction bore location to be performed under the New York State Thruway (I-87) at New York State Route 207 (such actions being hereinafter referred to as the "Permitted Use").

This License for the Permitted Use is granted subject to the following terms and conditions:

1. This License is a non-exclusive License and shall be revocable at will by Licensor in accordance with Paragraph 2 below.
2. The term of this License shall commence on the date first set forth below as the date of Licensee's acceptance, and shall continue until revoked by Licensor or terminated by Licensee as provided for herein. This License shall be revocable at will by Licensor its successors or assigns at any time upon written notice to Licensee. This License may be terminated by Licensee at any time upon written notice to Licensor. Upon termination or revocation of this License, Licensor at its discretion, may require Licensee to return the License Area to its pre-encroachment and pre-permitted use condition within thirty (30) days after such termination reasonable wear and tear excepted. All costs involved in restoring the License Area to its Original Condition shall be borne by Licensee.

3. The Permitted Use shall not be changed or altered, nor shall it be enlarged, enhanced or expanded, nor shall it be relocated to any other site within the City Property without in each instance Licensee securing the prior written consent of Licensors.
4. This License shall not be assigned by Licensee nor sub-licensed by Licensee, without the prior written consent of Licensors, which such consent may be granted or denied in Licensors's reasonable discretion. Licensee acknowledges that J Mullen & Sons Construction Co, Inc. shall act as a subcontractor for the Licensee and shall also use the License Area for the Permitted Use. Licensee shall submit all required insurance documents of subcontractor's insurance to Licensors in accordance with Section 7, prior to the execution of this agreement.
5. The use of the License Area pursuant to this License shall not unreasonably interfere with, obstruct or endanger Licensors's use of the City Property or License Area.
6. Licensee shall provide a site restoration bond in the amount of \$15,000 due upon execution of this agreement. Bond shall be maintained for the entire term of this agreement and for 60 days following termination or expiration of this agreement.
7. The Licensee shall be required to provide evidence of Commercial General Liability Insurance and Automobile Liability insurance covering claims for personal injury (including bodily injury and death), property damage (including loss of use thereof) and contractual liability in an amount of not less than \$3 million per occurrence. The Licensee Commercial General Liability insurance limits shall apply on a per-project or per-contract basis and shall name Licensors, its officers and employees as an additional insured. The additional insured endorsement applicable to the Licensee Commercial General Liability insurance must be at least as broad as would be provided by ISO form CG 00 01 (0413). In addition, the Licensee shall furnish, maintain and provide evidence of Workers' Compensation and Employers' Liability insurance providing statutory coverage for the State of New York with Employers' Liability limits of \$1 million. The Licensee is responsible for providing satisfactory proof of their insurance to Licensors prior to executing the agreement.
8. All costs and expenses associated with the Permitted Use and operation on the License Area shall be borne by and be the responsibility of Licensee.
9. In the event of a default by Licensee of any of its obligations pursuant to the terms and provisions of this License, including the failure to restore the Permitted Use and/or remove any other structure, obstruction or encroachments placed within the confines of the City Property by Licensee, upon demand by Licensors to remove same and/or after termination and/or revocation of this License in accordance with paragraph "2" hereof, Licensors shall be entitled to (i) exercise self-help in that Licensors may enter the City Property and License Area and restore the Permitted Use, at the cost and expense of Licensee, from the City Property, or (ii) seek an

immediate restraining order and injunction enjoining and directing Licensee, its successors or assigns to comply with the terms and provisions of this License including the restoration of the Licensed Area and removal of any other obstruction, encroachment or structure placed by Licensee, from the Property, at Licensee's sole cost and expense. Licensee agrees that a default in the terms and provisions of this covenant, and particularly, its obligation to restore the Permitted Use and/or other obstruction, encroachment or structure after revocation and/or termination in accordance with paragraph "2" hereof, will cause Licensor irreparable injury and harm, no adequate remedy at law exists and that Licensor shall be entitled to enjoin and restrain such default and failure to restore. The right of Licensor to pursue the self-help remedy or to seek a restraining order and/or injunction in accordance with this paragraph, shall be in addition to any and all other rights or remedies Licensor may have at law, or in equity by statute or otherwise, and all such rights shall be cumulative.

10. To the fullest extent permitted by law, Licensee hereby agrees to indemnify, defend (at the option of Licensor) and hold harmless Licensor, its elected officials, officers, board members, employees or agents from and against any and all losses, charges, claims, demands, suits, actions, costs, expenses (including reasonable attorney's fees), damages, causes of action, judgments, and liabilities for personal injury (including death to any person) and/or for damage or injury to the property of any person (including Licensor's property) incident to or which may arise from or is alleged to arise in any manner from the negligent exercise of Licensee's rights under this License or in any manner related to the negligent use of the Permitted Use, City Property or License Area by Licensee or any person authorized, hired or employed by Licensee or any person entering the City Property or License Area with Licensee's knowledge or permission or negligently using the facilities thereon.
11. Licensee agrees to install orange construction fencing around the perimeter of the Permitted Use area as shown in Exhibit-A. This fencing shall be maintained in good condition during the entire term of the license agreement. Construction fencing shall be placed no closer than 15 feet to the centerline of the City's 16 inch Raw Water Transmission Main as delineated on the site by the City. No access shall be permitted within 15 feet of the centerline of the 16 inch Raw Water Transmission Main.
12. Dig Safely NY 811. Licensee agrees to require that all contractors and subcontractors strictly adhere to the requirements of Dig Safely New York 811 for utility mark-outs on the Permitted Use area. Licensee further represents that they will incur all costs associated with any required private mark-outs as necessary to locate underground utilities within the excavated area or the construction/material staging area, and shall maintain such utility mark-outs for the duration of the License Agreement. Licensee shall require, and provide proof to the Licensor, that all excavation contractors on the Permitted Use area are Dig Safely New York 811 Certified Excavators.

13. Licensee shall release the Licensor of any responsibility for environmental contamination caused by Licensee's activities on the License Area. All costs associated with soil removal and restoration shall be funded solely by the Licensee. Licensee agrees to comply with all current environmental regulations related to soil disturbances, disposal criteria, erosion & sediment control, control of dewatering discharges, and agrees to follow all best management practices while operating on the property.
14. Term. Until the earlier of January 1, 2021, or the termination of this Agreement, unless modified by both Parties, this Agreement shall remain in effect and Licensee shall maintain all rights in accordance therewith.
15. It is understood and agreed that no vested right in the City Property is hereby granted or conveyed from either party to the other, and that the privileges hereby given are subject to any and all encumbrances, conditions, restrictions and reservations upon or under which the City held the City Property prior to the execution of this Agreement.
16. Waiver. No waiver by either party of any failure to comply with this Agreement shall be deemed a waiver of any other or subsequent failure to so comply.
17. Severability. If any provision of this Agreement or its application to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or its application to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable as permitted by law.
18. Entire Agreement. This Agreement, together with Exhibit-A, represents the full, complete and entire agreement between the Parties with respect to the subject matter hereof. There are no other understandings, oral or written, related to the subject matter of this Agreement.
19. Governing Law. This Agreement and the rights and obligations hereunder shall be construed in accordance with, and be governed by, the laws of the State of New York.
20. Licensee shall pay the Licensor a site access fee in the amount of \$1,000 due upon execution of this agreement.

Please indicate Licensee's acceptance of the above terms and conditions by signing and returning to City of Newburgh both notarized copies of this License Agreement. After execution by City of Newburgh, the License Agreement will be returned to you.

SIGNATURE PAGE TO FOLLOW

CITY OF NEWBURGH

By: _____
Joseph P. Donat – City Manager

The foregoing License and the terms and conditions set forth herein are hereby accepted
this _____ day of _____, 2020.

CENTRAL HUDSON GAS AND ELECTRIC CORPORATION

By: _____
Luke E. Mangels - Supervisor Real Property Services

APPROVED AS TO FORM:

Todd Venning
City Comptroller

Michelle Kelson
Corporation Counsel

ACKNOWLEDGMENT OF LICENSOR:

STATE OF NEW YORK)
) SS:
COUNTY OF _____)

On the ____ day of _____, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual described whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

Notary Public

ACKNOWLEDGMENT OF LICENSEE:

STATE OF NEW YORK)
) SS:
COUNTY OF _____)

On the ____ day of _____, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual described whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO.: 48-2020

OF

FEBRUARY 24, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AMENDMENT TO THE STREET LIGHTING AUTHORITY ORDER
WITH CH ENERGY GROUP, INC.**

WHEREAS, it has become necessary to amend the Street Lighting Authority Order entered into with Central Hudson Gas & Electric Corporation n/k/a CH Energy Group, Inc., providing for the removal of three LED2900 lamps and one LED3600 lamp on poles numbered 110934, 21458, 21685, and 1431, and the installation of six LED6800 lamps on poles numbered 110934, 2108, 21458, 21681, 21685, and 1431, all located on Lutheran Street; and

WHEREAS, there will be a cost to the City of Newburgh of \$13.67 per lamp per monthly period for this change;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the attached amendment to the Street Lighting Authority Order.

RESOLUTION NO.: 49 - 2020

OF

FEBRUARY 24, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT
A PROPOSAL AND EXECUTE AN AGREEMENT WITH
SOLITUDE LAKE MANAGEMENT FOR PROFESSIONAL SERVICES FOR
WATER QUALITY SAMPLING AND ANALYSIS OF BROWNS POND
AT A COST OF \$8,975.00**

WHEREAS, the City of Newburgh needs to monitor water quality at Browns Pond for potential harmful algal blooms as the City's back up water supply; and

WHEREAS, a water quality monitoring program will focus on proactive management of monitoring for potential harmful algal blooms; and

WHEREAS, Solitude Lake Management has submitted a proposal for professional services related to water quality sampling and analysis of Browns Pond; and

WHEREAS, the cost for such professional services will be \$8,975.00 and funding shall be derived from F.8389.0448.5022.0000; and

WHEREAS, the City Council has reviewed the annexed proposal and has determined that such work would be in the best interests of the City of Newburgh and its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute an agreement with Solitude Lake Management for professional services related to a Water Quality Sampling and Analysis Program for Browns Pond at a cost of \$8,975.00.

RESOLUTION NO.: 50 - 2020

OF

FEBRUARY 24, 2020

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 103 WASHINGTON STREET (SECTION 39, BLOCK 3, LOT 13)
AT PRIVATE SALE TO DEEARAH R. WRIGHT WILEY AND STEPHEN T. WILEY
FOR THE AMOUNT OF \$159,900.00**

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 103 Washington Street, being more accurately described as Section 39, Block 3, Lot 13 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyers have offered to purchase this property at private sale; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchasers be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said 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 29, 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>
103 Washington Street	39 - 3 - 13	DeeArah R. Wright Wiley Stephen T. Wiley	\$159,900.00

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

103 Washington Street, City of Newburgh

(SBL: 39-3-13)

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 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 \$3,000.00 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: _____

Date: _____

DeeArah R. Wright Wiley

Stephen T. Wiley

RESOLUTION NO.: 51 - 2020

OF

FEBRUARY 24, 2020

RESOLUTION AMENDING RESOLUTION NO: 288-2019,
THE 2020 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK
TO TRANSFER FUNDS FOR 123 GRAND STREET IMPROVEMENTS

WHEREAS, the City of Newburgh was awarded a New York State Homes and Community Renewal ("HCR") Affordable Housing Corporation Grant AHC-5GG53 in the early 1990s and was administratively closed in July 2010 by HCR with \$115,129.98 remaining in two City of Newburgh Accounts; and

WHEREAS, HCR advises that since the grant has been closed since 2010, the City may elect to transfer the money to cover ongoing improvements at 123 Grand Street; and

WHEREAS, the election requires an adjustment to the 2020 Budget to reflect the reallocation and transfer of the grant funds to revenue and expense lines from which the funds can be used for improvements to 123 Grand Street; the same being in the best interest of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No.: 288-2019, the 2020 Budget of the City of Newburgh, is hereby amended as follows:

	<u>Decrease</u>	<u>Increase</u>
AU.0000.0200.0002	\$ 956.50	
DR.0000.0200.0006	\$114,173.48	
Revenue: A.0000.2701		\$115,129.98
Expense: A.1620.0208.0001		\$115,129.98

RESOLUTION NO.: 52 - 2020

OF

FEBRUARY 24, 2020

**A RESOLUTION DECLARING 12 FREE-STANDING UNIMAC WASHING MACHINES
AND 16 FREE-STANDING SPEED QUEEN DRYERS
FROM 185 BROADWAY AS SURPLUS AND
AUTHORIZING DISPOSITION PURSUANT TO THE CITY OF NEWBURGH'S
SURPLUS PROPERTY DISPOSITION POLICY AND PROCEDURE**

WHEREAS, the City of Newburgh acquired the property located at 185 Broadway through in rem tax foreclosure; and

WHEREAS, the City of Newburgh Department of Planning and Development has inventoried the contents of the building located at 185 Broadway and identified 12 free-standing Unimac washing machines and 16 free-standing Speed Queen dryers that are of no use to the City of Newburgh; and

WHEREAS, the Department of Planning and Development has requested that the washing machines and dryers be designated as surplus and sold; and

WHEREAS, the City Council has determined that declaring the 12 free-standing Unimac washing machines and 16 free-standing Speed Queen dryers as surplus 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 12 free-standing Unimac washing machines and 16 free-standing Speed Queen dryers are declared to be surplus and of no further use or value to the City of Newburgh; and

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

RESOLUTION NO. 53 - 2020

OF

FEBRUARY 24, 2020

**A RESOLUTION AUTHORIZING AN EXTENSION OF TIME
TO REHABILITATE THE PREMISES KNOWN AS 31 BENKARD AVENUE
(SECTION 45, BLOCK 5, LOT 1) IN THE CITY OF NEWBURGH UNTIL JULY 31, 2020**

WHEREAS, the City of Newburgh did convey the premises located at 31 Benkard Avenue, more accurately described as Section 45, Block 5, Lot 1 on the Official Tax Map of the City of Newburgh, by deed dated June 20, 2018; and

WHEREAS, said deed included a provision requiring rehabilitation of the conveyed premises to be completed on or about December 20, 2019; and

WHEREAS, in accordance with Paragraph 5 of the Terms of Sale, the City Manager granted the allowable 3 month extension from the original date of December 20, 2020, which will expire on March 20, 2020; and

WHEREAS, the owner of the property, 31 Benkard Avenue LLC, stated it would be unable to comply with the March 20, 2020 deadline, but has attempted a good faith effort and intent to complete the rehabilitation; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its future development to grant an extension of time to rehabilitate the premises;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that 31 Benkard Avenue LLC be granted an extension to rehabilitate the premises known as 31 Benkard Avenue in the City of Newburgh until July 31, 2020.

RESOLUTION NO.: 54-2020

OF

FEBRUARY 24, 2020

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO WILLIAM J. McCARTNEY, III TO THE PREMISES KNOWN AS
182 RENWICK STREET (SECTION 45, BLOCK 15, LOT 10)**

WHEREAS, on April 5, 2018, the City of Newburgh conveyed property located at 182 Renwick Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 15, Lot 10, to William J. McCartney, III; and

WHEREAS, Mr. McCartney 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 182 Renwick Street, Section 45, Block 15, Lot 10 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated April 5, 2018, from THE CITY OF NEWBURGH to WILLIAM J. McCARTNEY, III, recorded in the Orange County Clerk's Office on April 9, 2018, in Liber 14386 of Deeds at Page 1199 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.: 55 -2020

OF

FEBRUARY 24, 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO M & N NEWBURGH DEVELOPMENT, LLC TO THE PREMISES
KNOWN AS 141 CHAMBERS STREET (SECTION 18, BLOCK 4, LOT 19)

WHEREAS, on September 23, 2016, the City of Newburgh conveyed property located at 141 Chambers Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 4, Lot 19, to M & N Newburgh Development, LLC; and

WHEREAS, the attorney for M & N Newburgh Development, LLC has requested a release of the restrictive covenants contained in said deed; and

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

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

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 141 Chambers Street, Section 18, Block 4, Lot 19 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 September 23, 2016, from THE CITY OF NEWBURGH to M & N NEWBURGH DEVELOPMENT, LLC, recorded in the Orange County Clerk's Office on September 29, 2016, in Liber 14116 of Deeds at Page 959 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.

ORDINANCE NO.: 2 - 2020

OF

FEBRUARY 24, 2020

AN ORDINANCE AMENDING SECTION 288-71, SCHEDULE XIII ENTITLED
"PARKING PROHIBITED AT ALL TIMES" OF THE CODE OF ORDINANCES
TO ALLOW PARKING ON THE SOUTH SIDE OF WASHINGTON STREET
BETWEEN COLDEN STREET AND LIBERTY STREET

BE IT ORDAINED, by the Council of the City of Newburgh, New York, that Section 288-71, Schedule XIII be and is hereby amended as follows:

Section 1. Section 288-71. Schedule XIII: Parking Prohibited at All Times, be and it hereby is amended as follows:

In accordance with the provisions of § 288-21, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Washington Street	South	From Water Street to Liberty <u>Colden</u> Street

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

Underlining denotes additions.
~~Strikethrough~~ denotes deletions.

ORDINANCE NO.: 3 - 2020

OF

FEBRUARY 24, 2020

AN ORDINANCE AMENDING SECTION 155-24, SUSPENSION OR REVOCATION OF
LICENSE; PENALTIES FOR OFFENSES, OF CHAPTER 155, "ELECTRICAL
STANDARDS" OF THE CODE OF THE CITY OF NEWBURGH
TO INCREASE FINES FOR FIRST AND SUBSEQUENT OFFENSES

BE IT ORDAINED, by the Council of the City of Newburgh, New York that Section 155-24 entitled "Suspension or Revocation of License; Penalties for Offenses" of Chapter 155, "Electrical Standards" of the Code of the City of Newburgh is hereby amended as follows:

Section 1. § 155-24. Suspension or Revocation of License; Penalties for Offenses

- (A) Any license issued hereunder may be suspended for a period of up to one year, or a license may be revoked, in the discretion of the Board, after hearing upon due notice held, upon charges given to the licensee and an opportunity to be heard in his defense in person and/or by attorney, if the Board is satisfied that the holder of such license or any of his or its officers or employees willfully or by reason of incompetence has violated any provision of this article or of any other law or of any ordinance, local law, or provision of the New York State Uniform Fire Prevention and Building Code ~~or the Building Code of the City~~ governing electrical work or requiring permits therefor. ~~or any requirements contained in the rules and regulations of the New York State Board of Fire Underwriters, known as the "National Electrical Code."~~
- (B) The Board may, in lieu of addition to suspending or revoking a license hereunder, impose a fine of not exceeding \$50 ~~for the first offense and not less than \$100 nor more than \$500 for a subsequent offense~~ \$1,000 for each offense and may suspend the license until such fine is paid.

Section 2. This Ordinance shall take effect immediately.

Underlining denotes additions
~~Strikethrough~~ denote deletions

ORDINANCE NO.: 4-2020

OF

FEBRUARY 24, 2020

AN ORDINANCE AMENDING SECTION 288-66 OF THE CODE OF ORDINANCES
ADDING STOP SIGNS AT THE INTERSECTION OF FULLERTON AVENUE
AND FIRST STREET

BE IT ORDAINED, by the Council of the City of Newburgh, New York that Section 288-66, Schedule VIII: Stop Intersections, be and is hereby amended to add two stop signs as follows:

Section 1. § 288-66. Schedule VIII: Stop Intersections.

In accordance with the provisions of § 288-14, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

Stop Sign on	Direction of Travel	At Intersection of
<u>Fullerton Avenue</u>	<u>Both</u>	<u>First Street</u>

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

Underlining denotes additions
~~Strikethrough~~ denote deletions