



CITY OF NEWBURGH
COUNCIL MEETING AGENDA
SESION GENERAL DEL CONSEJAL

May 28, 2020
7:00 PM

Mayor/Alcaldesa

1. Moment of Silence / Momento de Silencio
2. Pledge of Allegiance/ Juramento a la Alianza

City Clerk:/Secretaria de la Ciudad

3. Roll Call/ Lista de Asistencia

Communications/Comunicaciones

4. Approval of the Minutes of the City Council Meeting on May 11, 2020 / Aprobacion del Acta de la Reunion del 11 de mayo de 2020
5. City Manager Update/ Gerente de la ciudad pone al dia a la audiencia de los planes de cada departamento

Council Presentations/Presentaciones

6. Public Hearing - Local Law prohibiting possession and sale of sparklers and sparkling devices

There will be a public hearing on Thursday, May 28, 2020 to receive comments on a proposed local law amending Chapter 172 of the Code of Ordinances to add a new article entitled Fireworks and Sparkling Devices.

Se llevara a cabo una audiencia pública el jueves, 28 de mayo de 2020, para recibir comentarios sobre una ley propuesta enmendando el Capítulo 172 del Código de Ordenanzas para agregar un nuevo artículo titulado Fuegos Artificiales y Dispositivos Chispeantes.

7. Public Hearing - Amended City of Newburgh Citizen Participation Plan

There will be a public hearing on Thursday, May 28, 2020 to receive comments on the amended City of Newburgh Citizen Participation Plan. Amended to include processes for Citizen Participation during disasters and emergencies.

Se llevara a cabo una audiencia pública el jueves, 28 de mayo de 2020, para recibir comentarios sobre la enmienda del Plan de Participación Ciudadana de la Ciudad de Newburgh. Enmendada para incluir el proceso para Participación Ciudadana durante desastres y emergencias.

City Manager's Report/ Informe del Gerente de la Ciudad

8. Resolution No. 113 - 2020 - Proposal with ARCADIS for Professional Engineering Services Related to Phases 2 and 3 of the City's Long Term Control Plan

Resolution authorizing the City Manager to accept a proposal and enter into an agreement for professional engineering services with Arcadis of New York Inc. for Phases II and III of the Combined Sewer Overflow Long Term Control Plan in an amount not to exceed \$542,500.00.

Una resolución autorizando al Gerente de la Ciudad a aceptar una propuesta y entrar en un acuerdo para servicios profesionales de ingeniería con Arcadis de New York, Inc. Para la Fase II y III del Plan de Control a Largo Plazo del Desbordamiento del Alcantarillado Combinado por una cantidad que no exceda \$542,500.00.

9. Resolution No. 114 - 2020 - Award of Bid for PIN# 8761.39 Lake Drive over Quassaick Creek Bridge Replacement

Resolution authorizing the award of a bid and the execution of a contract with Michels Corporation for the construction of the Lake Drive Over Quassaick Creek Replacement Project (BIN#2223630/PIN#8761.39) in an amount not to exceed \$2,139,500.00.

Una resolución autorizando la otorgación de una licitación y la ejecución de un contrato con Michels Corporación para la construcción del Proyecto de reemplazo de Lake Drive sobre el Arroyo de Quassaick (BIN#2223630/PIN#8761.39) por un monto que no exceda \$2,139,500.00.

10. Resolution No. 115 - 2020 - Purchase of 66 Carson Avenue

Resolution to authorize the conveyance of real property known as 66 Carson Avenue (Section 45, Block 6, Lot 30) at private sale to Steven T. Ching for the amount of \$52,000.00.

Una resolución para autorizar el traspaso de bienes raíces conocidas como la 66 de la Avenida Carson (Sección 45, Bloque 6, Lote 30) en una venta privada a Steven T. Ching por el monto de \$52,000.00.

11. Resolution No. 116 - 2020 - 2020 TD Tree Days Grant for \$19,720

Resolution authorizing the Conservation Advisory Council and the City Manager to apply for and accept if awarded an Arbor Day Foundation TD Tree Days Program Grant in the amount of \$19,720.00 to support new tree planting on South and Lander Streets.

Una resolución autorizando al Concejo Consultivo de Conservación y al Gerente de la Ciudad a solicitar y aceptar si es otorgado una Subvención de la Fundación del Día del Árbol del Programa de TD Días de Árboles por el monto de \$19,720.00 para apoyar la plantación de nuevos árboles en la

Calle South y la Calle Lander.

12. Resolution No. 117 - 2020 - US DOJ 2020 Bullet Proof Vest Grant

Resolution authorizing the City Manager to apply for and accept if awarded a grant from the United States Department of Justice Bureau of Justice Assistance under the 2020 Bulletproof Vest Partnership in the amount of \$21,125.00 with a fifty percent match to be paid out of police funds.

Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una subvención de la Oficina de Asistencia de Justicia del Departamento de Justicia de los Estados Unidos bajo la Sociedad de Chalecos Antibalas 2020 por el monto de \$21,125.00 el cual requiere que se igualen un 50% de los fondos y serán pagados de los fondos de la policía.

13. Resolution No. 118 - 2020 - To accept if awarded -NEA Coronavirus Aid, Relief, and Economic Security (CARES) Act FY 2020

Resolution authorizing the City Manager to apply for and accept if awarded a National Endowment for the Arts Coronavirus Aid Relief and Economic Security Act Grant in the amount of \$50,000.00 with no City match to conduct a Newburgh Arts and Cultural Survey.

Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una Subvención de Dotación para las Artes de la Ley Nacional de Alivio de Ayuda y Seguridad Económica por el Coronavirus por el monto de \$50,000.00 el cual no requiere que la ciudad iguale los fondos para conducir una Encuesta de Artes y Cultura en Newburgh.

14. Resolution No. 119 - 2020 - CDBG FY 2019 Substantial Amendment - schedule public hearing

Resolution scheduling a public hearing for June 8, 2020 to hear public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2019 Annual Action Plan for the allocation of Coronavirus Aid, Relief, and Economic Security Act funding.

Una resolución programando una audiencia pública para el 8 de junio de 2020 para escuchar comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para la asignación de Ayuda de Coronavirus, Alivio, y Financiación de la Lay de Seguridad Económica.

15. Resolution No. 120 - 2020 - CDBG FY 2019 Substantial Amendment - schedule public comment period

Resolution opening a 5-day public comment period to receive public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2019 Annual Action Plan for the allocation of Coronavirus Aid, Relief, and Economic Security Act funding.

Una resolución programando un periodo de comentario público para recibir comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para la asignación de Ayuda de Coronavirus, Alivio, y Financiación de la Lay de Seguridad Económica.

16. Resolution No. 121 - 2020 - CDBG FY 2020 Substantial Amendment - schedule public hearing

Resolution scheduling a public hearing for June 8, 2020 to hear public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2020 Annual Action Plan to reallocate funding to Community Policing and Neighborhood Services.

Una resolución programando una audiencia pública para el 8 de junio de 2020 para escuchar comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para reasignar fondos a Vigilancia Comunitaria y Servicios para Vecindades.

17. Resolution No. 122 - 2020 - CDBG FY 2020 Substantial Amendment - schedule public comment period

Resolution opening a 30-day public comment period to receive public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2020 Annual Action Plan to reallocate funding to Community Policing and Neighborhood Services.

Una resolución abriendo un periodo de comentario público de 30 días para recibir comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para reasignar fondos a Vigilancia Comunitaria y Servicios para Vecindades.

18. Resolution No. 123 - 2020 - Payment of Claim with Janet Martinez

A resolution Authorizing the City Manager to execute a payment of claim with Janet Martinez, individually, and as mother and natural guardian of K.F. in the total amount of \$30,000.00.

Una resolucion autorizando al Gerente de la Ciudad a ejecutar un pago de reclamo con Janet Martinez, individualmente, y como madre y guardian natural de K.F. por el monto total de \$30,000.00.

19. Resolution 124 - 2020 - to Open 5-Day Public Comment Period - Amended Citizen Participation Plan

Resolution to open a 5-day Public Comment Period to receive comments from the public on the Amended City of Newburgh CDBG Citizen Participation Plan.

Una resolución para abrir un Periodo de Comentarios Públicos de 5 días para recibir comentarios del público sobre la enmienda del Plan de Participación Ciudadana de CDBG de la Ciudad de Newburgh.

20. Ordinance No. 5 - 2020 - Amendment to Chapter 223 - Mobile Food Vendors
Ordinance amending Section 223-3, "Definitions; Word Usage," and Section 223-9, "Food Vendors," of the Code of the City of Newburgh to include regulations for mobile food vendors.

Una Ordenanza enmendando Sección 223-3, "Definiciones; Uso de Palabras," y Sección 223-9, "Vendedores de Comida," del Código de Ordenanzas de la Ciudad de Newburgh para incluir regulaciones para vendedores de comida móviles.

21. Ordinance No. 6 - 2020 - Amendment to Chapter 163 - Fees
Ordinance amending Chapter 163 entitled "Fees" of the Code of the City of Newburgh to provide fees related to licensing of mobile food vendors.

Una Ordenanza enmendando Capitulo 163 titulado "Tarifas" del Código de la Ciudad de Newburgh para proporcionar tarifas relacionadas con la licenciatura de vendedores de comida móviles.

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

Final Comments from the City Council/ Comentarios Finales del Ayuntamiento:

Adjournment/ Aplazamiento:

RESOLUTION NO.: 112 - 2020

OF

MAY 11, 2020

RESOLUTION SCHEDULING A PUBLIC HEARING FOR MAY 28, 2020
TO HEAR PUBLIC COMMENT CONCERNING A LOCAL LAW AMENDING
CHAPTER 172 OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH
TO ADD "ARTICLE II - FIREWORKS AND SPARKLING DEVICES"

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a Local Law amending Chapter 172 of the Code of Ordinances of the City of Newburgh to add "Article II - Fireworks and Sparkling Devices"; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 28th day of May, 2020; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, as amended, the May 28, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed local law as follows:

To view the livestream of the City Council Work Session and Meeting visit:
<https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Work Session and Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App:

https://zoom.us/webinar/register/WN_sl4UtTZSTeqCHaf8N0eQzw. Please note that there is an underscore between the "N" and "s").

To register in advance for this webinar in order to provide comments during the hearing:
https://zoom.us/webinar/register/WN_sl4UtTZSTeqCHaf8N0eQzw. Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.

Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Wednesday, May 27, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

I, Lorene Vitek, City Clerk of the City of Newburgh,
hereby certify that I have compared the foregoing with the
original resolution adopted by the Council of the City of
Newburgh at a regular meeting held May 11, 2020
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of
Newburgh this 11 day of May 2020

City Clerk

LOCAL LAW NO.: _____ - 2020

OF

_____, 2020

**A LOCAL LAW AMENDING CHAPTER 172 OF
THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH
TO ADD “ARTICLE III – FIREWORKS AND SPARKLING DEVICES”**

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

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 172 of the Code of Ordinances of the City of Newburgh to add ‘Article III – Fireworks and Sparkling Devices’”.

SECTION 2 - PURPOSE AND INTENT

Chapter 477 of the Laws of 2014 for New York State authorized counties and cities outside of New York City to legalize sparklers and certain sparkling devices (collectively referred to as “sparkling devices”) for sale, possession and use. By Local Law No. 1 of 2015 effective April 10, 2015, Orange County opted to legalize sparking devices throughout Orange County. In response to concerns for the health, safety and welfare of the residents of the cities in Orange County, the Orange County Legislature and the Common Council of the City of Middletown adopted resolutions asking the New York State Legislature to reconsider the sparkling device legislation and allow cities within Orange County to opt out of the Orange County local law permitting the sale, possession and use of sparkling devices.

Chapter 458 of the Laws of 2016 for New York State, effective November 28, 2016, codified as New York State Penal Law Section 405.00(5)(c), allows a city within Orange County to adopt a local law to include sparkling devices within the definition of “fireworks” and “dangerous fireworks” as defined in the New York State Penal Law Section 270 and as applied and enforced through New York State Penal Law Section 405.00.

The purpose of this local law is to promote the public health, safety and welfare of the City of Newburgh by including the term “sparkling device” into the definitions of “fireworks” and “dangerous fireworks,” as those terms are defined in the New York State Penal Law Section 270 and as applied and enforced through New York State Penal Law Section 405.00 within the City of Newburgh.

SECTION 3 - AMENDMENT

The Code of Ordinances of the City of Newburgh is hereby amended to add an Article III entitled "Fireworks and Sparkling Devices" to Chapter 172 and to read as follows:

"CHAPTER 172, ARTICLE III: FIREWORKS and SPARKLING DEVICES"

§172-20. Definitions.

As used in this article, the following terms shall have the following meanings:

SPARKLING DEVICE – shall have the same meaning as the term "sparkling device" is defined in the New York State Penal Law Section 270.00(1)(a)(vi).

FIREWORKS – shall have the same meaning as the term "fireworks" is defined in the New York State Penal Law Section 270.00(1)(a).

DANGEROUS FIREWORKS – shall have the same meaning as the term "dangerous fireworks" is defined in the New York State Penal Law Section 270.00(1)(b).

§ 172-21. Applicability.

This article shall apply to all persons within the limits of the City of Newburgh.

§ 172-22. Possession, sale or use declared hazard and nuisance.

The possession, sale or use of fireworks, dangerous fireworks, or sparkling devices in the City of Newburgh is hereby deemed to constitute a hazard and nuisance to the health, safety and welfare of the public.

§ 172-23. Merger of terms.

Pursuant to New York State Penal Law Section 405.00(5)(c), a sparkling device is hereby included within the definition of fireworks and dangerous fireworks.

§ 172-24. Penalties for offenses.

Any persons who shall violate any provisions of this Article shall be punished as provided in the New York State Penal Law Section 270 as applied and enforced by New York State Penal Law Section 405.00.

SECTION 4 - SEVERABILITY

The provisions of this Local Law are separable and if any provision, clause, sentence, section, subsection, word or part thereof is held to be illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted is such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part here of is held inapplicable had been specifically exempt therefrom.

SECTION 5 - CODIFICATION

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Local Law shall be included in the Code of Ordinances of the City of Newburgh; that the sections and subsections of this Local Law may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Local Law" shall be changed to "Chapter", "Section", or other appropriate word as required for codification; and that any such rearranging of the numbering and/or lettering and editing shall not affect the validity of this Local Law or the provisions of the Code of Ordinances affected thereby.

SECTION 6 - VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 7 - EFFECTIVE DATE

This Local Law and shall be effective when it is filed in the Office of the New York State Secretary of State in accordance with the provisions of New York State Municipal Home Rule Law.

City of Newburgh

Department of Planning and Development

Community Development Block Grant Program

CDBG

Citizen Participation Plan



Chapter/Section	Page
Table of Contents	2
Introduction	3
Encouragement of Participation	3
The Citizen Participation Plan	6
The Consolidated Plan	9
Annual Action Plan	14
Consolidated Annual Performance and Evaluation Report (CAPER)	18
Section 108 Loan Assistance Guarantee Program	20
Complaints	21

A. Introduction

Purpose

Pursuant to the citizen participation requirements of 24 CFR Section 91.105 and 24 CFR Part 5, City of Newburgh ("City") sets forth the following Citizen Participation Plan (the "Plan") as it relates to the administration of the grant programs funded by the U.S. Department of Housing and Urban Development (HUD), including:

- Community Development Block Program (CDBG)
- Any other grants that may be provided by HUD.

The Plan presents the City of Newburgh's plan to provide opportunity for and encourage all citizens to participate in the development, revision, amendment, approval, and implementation of:

- The Citizen Participation Plan
- The Assessment of Fair Housing (AFH)
- The Consolidated Plan (CP)
- The Annual Action Plan (AAP)
- The Consolidated Annual Performance and Evaluation Report (CAPER), and
- The Section 108 Loan Guarantee Program

Lead Agency

The City of Newburgh Department of Planning and Development is the lead agency responsible for the administration of the following HUD funded federal grant program:

- Community Development Block Program (CDBG)
- Any other grants that may be provided by HUD.

Effective Date

Subsequent to approval of this Citizen Participation Plan by the City of Newburgh City Council, the Plan shall be effective until it is amended or otherwise replaced.

B. Encouragement of Citizen Participation

General

The City of Newburgh provides for and encourages citizens to participate in the development, revision, amendment, approval, and implementation of the Citizen Participation Plan, the Assessment of Fair Housing, the Consolidated Plan, the Annual Action Plan, and the CAPER. The City of Newburgh encourages participation of people with low- and moderate-incomes, particularly by residents of predominantly low- and moderate- income neighborhoods as well as those living in areas designated as revitalization areas, in slum and blighted areas, and/or in areas where HUD funds are proposed to be used. With respect to the public participation initiatives included in this Plan, the City of Newburgh will take appropriate actions to encourage the participation of all its citizens, including minorities, people

with low and moderate incomes, non-English speaking people, and people with disabilities, as described below.

Non-English-Speaking People

The City of Newburgh utilized American Community Survey Data Tables # DP-1, DP02, DP05. Based on this data, the City of Newburgh meets the 1,000 or 5% LEP persons threshold for Spanish speakers.

The City of Newburgh will provide a Spanish interpretation services at City Council meetings where HUD programs are discussed. Meeting agendas, proposed plans and other meeting materials will be translated into Spanish.

People with Disabilities

To encourage the participation of people with disabilities, the City of Newburgh will include the following language in all of its public hearing notices published in the newspapers of record and La Voz newspaper/website.

“The City of Newburgh will make reasonable accommodations and services necessary for citizens with sensory-impairments and disabilities at the public hearing. Translation services may be offered upon request and availability. People requiring such accommodations/services should contact the City of Newburgh at least three working days in advance of the meeting. People requiring information in alternative formats should contact the City of Newburgh Department of Planning and Development, (845) 569-9400.”

The City of Newburgh will conduct all public hearings in locations that are accessible by people with disabilities, when available.

If requested, the City of Newburgh will mail copies of public hearing notices to people who are homebound and request such accommodation no less than seven days prior to the public meeting.

People with Low- and Moderate-Incomes

All citizens of the City of Newburgh, especially those of low and moderate income, are encouraged to participate in the CDBG program process. 73% of City of Newburgh residents are considered Low and Moderate Income Persons (2011-2015 American Community Survey [ACS]), with poverty concentrated mostly in the East End.

Organizations and Agencies

The City of Newburgh encourages the participation of local and regional institutions, the Continuum of Care, businesses, developers, nonprofit organizations, philanthropic organizations, broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, emergency management agencies, and community-based and faith-based organizations in the process of developing, revising, amending, approving, and implementing all documents covered by this Plan. This will be achieved through stakeholder interviews, focus groups and/or public meetings.

Local Public Housing Agency

The City of Newburgh encourages, in consultation with the Public Housing Authority (PHA), the Newburgh Housing Authority (NHA), the participation of residents of Section 8 Housing Choice Vouchers issued by the PHA, in the process of developing, revising, amending, approving, and implementing the documents covered by this Plan. The City of Newburgh will provide information to the Executive Director of the NHA about the Assessment of Fair Housing, its affirmatively furthering fair housing strategy, and Consolidated Plan activities related to housing developments and communities so the PHA can make this information available at the annual public hearings required for its Public Housing Agency Plan.

The City of Newburgh encourages participation by PHA stakeholders. This will be carried out by providing to the PHA information on public meetings, surveys and other outreach initiatives related to the documents covered by this Plan.

Public Notices

Public Meeting and document/comment review notices will be placed in the four (4) local newspapers:

- Orange County Post
- Hudson Valley Press
- Mid Hudson Times
- Times Herald Record

Meeting and document review notices will be placed in a local Spanish-Language publication:

- La Voz (either the monthly publication or on the La Voz website, in the event of an urgent notice.)

Public Hearings

All public hearings will be scheduled at times and locations that are convenient for potential and actual program beneficiaries, and with accommodation for people with disabilities and non-English Spanish speakers in accordance with this Plan.

Technical Assistance

When programs are available, the City of Newburgh Planning and Development staff are available to assist organizations representatives of people of low and moderate income and other eligible individuals interested in submitting a proposal to obtain funding through HUD funded Community Development programs. All potential applicants are strongly encouraged to contact the City of Newburgh Department of Planning and Development for technical assistance before initiating a funding request application.

Online Access

The City of Newburgh will post draft copies and final copies of all documents covered by this Plan on its website accessible at <https://www.cityofnewburgh-ny.gov/community-development>.

Other Engagement Techniques

This Plan may be amended as the City of Newburgh continues to gain access to technology that improves the avenues of participation by its residents.

City of Newburgh Contact

All communication regarding the Plan, the Assessment of Fair Housing, the Consolidated Plan, the Annual Action Plan, the CAPER, comments, complaints, reasonable accommodation for people with disabilities, translation services, or other elements shall be directed to:

City of Newburgh
Department of Planning and Development
83 Broadway
Newburgh, NY 12550

In the Event of Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City of Newburgh may opt to conduct public hearings and meetings virtually via conference call or live web-streaming with ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities upon request, such as sign language or translation services. Documents for public review will be shared via the City of Newburgh's website. Copies of the document will may be mailed or e-mailed upon request. The public comment and display period for any Substantial Amendment will shall be no less than five (5) days.

C. The Citizen Participation Plan

Plan Development

The City of Newburgh shall implement the following procedure when amending its Citizen Participation Plan.

Public Review of the Draft Plan

The draft Citizen Participation Plan will be made available for public review for a 15-day period prior to the consideration and approval by the City of Newburgh City Council and may be done concurrently with the public review and comment process for the Consolidated Plan. Copies of the draft Citizen Participation Plan will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Public Hearing

The City of Newburgh will conduct a public hearing to accept comments on the draft Citizen Participation Plan prior to its approval and submittal to HUD. This public hearing may be held concurrently with the public hearing held in conjunction with the Consolidated Plan.

Comments Received on the Draft Plan

Written comments will be accepted by the City of Newburgh, or a designee, during the 15-day public review period.

City of Newburgh Action

Following the public hearing, the Citizen Participation Plan will be presented to the City of Newburgh City Council for consideration and formal action. A summary of all written comments and those received orally during the public hearing, as well as the City of Newburgh's responses to all written comments, will be attached to the Citizen Participation Plan prior to submission to HUD.

Submission to HUD

The Citizen Participation Plan will be approved as a stand-alone document and submitted to HUD with a summary of all written comments and those received orally during the public hearing as well as the City of Newburgh's responses to written comments and proof of compliance with the 15-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons for non-acceptance shall be supplied to HUD as well.

Amendments to the Approved Citizen Participation Plan

The City of Newburgh shall follow the following procedure to amend its approved Citizen Participation Plan, as needed.

Amendment Considerations

The City of Newburgh will amend the Plan, as necessary, to ensure adequate engagement and involvement of the public in making decisions related to its HUD funded programs. Substantial amendments to the Citizen Participation Plan may be required should a provision of the Plan be found by the City of Newburgh to conflict with HUD regulations, or when changes in HUD regulations occur. Edits to the Plan that only include updated contact information or editorial changes for clarity will not be released for public review and comment.

Draft Amended Citizen Participation Plan Review

The draft Amended Citizen Participation Plan will be made available for public review for a 15-day period prior to the City of Newburgh City Council's consideration and approval and may be done concurrently with the public review and comment process for the Consolidated Plan. Copies of the draft Amended Plan will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Comments Received on Draft Amended Citizen Participation Plan

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 15-day public review period.

Public Hearing

The City of Newburgh will conduct a public hearing to review and accept public comments on the draft Amended Citizen Participation Plan prior to its approval and submittal to HUD. This public hearing may be held concurrently with the public hearing held in conjunction with the Consolidated Plan. In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City of Newburgh may opt to forgo the public hearing to review revisions to the Citizen Participation Plan.

City of Newburgh City Council Action

Following the public hearing, the Citizen Participation Plan will be presented to the City of Newburgh City Council for consideration and formal action.

Submission to HUD

A copy of the Amended Citizen Participation Plan, including a summary of all written comments and those received during the public hearing as well as the City of Newburgh's responses and proof of compliance with the minimum 15-day public review and comment period requirement, will be submitted to HUD. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as well.

Plan Access

The approved Amended Citizen Participation Plan will be kept on file at:
City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Hard copies can be made available to those requesting the approved Amended Citizen Participation Plan by contacting the City of Newburgh Department of Planning and Development, or a designee.

In the Event of Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City of Newburgh may opt to conduct public hearings and meetings virtually via conference call or live web-streaming with ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities upon request, such as sign language or translation services. Documents for public review will be shared via the City of Newburgh's Website. Copies of the document may be mailed or e-mailed upon request. The public comment and display period for any Substantial Amendment will shall be no less than five (5) days.

D. The Consolidated Plan (CP)

Plan Development

The City of Newburgh will follow the process and procedures described below in the development of its Consolidated Plan (CP).

Stakeholder Consultation and Citizen Outreach

In the development of the CP, the City of Newburgh will consult with other public and private agencies including, but not limited to, the following:

- Newburgh Housing Authority
- Other assisted housing providers
- Social service providers including those focusing on services to people with low and moderate income, families with children, the elderly, people with disabilities, people with HIV/AIDS and their families, homeless people, and other protected classes
- Community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws
- Regional government agencies involved in metropolitan-wide planning and transportation responsibilities
- Broadband internet service providers and organizations engaged in narrowing the digital divide

- Agencies whose primary responsibilities include the management of flood prone areas, public land or water resources
- Emergency management agencies.

When preparing the portion of the CP concerning lead-based paint hazards, the City of Newburgh shall consult with local or state health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead-poisoned.

When preparing the description of priority non-housing community development needs, the City of Newburgh will notify adjacent units of local government, to the extent practicable.

A variety of mechanisms may be utilized to solicit input from these people/service providers/agencies/entities. These include written letters, telephone or in-person interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

Public Hearings

The City of Newburgh will conduct at least two public hearings in the development of the CP. The first public hearing will be conducted before the draft CP is published for public comment, during which the City of Newburgh will address housing and community development needs, development of proposed activities, the amount of assistance the City of Newburgh expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income residents, and a review of program performance.

The second public hearing will be conducted during or after the 30-day public comment period during which the City of Newburgh will address identified housing and community development needs, proposed eligible activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the Assessment of Fair Housing.

Potential Displacement of People

Although the City of Newburgh does not anticipate any residential displacement to occur in the foreseeable future, it is required to describe its plans to minimize the displacement of people and to assist any people displaced. When displacement is unavoidable on a temporary or permanent basis, the City of Newburgh will comply with the federal Uniform Relocation Act.

Should displacement of residents be necessary as a result of the use of funds covered by this Plan, the City of Newburgh shall compensate residents who are actually displaced in accordance with HUD Handbook No. 1378, Tenant Assistance, Relocation and Real Property Acquisition. This resource is accessible online at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780.

Public Display and Comment Period

The draft CP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary, description of the contents and purpose of the CP; the anticipated amounts of funding (including program income, if any); proposed activities likely to result in displacement, if any; plans for minimizing the displacement of people as a result of funded activities, if any; plans to assist people actually displaced by the project, if any; the dates of the public display and comment period; the locations where copies of the draft CP can be examined; how comments will be accepted; when the document will be considered for action by the City of Newburgh City Council; and, the anticipated submission date to HUD. Copies of the draft CP will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

In addition, the City of Newburgh will make available a reasonable number of free copies of the draft document to residents and groups that request them.

Comments Received on the Draft Consolidated Plan

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 30-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing, or orally at the public hearings, in preparing the final CP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final CP for submission to HUD.

City of Newburgh City Council Action

Following the public hearing, the CP will be presented to the City of Newburgh City Council for consideration and formal action.

Submission to HUD

The CP will be submitted to HUD no less than 45 days before the start of the City of Newburgh's five-year program cycle.

In the Event of Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City of Newburgh may opt to conduct public hearings and meetings virtually via conference call or live web-streaming with ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities upon request, such as sign language or translation services. Documents for public review will be shared via the City of Newburgh's Website. Copies of the document will may be mailed or e-mailed upon request. The public comment and display period for any Substantial Amendment will shall be no less than five (5) days.

Revisions to the Consolidated Plan

The City of Newburgh shall follow the following procedure to revise its CP, as needed.

Revision Considerations

There are two types of amendments that may occur with the CP: minor amendments and substantial amendments. An amendment to the approved CP will be considered substantial when there is a change in the needs, goals, or priorities identified in the CP.

All other changes that do not meet the criteria defined above will be considered minor amendments and will not be subject to public comments. These changes will be fully documented and approved by the City of Newburgh City Council. The City of Newburgh may choose to submit a copy of each amendment to the CP to HUD as it occurs, or at the end of the program year. Letters transmitting copies of amendments will be signed by the City of Newburgh City Manager or designee.

Public Display and Comment Period

The draft Revised CP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed revised CP can be examined, how comments will be accepted, when the document will be considered for action by the City of Newburgh City Council, and the anticipated submission date to HUD. Copies of the draft Revised CP will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

In addition, the City of Newburgh will make available a reasonable number of free copies to residents and groups that request them.

Comments Received on the Draft Revised Consolidated Plan

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 30-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing, or orally at public hearings, in preparing the final Revised CP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised CP for submission to HUD.

City of Newburgh City Council Action

Following the public hearing, the Revised CP will be presented to the City of Newburgh City Council for consideration and formal action.

Submission to HUD

The Revised CP will be submitted to HUD within 30 days following the end of the public display and comment period.

In the Event of a Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where program funds covered by this Plan may be expended to carry out eligible activities to address the City of Newburgh's disaster response, the City of Newburgh's requirements under this Plan will be streamlined to include:

- A 5-day public display and comment period to amend the CP.
- A minimum of one public hearing shall be held to receive comments on the Revised CP. The City of Newburgh may opt to conduct public hearings and meetings virtually via conference call or live web-streaming with ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities upon request, such as sign language or translation services. Documents for public review will be shared via the City of Newburgh's website. Copies of the document will may be mailed or e-mailed upon request. The public comment and display period for any Substantial Amendment will shall be no less than five (5) days.
- Following the public hearing, the Revised CP will be presented to the City of Newburgh City Council for consideration and formal action.
- The Revised CP will be submitted to HUD upon approval of the City of Newburgh City Council.
- Documents for public review will be shared via the City of Newburgh's Website. Copies of the document will may be mailed or e-mailed upon request.

Plan Access

The Revised CP will be kept on file at the City of Newburgh Department of Planning and Development Office, 123 Grand St. Newburgh, NY 12550

The plan can be accessed online at <https://www.cityofnewburgh-ny.gov/community-development>

Hard copies can be made available to those requesting the Revised CP by contacting the City of Newburgh Department of Planning and Development, or a designee. In the event of a local, state or federally declared disaster or emergency, documents for public review will be shared via the City of Newburgh website. Copies of the document may be mailed or e-mailed upon request.

E. The Annual Action Plan (AAP)

The Annual Action Plan (AAP) is a component of the Consolidated Plan (CP), and it describes the City of Newburgh's proposed use of available federal and other resources to address the priority needs and specific objectives in the CP for each program year; the City of Newburgh's method for distributing funds to local municipalities; and, the geographic areas of the City of Newburgh to which it will direct assistance.

Plan Development

The City of Newburgh will follow the process and procedures described below in the development of its AAP.

Public Hearings

The City of Newburgh will conduct at least two public hearings during the development of the AAP to obtain residents' views and to respond to proposals and questions. The first public hearing will be conducted before the AAP draft is published for public comment. During the first public hearing the City of Newburgh will address housing and community development needs, development of proposed activities, the amount of assistance the City of Newburgh expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit residents with low- and moderate-incomes, and a review of program performance.

The second public hearing will be conducted during or after the 30-day public comment period during which the City of Newburgh will address identified housing and community development needs, proposed eligible activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the Assessment of Fair Housing.

Citizen Advisory Committees

In the event that a Request for Proposal (RFP) is announced and RFPs are received by the City of Newburgh Department of Planning and Development, a review process is carried out whereby applications are ranked according to criteria outlined in the RFP. Planning and Development staff undertake an initial review of the RFP. The City of Newburgh CDBG Advisory Group members review the proposals. The CDBG Advisory Group then makes award recommendations to the City of Newburgh City

Council. The CDBG Advisory Group is comprised of residents in the City of Newburgh and the City of Newburgh Director of Community Development (or designee.)

Public Display and Comment Period

The draft AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the AAP, the anticipated amounts of funding (including program income, if any), the dates of the public display and comment period, the locations where copies of the draft AAP can be examined, how comments will be accepted, when the document will be considered for action by the City of Newburgh City Council, and the anticipated submission date to HUD. Copies of the draft AAP will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

In addition, the City of Newburgh will make available a reasonable number of free copies to residents and groups that request them.

Comments Received on the Draft Annual Action Plan

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 30-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing, or orally at the public hearings, in preparing the final AAP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AAP for submission to HUD.

City of Newburgh City Council Action

Following the public hearing, the AAP will be presented to the City of Newburgh City Council for consideration and formal action.

Submission to HUD

The AAP will be submitted to HUD no less than 45 days before the start of the City of Newburgh's annual program year.

Revisions to the Annual Action Plan

The City of Newburgh shall follow the following procedure to revise its AAP, as needed.

Revision Considerations

There are two types of amendments that may occur with the AAP: minor amendments and substantial amendments.

An amendment to the approved AAP is considered substantial whenever the City of Newburgh makes one of the following decisions:

- Make a change in its allocation priorities or a change in the method of distribution of funds;
- To carry out an activity, using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan; or
- To change the purpose, scope, location, or beneficiaries of an activity.

The following changes define a substantial amendment:

- Substantial changes in the CDBG plan that directly affects the City of Newburgh Consolidated Plan. For the Annual Action Plan, a substantial change would constitute a change of more than 25 % of the total grant award funding the activity.
- To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously identified in the Plan.
- To change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.

Changes that are not considered substantial amendments:

- Changes to the CDBG budget for a project by an amount that is less than 25%;
- Consolidated Plan data updates: Consolidated Plan data updates such as census data, income limits, and fair market rents, HOME high and low market rents, Home subsidy limits, and similar types of data shall not be considered a substantial amendment;
- Minor change in project location: A minor change in location on a specific property is not considered a substantial change as long as the purpose, scope, and intended beneficiaries remain essentially the same;
- Project Budget Line Item change: The transfer of some (but not all) funds within a project from one approved budget line item to another approved budget line.

All other changes to funding allocations or approved eligible activities that do not meet the criteria defined above will be considered minor amendments and will not be subject to public comments. These minor amendments will be fully documented and executed by the City of Newburgh City Council. The

City of Newburgh may choose to submit a copy of each amendment to the AAP to HUD as it occurs, or at the end of the program year. All amendments will be submitted to HUD for review via the IDIS.

Public Display and Comment Period

The draft Revised AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the draft revised AAP can be examined, how comments will be accepted, when the document will be considered for action by the City of Newburgh City Council, and the anticipated submission date to HUD. Copies of the draft Revised AAP will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

In addition, the City of Newburgh will make available a reasonable number of free copies to residents and groups that request them.

Comments Received on the Draft Revised Annual Action Plan

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 30-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing, or orally at public hearings, in preparing the final Revised AAP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised AAP for submission to HUD.

City of Newburgh City Council Action

Following the public hearing, the Revised AAP will be presented to the City of Newburgh City Council for consideration and formal action.

Submission to HUD

The Revised AAP will be submitted to HUD within 30 days following the end of the public display and comment period.

In the Event of a Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where program funds covered by this Plan may be expended to carry out eligible activities to address the City of Newburgh's disaster response, the City of Newburgh's requirements under this Plan will be streamlined to include:

- A 5-day public display and comment period to amend the CP.
- A minimum of one public hearing shall be held to receive comments on the Revised CP. The City of Newburgh may opt to conduct public hearings and meetings virtually via conference call or live web-streaming with ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities upon request, such as sign language or translation services. Documents for public review will be shared via the City of Newburgh's Website. Copies of the document will may be mailed or e-mailed upon request. The public comment and display period for any Substantial Amendment will shall be no less than five (5) days.
- Citizens Advisory Group will not be required to review proposed amendments to the Plan.
- Following the public hearing, the Revised AAP will be presented to the City of Newburgh City Council for consideration and formal action.
- The Revised CP will be submitted to HUD upon approval of the City of Newburgh City Council.
- Documents for public review will be shared via the City of Newburghs Website. Copies of the document will may be mailed or e-mailed upon request.

Plan Access

The Annual Action Plan and any revisions will be kept on file at the City of Newburgh Department of Planning and Development, 123 Grand St., Newburgh NY 12550. The plan and revisions can be accessed online at: <https://www.cityofnewburgh-ny.gov/community-development>

Hard copies can be made available to those requesting the Revised AAP by contacting the City of Newburgh Department of Planning and Development, or a designee. In the event of disaster or emergency, documents will be made available on the City of Newburghs Website. Copies may be e-mailed or mailed upon request.

F. Consolidated Annual Performance and Evaluation Report (CAPER)

Report Development

The City of Newburgh shall follow the following procedure in the drafting and approval of its Consolidated Annual Performance and Evaluation Report (CAPER).

Report Considerations

The City of Newburgh Department of Planning and Development will evaluate and report the accomplishments and expenditures of the previous program year and draft the CAPER in accordance with HUD requirements.

Public Display and Comment Period

The draft CAPER will be placed on display for a period of not less than 15 days to encourage public review and comment. Public notice of the display and comment period will be published in the Times Herald Record no less than two weeks before the period begins with accommodation for people with disabilities and non-English Spanish speakers in accordance with this Plan. The public notice shall include a brief summary and purpose of the CAPER, a summary of program expenditures, a summary of program performance, the dates of the public display and comment period, the locations where copies of the draft CAPER can be examined, how comments will be accepted, and the anticipated submission date to HUD. Copies of the draft CAPER will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Comments Received on the Draft CAPER

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 15-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing while preparing the final CAPER. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final CAPER for submission to HUD.

Submission to HUD

The CAPER will be submitted to HUD within 90 days following the end of the City of Newburgh's annual program year.

Plan Access

The CAPER will be kept on file at the City of Newburgh Office of Planning and Development, 123 Grand St. Newburgh, NY 12550.

The CAPER can be accessed online at <https://www.cityofnewburgh-ny.gov/community-development>

In the Event of Disaster or Emergency

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person review of the CAPER may not be feasible or large gatherings may be considered a public health risk, the City of Newburgh will place documents for public review on its Website. Copies of the document will may be mailed or e-mailed upon request.

G. Section 108 Loan Assistance Guarantee Program**Development of Section 108 Loan Guarantee Application**

Applications for assistance filed by the City of Newburgh for Section 108 Loan Guarantee assistance authorized under HUD regulation 24 CFR Part 570, Subpart M, are subject to all provisions set forth within this Plan. Such applications for Section 108 assistance may be included as part of the Consolidated Planning process or may be undertaken separately anytime during the City of Newburgh's program year. Before the City of Newburgh submits an application for Section 108 loan guarantee assistance, the City of Newburgh will make available to citizens, public agencies and other interested parties information that includes the amount of assistance the City of Newburgh expects to be made available (including program income), the range of activities that may be undertaken, the estimated amount that will benefit people of low- and moderate-incomes, and any activities likely to result in displacement.

Public Display and Comment Period

The City of Newburgh will publish its proposed Section 108 loan application for review and comment. The public notice shall include a summary describing the contents and purpose of the application and listing the locations where the entire application may be examined. An application for Section 108 Loan Guarantee funding shall be made available for public review for a 30-day period prior to consideration and submission to HUD and may be done concurrently with the public review and comment process for the Consolidated Plan.

Copies of the proposed Section 108 loan application will be made available for review at the following locations:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Comments Received on the Proposed Section 108 Application

Written comments will be accepted by the City of Newburgh Department of Planning and Development, or a designee, during the 30-day public display and comment period. The City of Newburgh will consider any comments or views of City of Newburgh residents received in writing in preparing the final application. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final application for submission to HUD.

Submission to HUD

The Section 108 Loan Application will be submitted to HUD.

H. Complaints

Residents may register complaints regarding any aspect of the HUD funded programs administered by the City of Newburgh Department of Planning and Development CDBG program by contacting the City of Newburgh Department of Planning and Development, or a designee. All written complaints received will be addressed in writing within 15 days.

Residents wishing to object to HUD approval of the final Consolidated Plan, Annual Action Plan or other documents identified in this plan may send written objections to the Department of Housing and Urban Development, New York State Office: Jacob K. Javits Federal Building, 26 Federal Plaza Room 3541, New York, NY 10278-0068.

Objections should be made within 30 days after the City of Newburgh has submitted the Consolidated Plan or other documents to HUD. Any objections made will only be submitted to HUD for the following reasons:

- The City of Newburgh's description of needs and objectives is plainly inconsistent with available facts and data.
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the City of Newburgh.
- The Annual Action Plan does not comply with the requirements of the CDBG program or other applicable laws.
- The Annual Action Plan proposed activities which are other-wise ineligible under the program regulations.

Objections shall include both an identification of requirements not met and available facts and data.

Ciudad de Newburgh
Departamento de Planeamiento y Desarrollo
Programa de Subvención en Bloque para el Desarrollo de la Comunidad

CDBG

Plan de Participación Ciudadana



Capítulo/Sección	Página
Contenido	2
Introducción	3
Fomento de la Participación Ciudadana	3
Plan de Participación Ciudadana	6
Plan General	10
Plan Anual de Acción	15
Informe General de Desempeño y Evaluación (CAPER)	20
Sección 108 Programa de Asistencia a	
Préstamos Garantizados	21
Quejas	22

A. Introducción

Propósito

Conforme a los requisitos de participación ciudadana del 24 CFR de la Sección 91.105 y 24 CFR Parte 5, la Ciudad de Newburgh (en adelante: "Ciudad") establece el siguiente Plan de Participación Ciudadana (En adelante: "Plan"), relacionado con la administración de los programas de subvenciones financiados por el Departamento de Desarrollo Urbano y Vivienda de Estados Unidos (HUD por sus siglas en inglés), incluyendo:

- Subvención en Bloque para el Desarrollo de la Comunidad (**CDBG** por sus siglas en inglés).
- Cualquier otra subvención que pudiera proveer el HUD.

El Plan presenta el proyecto de la Ciudad de Newburgh para proveer oportunidades y fomentar la participación de todos los ciudadanos y ciudadanas en el desarrollo, revisión, enmiendas, aprobación e implementación de:

- El Plan de Participación Ciudadana
- La Evaluación de Vivienda Digna (AFH por sus siglas en inglés)
- El Plan General (CP por sus siglas en inglés)
- El Plan Anual de Acción (AAP por sus siglas en inglés)
- Informe General del Desempeño Anual y Evaluación (CAPER por sus siglas en inglés)
- La Sección 108 Programa de Préstamo Garantizado

Agencia Principal

El Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh es el organismo principal, responsable de la administración de los siguientes programas de subvenciones federales financiadas por HUD:

- Subvención en Bloque para el Desarrollo de la Comunidad (CDBG)
- Cualquier otra subvención que pudiera proveer el HUD.

Fecha de Vigencia

Con posterioridad a su aprobación por el Ayuntamiento de la Ciudad de Newburgh, este Plan de Participación Ciudadana, estará en vigencia hasta que sea enmendado o reemplazado.

B. Fomento de la Participación Ciudadana

General

La Ciudad de Newburgh apoya y fomenta la participación ciudadana en el desarrollo, revisión, enmienda, aprobación e implementación del Plan de Participación Ciudadana, la Evaluación de Vivienda Digna, el Plan General, el Plan de Acción Anual y el CAPER. La Ciudad de Newburgh fomenta la participación de las personas de bajos-y-moderados ingresos, particularmente de los residentes de los barrios de bajos-y-moderados ingresos, así como de quienes viven en áreas designadas como áreas de revitalización, áreas de construcciones precarias o arruinadas, y/o en áreas donde se ha propuesto que sean usados los fondos HUD. Con respecto a las iniciativas de participación pública incluidas en este Plan, la Ciudad de Newburgh tomará las decisiones apropiadas para fomentar la participación de todos

sus ciudadanos, incluyendo a las minorías, personas de bajos-y-moderados ingresos y personas con discapacidades, personas que no hablan inglés, como se describen más abajo.

Personas que no Hablan Inglés

La Ciudad de Newburgh utiliza las Tablas de Datos de la Encuesta # DP-1, DP02, DP05 de la American Community Survey. Basándose en estos datos, la Ciudad de Newburgh alcanza el umbral de hablantes de español de 1,000 o el 5% de personas con dominio limitado del inglés (LEP por sus siglas en inglés).

La Ciudad de Newburgh proveerá servicios de intérprete en las reuniones del Ayuntamiento (City Council) donde se discuten los programas de HUD. Las agendas de las reuniones, los planes propuestos y otros materiales de las reuniones serán traducidos al español.

Personas con Discapacidades

Para fomentar la participación de las personas con discapacidades, la Ciudad de Newburgh incluirá el siguiente párrafo en todas las notificaciones de audiencias públicas que se publiquen en periódicos y en la revista La Voz, en su publicación en papel/sitio web: "En las audiencias públicas, la Ciudad de Newburgh proveerá los servicios y acomodaciones razonables para los ciudadanos con deficiencias sensoriales o discapacidades. Según pedido y disponibilidad se podrían ofrecer servicios de traducción. Las personas que requieran dichos servicios/acomodaciones deben comunicarse con la Ciudad de Newburgh con, por lo menos, tres días hábiles de anticipación a la fecha de reunión. Las personas que requieran información acerca de los formatos alternativos deben comunicarse con el Departamento de Desarrollo y Planeamiento de la Ciudad de Newburgh, al teléfono: (845) 569-9400".

La Ciudad de Newburgh va a llevar a cabo todas las audiencias públicas en lugares accesibles a las personas con discapacidad, cuando estén disponibles.

A pedido de los interesados, la Ciudad de Newburgh enviará por correo copias de las notificaciones de audiencias públicas a las personas que se encuentren confinadas y requieran dicha adecuación, con un plazo no menor a los siete días previos a la audiencia pública.

Personas de Bajos-o-Moderados Ingresos

Fomentaremos la participación de todos los ciudadanos de la Ciudad de Newburgh, en el proceso del programa CDGB, especialmente la de aquellos de bajos-o-moderados ingresos. El 73% de los residentes de la Ciudad de Newburgh se consideran Personas de Bajos-o-Moderados Ingresos, con la pobreza concentrada sobre todo en el East End (2011-2015 Encuesta de la Comunidad Americana [*American Community Survey*, ACS por sus siglas en inglés]).

Organizaciones y Agencias

En el proceso de desarrollar, examinar, enmendar, aprobar e implementar todos los documentos abarcados por este Plan, la Ciudad de Newburgh fomenta la participación de instituciones regionales y locales; el Continuum of Care; empresas de negocios; promotores inmobiliarios; organizaciones sin fines de lucro; organizaciones filantrópicas; proveedores de servicios de banda ancha de internet; organizaciones que participen en disminuir la brecha digital; agencias cuyas reponsabilidades principales

incluyan la gestión de áreas propensas a las inundaciones y recursos de tierras públicas o agua; agencias de gestión de emergencias; y organizaciones de base comunitaria o basadas en la fe, en el proceso de desarrollar, revisar, enmendar, aprobar e implementar todos los documentos abarcados por este Plan. Esto se logrará a través de entrevistas a los participantes, grupos de discusión y/o reuniones públicas.

Agencia Local de Vivienda Pública

La Ciudad de Newburgh fomenta —en consulta con la Autoridad de Vivienda Pública (PHA), la Autoridad de Vivienda de Newburgh (NHA)— la participación de residentes de Sección 8 - Vales de Elección de Vivienda (*Section 8 Housing Choice Vouchers*) emitidos por el PHA en el proceso de desarrollo, revisión, enmienda, aprobación e implementación de los documentos abarcados en este Plan. La Ciudad de Newburgh proveerá al Director Ejecutivo del NHA la información sobre la Evaluación de Vivienda Digna, su continuación de estrategia de acción afirmativa, y las actividades del Plan General relacionadas con el desarrollo de viviendas y comunidades, de modo que el PHA pueda mantener esta información disponible en las audiencias públicas anuales requeridas por el Plan de la Agencia de Vivienda Pública.

La Ciudad de Newburgh fomenta la participación de las partes interesadas del PHA. Esto se llevará a cabo proveyendo al PHA la información de las reuniones públicas, estudios/encuestas y otras iniciativas de extensión relacionadas con los documentos cubiertos por este Plan.

Notificaciones Públicas

Las notificaciones de Reuniones Públicas y documentos/notificaciones de comentarios de análisis de documentos se colocarán en (4) periódicos locales:

- Orange County Post
- Hudson Valley Press
- Mid Hudson Times
- Times Herald Record

Las notificaciones de reuniones o el análisis de documentos se colocarán en una publicación local en español:

- La Voz (ya sea en su publicación mensual de papel, o en La Voz online cuando se trate de una notificación urgente).

Audiencias Públicas

De acuerdo con este Plan, todas las audiencias públicas se establecerán en horarios y lugares que sean convenientes para los potenciales y reales beneficiarios, y contarán con acomodaciones para las personas con discapacidades y los hablantes de español que no hablen inglés.

Asistencia Técnica

Cuando los programas estén disponibles, el personal de Planeamiento y Desarrollo de la Ciudad de Newburgh estará disponible para asistir a las organizaciones representativas de las personas de bajos-o-moderados ingresos y otros individuos elegibles interesados en presentar una propuesta para obtener fondos a través de programas de Desarrollo de la Comunidad financiados por HUD.

Recomendamos especialmente, a todas las personas que sean potenciales solicitantes, que se comuniquen con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh para recibir asistencia técnica antes de iniciar una solicitud de pedido de financiación.

Acceso En-línea

La Ciudad de Newburgh va a publicar copias de borradores y copias finales de todos los documentos cubiertos por este Plan en su sitio en-línea: <https://www.cityofnewburgh-ny.gov/community-development>.

Otras Técnicas de Participación

Este Plan puede ser enmendado a medida que la Ciudad de Newburgh continúe ganando acceso a la tecnología que mejore las vías de participación de sus residentes.

Contacto de la Ciudad de Newburgh

Toda comunicación relacionada con el Plan, la Evaluación de Vivienda Digna, el Plan General, el Plan Anual de Acción, el CAPER, comentarios, quejas, acomodaciones razonables para las personas con discapacidad, servicios de traducción y otros elementos deben dirigirse a:

City of Newburgh
Department of Planning and Development
83 Broadway
Newburgh, NY 12550

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando las reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de Newburgh podría optar por llevar a cabo las audiencias públicas y reuniones de manera virtual —vía llamado en conferencia o transmisión en directo— que permitieran hacer preguntas y ofrecer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los de lenguaje de signos o servicios de traducción—. Los documentos para la revisión pública se compartirán a través del sitio web de la Ciudad de Newburgh. Las copias de los documentos se pueden enviar por correo o por correo electrónico a pedido. Los comentarios públicos y el período de exhibición de cualquier Enmienda Importante será no menor a los cinco (5) días.

C. El Plan de Participación Ciudadana

Desarrollo del Plan

La Ciudad de Newburgh deberá implementar el siguiente procedimiento cuando enmiende su Plan de Participación Ciudadana.

Revisión Pública del Borrador del Plan

El borrador del Plan de Participación Ciudadana estará disponible para su revisión pública por un período de 15-días anterior a su consideración y aprobación por el Ayuntamiento de la Ciudad de Newburgh; y esto puede ser realizado simultáneamente con el proceso de revisión pública y comentarios del Plan General. Las copias del borrador del Plan de Participación Ciudadana estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Audiencia Pública

La Ciudad de Newburgh llevará a cabo una audiencia pública para aceptar comentarios sobre el borrador del Plan de Participación Ciudadana, antes de su aprobación y presentación al HUD. Esta audiencia pública puede ser llevada a cabo simultáneamente con la audiencia pública realizada conjuntamente con el Plan General.

Comentarios Recibidos sobre el Plan General

Los comentarios por escrito serán aceptados por la Ciudad de Newburgh, o ente designado, durante los 15-días del período de revisión pública.

Acción de la Ciudad de Newburgh

A partir de la audiencia pública, el Plan de Participación Ciudadana será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal. Un resumen de todos los comentarios escritos y aquellos comentarios orales recibidos durante la audiencia pública, así como las respuestas a todos los comentarios escritos, se adjuntarán al Plan de Participación Ciudadana antes de su presentación al HUD.

Presentación al HUD

El Plan de Participación Ciudadana será aprobado como un documento independiente y presentado al HUD con un resumen de todos los comentarios escritos y aquellos comentarios orales recibidos durante la audiencia pública, así como las respuestas a todos los comentarios escritos, y las respuestas de la

Ciudad de Newburgh a los comentarios escritos, y las pruebas de que se haya cumplido con los 15-días de revisión pública y el requisito del período de comentarios.

Además, un sumario de cualquier comentario u opinión no aceptada y las razones del rechazo deberán ser provistas al HUD.

Enmiendas al Plan de Participación Ciudadana Aprobado

La Ciudad de Newburgh debe seguir el siguiente procedimiento para enmendar el Plan de Participación Ciudadana, cuando sea necesario.

Consideraciones sobre las Enmiendas

La Ciudad de Newburgh enmendará el Plan cuando sea necesario, para asegurar la participación adecuada y la colaboración del público en la toma de decisiones relacionadas con los programas financiados por HUD. Se podrían requerir enmiendas sustanciales al Plan de Participación Ciudadana si la Ciudad de Newburgh encontrara que una disposición del Plan estuviera en conflicto con las regulaciones del HUD, o cuando ocurrieran cambios en las regulaciones del HUD.

Las ediciones del Plan que solamente incluyan actualizaciones de la información de contacto o cambios editoriales para hacer aclaraciones no se revelarán para los comentarios públicos y revisiones.

Revisión del Borrador Enmendado del Plan de Participación Ciudadana

El Borrador Enmendado del Plan de Participación Ciudadana estará disponible para la revisión pública por un período de 15-días anterior a la consideración y aprobación del Ayuntamiento de la Ciudad de Newburgh y puede hacerse simultáneamente con el proceso de revisión y comentarios del Plan General. Copias del borrador del Plan Enmendado estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Recepción de Comentarios al Borrador Enmendado del Plan de Participación Ciudadana

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 15-días del período de revisión pública.

Audiencia Pública

La Ciudad de Newburgh realizará una audiencia pública para revisar y aceptar los comentarios públicos del borrador del Plan Enmendado de Participación Ciudadana, antes de su aprobación y presentación al HUD. Esta audiencia pública podría realizarse simultáneamente con la audiencia pública realizada en conjunto con el Plan General. En el evento de una declaración local, estatal o federal de desastre o emergencia donde los lugares públicos pudieran cerrarse al público, o que la participación en-persona no fuera posible, o que las reuniones numerosas se consideraran de riesgo para la salud pública, la Ciudad de Newburgh podría optar por no realizar las audiencias públicas para examinar las revisiones al Plan de Participación Ciudadana.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan de Participación Ciudadana será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

Una copia del Plan de Participación Ciudadana Enmendado, incluyendo un resumen de todos los comentarios escritos y aquellos recibidos durante las audiencias públicas así como las respuestas y prueba de haber cumplido con el requisito del mínimo de 15-días de período de revisión pública y comentarios, será presentado al HUD. Un resumen de cualquier comentario u opiniones no aceptados y las razones del rechazo deberán también ser provistos al HUD.

Acceso al Plan

El Plan de Participación Ciudadana Enmendado y aprobado será archivado en:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Las copias en papel del Plan de Participación Ciudadana Enmendado estarán disponibles para quienes lo soliciten, contactando al Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado.

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de Newburgh podría optar por llevar a cabo las audiencias pública y reuniones de manera virtual —vía llamada en conferencia o transmisión en directo, con la habilidad de formular preguntas y hacer comentarios en tiempo real—. Las acomodaciones se proveerán a petición de las personas con discapacidades —tales como los servicios de traducción o lenguaje de signos—. Los documentos para la

revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A solicitud del interesado las copias del documento podrían ser enviadas por correo o correo electrónico. El período de exhibición y comentarios públicos para cualquier Enmienda Sustancial que se realice será de no menos de cinco (5) días.

D. Plan General (CP por sus siglas en inglés)

Desarrollo del Plan

Para el desarrollo de su Plan General (CP), la Ciudad de Newburgh seguirá todos los procesos y procedimientos descriptos abajo.

Consulta a los Participantes y Alcance Ciudadano

En el desarrollo del CP, la Ciudad de Newburgh consultará con otras agencias públicas y privadas incluyendo, pero no limitándose, a las siguientes:

- Autoridad de la Vivienda de Newburgh.
- Otros proveedores de vivienda asistida.
- Los proveedores de servicios sociales, incluyendo aquellos que se enfocan en servicios a las personas de bajos-o-moderados ingresos, las familias con hijos, los ancianos, las personas con discapacidades, las personas con HIV/AIDS y sus familias, las personas en situación de calle, y otras clases protegidas.
- Organizaciones de base-comunitaria y organizaciones de base-regional que representan a miembros de clases protegidas y organizaciones que implementan las leyes de vivienda digna.
- Agencias regionales de Gobierno que involucren el planeamiento metropolitano-amplio y las responsabilidades de la transportación.
- Proveedores de internet de banda ancha y organizaciones que participen en reducir la brecha digital.
- Agencias cuyas reponsabilidades primarias incluyan la gestión de áreas propensas a inundarse, tierras o recursos hídricos públicos.
- Agencias de gestión de emergencias.

Cuando se prepare la parte del Plan General concerniente a los riesgos de las pinturas con base-de-plomo, la Ciudad de Newburgh deberá consultar con las agencias de salud y bienestar infantil, locales y estatales; y examinar la data relacionada con los riesgos de las pinturas con base-de-plomo y tóxicos, incluyendo la data del Departamento de Salud de ubicaciones/direcciones de unidades de vivienda en donde los niños hayan sido identificados como intoxicados-por-plomo.

Cuando se prepare la descripción de las necesidades prioritarias de desarrollo comunitario, no relacionadas con la vivienda, la Ciudad de Newburgh notificará a las unidades adyacentes del Gobierno local, en la medida de lo posible.

Se podrán utilizar una variedad de mecanismos para solicitar la opinión de estas personas/servicios/proveedores/agencias/entidades. Estos mecanismos incluyen cartas escritas,

entrevistas en persona o por teléfono, encuestas por correo, respuestas basadas-en-internet y encuestas, grupos de estudio focalizado, y/o talleres de consulta.

Audiencias Públicas

La Ciudad de Newburgh va a conducir, por lo menos, dos audiencias públicas acerca del desarrollo del Plan General (CP). La primera audiencia pública se llevará a cabo antes de la publicación para comentarios del borrador del CP. Durante la primera, la Ciudad de Newburgh estudiará las necesidades de vivienda y desarrollo de la comunidad; el desarrollo de las actividades propuestas; la cantidad de asistencia que la Ciudad de Newburgh espera recibir (incluyendo los fondos de subvenciones y los ingresos del programa); el rango de actividades abordadas, incluyendo el monto estimado que beneficiaría a los residentes de bajos-o-moderados ingresos; y una revisión del desempeño del programa.

La segunda audiencia pública se llevará a cabo durante o después de período de los 30-días de comentarios públicos, durante el cual la Ciudad de Newburgh abordará las necesidades identificadas de vivienda y desarrollo de la comunidad; las actividades elegibles propuestas; y las estrategias y acciones propuestas para impulsar positivamente la vivienda digna de acuerdo con la Evaluación de Vivienda Digna.

Desplazamiento Potencial de Personas

Aunque la Ciudad de Newburgh no prevee que ocurran desplazamientos residenciales en el futuro próximo, se requiere la descripción de los planes destinados a minimizar el desplazamiento de personas y también el plan de asistencia a cualquier persona desplazada. Cuando el desplazamiento sea inevitable, tanto temporal o permanente, la Ciudad de Newburgh va a cumplir con la Ley Federal de Reubicación Uniforme (*Federal Uniform Relocation Act*).

Si el desplazamiento de los residentes fuera necesario como resultado del uso de los fondos abarcados por este Plan, la Ciudad de Newburgh deberá compensar a los residentes que hayan sido realmente desplazados —de acuerdo con el Manual HUD Número 1378, Asistencia al Inquilino, Reubicación y Adquisición de Propiedades Inmobiliarias (*HUD Handbook No. 1378, Tenant Assistance, Relocation and Real Property Acquisition*)—.

Se puede acceder a este recurso en-línea usando el enlace:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780.

Exhibición Pública y Período de Comentario

El borrador del Plan General (CP) se exhibirá públicamente por un período no menor a los 30 días, para fomentar la revisión y comentarios públicos. La notificación pública deberá incluir un resumen, descripción de contenido y propósito del CP; el monto estimado de la financiación (incluyendo el ingreso del programa, si existiera); las actividades propuestas que pudieran resultar en desplazamientos, si existieran; los planes para minimizar el desplazamiento de personas como resultado de las actividades financiadas, si existieran; los planes de asistencia a las personas realmente desplazadas por el proyecto, si existieran; las fechas del período de comentarios y exhibición pública; los lugares donde se pueden

examinar copias del anteproyecto del CP; cómo se aceptarán los comentarios; cuándo el Ayuntamiento de la Ciudad de Newburgh considerará los documentos para la acción; y la fecha anticipada de su presentación al HUD. Copias del borrador CP estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los grupos o residentes que los soliciten un número razonable de copias gratis del borrador del documento.

Comentarios Recibidos sobre el Borrador del Plan General

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante el período de 30-días de exhibición y comentarios públicos. En preparación para el Plan General final, la Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh que se reciban por escrito u oralmente en las audiencias públicas. Un resumen de estos comentarios u opiniones, y un resumen de cualesquiera comentarios u opiniones no aceptadas, y las razones por las que fueron rechazadas, se adjuntarán a la presentación al HUD de la versión final del Plan General.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan General (CP) será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan General(CP) será presentado al HUD en un plazo no menor a los 45-días anteriores al comienzo del ciclo del programa de cinco-años de la Ciudad de Newburg.

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando las reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de

Newburgh podría optar por llevar a cabo las audiencias públicas y reuniones de manera virtual —vía llamado en conferencia o transmisión en directo, con la habilidad de formular preguntas y hacer comentarios en tiempo real—. Las acomodaciones se proveerán a petición de las personas con discapacidades u otros —tales como los servicios de traducción o lenguaje de signos—. Los documentos para la revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A solicitud del interesado las copias del documento podrían ser enviadas por correo o correo electrónico. El período de exhibición y comentarios públicos para cualquier Enmienda Sustancial que se realice será de no menos de cinco (5) días.

Revisiones al Plan General

La Ciudad de Newburgh deberá seguir los siguientes procedimientos para revisar su Plan General, según sea necesario.

Consideraciones de la Revisión

Existen dos tipos de enmiendas que se podrían realizar al Plan General (CP): enmiendas menores y enmiendas sustanciales. Una enmienda al Plan General aprobado será considerada sustancial cuando se trate de un cambio de necesidades, metas, o prioridades, identificadas en el Plan General.

Todos los otros cambios que no alcancen el criterio definido más arriba, serán considerados enmiendas menores y no se someterán a comentarios públicos. Estos cambios serán completamente documentados y aprobados por el Ayuntamiento de la Ciudad de Newburgh. Si así lo eligiera, la Ciudad de Newburgh podría presentar al HUD una copia de cada enmienda al Plan General, como ocurre al final de año del programa. Las cartas que transmiten copias de enmiendas serán firmadas por el Mánager de la Ciudad de Newburgh, o ente designado.

Exhibición Pública y Período de Comentarios

El anteproyecto del Plan General Revisado será expuesto al público por un período no menor a los 30-días, para fomentar los comentarios y revisiones del público. La notificación pública deberá incluir un breve resumen de las revisiones, las fechas de la exhibición pública y el período de comentarios, los lugares donde las copias del CP revisado se podrán examinar, cómo se aceptarán los comentarios, cuándo los documentos se considerarán para la acción del Ayuntamiento de la Ciudad de Newburgh, y la fecha anticipada de su presentación al HUD. Las copias del anteproyecto del CP Revisado estarán disponibles para revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.

Newburgh, NY 12550

City of Newburgh website:

<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los residentes y grupos que lo soliciten un número razonable de copias.

Comentarios Recibidos sobre el Anteproyecto Revisado del Plan General

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 30-días de exhibición pública y período de comentarios. En preparación para la versión final del Plan General Revisado, la Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito, u oralmente, en las audiencias públicas. Un resumen de estos comentarios u opiniones y un resumen de los comentarios y opiniones no aceptados, y las razones de su rechazo, se adjuntarán a la versión final del Plan General Revisado para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan General Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan General revisado será presentado al HUD dentro de los 30-días siguientes a la terminación de su exhibición pública y período de comentarios.

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, en el cual los fondos de los programas cubiertos por este Plan se pudieran gastar para llevar a cabo las actividades elegibles con las cuales la Ciudad de Newburgh abordara la respuesta al desastre; bajo este Plan, los requerimientos de la Ciudad de Newburgh se facilitarían para incluir:

- Un período de exhibición pública y comentarios de 5-días para enmendar el Plan General.
- Un mínimo de una audiencia pública se debiera llevar a cabo para recibir comentarios al Plan General Revisado. La Ciudad de Newburgh podría optar por conducir audiencias públicas y reuniones virtuales por vía de llamadas en conferencia o transmisión-en-directo con la habilidad de hacer preguntas y proveer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los servicios de traducción o lenguaje de signos—. Los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o por correo electrónico. El período de comentarios y exhibición pública para cualquier Enmienda Sustancial será de no menos de (5) cinco días.
- Subsiguiente a la audiencia pública, el Plan General Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.
- El Plan General Revisado será presentado al HUD tras su aprobación por el Ayuntamiento de la Ciudad de Newburgh.

- Los documentos para revisión pública serán compartidos por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados, los documentos se enviarán por correo o por correo electrónico.

Acceso al Plan

El Plan General Revisado se archivará en la Oficina del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en 123 Grand St. Newburgh, NY 12550.

Se puede acceder al plan en-línea en: <https://www.cityofnewburgh-ny.gov/community-development>

Las copias en papel serán puestas a disposición de aquellos que requieran el Plan General Revisado comunicándose con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. En el evento de que se declarara el desastre o emergencia, local o federal, los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán por correo o correo electrónico.

E. Plan Anual de Acción (AAP por sus siglas en inglés)

El Plan Anual de Acción (AAP) es un componente del Plan General (CP), y describe el uso que propone la Ciudad de Newburgh de los recursos federales, y otros recursos, para afrontar las necesidades prioritarias y los objetivos específicos de cada año del programa del Plan General; el método de la Ciudad de Newburgh para distribuir los fondos a las municipalidades locales; y las áreas geográficas de la Ciudad de Newburgh hacia las cuales dirigirá su asistencia.

Desarrollo del Plan

En el desarrollo del su Plan Anual de Acción, la Ciudad de Newburgh seguirá el proceso y procedimientos descriptos más abajo.

Audiencias Públicas

La Ciudad de Newburgh conducirá, por lo menos, dos audiencias públicas durante el desarrollo del Plan Anual de Acción (AAP) para obtener las opiniones de los residentes y responder a sus propuestas y preguntas.

La primera audiencia pública se conducirá antes de que el borrador del AAP se publique para su comentario público. Durante la primera audiencia pública, la Ciudad de Newburgh abordará las necesidades de vivienda y desarrollo comunitario, el desarrollo de las actividades propuestas, el monto de asistencia que la Ciudad de Newburgh espera recibir (incluyendo los fondos de subvención e ingresos del programa), el rango de actividades que podrían llevarse a cabo, incluyendo el monto estimado que beneficiaría a los residentes de bajos-y-moderados ingresos, y la revisión del desempeño del programa.

La segunda audiencia pública se conducirá durante o después del período de 30-días de comentarios públicos, en el cual la Ciudad de Newburgh abordará la identificación de las necesidades de vivienda y desarrollo comunitario, las actividades elegibles propuestas, y las estrategias y acciones propuestas para llevar adelante y positivamente la vivienda digna, de acuerdo con la Evaluación de Vivienda Digna.

Comités de Consulta Ciudadana

En el evento de que se anuncie una Solicitud de Propuesta (RFP por sus siglas en inglés) y que el Departamento de Planeamiento y desarrollo de la Ciudad de Newburgh reciba las Solicitudes de Propuestas, se llevará a cabo un proceso de revisión, conforme al cual las solicitudes se clasificarán de acuerdo al criterio delineado en el RFP. El personal de Desarrollo y Planeamiento asumirá la revisión inicial de la Solicitud de Propuesta. Los miembros del Grupo de Consulta CDBG de la Ciudad de Newburgh examinarán las propuestas. El Grupo de Consulta CDBG recomendará, entonces, las adjudicaciones al Ayuntamiento de la Ciudad de Newburgh. El Grupo de Consulta CDGB está compuesto por residentes de la Ciudad de Newburgh y el Director de Desarrollo Comunitario de la Ciudad de Newburgh (o ente designado).

Exhibición y Período de Comentarios Públicos

El borrador del Plan Anual de Acción será puesto en exhibición por un período de no menos de 30-días para fomentar la revisión y comentarios públicos. La notificación pública debe incluir un breve resumen del Plan Anual de Acción, los montos esperados de los fondos (incluyendo los ingresos del programa, si los hubiera), las fechas del período de exhibición y comentarios públicos, la ubicación de los lugares en donde se puedan examinar las copias del borrador del Plan Anual de Acción, cómo se aceptarán los comentarios, cuándo un documento puede ser considerado para la acción del Ayuntamiento de la Ciudad de Newburgh, y las fechas en que se espera su presentación al HUD. Las copias del borrador del Plan Anual de Acción estarán disponibles en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Además, la Ciudad de Newburgh pondrá a disposición un número de copias gratis para los residentes y grupos que los soliciten.

Comentarios Recibidos sobre el Borrador del Plan Anual de Acción

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante el período de 30-días de exhibición y comentarios. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la ciudad de Newburgh, recibidos por escrito u oralmente en audiencia pública, en preparación para la versión final del Plan Anual de Acción. Un resumen de estos comentarios u opiniones, y un resumen de cualquier

comentario u opinión no aceptado y las razones del rechazo, se adjuntarán a la versión final del Plan Anual de Acción para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan Anual de Acción se presentará al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan Anual de Acción se presentará al HUD con no menos de 45-días previos al comienzo del programa anual de la Ciudad de Newburgh.

Revisiones al Plan Anual de Acción

La Ciudad de Newburgh seguirá los siguientes procedimientos para revisar su Plan Anual de Acción, según sea necesario.

Consideraciones de la Revisión

Hay dos tipos de enmiendas que pueden ocurrir en el Plan Anual de Acción: enmiendas menores y enmiendas sustanciales.

Una enmienda al Plan Anual de Acción aprobado se considera sustancial siempre y cuando la Ciudad de Newburgh tome una de las siguientes decisiones:

- Haga un cambio en la asignación de prioridades o cambie el método de distribución de fondos;
- Lleve a cabo una actividad usando fondos de un programa cubierto por el Plan General (incluyendo: ingresos del programa, reembolsos, restituciones, recuperaciones, o reasignaciones del HUD), que no se hayan descrito previamente en el plan de acción; o
- Cambiar el propósito, alcance, ubicación o beneficiarios de una actividad.

Los siguientes cambios definen una enmienda sustancial:

- Cambios sustanciales al plan CDBG que afecten directamente al Plan General de la Ciudad de Newburgh. Un cambio sustancial al Plan Anual de Acción sería un cambio de más de un 25 % de la subvención total otorgada para financiar la actividad.
- Llevar a cabo una actividad, usando fondos de cualquier programa del Plan General (incluyendo ingresos del programa) que no estuviera previamente identificada en el Plan.
- Cambiar el propósito, alcance, ubicación y beneficiarios de una actividad a otra en más de un 25 % de los fondos totales previamente autorizados.

Cambios que no se consideran enmiendas sustanciales:

- Cambios de cualquier proyecto al presupuesto de CDBG que sean menores a un monto del 25 %;
- Actualizaciones de la data del Plan General: Actualizaciones de la data del Plan General, como por ejemplo, data proveniente del censo, límites de ingreso, alquileres de mercado dignos, alquileres altos y bajos de mercado HOME, límites a los subsidios del hogar, y tipos similares de data no se deben considerar enmiendas sustanciales;

- Cambios menores en la ubicación de un proyecto: Un cambio menor en una ubicación de una propiedad específica no se considera un cambio sustancial siempre y cuando el propósito, alcance, y los beneficiarios previstos sean esencialmente los mismos;
- Cambio de un ítem en la Línea de Presupuesto del Proyecto: La transferencia de alguno de los fondos (pero no todos) dentro de un proyecto desde un ítem de una línea de presupuesto aprobado a otra línea de presupuesto aprobado.

Todos los otros cambios para financiar actividades asignadas o aprobadas que no alcancen el criterio definido arriba, serán considerados enmiendas menores y no estarán sujetos a comentarios públicos. Estas enmiendas menores se documentarán y ejecutarán completamente por el Ayuntamiento de la Ciudad de Newburgh. La Ciudad de Newburgh podría elegir presentar una copia de cada enmienda del AAP al HUD mientras ocurra, o al final del año del programa. Todas las enmiendas se someterán al HUD para su revisión por la vía de IDIS.

Período de Exhibición y Comentario Público

El borrador Revisado del Plan Anual de Acción (AAP) será exhibido por un período no menor a los 30-días para fomentar la revisión y los comentarios del público. La notificación pública deberá incluir un breve resumen de las revisiones, las fechas de exhibición pública y el período de comentarios, los lugares donde se puedan examinar las copias del borrador revisado del AAP, cómo se aceptarán los comentarios, cuándo se considerarán los documentos para la acción del Ayuntamiento de la Ciudad de Newburgh, y la fecha esperada de su presentación al HUD. Copias del borrador Revisado del Plan Anual de Acción estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los residentes y grupos que lo soliciten un razonable número de copias gratuitas.

Comentarios Recibidos sobre el Borrador Revisado del Plan Anual de Acción

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante un período de exhibición pública y comentarios de 30-días. Para preparar la versión final del Plan Anual de Acción Revisado, la Ciudad de Newburgh

considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito u oralmente en las audiencias públicas. Un resumen de estos comentarios u opiniones, y un resumen de cualquier comentario u opinión no aceptado y las razones del rechazo, se adjuntarán a la versión final del Plan Anual de Acción para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan Anual de Acción Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan Anual de Acción Revisado se someterá al HUD dentro de los 30-días siguientes al final del período de exhibición y comentario.

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, en el cual los fondos de los programas cubiertos por este Plan, se pudieran gastar para llevar a cabo las actividades elegibles con las cuales la Ciudad de Newburgh abordaría la respuesta al desastre; bajo este Plan, los requerimientos de la Ciudad de Newburgh se facilitarían para incluir:

- Un período de 5-días de exhibición y comentarios para enmendar el Plan General.
- Debe llevarse a cabo un mínimo de una audiencia pública para recibir comentarios sobre el Plan General Revisado. La Ciudad de Newburgh podría optar por conducir audiencias públicas y reuniones virtuales vía llamadas en conferencia o transmisión-en-directo, con la habilidad de hacer preguntas y proveer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los servicios de traducción o lenguaje de signos—. Los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o por correo electrónico. El período de comentarios y exhibición públicos para cualquier Enmienda Sustancial será de no menos de (5) cinco días.
- No se requerirá que el Grupo de Consulta Ciudadana revise las enmiendas propuestas al Plan.
- Subsiguiente a la audiencia pública, el Plan Anual de Acción Revisado se presentará al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.
- El Plan Anual de Acción Revisado se someterá al HUD luego de ser aprobado por el Ayuntamiento de la Ciudad de Newburgh.
- Los documentos a ser revisados por el público se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o correo electrónico.

Acceso al Plan

El Plan Anual de Acción y cualesquiera revisiones se conservarán en el archivo del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en: 123 Grand St., Newburgh NY 12550. Se puede acceder en-línea al plan y revisiones en: <https://www.cityofnewburgh-ny.gov/community-development>

A pedido de los interesados las copias en papel del Plan Anual Revisado estarán disponibles contactando al Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. En el evento de desastre o emergencia, los documentos estarán disponibles en el sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias por correo o correo electrónico.

F. Informe General del Desempeño Anual y Evaluación (CAPER)

Desarrollo del Informe

La Ciudad de Newburgh debe seguir el siguiente procedimiento al hacer el borrador y aprobar su Informe General del Desempeño Anual y Evaluación (CAPER).

Consideraciones del Informe

El Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh evaluará e informará los logros y el desembolso del año previo del programa y deberá hacer el borrador del CAPER de acuerdo con los requisitos del HUD.

Período de Comentarios y Exhibición Pública

El borrador del CAPER se colocará en exhibición por un período no menor a los 15-días para fomentar la revisión y comentarios públicos. La notificación pública del período de exhibición y comentarios se publicará en el periódico Times Herald Record con no menos de dos semanas de anticipación al comienzo del período —con acomodaciones para las personas con discapacidades y personas hablantes de español que no hablan inglés (LEP), de acuerdo con este Plan—. Esta notificación pública debe incluir un breve sumario y propósito del CAPER, un sumario de los gastos del programa, un resumen del desempeño del programa, las fechas del período de exhibición y comentarios, la ubicación donde se pueden examinar las copias del borrador del CAPER, cómo serían aceptados los comentarios, y la fecha anticipada de presentación al HUD. Las copias del borrador del CAPER estarán a disposición para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Comentarios Recibidos sobre el Borrador del CAPER

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 15-días del período de exhibición y comentario. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh, recibidos por escrito, mientras se prepara la versión final del CAPER. Un resumen de estos comentarios u opiniones, y un resumen de los comentarios u opiniones no aceptados y las razones de su rechazo, se adjuntarán a la versión final del CAPER para su presentación al HUD.

Presentación al HUD

El CAPER se presentará al HUD dentro de los 90-días subsiguientes al final del programa anual de la Ciudad de Newburgh.

Acceso al Plan

El CAPER se conservará en el archivo de la Oficina del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en: 123 Grand St. Newburgh, NY 12550.

El CAPER se puede acceder en línea: [athttps://www.cityofnewburgh-ny.gov/community-development](https://www.cityofnewburgh-ny.gov/community-development)

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, cuando los lugares públicos pudieran estar cerrados al público o la revisión en-persona del CAPER no fuera posible, o grandes reuniones pudieran considerarse de riesgo para la salud pública, la Ciudad de Newburgh colocará los documentos para su revisión en su sitio web. A pedido de los interesados las copias del documento podrían enviarse por correo o correo electrónico.

G. Sección 108 Programa de Asistencia a Préstamos Garantizados

Desarrollo de la Sección 108 de la Solicitud de Préstamo Garantizado

Las solicitudes de asistencia presentadas por la Ciudad de Newburgh para la asistencia a la Sección 108 Préstamo Garantizado y autorizada bajo regulación del HUD —24 CFR Part 570, Subpart M— están sujetas a todas las disposiciones establecidas dentro de este Plan. Dichas solicitudes para la asistencia de la Sección 108 pueden ser incluidas como parte del proceso del Plan General o realizadas separadamente en cualquier momento durante el programa anual de la Ciudad de Newburgh.

Antes de que la Ciudad de Newburgh presente una solicitud de asistencia de Préstamo Garantizado de Sección 108, la Ciudad de Newburgh pondrá a disposición de sus residentes, agencias públicas y otras partes interesadas, la información que incluya el monto de la asistencia que la Ciudad de Newburgh espera hacer disponible (incluyendo los ingresos del programa), el rango de actividades que pudiera asumir, el monto estimado que beneficiaría a las personas de bajos-o-moderados ingresos, y cualquier otra actividad que posiblemente resultara en un desplazamiento.

Período de Exhibición y Comentarios Públicos

La Ciudad de Newburgh publicará su propuesta de solicitud de préstamo de Sección 108 para su revisión y comentarios. Las notificaciones públicas deben incluir un sumario describiendo los contenidos y propósito de la solicitud y una lista de los lugares donde la solicitud completa pueda ser examinada. Una

solicitud de financiación de un Préstamo Garantizado de Sección 108 debe estar disponible para la revisión pública por un período de 30-días anteriores a la consideración y presentación al HUD y pudiera hacerse simultáneamente con el proceso de revisión y comentarios públicos del Plan General.

Las copias de la propuesta de solicitud de préstamos de Sección 108 estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 30-días de exhibición y comentarios públicos. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito, en preparación para la solicitud final. Un sumario de estos comentarios u opiniones, y un sumario de los comentarios u opiniones no aceptados y las razones de su rechazo, se adjuntarán a la versión final de la solicitud para su presentación al HUD.

Presentación al HUD

La solicitud de Préstamo de Sección 108 se presentará al HUD.

H. Quejas

Los residentes pueden registrar sus quejas con respecto a cualquier aspecto de los programas financiados por HUD y administrados por el programa CDBG del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, comunicándose con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. Todas las quejas recibidas por escrito se atenderán por escrito dentro de los 15-días.

Los residentes que deseen objetar la aprobación final del HUD a la versión final del Plan General, el Plan Anual de Acción u otros documentos identificados en este plan pueden enviar objeciones escritas al Departamento de Vivienda y Desarrollo Urbano del estado de Nueva York (*Department of Housing and Urban Development, New York State Office*):

Department of Housing and Urban Development, New York State Office: Jacob K. Javits Federal Building, 26 Federal Plaza Room 3541, New York, NY 10278-0068.

Las objeciones deben realizarse dentro de los 30-días subsiguientes a la presentación del Plan General u otros documentos realizada por la Ciudad de Newburgh ante el HUD. Solamente se realizarán al HUD, cualesquiera objeciones, debidas a las siguientes razones:

- La descripción de las necesidades y objetivos de la Ciudad de Newburgh sea claramente incompatible con la data y hechos disponibles.
- Las actividades que serán realizadas sean claramente incompatibles con las necesidades y objetivos identificados con la Ciudad de Newburgh.
- El Plan Anual de Acción no cumpla con los requerimientos del programa CDBG u otras leyes aplicables.
- El Plan Anual de Acción hubiera propuesto actividades que fueran inelegibles bajo las regulaciones del programa.

Las objeciones deben incluir ambas, una identificación de requisitos no cumplidos, y la data y hechos disponibles.

RESOLUTION NO.: 107 - 2020

OF

MAY 11, 2020

RESOLUTION SCHEDULING A PUBLIC HEARING FOR MAY 28, 2020
TO HEAR PUBLIC COMMENT CONCERNING
AN AMENDMENT OF THE CDBG CITIZEN PARTICIPATION PLAN

WHEREAS, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant ("CDBG") 5 year Consolidated Plan for FY 2020-2024; FY2020 one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements, Citizen Participation Plan and a Language Access Plan; and

WHEREAS, the Citizen Participation Plan requires an amendment to include processes for Citizen Participation during Emergencies and Disasters, including the potential use of new technology that improves the avenues of participation by residents, in preparation for the receipt and allocation of CDBG Coronavirus aid (CDBG-CV);

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a proposed amendment to the CDBG Citizen Participation Plan; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 28th day of May, 2020; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, as amended, the May 28, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed local law as follows:

To view the livestream of the City Council Work Session and Meeting visit:
<https://www.cityofnewburgh-ny.gov/live-video-streaming>.

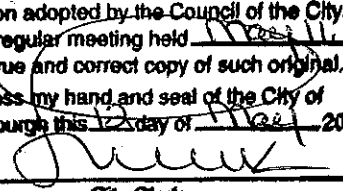
To access the City Council Work Session and Meeting remotely; join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App:
https://zoom.us/webinar/register/WN_sl4UfTZSTeqCHaf8N0eQzw. Please note that there is an underscore between the "N" and "s").

To register in advance for this webinar in order to provide comments during the hearing:
https://zoom.us/webinar/register/WN_sl4UfTZSTeqCHaf8N0eQzw. Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.

Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Wednesday, May 27, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

I, Lorene Vittek, City Clerk of the City of Newburgh,
hereby certify that I have compared the foregoing with the
original resolution adopted by the Council of the City of
Newburgh at a regular meeting held May 11, 2020
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of
Newburgh this 12 day of May, 2020



City Clerk

RESOLUTION NO.: 113 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
WITH ARCADIS OF NEW YORK INC. FOR PHASES II AND III OF
THE COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN
IN AN AMOUNT NOT TO EXCEED \$542,500.00**

WHEREAS, by Resolution No. 219-2011 of October 24, 2011, the City Council of the City of Newburgh, New York authorized the City Manager to execute a Consent Order with the New York State Department of Environmental Conservation ("NYS DEC") to resolve violations at the Wastewater Treatment Plant and for the development of the Long Term Control Plan ("LTCP"); and

WHEREAS, the City submitted its Phase I LTCP and by Resolution No. 303-2015 of November 23, 2015, the City Council authorized the City Manager to execute a Modification Order on Consent approving a Compliance Schedule for Phase I through V of the LTCP; and

WHEREAS, by Resolution No. 189-2019 of August 12, 2019, the City Council authorized the City Manager to accept a letter proposal and execute a professional engineering services agreement with Arcadis of New York, Inc. to complete the planning and preliminary engineering for projects included as part of Phase II, III, and IV of the LTCP in an amount not to exceed \$880,000.00; and

WHEREAS, Arcadis of New York, Inc. has submitted a letter proposal for additional professional engineering services to complete the designs and bid documents for the Downing Park Drain Outlet and Third Street Storm Drain and North Interceptor Improvements Projects included as part of Phase II and III of the CSO LTCP; and

WHEREAS, funding for the cost of the services an amount not to exceed \$542,500.00 shall be derived from an existing grant and loan from the New York State Environmental Facilities Corporation under project CWSRF#C3-7332-11-00; and

WHEREAS, this Council determines that accepting the proposal and executing a contract with Arcadis of New York, Inc. in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept the letter proposal and execute a professional engineering services agreement with Arcadis of New York, Inc. to complete the designs and bid documents for the Downing Park Drain Outlet and Third Street Storm Drain and North Interceptor Improvements Projects included as part of Phase II and III of the Long Term Control Plan for the City's Combined Sewer Collection System, with other provisions as Corporation Counsel may require, in an amount not to exceed \$542,500.00.

Mr. Jason Morris, P.E.
City Engineer
83 Broadway
Newburgh, New York 12550

Transmitted Via Email: jmorris@cityofnewburgh-ny.gov

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

Subject:

**Amendment Proposal for Engineering Services
New Drain Outlet at Downing Park, New Storm Drain Along 3rd Street from
Downing Pond to Chambers Street and North Interceptor Improvements
Projects**

Date:
May 8, 2020

Contact:
Robert Ostapczuk, PE

Dear Mr. Morris:

Arcadis is pleased to provide the City of Newburgh (City) with this letter proposal for engineering services to complete the designs and preparation of Bid Documents required to comply the Order on Consent schedule for the Long Term Control Plan (LTCP). We appreciate the confidence the City has in our ability to deliver quality projects on time and under budget for your critical infrastructure. In aligning ourselves with your goal to maximize potential grant funding from either Water Infrastructure Investment Act (WIIA) grants, Intermunicipal grants (IMG), Water Quality Improvement Grants (WQIP), or applicable others, Arcadis will complete the scope of services in accordance with schedule of deliverables.

Phone:
518.250.7300

Email:
robert.ostapczuk@arcadis.com

Our ref:
30021574

Project Understanding

In order to meet water quality standards and the United States Environmental Protection Agency's (USEPA) presumptive approach from the Combined Sewage Overflow (CSO) Control Policy, the City elected to maximize combined sewer flows to the wastewater treatment plant where wet weather flows will be screened and disinfected prior to discharge to the Hudson River. This centralized treatment methodology has been combined with strategic sewer separation and green infrastructure projects in the combined system to increase the combined sewer capture rate as required by the Consent Order. To date Arcadis has completed the 30% designs and basis of design reports. In order to meet the

dates outlined in the consent order compliance schedule and to better position the City for future grant funding opportunities, Arcadis proposes the following scope of services to prepare bid documents for implementation.

As requested, Arcadis has prepared this letter proposal for engineering services to assist the City with the three projects outlined herein. Our scope of services for each project is presented below:

NEW DRAIN OUTLET AT DOWNING PARK, NEW STORM DRAIN ALONG 3RD STREET FROM DOWNING POND TO CHAMBERS STREET

Task 7 Prepare Bid Documents

Arcadis will prepare Bid Documents (inclusive of Drawings and a Project Manual) for regulatory approval and bidding purposes for the New Drain Outlet at Downing Park and New Storm Drain Along 3rd Street from Downing Pond to Chambers Street Project. The Bid Documents will be developed as a single prime contract in accordance with Wick's Law. Funding agency language and requirements will be included in the Bid Documents. The Project Manual will be prepared utilizing Arcadis' standard documents, which are based on the Engineering Joint Construction Documents Committee (EJCDC) standards. Arcadis will provide the City with review submittals at 60% and 90% design development phases for review and comment. The major elements of the project include the following:

- Replacement of the drain and overflow structure for Downing Park
- New storm sewer from Downing Park along Third Street to Johnston Street
- Rerouting storm drains currently connected to the combined sewer to the new storm sewer
- Repaving along the full width of the road
- Replacement of curb ramps at intersections along the route to comply with Americans with Disabilities Act (ADA) requirements in accordance with City of Newburgh design details

Arcadis will update the construction cost estimate at the 60% (AACE Class 4) and 90% (AACE Class 3) submittals. Survey was completed during the 30% design phase. During our site visit it was noted that rock was encountered with construction that hospital was performing and Arcadis recommends completing eight (8) geoprobe borings up to 12 feet deep (or to the top of rock) approximately 200 feet apart for bidding purposes. Boring holes will be backfilled with 1-1/2 sack slurry and cold patched. Prior to drilling, the geotechnical contractor will explore the intended location of each geoprobe with Ground Penetrating Radar (GPR) to search for potential interferences that could be damaged by, or be damaging to, the geoprobe. This information will be used to ascertain the proper location of each. In addition, Dig Safely, New York will be contacted to mark out the utility locations in the area to support the GPR exploration and geoprobe tests. Geoprobe borings will be completed by certified Minority Owned Business Enterprise (MBE).

Arcadis will attend one meeting with residents and the hospital that may be temporarily impacted by the construction to be setup by the City.

Use or disclosure of information contained on this sheet is subject to the restriction and disclaimer located on the signature page of this document.

Task 8 Regulatory Approval

Arcadis will submit the 90% Bid Documents to New York State Environmental Facilities Corporation (NYSEFC) and New York State Department of Environmental Conservation (NYSDEC) on behalf of the City. Upon receipt of comments from both the NYSEFC and NYSDEC, Arcadis will finalize the Bid Documents and prepare comment response correspondence. Only one comment response letter has been included in the budget.

Task 9 Bidding Assistance

Arcadis will assist the City with bidding the project. We will prepare electronic Bid Documents for City's use for electronic bidding. We will prepare a bid advertisement for the City's approval and use. We will conduct a pre-bid meeting with prospective bidders and walk-through of the route of the proposed construction corridor. Arcadis will respond to prospective bidders' requests for clarifications and prepare addenda as required for the City's distribution. Arcadis will attend the bid opening, tabulate bids, review the three apparent lowest bids and make a recommendation of award for each contract.

Compensation

Arcadis will complete the scope of services for New Drain Outlet at Downing Park and New Storm Drain Along 3rd Street from Downing Pond to Chambers Street Project presented herein for a total not to exceed fee of \$123,500 to be compensated pursuant to a rate schedule for hours worked plus other direct costs markup up 10 percent.

Task	Compensation
Task 7 – Prepare Bid Documents	\$96,000
Task 8 – Regulatory Approval	\$12,500
Task 9 – Bidding Assistance	\$15,000
Total Not to Exceed Fee	\$123,500

Schedule

Arcadis will complete the final plans and specifications by December 18, 2020 for submission to the NYS DEC in advance of the Order on Consent required submission date of January 3, 2021.

NORTH INTERCEPTOR IMPROVEMENTS PROJECT

Task 7 Prepare Bid Documents

Arcadis will prepare Bid Documents (inclusive of Drawings and a Project Manual) for regulatory approval and bidding purposes for the North Interceptor Improvements Project. The Bid Documents will be

Use or disclosure of information contained on this sheet is subject to the restriction and disclaimer located on the signature page of this document.

developed as a single prime contract in accordance with Wick's Law. Funding agency language and requirements will be included in the Bid Documents. The Project Manual will be prepared utilizing Arcadis' standard documents, which are based on the Engineering Joint Construction Documents Committee (EJCDC) standards. Arcadis will provide the City with review submittals at 60% and 90% design development phases for review and comment. The major elements of the project include the following:

- Replacement of the north interceptor sewer, approximately 2 miles of sewer ranging between 24 and 48 inches in diameter
- Aerial CSX railroad crossing in accordance with CSX Design and Construction Standard Specifications and an application for Occupancy application covering the installation of the influent sewer through the CSX railroad area will need to be completed and submitted to CSX for review. It is anticipated that this application will be submitted during the preliminary design phase as the proposed work in this area is significant and could impact other design work
- Elevated sewer and piers in the vicinity of the Water Pollution Control Plant (WPCP)
- Approximately 2,000 linear feet of microtunneling for deep rock installation of the new interceptor sewer in City owned right of ways
- Bypass pumping requirements
- Plans for traffic maintenance and protection in accordance with New York State Department of Transportation (NYS DOT) requirements
- A stormwater pollution prevention plan (SWPPP) due to the project site disturbance of over 1-acre of land
- Improvements to the existing Regulators to optimize weir elevations (this work maybe removed from this project and Bid with the construction of the floatables control and disinfection facility to be located adjacent to the WPCP).

Arcadis will update the construction cost estimate at the 60% (AACE Class 4) and 90% (ACEE Class 3) submittals. Survey was completed during the 30% design phase. The existing intercepting sewer is located on CSX property within the existing elevated railroad bed and it appears the settlement is occurring. There is an existing block wall that retains the railroad bed that appears to need repairs as well as long term lack of maintenance with trees growing in the railroad bed. As such Arcadis recommended relocating north interceptor sewer to the east of the CSX railroad on City owned property. This will eliminate the need to repair the existing CSX wall and long-term maintenance of the property. Furthermore, the existing interceptor sewer can be utilized during construction and reduce the need for bypass pumping. To accommodate this design, additional geotechnical work will need to be performed.

Arcadis will subcontract with an MBE to perform a geotechnical evaluation of the project site, encompassing the following activities:

- Review of readily available background materials, including published geologic maps and literature, topographic maps, Sanborn mapping and aerial photographs. Review geotechnical data available from the City, utilities, and adjoining properties regarding previous work at or near the site, if available.

Use or disclosure of information contained on this sheet is subject to the restriction and disclaimer located on the signature page of this document.

- A site reconnaissance to document the surficial geologic conditions will be conducted. During the reconnaissance, boring locations will be marked in the field for coordination with Dig Safely New York. City will accompany Arcadis in the field for the purpose of reviewing and accepting boring locations.
- A geophysical survey along the proposed alignment to identify existing utilities and estimate the depth to bedrock along the alignment.
- A subsurface investigation consisting of the drilling, sampling, and logging of up to 19 borings with a truck-mounted drill rig. Five borings will be drilled to a depth of 45 feet or refusal and 5 feet into rock. 14 borings will be drilled to 5 feet below the invert of the north interceptor sewer or refusal.
- The samples will be transported to a laboratory for testing. The borings will be backfilled with bentonite hole-plug and pavement areas patched.
- Data compilation of the information obtained from the background review, subsurface investigation, geophysical survey, and laboratory testing will be presented a Geotechnical Data Report for the project. This report will provide bidders with information related to the soil types, depth to bedrock, type and structure of the bedrock, and rock strength for use during bidding.

Arcadis has included two meetings with CSX to discuss and review the railroad crossing. CSX design review fees will be paid by the City. Arcadis has included one meeting with the NYS DOT to discuss and review work to be performed in NYS DOT regulated streets. Arcadis has included an allowance of \$15,000 for additional survey that maybe required. To date the survey to be performed during the preliminary design has not been completed and the original alignment modified where additional survey would be required in the vicinity of the condominiums.

Task 8 Regulatory Approval

Arcadis will submit the 90% Bid Documents to New York State Environmental Facilities Corporation (NYSEFC) and New York State Department of Environmental Conservation (NYSDEC) on behalf of the City. Upon receipt of comments from both the NYSEFC and NYSDEC, Arcadis will finalize the Bid Documents and prepare comment response correspondence. Only one comment response letter has been included in the budget. For the preliminary design completed under previous Tasks, Arcadis is in the process of is obtain a determination from the New York State Historic and Preservation Office (SHPO) if further archeological investigations or studies maybe be required. For the purpose of this proposal no further investigations or studies will be required based on the nature of the work.

Task 9 Bidding Assistance

Arcadis will assist the City with bidding the project. We will prepare electronic Bid Documents for City's use for electronic bidding. We will prepare a bid advertisement for the City's approval and use. We will conduct a pre-bid meeting with prospective bidders and walk-throughs through of the route of the proposed construction corridor. Arcadis will respond to prospective bidders' requests for clarifications and prepare addenda as required for the City's distribution. Arcadis will attend the bid opening, tabulate bids, review the three apparent lowest bids and make a recommendation of award for each contract.

Use or disclosure of information contained on this sheet is subject to the restriction and disclaimer located on the signature page of this document.

May 8, 2020

Compensation

Arcadis will complete the scope of services for North Interceptor Improvements Project presented herein for a total not to exceed fee of \$419,000 to be compensated pursuant to a rate schedule for hours worked plus other direct costs markup up 10 percent.

Task	Compensation
Task 7 – Prepare Bid Documents	\$370,000
Task 8 – Regulatory Approval	\$34,000
Task 9 – Bidding Assistance	\$15,000
Total Not to Exceed Fee	\$419,000

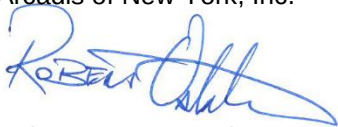
Schedule

Arcadis will complete the final plans and specifications by May 1, 2021 for submission to the NYS DEC in advance of the Order on Consent required submission date of November 4, 2021. Arcadis is prepared to advance the project to position the City if infrastructure stimulus funding becomes available to shovel ready projects.

Arcadis looks forward to continuing working with the City of Newburgh improve its critical infrastructure. If you have any questions, please do not hesitate to call me at 518.250.7300 so that I may be of further assistance. We again thank the City of Newburgh for this opportunity.

Sincerely,

Arcadis of New York, Inc.



Robert E. Ostapczuk, P.E.
Associate Vice President

This proposal and its contents shall not be duplicated, used or disclosed — in whole or in part — for any purpose other than to evaluate the proposal. This proposal is not intended to be binding or form the terms of a contract. The scope and price of this proposal will be superseded by the contract. If this proposal is accepted and a contract is awarded to Arcadis as a result of — or in connection with — the submission of this proposal, Arcadis and/or the client shall have the right to make appropriate revisions of its terms, including scope and price, for purposes of the contract. Further, client shall have the right to duplicate, use or disclose the data contained in this proposal only to the extent provided in the resulting contract.

RESOLUTION NO.: 114 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE AWARD OF A BID AND THE EXECUTION OF
A CONTRACT WITH MICHELS CORPORATION FOR THE CONSTRUCTION OF
THE LAKE DRIVE OVER QUASSAICK CREEK REPLACEMENT PROJECT
(BIN#2223630/PIN#8761.39) IN AN AMOUNT NOT TO EXCEED \$2,139,500.00**

WHEREAS, the City of Newburgh duly re-advertised for bids in connection with the Lake Drive over the Quassaick Creek Bridge Replacement Project (BIN#2223630/PIN#8761.39); and

WHEREAS, seven (7) bids were duly received and opened and Michels Corporation is the most responsible low bidder; and

WHEREAS, funding for the Project shall be derived from the Orange County Transportation Council (OCTC) Transportation Improvement Program (TIP), OCTC Tip Reserve Fund Budget Line A.0000.0882.0000, and the 2016 BAN H1.5110.0208.8102.2016; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the bid for construction of the Lake Drive over the Quassaick Creek Bridge Replacement Project (BIN#2223630/PIN#8761.39) for the City of Newburgh be and it hereby is awarded to Michels Corporation in an amount not to exceed \$2,139,500.00; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh that the City Manager be and he is hereby authorized to enter into a contract for such work in this amount.

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

ADVERTISEMENT FOR BIDS

**Name of Project: PIN 8761.39 (Bid #4.20) – Lake Drive over Quassaick Creek Bridge Replacement
City of Newburgh, Orange County**

Sealed bids for the furnishing of all labor and material necessary for **Lake Drive over Quassaick Creek Bridge Replacement** will be received by the City of Newburgh Comptroller's Office until **11:00 a.m. (local time) Wednesday, May 13, 2020 at the City Hall**, City of Newburgh, 83 Broadway - 4th floor, Newburgh, New York, 12550 at which time and place they will be publicly opened and read aloud. However, if the Governor further extends the New York State Disaster Emergency Declaration as amended by Executive Order No. 202.11 beyond April 26, 2020, the bid opening will be non-public and live-streamed for public viewing.

Bids will be received for the following Contract: PIN 8761.39 – Lake Drive over Quassaick Creek Bridge Replacement. This project includes the replacement of the existing Lake Drive Bridge over the Quassaick Creek in the City of Newburgh, New York.

Complete sets of the drawings, specifications and bid forms, becoming available to the public on **Friday, April 17, 2020** may be viewed and downloaded at no charge by visiting the Empire State Purchasing Group website at: www.BidNetDirect.com/new-york/city-of-newburgh, selecting the "Open Solicitations" tab and title of solicitation. Vendors may have to register if visiting this site for the first time. Bids will only be accepted from those vendors having downloaded all Bid Documents from the Empire State Purchasing Group website which are then considered and listed as an Official Plan Holder.

All Bids must be made on the official Bid Form or an exact copy by reproduction thereof and enclosed in a sealed envelope. **All bids must be in original form and signed in blue ink, except for a Notary Public.** Photocopies will not be accepted and will result in a rejection of the bid.

Each proposal shall be accompanied by a bid security in the amount of five percent (5%) of the gross amount of the bid payable to the City of Newburgh as a guarantee that if the Bid is accepted, the Bidder will enter into a contract with the City of Newburgh. No bidder may withdraw his or her bid within forty-five (45) days after the actual date of opening therefore.

The Bidder to whom the Contract is awarded will be required to furnish performance and payment bonds from an acceptable Surety Company for an amount not less than 100% of the accepted bid to guarantee the Bidder will complete the items bid upon in accordance with the specifications and under the terms of the contract documents.

This is a Federal Aid project and the NYSDOT Standard Construction Specifications dated May 1, 2020 MUST be followed including Section 100. The project contains Affirmative Action Goals and reporting requirements. NYSDOT Standard Specifications must be followed on a Federal Aid project. This project is subject to the provision of Chapter 605, Laws of the State of New York of 1959, Section 103-A of the General Municipal Law and subsequent amendments, and all Federal requirements.

This project is subject to New York State Department of Labor Prevailing Wage rates and Federal Davis-Bacon Labor rates. The higher rates shall apply.

All work items of the Contract shall be completed within 180 consecutive calendar days from receipt of Notice to Proceed, exclusive of an approved winter shutdown or such period as extended by the Owner as provided herein.

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

The Disadvantaged Business Utilization Goal for this project is 8.0%. EEO Goals for this project are 17.0% Minority and 6.9% Female. There is no M/WBE language or requirements, residences or geographical restrictions or requirements or Project Labor Agreement requirements associated with this project.

The New York State Department of Transportation utilizes a web-based civil rights reporting system called EBO (Equitable Business Opportunities). The Contractor is required to utilize this reporting software in accordance with Section 15.4.8 of the NYSDOT Procedures for Locally Administered Federal Aid Projects.

Owner's Rights Reserved: The City of Newburgh, (the City), reserves the right to reject any or all Bids and to waive any and all informalities or technicality and the right to disregard all nonconforming, non-responsive or conditional bids in the interest of the City.

Upon selection, for all contracts that equal or exceed \$100,000, the low bidder will be required to submit to the State a Vendor Responsibility Questionnaire: Construction – For-Profit (CCA-2). Contractors and subcontractors **MUST have an approved CCA-2 on file with NYSDOT** prior to the letting of the project. The questionnaire can be found online at: http://www.osc.state.ny.us/vendrep/forms_vendor.htm

Addenda Procedure: Bidders shall refer to the Instructions to Bidders in the Project Proposal for a complete description of the addendum process.

Statement of Non-Collusion: Bidders are required to execute the non-collusion bidding certificate attached thereto pursuant to Section 103-d of the General Municipal Law of the State of New York.

Bidders are required to submit Lobbying Activities Form contained in the project specifications.

Any inquiries regarding the contract plans and/or specifications must be directed, in writing, to Lou Bach, P.E., Project Engineer at lbach@hveapc.com.

Bidders shall promptly notify the City of any errors, omissions, conflicts, ambiguity, etc. in/among the contract documents.

Owner

City of Newburgh
83 Broadway
Newburgh, NY 12550

Contact

Jason Morris, P.E.
City Engineer
JMorris@cityofnewburgh-ny.gov

Consultant

HVEA Engineers
560 Route 52 – Suite 201
Beacon, NY 12508

Contact

Lou Bach, P.E.
Project Engineer
LBach@hveapc.com

BY ORDER OF THE CITY OF NEWBURGH

By:  _____ Dated: April 15, 2020
City Comptroller

UNOFFICIAL LOW-BID TABULATION

CITY OF NEWBURGH, NY

PROJECT NAME: Bid #4.20 - Lake Drive over Quassaick Creek Bridge Replacement

BID OPENING: Wednesday, May 13, 2020 at 11:00 a.m., local time

Bid Opening: Began at 11:05am a.m. and closed at 11:34 a.m.

Present: Jason Morris, PE - City Engineer (opening and reading of bids); Todd Venning, Comptroller (witness); and Joselyn Taylor, Account Clerk (recording of bids)

Contractors:

Contractors:

				(Page 19)	(Page 19)	(Page 19)	(Page 49)	(Page 50)	(Appendix 12 - 1.7 to 1.13)	(Ap. 12 - 1.14)				
	Bidder Name	Time Stamped	Sealed & Clearly Marked	Original	Bid Form	Addendum No. 1	Lump Sum Bid Price	DBE Utilization Goals Document	Form of Security (Bond on City Form or Certified Check)	Disclosure of Lobbying Activities	Non-Collusion Bidding Affidavit (Notarized)	MacBride Fair Employment Principles	Iranian Energy Sector Div. Act Affidavit (Notarized)	Exec. Order 177 Certification
1	Arold Construction Corp	5/13 HAM 9:15Am	✓	✓	✓	✓	2,401,403 ⁰⁰	Acknowledged 2✓	✓ Bond	✓	✓	✓	✓	✓
2	ELQ Industries Inc.	5/13 9:31Am	✓	✓	✓	✓	2,489,818 ⁵⁰	Acknowledged	✓ Bond	✓	Present Not Signed	✓	✓	✓
3	Manatee Construction Corp	5/13 9:38AM	✓	✓	✓	✓	2,261,718 ⁰⁰	Acknowledged	✓ Bond	✓	Present Not signed	✓	✓	✓
4	Cotroneelli Bros. Inc.	5/13 9:45AM	✓	✓	✓	Not Acknowledged	2,179,271 ⁰⁰	Acknowledged	✓ Bond	Not Signed	✓	✓	✓	✓
5	Gianfia Corp.	5/13 10:35AM	✓	✓	✓	✓	2,399,982 ⁶⁰	Acknowledged	✓ Bond	✓	Present Not signed	✓	✓	✓
6	Montesano Inc. Bros.	5/13 10:32AM	✓	✓	✓	✓	2,495,325 ⁰⁰	Acknowledged	✓ Bond	✓	Present Not Signed	✓	✓	✓
7	Mehles Corp.	5/13 10:20AM	✓	✓	✓	✓	2,139,500 ⁰⁰ *	Acknowledged	✓ Bond	Present Not Signed	✓	✓	✓	✓
8														
9														

PROPOSAL ENCLOSED

PROJECT No. PIN 8761.39

LAKE DRIVE OVER QUASSAICK CREEK
BRIDGE REPLACEMENT

SUBMITTED BY:

MICHEL'S CORPORATION

145 HUGUENOT ST, SUITE 406

NEW ROCHELLE, NY 10801

MARK DIETRICH (716)-800-5549

MAY 13, 2020 @ 10:20 AM

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

PROPOSAL AND BID FORM

City of Newburgh

PROJECT NO. PIN 8761.39

Pursuant to your request in the attached "Advertisement for Bids" dated April 15, 2020 and in compliance with the "Information for Bidders" relating thereto, the undersigned hereby offers to furnish all labor, material, equipment and other facilities and items necessary or proper for or incidental to the

PIN 8761.39 – Lake Drive over Quassaick Creek Bridge Replacement

AS REQUIRED BY AND FOR THE APPLICABLE PROVISIONS OF THE Contract Documents issued by the City for the following prices (as per the itemized Bid Proposal):

Amount in writing and figured below is for:

PROJECT:PIN 8761.39 – Lake Drive over Quassaick Creek Bridge Replacement

TWO MILLION ONE HUNDRED THIRTY NINE

THOUSAND FIVE HUNDRED

(amount in writing)

Dollars \$ 2,139,500.00

(amount in numerals)

Bidder has examined copies of bidding documents and of the following addenda (receipt of which is hereby acknowledged)

Addendum No:Date:

Addendum #1

05/05/2020

Bid submitted by:

Michels Corporation

Company Name

817 Main St, Brownsville, WI 53006

Company Address

39-0970311

Federal Identification Number (FIN)

Phone No.: 914-363-0585

Fax No.: 914-363-0865

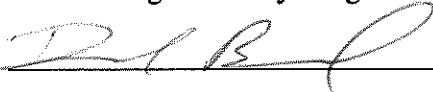
Date: 05/13/2020

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT**PIN: 8761.39 | Bid #4.20**

Accompanying this proposal is a Certified Check or Bid Bond from the Bidder payable to The City of Newburgh, for the sum stated in the "Information for Bidders" which is deposited as required, and which it is agreed shall become the property of the City of Newburgh, in case the Bidder shall fail to so execute and deliver the Contract and furnish and deliver the Bonds as required within ten (10) days of the date of Notice of Award. After the successful Bidder's Bond has been accepted and the contract signed, checks or bid bonds shall be returned to the unsuccessful bidders.

The undersigned hereby designates as his office to which such notice of acceptance may be mailed, or delivered.



DAVID BRUMMEL

145 HUGUENOT ST, SUITE 406

NEW ROCHELLE, NY 10801

If a corporation, give the State of incorporation, using the phrase "Corporation" organized under the laws of

WISCONSIN

If a partnership, give the names of partners, using the phrase "co-partners" trading and doing business under the firm name and style of _____

If an individual using a trade name, give individual name, using also the phrase "an individual" doing business under the firm name and style of _____

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$0.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
201.06	1	CLEARING AND GRUBBING	5,000	00	5,000	00
		FIVE THOUSAND DOLLARS AND ZERO CENTS				
		LUMP SUM				
202.19	21	REMOVAL OF SUBSTRUCTURES	210	00	4,410	00
		TEN TWO HUNDRED TWENTY DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
203.02	254	UNCLASSIFIED EXCAVATION AND DISPOSAL	65	00	16,510	00
		SIXTY FIVE DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
203.03	2759	EMBANKMENT IN PLACE	25	00	68,975	00
		TWENTY FIVE DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
203.07	65	SELECT GRANULAR FILL	35	00	2,275	00
		THIRTY FIVE DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				

CARRY FORWARD \$97,170.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$97,170.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
203.21	150	SELECT STRUCTURE FILL	110	00	16,500	00
		ONE HUNDRED TEN DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
204.01	26	CONTROLLED LOW STRENGTH MATERIAL (CLSM)	500	00	13,000	00
		FIVE HUNDRED DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
206.01	3814	STRUCTURE EXCAVATION	16	00	61,024	00
		SIXTEEN DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
206.0201	126	TRENCH AND CULVERT EXCAVATION	60	00	7,560	00
		SIXTY DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
207.20	7	GEOTEXTILE BEDDING	20	00	140	00
		TWENTY DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				

CARRY FORWARD \$195,394.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$195,394.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
207.26	240	PREFABRICATED COMPOSITE STRUCTURAL DRAIN	28	00	6,720	00
		TWENTY EIGHT DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
209.100101	643	MULCH - TEMPORARY	4	00	2,572	00
		FOUR DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
209.1003	643	SEED AND MULCH - TEMPORARY	5	00	3,215	00
		FIVE DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
209.13	488	SILT FENCE-TEMPORARY	4	00	1,952	00
		FOUR DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				
209.15200009	2	TEMPORARY SUMP PIT	1,850	00	3,700	00
		ONE THOUSAND EIGHT HUNDRED AND FIFTY DOLLARS AND ZERO CENTS				
		EACH				

CARRY FORWARD \$213,553.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$213,553.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
209.190201	123	ROLLED EROSION CONTROL PRODUCT, CLASS II TYPE B, INTERMEDIATE	6	00	738	00
		SIX DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
209.22	244	CONSTRUCTION ENTRANCE	30	00	7,320	00
		THIRTY DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
304.11000008	210	SUBBASE COURSE (MODIFIED)	65	00	13,650	00
		SIXTY FIVE DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
402.128303	70	12.5 F3 TOP COURSE HMA, 80 SERIES COMPACTION	200	00	14,000	00
		TWO HUNDRED DOLLARS AND ZERO CENTS				
		PER TON				
402.258903	150	25 F9 BINDER COURSE HMA, 80 SERIES COMPACTION	225	00	33,750	00
		TWO HUNDRED TWENTY FIVE DOLLARS AND ZERO CENTS				
		PER TON				

CARRY FORWARD \$283,011.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$283,011.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
407.0103	50	STRAIGHT TACK COAT				
		<u>TWENTY DOLLARS AND ZERO CENTS</u>	20	00	1,000	00
		PER GALLON				
490.30	200	MISCELLANEOUS COLD MILLING OF BITUMINOUS CONCRETE				
		<u>FIFTEEN DOLLARS AND ZERO CENTS</u>	15	00	3,000	00
		PER SQUARE YARD				
551.40200017	1	FURNISHING EQUIPMENT FOR INSTALLING MICROPILES		00		
		<u>SIXTY THOUSAND DOLLARS AND ZERO CENTS</u>	60,000	60,000	60,000	00
		LUMP SUM				
551.50220017	1	STATIC PILE LOAD TEST				
		<u>SEVENTY THOUSAND DOLLARS AND ZERO CENTS</u>	70,000	00	70,000	00
		EACH				
551.99460017	55	MICROPILES (CONTRACTOR DESIGNED)				
		<u>SIX THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS</u>	6,200	00	341,000	00
		EACH				

CARRY FORWARD \$758,011.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$758,011.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
552.17	1200	SHIELDS AND SHORING	5	00	6,000	00
		FIVE DOLLARS AND ZERO CENTS				
		PER SQUARE FOOT				
553.010001	1	COFFERDAMS (TYPE 1)	135,000	00	135,000	00
		ONE HUNDRED THIRTY FIVE THOUSAND				
		DOLLARS AND ZERO CENTS EACH				
553.010002	1	COFFERDAMS (TYPE 1)	140,000	00	140,000	00
		ONE HUNDRED FORTY THOUSAND				
		DOLLARS AND ZERO CENTS EACH				
553.010003	1	COFFERDAMS (TYPE 1)	10,000	00	10,000	00
		TEN THOUSAND DOLLARS AND ZERO				
		CENTS EACH				
555.970100CA	52	CONCRETE FOR STRUCTURES, CLASS HP	1,250	00	65,000	00
		ONE THOUSAND TWO HUNDRED FIFTY				
		DOLLARS AND ZERO CENTS PER CUBIC YARD				

CARRY FORWARD \$1,114,011.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,114,011.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
555.970200CA	180	FOOTING CONCRETE , CLASS HP				
		FOUR HUNDRED DOLLARS AND ZERO CENTS	400	00	72,000	00
		PER CUBIC YARD				
562.0101	178	REINFORCED CONCRETE SPAN UNITS				
		ONE THOUSAND SIX HUNDRED AND FIFTY DOLLARS AND ZERO CENTS	1,650	00	293,700	00
		PER SQUARE YARD				
568.51	84	STEEL BRIDGE RAILING (FOUR RAIL)				
		THREE HUNDRED DOLLARS AND ZERO CENTS	300	00	25,200	00
		PER LINEAR FOOT				
568.70	164	TRANSITION BRIDGE RAILING				
		TWO HUNDRED DOLLARS AND ZERO CENTS	200	00	32,800	00
		PER LINEAR FOOT				
595.50000018	2700	SHEET APPLIED WATERPROOF MEMBRANE				
		TWELVE DOLLARS AND ZERO CENTS	12	00	32,400	00
		PER SQUARE FOOT				

CARRY FORWARD \$1,570,111.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,570,111.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
603.051908	5	CORRUGATED STEEL PIPE (2-2/3"X1/2") CORRUGATIONS)42 INCH, 8 GAUGE EIGHT HUNDRED DOLLARS AND ZERO CENTS PER LINEAR FOOT	800	00	4,000	00
603.171216	1	GALVANIZED STEEL END SECTIONS-PIPE (2-2/3" X 1/2"CORRUGATIONS) 18 INCH DIAMETER, 16 GAUGE SEVEN HUNDRED FIFTY DOLLARS AND ZERO CENTS EACH	750	00	750	00
603.171912	1	GALVANIZED STEEL END SECTIONS-PIPE (2-2/3" X 1/2"CORRUGATIONS) 42 INCH DIAMETER, 12 GAUGE TWO THOUSAND THREE HUNDRED DOLLARS AND ZERO CENTS EACH	2,300	00	2,300	00
603.9815	104	SMOOTH INTERIOR CORRUGATED POLYETHYLENE CULVERT AND STORMDRAIN 15 INCH DIAMETER NINETY FIVE DOLLARS AND ZERO CENTS PER LINEAR FOOT	95	00	9,880	00
604.301873	20	RECTANGULAR DRAINAGE STRUCTURE TYPE R FOR CAST IRON F3 FRAME SEVEN HUNDRED DOLLARS AND ZERO CENTS PER LINEAR FOOT	700	00	14,000	00

CARRY FORWARD \$1,601,041.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,601,041.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
604.4048	4	ROUND PRECAST CONCRETE MANHOLE TYPE 48				
		ONE THOUSAND DOLLARS AND ZERO CENTS	1,000	00	4,000	00
		PER LINEAR FOOT				
606.10	426	BOX BEAM GUIDE RAILING				
		FIFTY DOLLARS AND ZERO CENTS	50	00	21,300	00
		PER LINEAR FOOT				
606.120101	3	BOX BEAM END PIECE				
		SIX HUNDRED FIFTY DOLLARS AND ZERO CENTS	650	00	1,950	00
		EACH				
606.120201	3	BOX BEAM GUIDE RAILING END ASSEMBLY, TYPE IIA				
		ONE THOUSAND NINE HUNDRED SEVENTY FIVE DOLLARS AND ZERO CENTS	1,975	00	5,925	00
		EACH				
606.71	360	REMOVING AND DISPOSING CORRUGATED BEAM GUIDE RAILING				
		SIX DOLLARS AND ZERO CENTS	6	00	2,160	00
		PER LINEAR FOOT				

CARRY FORWARD \$1,636,376.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,636,376.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
607.0512	50	VINYL COATED STEEL CHAIN-LINK FENCE ON PLASTIC COATED FRAMEWITH TOP RAIL 6 FEET HIGH	45	00	2,250	00
		FORTY FIVE DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				
607.21000011	90	REMOVE AND DISPOSE OF CHAIN LINK FENCE	22	00	1,980	00
		TWENTY TWO DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				
607.41010010	290	TEMPORARY PLASTIC BARRIER FENCE	5	00	1,450	00
		FIVE DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				
608.0101	10	CONCRETE SIDEWALKS AND DRIVEWAYS	1,000	00	10,000	00
		ONE THOUSAND DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
609.0401	300	CAST-IN-PLACE CONCRETE CURB TYPE VF150	40	00	12,000	00
		FORTY DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				

CARRY FORWARD \$1,664,056.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,664,056.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
610.1402	48	TOPSOIL - ROADSIDE	70	00	3,360	00
		SEVENTY DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				
610.1601	430	TURF ESTABLISHMENT - ROADSIDE	10	00	4,300	00
		TEN DOLLARS AND ZERO CENTS				
		PER SQUARE YARD				
619.01	1	BASIC WORK ZONE TRAFFIC CONTROL	29,619	00	29,619	00
		TWENTY NINE THOUSAND SIX HUNDRED NINETEEN DOLLARS AND ZERO CENTS				
		LUMP SUM				
619.1701	80	TEMPORARY CONCRETE BARRIER, (UNPINNED)	40	00	3,200	00
		FORTY DOLLARS AND ZERO CENTS				
		PER LINEAR FOOT				
620.03	2	STONE FILLING (LIGHT)	200	00	400	00
		TWO HUNDRED DOLLARS AND ZERO CENTS				
		PER CUBIC YARD				

CARRY FORWARD \$1,704,935.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,704,935.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
620.05	330	STONE FILLING (HEAVY)				
		ONE HUNDRED EIGHTY DOLLARS AND	180	00	59,400	00
		ZERO CENTS				
		PER CUBIC YARD				
620.0801	100	BEDDING MATERIAL, TYPE 1				
		SEVENTY DOLLARS AND ZERO CENTS	70	00	7,000	00
		PER CUBIC YARD				
620.29110009	365	NEW (IMPORTED) STREAM BED MATERIAL (B)				
		ONE HUNDRED TEN DOLLARS AND	110	00	40,150	00
		ZERO CENTS				
		PER CUBIC YARD				
625.01	1	SURVEY OPERATIONS				
		ONE HUNDRED THOUSAND DOLLARS AND	100,000	00	100,000	00
		ZERO CENTS				
		LUMP SUM				
637.11	9	ENGINEER'S FIELD OFFICE - TYPE 1				
		FIVE THOUSAND FIVE HUNDRED TWENTY	5,525	00	49,725	00
		FIVE DOLLARS AND ZERO CENTS				
		PER CALENDAR MONTH				

CARRY FORWARD \$1,961,210.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$1,961,210.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
637.34	5000	OFFICE TECHNOLOGY AND SUPPLIES	1	00	5000	00
		One				
		DOLLARS AND CENTS				
655.0706	2	CAST FRAME F3, UNMOUNTABLE CURB BOX CU3 & RETICULINEGRATE G3	1,620	00	3,240	00
		ONE THOUSAND SIX HUNDRED TWENTY				
		DOLLARS AND ZERO CENTS				
655.1202	1	MANHOLE FRAME AND COVER	1,050	00	1,050	00
		ONE THOUSAND FIFTY DOLLARS AND				
		ZERO CENTS				
670.03020007	1	REMOVE AND RELOCATE LAMPPPOST ASSEMBLY	13,000	00	13,000	00
		THIRTEEN THOUSAND DOLLARS AND				
		ZERO CENTS				
697.03	76000	FIELD CHANGE PAYMENT	1	00	76000	00
		One				
		DOLLARS AND CENTS				

CARRY FORWARD \$2,059,500.00

P.I.N. 8761.39

LAKE DRIVE/QUASSAICK CREEK BRIDGE REPLACEMENT

BROUGHT FORWARD \$2,059,500.00

ITEM NUMBER	ESTIMATED QUANTITY	ITEM DESCRIPTION WITH UNIT BID PRICE WRITTEN IN WORDS	UNIT BID PRICE		AMOUNT BID	
			DOLLARS	CENTS	DOLLARS	CENTS
699.040001	1	MOBILIZATION	80,000	00	80,000	00
		EIGHTY THOUSAND DOLLARS AND				
		ZERO CENTS				
LUMP SUM						
TOTAL OR GROSS SUM WRITTEN IN WORDS:			\$ 2,139,500.00			
TWO MILLION ONE HUNDRED THIRTY NINE THOUSAND FIVE						
HUNDRED DOLLARS AND ZERO CENTS						

CARRY FORWARD \$2,139,500.00

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

**REQUIREMENTS FOR THE PARTICIPATION OF DISADVANTAGES BUSINESS
ENTERPRISES IN FEDERAL AID CONTRACTS**

FEDERAL AID PROJECT

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION GOALS

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
DISADVANTAGED BUSINESS ENTERPRISE
UTILIZATION REQUIREMENTS**

PIN: 8761.39

PROJECT DESCRIPTION: Lake Drive over Quassaick Creek Bridge Replacement

LOCATION: City of Newburgh, Orange County

The Department has established the Following Disadvantaged Business Enterprise (DBE) utilization goals for this contract. The goal is expressed in as a percentage of the total bid price.

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION GOAL: 8.0%

Information related to the current certification status of Disadvantaged Business Enterprises, can be obtained from contacting the:

New York State Department of Transportation
Office of Equal Opportunity Development and Compliance
1220 Washington Avenue
Building 4, Room G-16
Albany, NY 12232
(518) 457-1128 or 457-1129

DISADVANTAGED BUSINESS ENTERPRISE OFFICER: The bidder shall designate and enter the name of the Disadvantaged Business Enterprise Officer who will have the responsibility for and must be capable of effectively administering and promoting an active Disadvantaged Business Enterprise Program and who must be assigned adequate authority and responsibility to do so.

Bidder Designated DBE Officer Alicia Simpson, Office Manager

(Name, Title)

Telephone Number 914-363-0585, ext 6965

RETURN THIS PAGE WITH BID

CITY OF NEWBURGH
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

BID SECURITY

(ATTACH HERE – CERTIFIED CHECK OR BID BOND)

**PLEASE SEE FOLLOWING PAGE*

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Michels Corporation
145 Huguenot Street, Suite 406
New Rochelle, NY 10801

SURETY:

(Name, legal status and principal place of business)

Continental Casualty Company
151 N. Franklin Street
Chicago, IL 60606
Mailing Address for Notices

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Newburgh
83 Broadway
Newburgh, NY 12550

BOND AMOUNT: 5% Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

Lake Drive Over Quassaick Creek Bridge Replacement, PIN 8761.39, Bid #4.20

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

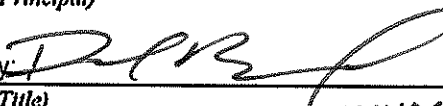
Signed and sealed this 13th day of May, 2020.


(Witness)

Michels Corporation

(Principal)

(Seal)

By: 

(Title)

DAVID BRUMMEL, GENERAL MANAGER

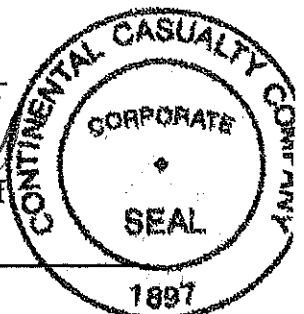
Continental Casualty Company

(Surety)

(Seal)

By: 

(Title) Heather R. Goedtel, Attorney-in-Fact

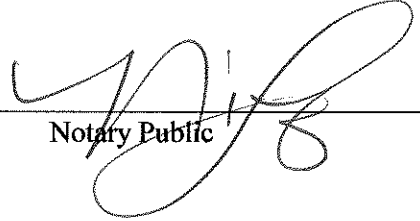


Surety Acknowledgment

State of Minnesota }
County of Hennepin } ss.

On this 13th day of May 2020, before me personally came Heather R. Goedtel, to me known, who being by me duly sworn, did depose and say that she is the Attorney-in-Fact of Continental Casualty Company described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to said instruments is such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/she/his name to it by like order.





Notary Public

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF CONTINENTAL CASUALTY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company at a meeting held on May 12, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of Continental Casualty Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF NATIONAL FIRE INSURANCE COMPANY OF HARTFORD:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of National fire Insurance Company of Hartford.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of American Casualty Company of Reading, Pennsylvania.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

CONTINENTAL CASUALTY COMPANY
Chicago, Illinois
Statement of Net Admitted Assets and Liabilities
December 31, 2019

ASSETS

Bonds	\$ 31,098,961,713
Stocks	5,257,459,989
Mortgage loans on real estate	960,018,145
Cash, cash equivalents, and short-term investments	1,005,835,088
Other invested assets	1,848,932,577
Receivables for securities	105,077,455
Investment income due and accrued	323,365,757
Premiums and considerations	2,054,232,481
Amounts recoverable from reinsurers	103,530,272
Funds held by or deposited with reinsured companies	6,084,968
Current federal and foreign income tax recoverable and interest thereon	23,329,170
Net deferred tax asset	463,673,936
Other assets	129,468,616
Total Assets	<u>\$ 43,379,970,168</u>

LIABILITIES AND SURPLUS

Losses	\$ 14,906,410,403
Loss adjustment expense	2,068,425,795
Other expenses (excluding taxes, license and fees)	743,997,993
Taxes, License and fees (excluding federal and foreign income taxes)	138,388,740
Federal and foreign income taxes payable	13,316,960
Unearned premiums	14,099,452,626
Ceded reinsurance premiums payable (net of ceding commissions)	630,540,974
Provision for reinsurance	66,313,786
Other liabilities	(73,423,703)
Total Liabilities	<u>\$ 32,593,423,575</u>

Surplus Account:

Capital paid up	\$ 35,632,565
Gross paid in and contributed surplus	5,684,824,266
Special Surplus	622,998,751
Unassigned funds	<u>4,443,091,011</u>
Surplus as regards policyholders	<u>\$ 10,786,546,593</u>
Total Liabilities and Capital	<u>\$ 43,379,970,168</u>

I, Amy Smith, Senior Vice President of Continental Casualty Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2019, as filed with the various Insurance Departments and is a true and correct statement of the condition of Continental Casualty Company as of that date.

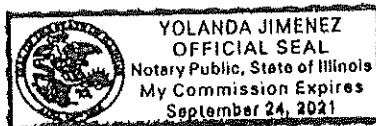


CONTINENTAL CASUALTY COMPANY

By Amy Smith
Senior Vice President

Subscribed and sworn to me this 11th day of March, 2020.

My commission expires:



By Yolanda Jimenez
Notary Public

*MICHELS DOES NOT DISCLOSE THIS INFORMATION

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure.)

1. Type of Federal Action:		2. Status of Federal Action:		3. Report Type:	
a. contract		a. bid/offer/application		a. initial filing	
b. grant		b. initial award		b. material change	
c. cooperative agreement		c. post-award		For Material Change Only:	
d. loan				year quarter	
e. loan guarantee				date of last report	
f. loan insurance					
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier , if known:			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:		
Congressional District, if known:			Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description:		
			CFDA Number, if applicable:		
8. Federal Action Number, if known:			9. Award Amount, if known:		
			\$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature:		
			Print Name:		
			Title:		
			Telephone No.: Date:		
Federal Use Only:					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

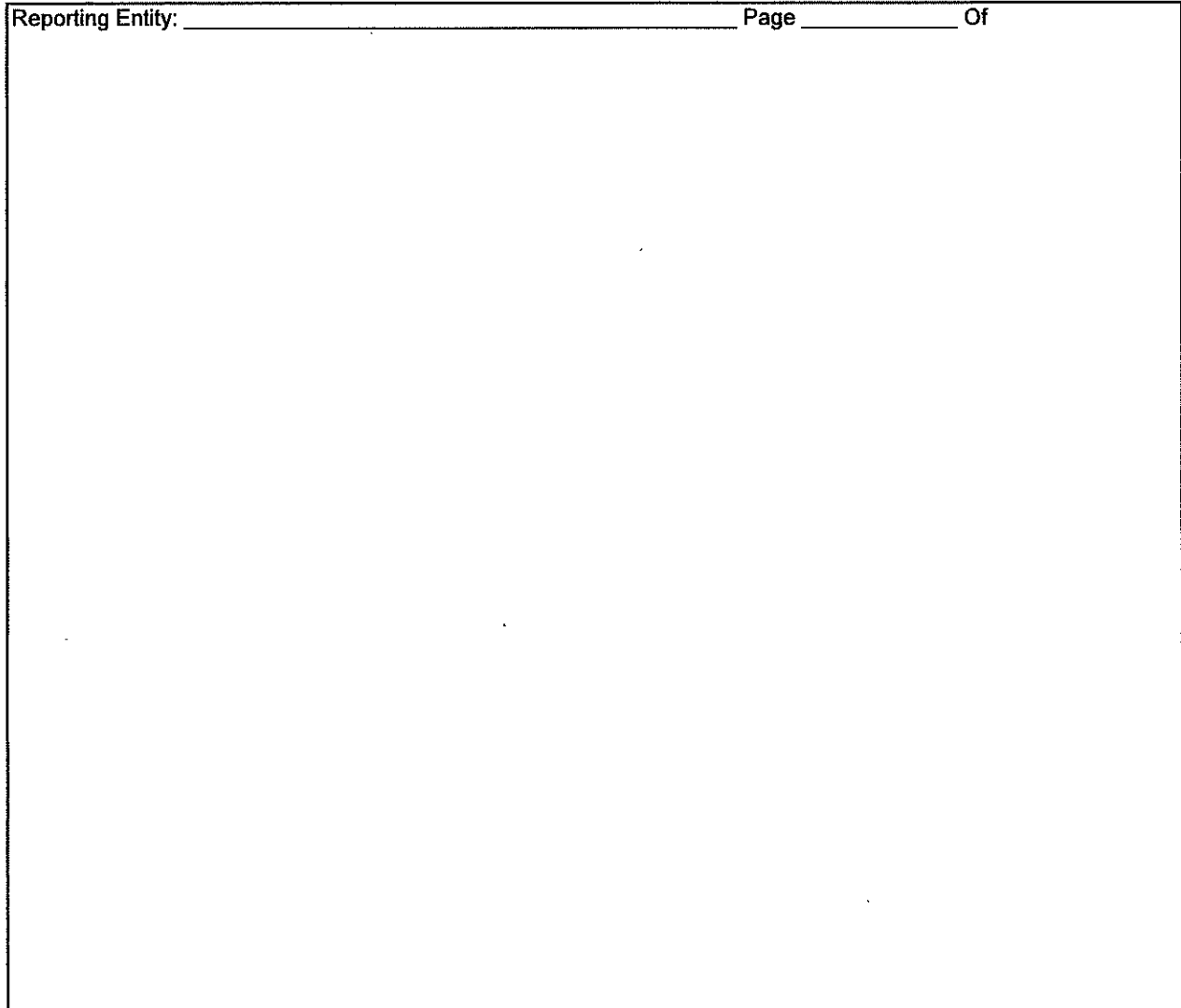
REQUIREMENTS REGARDING LOBBYING ACTIVITIES ON FEDERAL AID CONTRACTS

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by
OMB
0348-0046

Continuation Sheet

Reporting Entity: _____ Page _____ Of _____



Authorized for Local Reproduction - Standard Form LLL

Michels Corporation

Date: May 13, 2020

(Legal Name of Person, Corporation, or Firm Which
is Submitting Bid or Proposal)

BY: 
(Signature of Person Representing Above)

AS: General Manager of Northeast Operations
(Official Title of Signator in Above Firm)
(Acknowledgment by Individual Contractor, If a Corporation)

STATE OF NEW YORK)
) SS:
COUNTY OF)

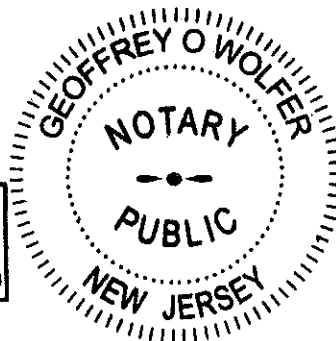
On this 13th day of May, 2020, before me
personally came David Brummel, to me known and known
to me to be the person who executed the above instrument, who being duly sworn by me, did
depone and say that he/she resides at
7 Laurel Hollow Rd, Pound Ridge, NY 10576
, and that he/she is the General Manager of Northeast Operation
of the Michels Corporation

the corporation described in and which executed the above instrument, and that he/she signed
his/her name thereto on behalf of said Corporation by order of the Board of Directors of said
Corporation.

Notary Public 
(Acknowledgment by Co-Partnership Contractor)

STATE OF NEW YORK)
) SS:
COUNTY OF)

GEOFFREY O WOLFER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JAN 28, 2024



On this _____ day of _____, 20____, before
me
personally came _____, to me known and known
to
me to be the person described in and who executed the above instrument, who, being duly
sworn
by me, did for himself/herself depose and say that he/she is a member of the firm of

, consisting of himself/ herself and
, and that he/she executed the foregoing instrument in the firm name of
and that
he/she had authority to sign same, and did duly acknowledge to me that he/she executed same
as
the act and deed of said firm of _____ for the uses
and
purposes mentioned herein.

Notary Public

(Acknowledgment by Individual Contractor)

STATE OF NEW YORK)
) SS:
COUNTY OF)

On this _____ day of _____, 20_____,
before me personally came _____, to me known and

known to me to be described in and who executed the foregoing instrument, and that he/she
acknowledged that he/she executed the same.

Notary Public

NON-COLLUSIVE BIDDING CERTIFICATION BIDDER INFORMATION

Bidder to provide information listed below:

Bidder Address: 817 Main St
Street or P. O. Box No. _____
Brownsville
City _____
Wisconsin 53006-0128
State ZIP

Federal Identification No.: 39-0970311

Name of Contact Person: David Brummel 

Phone # of Contact Person: 920-344-1626

If Bidder is a Corporation:

President's Name & Address:
Patrick D. Michels, 364 Oakdale, Brownsville, WI 53006

Secretary's Name & Address:
Kevin P. Michels, 945 Country Club Lane, Fond du Lac, WI 54937

Treasurer's Name & Address:
Timothy J. Michels, 6831 State Hwy 83, Hartland, WI 53029

If Bidder is a Partnership:

Partner's Name & Address:

Partner's Name & Address:

If Bidder is a Sole Proprietorship:

Owner's Name & Address:

Michels Corporation

MACBRIDE FAIR EMPLOYMENT PRINCIPLES

City of Newburgh Resolution 108 of March 8, 2001, in an attempt to prevent discrimination in all forms, provides the requirement that vendors who do business with City of Newburgh read, initial and return the attached statement as part of their official document.

Please read and initial **either** Statement #1 or Statement #2.

DO NOT INITIAL BOTH STATEMENTS.

- 2 1. The Bidder, and any individual or legal entity in which the Bidder holds a 10% or greater ownership interest and any individual or legal entity that holds a 10% or greater ownership interest in the Bidder, has no business operations in Northern Ireland.
- 2 2. The Bidder, and any individual or legal entity in which the Bidder holds a 10% or greater ownership interest and any individual or legal entity that holds a 10% or greater ownership interest in the Bidder shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles and shall permit the independent monitoring of their compliance with such principles.


AUTHORIZED SIGNATURE

David Brummel, General Manager on Northeat Operations

PRINT NAME:

BIDDER NAME: Michels Corporation

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

Pursuant to State Finance Law §165-a, on August 10, 2012 the Commissioner of the Office of General Services (OGS) posted a prohibited entities list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the City receive information that a Bidder/Contractor is in violation of the above-referenced certification, the City will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the City shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The City reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, David Brummel, being duly sworn, deposes and says that he/she is the
General Manager on Northeast Operations of the
Michels Corporation

Corporation and that neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

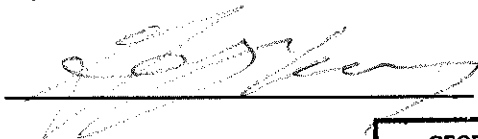


SIGNED

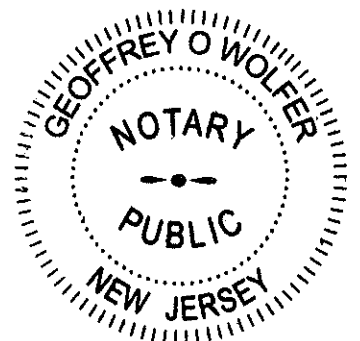
SWORN to before me this

13th day of May

2024

Notary Public: 

GEOFFREY O WOLFER
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JAN 28, 2024



Sample Executive Order 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

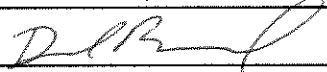
Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Proposer/Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor: Michels Corporation

By [signature]: 

Name [print]: David Brummel

Title: General Manager on Northeast Operations

Date: 05/13/2020

**CONSENT RESOLUTION OF
THE BOARD OF DIRECTORS OF
MICHELS CORPORATION**

MAY 8, 2020

The undersigned, being the Board of Directors of MICHELS CORPORATION, a Wisconsin corporation, pursuant to Section 180.0821 of the Wisconsin Statutes, do hereby consent to the following acts taken without a meeting:

NOW THEREFORE: that David Brummel, has been Regional Manager of Northeast Operations of Michels Corporation (herein "Michels") managing construction operations in the Northeast U.S. that multiple agencies and Owners in the Northeast are requiring permit requests that require an authorized representative's signature. Due to the time critical nature of these permits to keep construction operations ongoing, the Company needs an authorized representative with the requisite authority in the Northeast to execute these permits.

RESOLVED, that David Brummel shall be appointed as an Authorized Representative with the limited authority to execute subcontracts of \$500,000 or less, both when Michels subcontracts work and when Michels is the subcontractor; and change orders of \$150,000 or less. Mr. Brummel shall also have authority to approve applications for permits, badges, correspondence, submittals, and lower level administrative documents for the fiscal year ending December 31, 2020 or until this authority is otherwise revoked prior to that date.

RESOLVED, that David Brummel, Regional Manager of Northeast Operations of Michels Corporation, shall be appointed as an Authorized Representative with the authority to execute all contract documents related to PIN 8761.39 – Lake Drive over Quassaick Creek Bridge Replacement; City of Newburgh for the fiscal year ending December 31, 2020 or until this authority is otherwise revoked prior to that date.

Dated this 8th day of May, 2020 at Brownsville, Wisconsin.


Ruth L. Michels, Director


Patrick D. Michels, Director

N/A - WE DO NOT LOBBY

D.B.P.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure.)

1. Type of Federal Action:		2. Status of Federal Action:		3. Report Type:	
a. contract		a. bid/offer/application		a. initial filing	
b. grant		b. initial award		b. material change	
c. cooperative agreement		c. post-award		For Material Change Only:	
d. loan				year quarter	
e. loan guarantee				date of last report	
f. loan insurance					
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier , if known:			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:		
Congressional District, if known:			Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description:		
			CFDA Number, if applicable:		
8. Federal Action Number, if known:			9. Award Amount, if known:		
			\$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: <u>D.B.P.</u>		
			Print Name: David Brummel		
			Title: General Manager of Northeast Operations		
			Telephone No.: 920-344-1626 Date: 5-13-2020		
Federal Use Only:					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

REVISED FEBRUARY 2019

REQUIREMENTS REGARDING LOBBYING ACTIVITIES ON FEDERAL AID CONTRACTS

DISCLOSURE OF LOBBYING ACTIVITIES

Continuation Sheet

Approved by
OMB
0348-0046

Reporting Entity: _____ Page _____ Of _____

N/A - WE DO NOT LOBBY
D. B.

Authorized for Local Reproduction - Standard Form LLL

RESOLUTION NO.: 115 - 2020

OF

MAY 28, 2020

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 66 CARSON AVENUE (SECTION 45, BLOCK 6, LOT 30)
AT PRIVATE SALE TO STEVEN T. CHING FOR THE AMOUNT OF \$52,000.00**

WHEREAS, the City of Newburgh has acquired title to several parcels of real property by exercising its right of reverter pursuant to Section 612 of the Real Property Actions and Proceedings Law of the State of New York; and

WHEREAS, pursuant to Section 13-2 of the City Code of the City of Newburgh, the City may sell any real property at private sale; and

WHEREAS, the City of Newburgh desires to sell 66 Carson Avenue, being more accurately described as Section 45, Block 6, Lot 30 on the official tax map of the City of Newburgh; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before August 28, 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>
66 Carson Avenue	45 - 6 - 30	Steven T. Ching	\$52,000.00

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

Terms and Conditions Sale

66 Carson Avenue, City of Newburgh (SBL: 45-6-30)

STANDARD TERMS:

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

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

16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh. Any survey description shall be provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.
18. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.
19. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
20. Notice is given that the property lies within either the East End Historic District or the Colonial Terraces Architectural Design District as designated in the City of Newburgh's current zoning map. This parcel is sold subject to all provision of law applicable thereto. It is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance any additional laws, rules or regulations applicable to those districts.
21. Within ten (10) business days of approval of sale by the City of Newburgh, the purchaser shall tender a non-refundable downpayment in the amount of **\$5,000.00** 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: _____

Steven T. Ching

Proposal Form

Contact Information:

Name: Steven T. Ching
Business Name (If Applicable): _____
Address: 265 Grand Street
City, State & Zip: Newburgh New York 12550
Home phone: 646 361-5481
Business Phone: 718 270 6238
Mobile Phone: _____
E-mail: Thomching@yahoo.com
Federal I.D. No. (If Applicable): _____

Property Ownership Information:

Do you own - as an individual, member of an LLC, partner in a partnership, or officer in a corporation - any properties in the City of Newburgh? Yes ___ No ☒

If you own property in the City of Newburgh, are any of these properties vacant and/or currently listed on the City of Newburgh's Vacant Building Registry? Yes ___ (attach explanation) No ___ N/A ☒ (No property owned in the City of Newburgh)

If you own property in the City of Newburgh, are any of these properties rented? Yes ___ No ___ N/A ☒ (No property owned in the City of Newburgh) If yes, do you have a current Rental License for each of the rental properties? Yes ___ No ___
☐ Verified (Internal Office Use Only); Date Verified: _____

Please list **all** of the addresses of properties you own - as an individual, member of an LLC, partner in a partnership, or officer in a corporation - in the City of Newburgh. Also indicate if any of these properties are vacant or rented. (You may attach a list of the properties if the space below is inadequate.): not applicable

Are you current on all municipal obligations (taxes, water charges, etc.)? Yes ___ No ___ (attach explanation) N/A ☒ (No property owned in City of Newburgh)
☐ Verified (Internal Office Use Only); Date Verified _____

Do you have any outstanding code violations for properties owned in the City of Newburgh? Yes ___ (attach explanation) No ___ N/A ☒ (No property owned in City of Newburgh)
☐ Verified (Internal Office Use Only); Date Verified _____

Have you had a previous tax foreclosure on a property owned by you in the City of Newburgh? Yes ___ (attach explanation) No ☒

Individual Property Bid Sheet

Information on Bid Property:

(If you are bidding on more than one property, please submit a completed copy of this page for **each** bid property. Please limit the total number of properties to a maximum of **three (3)**. Only one copy of the other pages in this application is required even if you are bidding on multiple properties.)

Property Address: 66 Carson Avenue, Newburgh, NY 12551

S-B-L#: 45-6-30

Type of Project:

☒ Single Family (includes a condominium unit)

☐ Multi-Family (# of Units)

☐ Mixed Use (Commercial & Residential - # of Residential Units)

For the property types listed above, will it be occupied by the purchaser: Yes ☐ No ☒

☐ Commercial ☐ Industrial

☐ Vacant Land (Proposed Use:)

Offer Purchase Price: \$ 48,350 \$52,000 SC Initials SP/rd Date 5/1/20

(An offer of **at least** the minimum purchase price is recommended. The "Offer Purchase Price" cannot be left blank.)

Does or will your proposal conform to existing zoning? Yes ☒ No ☐

Renovation Estimate (Pre-Qualifying) - How much do you anticipate investing in this project for renovations? Please consider in your estimate that most vacant properties need *significant* repairs before they can be occupied again. This estimate can be revised once you have obtained entry to the property. *A more detailed repair cost estimate will be required after interior access.* Do not include renovation cost estimate in the "Offer Purchase Price" listed above: \$ 104,820 (See attached)

Who will be doing the work? ☒ Self ☒ Other (complete below)

Please keep in mind that the City of Newburgh requires electrical and plumbing work to be performed by City of Newburgh licensed electricians and plumbers.

General Contractor: Richard Alfano, Licensed electrician
Architect:
Engineer:

Examples of Purchaser's Previous Renovation or Development Experience:

(Alternatively, applicants can attach a list of renovated properties or development experience that contains the information listed below.)

Property/Project No. 1

Property/Project No. 2

Property Address: Please list all addresses (not merely project name). Include street number, street, city and zip code.	265 Grand St. Newburgh, NY 12550	
Role (i.e. owner, partner, general contractor, architect, investor.)	General Contractor	
Type of Project: (i.e. new construction, existing building requiring substantial rehabilitation or moderate rehabilitation.)	Existing structure requiring significant overhaul and renovation.	
Property Type: (i.e. single-family, multi-family rental or commercial.)	Three family property	
Number of Buildings in Project	1	
Total Number of Residential Units in Project/Building	3: owner's duplex 2 floor throughs	
If commercial, total square footage of project	n/a	
Total Estimated Development/Rehabilitation Costs	\$ 52,975	
Current Status of Building (Pre-development, under construction/renovation or completed - include date completed.)	Owner occupied with 2 rentals March 15, 2020	
Government Program, if any (Provide name of program and agency, name and current phone of reference.)	n/a	

Finances:

(Applicant should provide not only sources of funding for the purchase of the property but also sufficient funding for the rehabilitation and/or development of the property.)

I am providing: ___ Personal Financial Statement
 ___ Letter from Lender/Investor
 ___ ☒ Personal or Business Bank Statement
 ___ ☒ Evidence of project funding
 ___ Developers should provide three years financial statements

What You Should Attach:

- ☒ Description of renovation plan with preliminary budget
- ☒ Verification of financial capacity
- Explanation of any tax delinquency/code violations/vacant building (if applicable)

Business Relationship:

Have you had a "business relationship" as defined in Chapter 34, Article 2 (B) (2) of the municipal code, with any City elected official in the 12 months prior to the due date of this proposal? Yes ___ No ☒

INFORMATION RELEASE:

It is our intent that all personal financial information submitted with this proposal to the Department of Planning and Development shall be considered confidential. I hereby authorize the City of Newburgh Department of Planning and Development to obtain credit reports (by completing a PathStone Credit Report Authorization Form) and verify information supplied as part of this proposal. All information provided is true and accurate to the best of my knowledge. By signing, you also acknowledge reading and reviewing the "Standard Terms and Conditions of Sale".

Signature Steven Chung Date 4/29/20
Print Name Steven T. Chung

Submit Application to:

Department of Planning & Development
123 Grand Street, 1st Floor
Newburgh NY 12550

FROM THE DESK OF

Steven T. Ching

5/5/2020

City of Newburgh
David Kohl
Department of Planning and Development
123 Grand Street, 1st Floor
Newburgh, NY 12550

Regarding: Name Clarification/POF/256 Grand
Property Address: 66 Carson Avenue, Newburgh, NY 12550

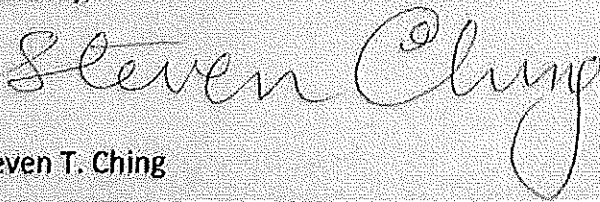
Dear Mr. Kohl:

My full name is Steven Thomas William Ching. Professionally, I use 'Thomas' as my first name since I was always known as 'junior' growing up. My proof of funds is in the name 'Thomas Ching', which is me and under my professional name. The money in the account provided is mine.

My dad is Thomas Wung Tze Ching and his wife, my stepmother, is Yueh-ru Chu. They own 265 Grand Street. I do not own this property.

I did do most of the contracting on 265 Grand for my parents, which is reflected on the experience portion of my PODA. Moreover, I work for CUNY in facilities management and as a result have extensive experience in the contracting trades.

Sincerely,

A handwritten signature in cursive script that reads "Steven Ching". The signature is written in dark ink and is positioned above the printed name.

Steven T. Ching

Cross Property Agent Full w Tabs

Listing



MLS#: **6021235** **Active** List Price: **\$59,900**
 Addr: **66 Carson Avenue**
 PO: **Newburgh** **Orange County**
 City/Town: **Newburgh City** Zip: **12550-5918**
 Village: **None** Hamlet/Loc.:
 Street Type: Avail 4/Lease: **No**

P Type: **Single Family** Type: **Attached**
 Sub/Devel: 55+ Comm: **No**
 Beds: **5** SqFt: **1,376** Acre(s): **0.0413**
 Baths: **1 (1 0)** Rooms: **8** Levels:
 Style: **Other/See Remarks** Model:
 Wtr Access: PUD: Builders Lot #:

Sch Dist: **Newburgh** Elem: **Magnet**
 Jr High: **Magnet** High: **NFA**

Recent: **03/03/2020 : New Listing**
 Basement: **Full**
 Addl Fees: **No**
 Addl Fee Des:

LSC: **New Listing** Last Ext:
 Attic: **None** Fireplaces:
 Yr Blt: **1900/Estimated** Yr Reno:
 Cnstrctn: **Frame**

Tax ID#: **331100.045.000-0006-030.000/0000**
 Taxes Include:
 Avail Financing:

Tax: **\$2,632** Tax Year: **2020(Municipality)**
 Assmt: **\$55,000** Monthly HOA:
 HOA\$ Inc:

Amenities:

Includes:

Excludes:

Parking:

Heat Zones/Type: **Hot Water, Steam**

A/C:

Hot Water: **Gas Stand Alone**

Garbage:

Lot Description:

Elec Co:

Fuel:

Water: **Municipal**

Sewer:

Siding: **Brick**

Public Remarks

Large five bedroom brick single family home located near most shopping, schools amenities. Join in Newburgh's renaissance! City of Newburgh owned property. Property is only available to owner occupant purchasers at this time. All offers subject to final approval by City Council. Offers with financing must be accompanied by pre-qual letter; cash offers with proof of funds. Sold as-is. See member's remarks for property access and offer presentation requirements.

Agent Only Remarks

Buyer and agent must sign the Release of Liability form before accessing property and for lockbox code. Access the form www.riverrealty.com/offers_newburgh. Present all offers at www.riverrealty.com/offers_newburgh.

Show Instr: **Buyer and agent must sign the attached Release of Liability form before accessing property**
 Access for Show: **Broker**
 Directions: **Renwick Street to right onto South Lander Street, left onto Carson Avenue.**

Appt Ph:
 Owner: **City of Newburgh**
 LA: **(28180) Brian T. Smith** 
 LA Email: **bsmith@riverrealty.com**
 LO: **(RIVMNG) River Realty Services, Inc.**
 CLA: **(37432) Lee A Raphael**
 CLA Email: **lraphael@riverrealty.com**
 CLO: **(RIVMNG) River Realty Services, Inc.**
 SA: **0%** BA: **2.5%**

Appt Ph 2:
 REO: **Yes**
 LA Ph: **(845) 486-1100**
 LO Ph: **(845) 564-2800**
 CLA Ph: **(845) 564-2800**
 CLO Ph: **(845) 564-2800**
 BRA: **0%**
 OBD:
 DOM:
 Org Price: **\$59,900**
 Mod/Excl: **NONE**
 List Dt: **03/03/2020**
 Expire Dt: **09/03/2020**
 Agr Type: **ERS**
 Neg Thru: **Listing Agent**
 \$/SqFt: **\$43.53**
 TOM Dt:
 OM Date:

Prepared By: Donna Challacombe

Date Printed: 03/03/2020

PURCHASE AGREEMENT

Date: 4/24/20

I (We) STEVEN CHING propose to purchase 66 CARSON AVENUE, NEWBURGH, NY, NY 12550 owned by CITY OF NEWBURGH

Terms of the offer as follows:

Purchase Price:	\$48,350 <u>\$52,000</u>	Initials <u>SC</u> Date <u>5/7/20</u>
Seller Concession (if applicable)	<u>0</u>	
Amount due on contract signing:	<u>\$5000</u>	
Mortgage Down Payment (LTV _____ %):	<u>N/A</u>	
Amount due at closing:	\$43,350 <u>\$47,000</u>	
Contracts to be signed on or about:	<u>ASAP</u>	

Closing to be (_____ on or about) or (X) _____ on or before: 6/20/20

Personal Property included in sale: NONE

This sale is contingent upon (X) attorney review of a formal contract, (_____) buyer to perform an engineer inspection within (_____) days, (_____) clear title, and as follows: _____

The sale is contingent upon purchaser securing a N/A mortgage commitment in the amount of _____

The parties hereby agree that RIVER REALTY SERVICES, INC. in cooperation with _____ is (are) the recognized broker (s) who affected this "meeting of the minds" and will be paid the brokerage commission of \$1000 by the seller on or before closing.

THE ABOVE TERMS AND CONDITIONS ARE AGREED UPON SUBJECT TO ATTORNEY REVIEW AND FORMAL CONTRACT OF SALE. RECEIPT OF A COPY OF THIS PRELIMINARY AGREEMENT IS HEREBY ACKNOWLEDGED BY ALL PARTIES:

Steven Ching
Purchaser STEVEN CHING

Seller _____

Purchaser _____

Seller _____

Purchaser Address

Seller Address

Purchaser Phone

Seller Phone

Purchaser Attorney

Seller Attorney

NYDIA BARHAM
NYDLAW@AOL.COM

Purchaser Attorney Phone / E-mail

Seller Attorney Phone / E-mail:

Agent Name: Kerly M. Scialpi
kscialpi@riverrealty.com

of River Realty Services, Inc.

Listing Agent: _____ of Gus Paiz



New York State Disclosure Form for Buyer and Seller

function as the seller's agent representing the interests of and advocating on behalf of the seller in the negotiations between the buyer and seller. A designated sales agent cannot provide the full range of fiduciary duties to the landlord or tenant. A designated sales agent cannot provide full range of fiduciary duties to the buyer or seller. The designated sales agent must explain that like the dual agent

under whose supervision they function, they cannot provide undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship with designated sales agents before agreeing to such representation. A seller or buyer provide advance informed consent to dual agency with designated sales agents by indicating the same on this form.

This form was provided to me by Kerly Scialpi of River Realty Services Inc.
(Print Name of Licensee) (Print Name of Company, Firm or Brokerage)

a licensed real estate broker acting in the interest of the:

☒ Seller as a (check relationship below)

☐ Seller's Agent

☐ Broker's Agent

☐ Buyer as a (check relationship below)

☐ Buyer's Agent

☐ Broker's Agent

☐ Dual Agent

☐ Dual Agent with Designated Sales Agent

For advance informed consent to either dual agency or dual agency with designated sales agents complete section below:

☐ Advance Informed Consent Dual Agency

☐ Advance Informed Consent to Dual Agency with Designated Sales Agents

If dual agent with designated sales agents is indicated above: _____ is appointed to represent the buyer; and _____ is appointed to represent the seller in this transaction.

(I) (We) _____ acknowledge receipt of a copy of this disclosure form:

Signature of ☒ Buyer(s) and/or ☐ Seller(s):



Date: _____

Date: _____

Property Address: 66 Carson Avenue, Newburgh, New York 12550

Buyer Name: Steven Ching

Exterior		Start Date	Estimated Material Cost	Estimated Labor Cost	Total Materials and Labor Costs
Roof, scrape and install EDM		8/10/2020	1800	2750	4550
Gutters, downspouts		8/17/2020	850	1000	1850
Windows, preordered 18 front and back		9/7/2020	7650	4500	12150
Doors, two for garden and parlor, steel fire rated		9/14/2020	1600	500	2100
Exterior painting, window and door frames, cornice		9/21/2020	1100	0	1100
Foundation, condition unknown		Further assessment required			
Porch and deck, stabilization and new install		10/12/2020	2500	0	2500
Landscaping, flowering shrubs and stonework		10/19/2020	800	0	800
Façade, brick repointing		9/14/2020	900	1800	2700
Exterior Repair Subtotal			17200	10550	27750
Interior		Start Date	Estimated Material Cost	Estimated Labor Cost	Total Materials and Labor Costs
Clean-out and demolition		8/10/2020		4500	4500
Remediation, lead and asbestos (condition unknown)		8/3/2020		5000	5000
Heating system/furnace		9/14/2020	3300	2800	6100
Hot water heaters		9/14/2020	2400	1300	3700
Plumbing		8/21/2020	5500	8,500	14000
Electric		8/21/2020	4500	9,500	14000
Baths		10/5/2020	2500	0	2500
Kitchens		10/12/2020	4500	0	4500
Insulation/drywall		8/31/2020	4900	0	4900
Interior doors		9/28/2020	4800	0	4800
Trim/interior painting		10/26/2020	2500	0	2500
Flooring, resand and tile		9/15/2020	2200	0	2200
Interior Repair Subtotal			37100	31600	68,700
Soft costs: asbestos/lead testing, survey			3710	1500	1500
Contingency amount (10%)			3710	3160	6,870
Total with soft costs and contingency			58,010	46,810	104,820



Important: Changes to branch services and hours as of March 23, 2020. Learn More

Welcome Thomas Ching

[Update Profile](#) Last Login: 04/29/2020 at 05:58 pm

Overview



Certificates of Deposit

Personalize your view

Retail statement cd

*5539

FACE AMOUNT

\$102,316.81

COMPOUND VALUE

\$102,316.81

Take me to...



12 Month Jumbo CD

CD BALANCE
\$210,589.76

Account Info

CURRENT BALANCE
\$210,589.76

Today's Early Redemption Value
\$208,738.88

ACCOUNT NUMBER
5566666666666666

Maturity Date
Aug 10, 2020

ACCOUNT HOLDER
THOMAS W CHING

Annual Deposit
\$262,563.93

ACCOUNT TYPE
12 Month Jumbo CD

OWNERSHIP TYPE
Joint

Term
12 Months

Interest

INTEREST RATE
2.27%

INTEREST AMT
\$1,588.17

Cash to Redeem Early

Interest Earned to Date
\$248.30

Property Proposal Summary

Location: 66 Carson Avenue
Tax Map Number: 45-6-30
Property Class: 210—One Family Residential
Zoning: RL—Residential Low Density (East End Historic District)
Description: 66 Carson—Attached Row House; Year Built (1900); 1376sf; lot size: 18 x 100
Condition: Poor
Assessed Value: \$ 58,500 (2020 Tentative Assessment)
Annual Taxes: \$ 2,800 +/-
Selling Price: \$ 59,900
Date city acquired: 2/4/2020—See Comments

Offer Information:

Name: Steven T. Ching
Offer Price: **\$ 52,000**
Construction Estimate: \$ 105,000 +/-
Proof of Financing: Santander Bank Account & CD

Comments: This property was originally acquired through tax foreclosure by the City of Newburgh in October of 2013. The property was then sold to Hudson Valley Real Estate Partners LLC by the City in June of 2016. Hudson Valley Real Estate Partners LLC made little headway with the renovation of the building—as can be seen by the interior photos. Due to the buyer's lack of progress, the City reacquired the property in February 2020.

The new purchaser of the property, Steven Ching, plans to renovate and occupy the property as his primary residence. Mr. Ching currently lives in the City of Newburgh in a property owned by his parents. He helped them renovate that property. Now, he wants to renovate a property that will eventually be his own residence.

This property needs extensive interior repairs. Mr. Ching has included a reasonable budget for the needed work.

The subject was listed by River Realty beginning March 3, 2020. The list price was \$55,000.





66 Carson Avenue Interior Photos



RESOLUTION NO.: ____116____ - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CONSERVATION ADVISORY COUNCIL AND
THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED AN
ARBOR DAY FOUNDATION TD TREE DAYS PROGRAM GRANT
IN THE AMOUNT OF \$19,720.00 TO SUPPORT NEW TREE PLANTING
ON SOUTH AND LANDER STREETS**

WHEREAS, the City of Newburgh Conservation Advisory Council has requested that the City of Newburgh authorize its application to the Arbor Day Foundation TD Tree Days Grant program to fund new tree planting on South and Lander Streets; and

WHEREAS, the City of Newburgh Conservation Advisory Council proposes to plant 30 trees along South and Lander Streets which presently are bare of trees and without the benefits of shade, temperature moderation and clean air provided by trees; and

WHEREAS, such grant funding shall be the amount of \$19,720.00 and requires no match from the City; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City of Newburgh Conservation Advisory Council and the City Manager be and they are hereby authorized to apply for and accept if awarded an Arbor Day Foundation TD Tree Days Program grant in the amount of \$19,720.00 to fund new tree planting on South and Lander Streets; and

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby further authorized to execute any documents in connection with such grant and to take all measures as may be appropriate and necessary to carry out such program.



City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:

Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Administrator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR

NAME OF PROJECT FOR GRANT: 2020 TD Tree Days Grant	NAME OF DEPARTMENT REQUESTING GRANT: CAC	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Genie Abrams
NAME OF GRANT/NAME OF AWARING AGENCY: TD Bank	GRANT SUBMITTAL DATE: June 1, 2020	AMOUNT OF AWARD: \$19,720
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) No	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: -0-	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS:

PROJECT PLAN:

Scope of Project: **To plant 30 trees on South and Lander Streets**

Key Stakeholders:

Project Timeline: (ex. Dates) October 2020

SECTION B. FOR REVIEW BY CITY COMPTROLLER



City of Newburgh

GRANT APPLICATION FORM

GRANT MATCH REQUIREMENT REVIEWED? YES/NO: COMMENTS: N/A
IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO COMMENTS: N/A
STAFFING ISSUES REVIEWED? YES/NO: COMMENTS: N/A
ANY ADDITIONAL COMMENTS:
→ APPROVED BY CITY COMPTROLLER? YES/NO CITY COMPTROLLER SIGNATURE: _____ DATE: _____ NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.
SECTION C: FOR REVIEW BY CITY MANAGER
→ APPROVED BY CITY MANAGER? YES/NO CITY MANAGER SIGNATURE: _____ DATE: _____
SECTION D: FOR REVIEW BY CORPORATION COUNSEL
→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO CORPORATION COUNSEL SIGNATURE: _____



City of Newburgh

GRANT APPLICATION FORM

DATE: _____

DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING:

Reilly, Helen

From: Genie Abrams <genieabrams@gmail.com>
Sent: Wednesday, May 13, 2020 6:27 PM
To: Reilly, Helen
Cc: Monteverde, Ramona; Councilwoman Karen Mejia
Subject: Here's the grant proposal, Helen
Attachments: TDTreeDaysNewApplicationFORM2020.docx

Hi, Helen,

The CAC would like to apply for a \$19,720 grant from the Arbor Day Foundation which, if we win it, will pay for the planting of 30 trees in OCTOBER. It's a "no-match" grant -- our favorite kind! They actually would pay 80% to us before we start. Then upon completion, they'd give us the other 20%.

Attached is the proposal as i've drafted it so far, filling in the blanks they provided; it will give you a good idea of the project.

Please note that some pieces of bluestone would have to be lifted up to plant these 30 trees. i guess they would have to be deposited at some city-owned site until they could be auctioned, is that correct?

So what i need is for this to be put on the earliest possible City Council agenda (you know, one of those, "... a request for the City Manager to authorize and to accept if won, a grant for \$19,720 from the Arbor Day Foundation for the planting of 30 trees on South and Lander streets in October 2020." The deadline for getting this application in is JUNE 1. Please let me know if you need more info from me.

i'm copying Ramona because she's "my" Council member and Karen Mejia because this project, if funded, would take place in her ward.

Thanks,

Genie

2020 TD Tree Days Grant Program Application

PRIMARY Contact:

Genie

Abrams

Chair, Urban Forestry Subcommittee, City of Newburgh Conservation Advisory Council (this is a volunteer position).

genieabrams@gmail.com

845-764-0635

SECONDARY Contact:

Omar Balbuena-Palma, Administrative Assistant to the Conservation Advisory Council (this is a paid City staff member). obpalma@cityofnewburgh-ny.gov 845-569-7380

Official Name of Organization: City of Newburgh Conservation Advisory Council

123 Grand St.

Newburgh

NY

12550

***Website** <https://www.cityofnewburgh-ny.gov/conservation-advisory-council>

Main Telephone: 845-569-7380

Year Established: 2013

MISSION AND HISTORY: The mission of the CAC is to advocate for all of the City's natural resources, including the urban forest, open spaces, wetlands, drinking water, coastal areas and air quality. The CAC was formed in 2013 as the result of the merger of the Waterfront Committee and the Shade Tree Commission.

***Organization Background:** Our main programs have included planting of trees on several streets in the City of Newburgh; applying for and receiving a grant for a golf-cart-type electric vehicle to help us carry water and mulch to our trees; hosting a statewide ReLeaf conference; creating a draft Local Waterfront Revitalization Plan; reviewing and commenting on development plans as they affect Newburgh's natural environment; and more.

Social Media Accounts:

<https://www.cityofnewburgh-ny.gov/conservation-advisory-council>

Twitter: @cityofnewburgh

Facebook: City of Newburgh

*** IRS 501(c)3 Determination Letter not applicable.**

TREE ADVISOR INFORMATION:

NO, our Tree Advisor is not the same as the Primary Contact for this proposal.

TREE ADVISOR NAME: Todd Hill, licensed and certified arborist

TREE ADVISOR EMAIL: todd@hilltreekeepers.com

TREE ADVISOR PHONE NUMBER: 914-425-5698

TREE ADVISOR ORGANIZATION: Hill Treekeepers,

<https://www.hilltreekeepers.com/about-us>

Event Facilitation Organization: YES, the Project Contact, Genie Abrams, will be the same one “delivering the event” along with other CAC volunteers.

Name of Event Facilitation Organization: The City of Newburgh Conservation Advisory Council is the organization responsible for “delivering the project.” Project Contact Genie Abrams is a member of the CAC.

NO, our Newburgh CAC has no previous TD Tree Day Experience

***Staff Support:** The seven members of the CAC will provide staff support, including getting our local power company and city Water Department to permit digging at our project’s locations; and organizing and educating neighbors along the site’s streets to boost understanding and enthusiasm for the event. Our Tree Advisor will provide orientation and education for our volunteers on the day of their arrival, demonstrating how to plant, water and care for their new trees. He will also provide supervision and quality control of the plantings. The CAC will conduct post-event maintenance of the trees, supplementing the maintenance done by the residents of the two streets involved.

***Site Name:** “Newburgh’s TD Tree Days Site”

*** Site Latitude/Longitude:** from 41.5069824,-74.0128339 to 41.5069529,-74.0124464 and from there (41.5069529,-74.0124464) to 41.5001428,-74.0125924.

***Site Address:** From 130 South St. (corner of South and Liberty streets) to 160 South St. (corner of South and Lander streets) and from there (corner of Lander and South streets) to the

corner of Lander Street and Broadway (roughly 2 Lander St.). The two streets involved in this site form an “L”-shape.

Site City: Newburgh, NY

Site Zipcode: 12550

Program County: Orange County, NY

Site Description: The site comprises parts of two urban streets that are virtually bare of trees. There are many overhanging electrical wires and many pieces of bluestone, but precious few trees on these streets, which are located in the poorest sections of Newburgh. There are tree lawns in parts of these streets, but some of the tree lawns are filled with rubble and bluestone, or are less than three feet wide and therefore must be improved before planting.

***Need for Trees:** Ever since a misguided “Urban Renewal” program in the 1960s tore out the heart of our city, taking down its trees along with its homes, Newburgh has been an Urban Heat Island. We have 28,000 people within our 3.8 square miles, according to the 2010 Census (but that population figure is lower than our actual population, because we have many undocumented immigrants from Mexico and South America who are afraid to open their doors to census-takers.) In addition, we have an underserved Black population; our Latino and Black neighbors together make up more than 80% of our residents. They all have a need for the shade, temperature moderation, beauty and clean air that trees provide. The planting of trees in this, our lowest-income census tract and one of the lowest in the state of New York, would go a long way toward helping establish long-overdue environmental justice here.

***Municipality Forestry Plan**

Newburgh’s overall forestry plan calls for a replanting of 3,764 trees to make up for the ones we have lost over the years. (Please see our Tree Inventory here:

<https://newburghny.treekeepersoftware.com/index.cfm>

The red dots denote vacant tree pits.)

We are actively building coalitions with organizations such as the Newburgh Community Land Bank, Scenic Hudson, the Greater Newburgh Parks Conservancy, RUPCO (a nonprofit development company active in social-justice issues) to bring our ambitious re-greening plan to fruition. This “TD Tree Days” project will be an important step toward achieving our goals.

***Safety Considerations: YES.**

Before the project is to begin, Central Hudson Gas & Electric Co., Verizon and our city’s Water Department will mark with paint any spots where digging cannot be conducted. The CAC will get our City’s Department of Public Works to put cones around the spaces where we are planting, so cars will not park there.

***Ground Conditions:** At some addresses along this project, blocks of bluestone and rubble must be dug up before digging can begin. Our streets get bright sunlight through their southern exposure and the soil gets a moderate amount of rain. Recent tree-plantings nearby, on Liberty Street between Clinton and Broad streets, found the soil to be amenable to digging.

***Site Terrain:** Part of the site is flat as a pancake; other portions are on a slight grade. None of it is steep.

***Site Preparation: YES.** All tree pits will have been partially prepared before the TD Bank employees arrive.

Description of Site Preparation: Our arborist will have come along with his Bobcat equipment before TD Bank employees arrive on the scene, and he will have removed bluestone slabs, rocks and rubble from the sites. He will have bags of topsoil and compost to mix in at each tree pit. Together, we will remove any bluestone and rubble and loosen the soil before TD Bank employees are asked to dig, plant and/or re-fill any tree pits.

***Public Parking Availability: YES.** Alternate-side parking rules are in effect on two days of each week. We will notify the city’s Parking Enforcement Bureau, Police Department and DPW in advance of the dates each block will be worked on.

Public Parking Location: On nearby streets.

***Potable Water Availability:** YES. Our City’s CAC members will supply bottled water in case TD Bank employees don’t bring their own water bottles.

Potable Water Location: Neighbors will provide potable water if needed, as well. Also, two blocks up South Street from the intersection of South and Lander (the “heart” of our project) is a café, Blacc Vanilla, which always has a large, inverted jug of water that is free for folks (not just customers) to refill their water bottles from.

***Public Bathroom Availability:** YES.

Public Bathroom Location: Blacc Vanilla, a café two blocks from our project, offers its bathroom to one and all (not just customers). If Blacc Vanilla has not yet re-opened due to COVID-19 precautions, the CAC will contract with Scotty’s Potties for a flushable porta-potty with hand sanitizer, for \$200 including delivery and pickup.

Additional Site Details: The site comprises two blocks of South Street and five blocks of Lander Street. We estimate that the planting of all 30 trees on these seven blocks will take about four days, total, but we would like to ask TD Bank employees to arrive for their “stint” of 3 hours or so on just one day – whichever weekday from Oct. 5 through 9 is best for them. We also would like to know in advance how many TD Bank employees will be involved, and what time they’ll arrive, so that we can properly welcome and equip them and do some education about trees and tree-planting before they begin. We will have a “rain date” if necessary.

***Number of Trees:** 30.

***Requested Amount:** \$19,720, as follow: \$12,000 for equipment (see detailed list below) and labor performed by licensed arborist and 4 paid workers including Bobcat operator, all of whom will help with loading, delivery and unloading of trees, lifting of bluestone and transferring it to a designated city-owned site for future auctioning, digging and planting. \$6,750 for 30 trees, including Zelkovas, London Planes, Golden Raintrees, Princeton Elms and Japanese Tree Lilacs

or Syringa reticulatas. \$90 for Dark Mulch. \$480 for 60 Cedar Stakes and ties. \$400 for Mycorrhizal inoculant.

***Date Availability:** We prefer the week of Oct. 5th through 9th. We cannot accommodate the Jewish High Holy Days of Sept. 18-19 or Sept. 27-28.

Total Number of Project Volunteers: 20. This includes the 7 Conservation Advisory Council members.

***List of Trees:** With advice from our licensed arborist, the 30 trees we have chosen for this project are: 13 Zelkovas; 3 Syringa reticulatas or Japanese Tree Lilacs, or a combination thereof; 8 London Planes; 5 Golden Raintrees; and 1 Princeton Elm.

***Size of Trees:**

In Newburgh, new trees cannot be less than 2 to 2 ½-inch caliper. We have learned from experience that with 30,000 residents in just 3.8 square miles, we need trees that can withstand heavy traffic, pollution, hydrant flushings, workers doing water, sewer, and gas-line repairs, vehicular accidents, kids playing around the trees, etc. We have tried planting smaller trees in the past, but they were soon damaged beyond healing.

Planting of Shrubs: NO.

Percentage of Shrubs: 0%.

***Planting Equipment:** The CAC can provide 20 pairs of gloves, 8 shovels, 4 wheelbarrows, 8 buckets for water, 4 wire cutters for releasing trees' root-balls from their burlap bags; 16 trowels; 2 brooms with wide heads and 4 leaf-blowers for cleanup. If TD Bank employees have any of these items themselves, they are welcome to bring them!

***Maintenance Plan:** We will provide educational flyers and in-person follow-up to residents of the streets involved, stressing that young trees need a lot of water, especially in hot and dry times. Our educational component will include instructions on how to properly water and care

for these trees. As a backup, CAC members will come along with our golfcart-type electric vehicle to water the trees as needed for the first 2 years.

Additional Educational Modules: In advance of the project, CAC members will provide neighbors with informational flyers including color photos of the trees in various seasons and what they'll look like at maturity, to inspire them to care for their new trees. We will notify the local news media and use social media as well, to get the word (and photos) out about the physical, social and environmental benefits of trees. We will also put on our CAC webpage a section of information about the various species we are planting.

Unique Components of Events: Our project will engage a diverse community of volunteers – the people who live on South and Lander streets. They need to see that their city cares about them, and this joyful event will go a long way toward restoring that trust. We will have a celebration including refreshments and photos with Mayor Harvey and other City Council members at the end of the TD Bank employees' day of planting.

Diversity of Beneficiaries

Our beneficiaries comprise ALL of these groups: Lesbian, Gay, Bisexual, Transgender, Queer, Two-Spirited People; Low- to Moderate-Income Households; Persons with disabilities; Recent Immigrants/Newcomers/Refugees; Seniors; Women and Girls

Additional Diversity: In addition, this project will benefit students in grades K through 12.

Beneficiary Ethnicities: Mainly African American/Black and Hispanic/Latino. **Please note that 80% of Newburgh's population is comprised of these two ethnic groups.**

Beneficiary Outreach: We will ensure we engage the communities named above via outreach to our local daily and weekly newspapers; regional TV and radio stations; hand-delivered flyers to each resident; posts on Facebook and Twitter; stories in our City of Newburgh's Newsletter that is emailed to each resident; the City website and the CAC page of that website; and the blogs and email lists of the City Council members, the Greater Newburgh Parks Conservancy, the

Downing Park Planning Committee and others. But most of our community engagement will come via face-to-face meetings in the days and weeks ahead of the plantings.

Age Group Served: General Population.

LMI Population Served: Having annual earnings that are less than 80% of the FFIEC Area Median Income.

Newburgh Tract Income Level is LOW.

2015 MSA/MD/STATEWIDE non-MSA/MD Median Family Income: \$85,780.

2019 FFIEC Estimated STATEWIDE MSA/MD/non-MSA/MD Median Family Income: \$96,700.

NEWBURGH % Below Poverty Line: 45.24.

2015 Tract Median Family Income: \$26,472.

2019 Estimated Tract Median Family Income: \$29,842.

2015 Tract Median Household Income: \$24,609

LMI Served? Yes.

LMI Community Development Area: This area is home to many low-income residents and an affordable housing project (the Lander Street Homes). It has also been the site of recent neighborhood revitalization efforts, with young couples from New York City rehabbing homes and moving here with their families. The TD Tree Days Project will boost that momentum and help speed Newburgh's recovery from many years of neglect.

Community Development Description

Our proposed planting area is in a low-income area: Newburgh Census Tract 4. We believe that this project will help develop community pride and activism, as neighbors get together for the planting days and then unite to ensure that their trees continue to thrive.

RESOLUTION NO.: 117 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR AND ACCEPT IF AWARDED A GRANT FROM
THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE
UNDER THE 2020 BULLETPROOF VEST PARTNERSHIP IN THE AMOUNT OF
\$21,125.00 WITH A FIFTY PERCENT MATCH TO BE PAID OUT OF POLICE FUNDS**

WHEREAS, the City of Newburgh Police Department has advised that grant funding is available from the United States Department of Justice Bureau of Justice Assistance under the Bulletproof Vest Partnership FY 2020 covering the period April 1, 2020 through August 31, 2022; and

WHEREAS, the Partnership was created by the Bulletproof Vest Partnership Grant Act of 1998; and

WHEREAS, this initiative is designed to provide a critical resource for state and local jurisdictions that saves lives; and

WHEREAS, funding is requested for 25 vests at a total cost of \$21,125.00 and a fifty (50%) percent match in the amount of \$10,562.50 is to be paid out of Police funds A.3120.0417; and

WHEREAS, this Council has determined that applying for and accepting such grant if awarded is in the best interests of the City of Newburgh and for the safety of City of Newburgh Police Officers;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to apply for and accept if awarded a grant from the Bureau of Justice Assistance under the 2020 Bulletproof Vest Partnership in the amount of \$21,125.00, with a fifty (50%) percent match to be paid out of Police funds; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

From: [BVP Email Account](#)
To: [Reilly, Helen](#)
Subject: Bulletproof Vest Partnership (BVP) – FY 2020 Application Announcement Reminder
Date: Wednesday, May 13, 2020 9:20:20 AM

Dear BVP Participant:

Reminder: Applications for FY 2020 Patrick Leahy Bulletproof Vest Partnership (BVP) funds must be submitted online at <https://ojp.gov/bvpbasi/> by 6:00 pm (e.d.t.), June 8, 2020.

Important Information Regarding FY 2020 BVP Funds:

1. System for Award Management (SAM) Registration Requirement: Jurisdictions must be registered in SAM in order to receive access to FY 2020 BVP award funds. Jurisdictions not registered with SAM are strongly encouraged to access the SAM website at <https://www.sam.gov/SAM/> as soon as possible in order to obtain information on and complete the online SAM registration process. For more information about renewing and updating your existing SAM registration, or registering in SAM as a new entity, please visit https://fsd.gov/fsd-gov/answer.do?sysparm_number=KB0011081. The SAM Helpdesk can be reached at 866-606-8220.

2. Jurisdictions receiving funding for reimbursement of body armor purchases must have a written mandatory wear policy for uniformed patrol officers in place when the FY 2020 BVP applications are submitted. There are no requirements regarding the nature of the policy other than it **specify when** mandatory wear **is required** for uniformed officers on duty. Please see the BVP Mandatory FAQs for further guidance on this requirement:
https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/FAQsBVP MandatoryWearPolicy_0.pdf.

3. Each vest purchased with FY 2020 funds must meet the National Institute of Justice (NIJ) standards on the date it was ordered and must be American-made. Please see these websites for the latest NIJ compliant vests: https://www.justnet.org/other/ballistic_cpl.html and https://www.justnet.org/other/stab_cpl.html.

4. Uniquely Fitted Armor Vest Requirement: Jurisdictions receiving funding for reimbursement of body armor purchases must have in place a uniquely fitted vest requirement when the FY 2020 BVP applications are submitted.

In the BVP Program, "uniquely fitted vests" means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: 1) correctly-sized panels and carrier, determined through appropriate measurement, and 2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of the Office of Justice Programs' efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the *Standard Practice for Body Armor Wearer Measurement and Fitting of Armor* ([Active Standard](#)

[ASTM E3003](#)) available at no cost. The [Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.

5. Multiple law enforcement agencies (LEAs) within the same jurisdiction must submit their own application information and vest needs to the jurisdiction. The jurisdiction will then submit the LEA applications in one submission to BJA. This includes colleges and universities. All public colleges and universities are considered LEAs under their respective jurisdiction.
6. To ensure that program participants are submitting applications that accurately reflect their vest needs for the next two years, please review the program guidance below. Prior to submitting an application for FY 2020 BVP funds:
 - a. Verify that the number of vests indicated on the application does not exceed actual agency needs. Review all currently deployed vests for those that will need to be replaced during the next two years, according to the replacement cycle indicated on your BVP system profile. Applications for funds should reflect the number of vests your agency needs to replace within the next two years, and vests for officers your agency anticipates hiring in the next two years. (New hires can be anticipated based on the average number of officers hired over the most recent three years.)
 - b. Ensure that the application accurately reflects the current market cost for the vests identified on the application.
 - c. Review previous year(s) BVP funding to identify any unspent funds that might currently be available for BVP needs.

Your careful attention to actual vest needs will help ensure that all eligible jurisdictions submitting requests will receive the maximum award allowable based on the appropriation and distribution guidelines.

7. BJA has completed user guides and training materials for the BVP application process and the payment request process. Please see the following website for the guides and checklists:
<https://www.ojp.gov/program/bulletproof-vest-partnership/program-resources>

For questions regarding this email or for assistance with the online application process, please do not hesitate to call the BVP Help Desk at 1-877-758-3787, or email vests@usdoj.gov.

Sincerely,

The BVP Program Team

Bureau of Justice Assistance

<https://ojp.gov/bvpbasi/>

This email was sent to hreilly@cityofnewburgh-ny.gov using GovDelivery Communications Cloud on behalf of: Department of Justice · Washington, DC

SUBMIT APPLICATION



Application Profile



Application



NIJ Approved Vests



Submit Application

PLEASE NOTE: Applications for funding may be submitted for the purchase of any armor that meets the established NIJ ballistic or stab standards ordered on or after April 1, 2020. Once the open application period closes, funding levels will be established and all applicants will be notified.

APPLICATION PROFILE

Participant	NEWBURGH CITY
Fiscal Year	2020
Number of Agencies Applied	1
Total Number of Officers for Application	59
Number of Officers on Approved Applications	59

APPLICATION PROFILE

Fiscal Year	2020
Vest Replacement Cycle ⓘ	4
Number of Officers	59
Number of Emergency Replacement Needs ⓘ	Number of Stolen or Damaged
	0
	Number of Officer Turnover
	21

SUBMIT APPLICATION FOR FUNDING FOR BVP APPROVAL

Application for Funding

Name	Quantity	Extended Cost	Tax, S&H*	Total Cost
NEWBURGH CITY	25	\$21,125.00	\$0.00	\$21,125.00
Grand Totals	25	\$21,125.00	\$0.00	\$21,125.00
Requested BVP Portion of Total Cost, up to:				\$10,562.50

* Total Taxes, Shipping and Handling Cost for each Application

Warning: Funding Limitations - Applications are subject to certain funding limitations, to help account for increasing demands and unexpended funds from prior BVP applications (if applicable). Your FY 2020 Regular Fund application average unit price is **\$845.00**. Accordingly, your application has now exceeded the estimate average unit price of **\$800**. This may affect your future application's award funding.

[SUBMIT APPLICATION FOR BVP APPROVAL](#)

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time for all components of a jurisdiction to complete and file this Application for Funding form is two hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you may use the Suggestions e-mail option on this BVP web site, or you may write to the BVP, c/o Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC, 20531.



City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:

Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Administrator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR

NAME OF PROJECT FOR GRANT: 2020 Bullet Proof Vest Partnership	NAME OF DEPARTMENT REQUESTING GRANT: Police Department	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Lt. Kevin Lahar/Lt. Schluter
NAME OF GRANT/NAME OF AWARING AGENCY: US Dept. of Justice Bureau of Justice Assistance	GRANT SUBMITTAL DATE: June 8, 2020	AMOUNT OF AWARD: \$10,562.50
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) Yes	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: \$10,562.50	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS:
PROJECT PLAN: The United States Department of Justice Bureau of Justice Assistance under the Bulletproof Vest Partnership Grant act of 1998 provides 50% of costs for Bulletproof Vests for Police Officers. We are requesting 25 vests this year for a total cost of \$21,125.00 Project Timeline: (ex. Dates) Funding will cover the period of April 1, 2020 through August 31, 2022.		



City of Newburgh

GRANT APPLICATION FORM

SECTION B. FOR REVIEW BY CITY COMPTROLLER

GRANT MATCH REQUIREMENT REVIEWED? **YES**/NO:

COMMENTS: we apply for this grant every year with the match coming from Police Uniform Line

IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO

COMMENTS: N/A

STAFFING ISSUES REVIEWED? YES/NO:

COMMENTS: N/A

ANY ADDITIONAL COMMENTS:

→ APPROVED BY CITY COMPTROLLER? YES/NO

CITY COMPTROLLER

SIGNATURE: _____

DATE: _____

NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.

SECTION C: FOR REVIEW BY CITY MANAGER

→ APPROVED BY CITY MANAGER? YES/NO

CITY MANAGER

SIGNATURE: _____

DATE: _____



City of Newburgh

GRANT APPLICATION FORM

SECTION D: FOR REVIEW BY CORPORATION COUNSEL

→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO

CORPORATION COUNSEL

SIGNATURE: _____

DATE: _____

DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING:

RESOLUTION NO.: 118 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A NATIONAL ENDOWMENT FOR THE ARTS
CORONAVIRUS AID RELIEF AND ECONOMIC SECURITY ACT GRANT
IN THE AMOUNT OF \$50,000.00 WITH NO CITY MATCH
TO CONDUCT A NEWBURGH ARTS AND CULTURAL SURVEY**

WHEREAS, by Resolution No. 21-2019 of January 28, 2019, the City Council of the City of Newburgh authorized the Interim City Manager, on behalf of the Newburgh Arts and Cultural Commission, to apply for a National Endowment for the Arts Art Works grant in the amount of \$35,000.00 to conduct an arts and cultural survey; and

WHEREAS, by Resolution No. 327-2019 of December 9, 2019, the City Council authorized the City Manager, on behalf of the Newburgh Arts and Cultural Commission to accept a National Endowment for the Arts Art Works grant in the amount of \$10,000.00 to conduct an arts and cultural survey; and

WHEREAS, the Newburgh Arts and Cultural Commission has requested that the City of Newburgh apply for and accept if awarded a National Endowment for the Arts Coronavirus Aid, Relief and Economic Security ("CARES") Act grant in the amount of \$50,000.00 to support the conduct of the previously awarded Newburgh Arts and Cultural Study; and

WHEREAS, the grant in the amount of \$50,000.00 requires no City match; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded a National Endowment for the Arts Coronavirus Aid, Relief and Economic Security ("CARES") Act grant in the amount of \$50,000.00 to continue to conduct the previously awarded arts and cultural survey grant; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to apply for such grant.



City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:

Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Coordinator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR

NAME OF PROJECT FOR GRANT: Newburgh Arts and Cultural Survey	NAME OF DEPARTMENT REQUESTING GRANT: Newburgh Arts and Cultural Commission	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Vincent Cianni and Belinda McKeon, Co-Chairs, NACC; Naomi Miller, Chair, Research & Development Committee
NAME OF GRANT/NAME OF AWARDING AGENCY: CARES Act, National Endowment for the Arts	GRANT SUBMITTAL DATE: May 4, 2020	AMOUNT OF AWARD: \$50,000 requested
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) No	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: \$0.00	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS: N/A



City of Newburgh

GRANT APPLICATION FORM

PROJECT PLAN:

Scope of Project:

To cover the costs of fully executing the Newburgh Arts & Cultural Study, the City of Newburgh's first study to inventory and assess the diverse arts and culture ecology in Newburgh, NY. Costs include contractual personnel: Project Consultant, two Project Managers, and Media Content Producer. The COVID-19 pandemic has adversely affected and imperiled the study's funding, thus compromising the project's scope of work. Through the CARES Act, the National Endowment for the Arts is immediately administering \$50,000 grants for salaried/contractual personnel and facility support to organizations it has funded in the past 4 years. Work under this grant commences July 1, 2020 and ends January 31, 2021 upon project completion.

Key Stakeholders:

- Newburgh Arts & Culture Commission

Project Timeline: (ex. Dates)

- Start date is July 2020. NEA allows for 2-year project period.

SECTION B. FOR REVIEW BY CITY COMPTROLLER

GRANT MATCH REQUIREMENT REVIEWED? YES/NO:

COMMENTS:

N/A

IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO

COMMENTS:

N/A



City of Newburgh

GRANT APPLICATION FORM

STAFFING ISSUES REVIEWED? YES/NO:

COMMENTS:

N/A

ANY ADDITIONAL COMMENTS:

→ APPROVED BY CITY COMPTROLLER? YES/NO

CITY COMPTROLLER
SIGNATURE:

[Signature]

DATE:

5/7/20

NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.

SECTION C: FOR REVIEW BY CITY MANAGER

→ APPROVED BY CITY MANAGER? YES/NO

CITY MANAGER
SIGNATURE:

[Signature]

DATE:

5/7/20

SECTION D: FOR REVIEW BY CORPORATION COUNSEL



City of Newburgh

GRANT APPLICATION FORM

→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO

CORPORATION COUNSEL
SIGNATURE: _____

DATE: _____

\$ application submitted

DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING:

Resolution for 5/21/20 w.s. +
5/26/20 or adjourned
date - Council
meeting

Meeting Minutes

Call to Order

A regular meeting of the Newburgh Arts + Cultural Committee was held on Monday, May 5, 2020 from 7:00 to 8:00 pm via the virtual meeting platform Zoom and was presided over by Co-Chair Vincent Cianni. The meeting was recorded from which Naomi Miller made the minutes afterward. Mr. Cianni called the meeting to order at 7:05 pm.

Attendance

Voting members in attendance included Garin Baker, Vincent Cianni, Michael Gabor, Nancy Layne, Marlene Lipinski, Belinda McKeon, Naomi Miller, Stuart Sachs, and Joy Zelada.

Due to technical difficulties, Mr. Sachs joined the meeting halfway through.

Members not in attendance included Trish Halverson and Michelle Roach.

Members of the public in attendance were Naomi Hersson-Ringskog and Rebeca Ramirez.

Chairs' Report

Mr. Cianni introduced the meeting as a discussion on the NEA CARES Act grant that Ms. Miller and Ms. Hersson-Ringskog are submitting. He outlined the process of presentation, questions, and discussion.

Committee Report

Research + Development Committee: Ms. Miller shared updates on the past two months of activities for the Newburgh Arts + Cultural Study, including adaptations to the new reality of COVID-19, formation of the Community Advisory Group, and the effect of the pandemic on project funding. The new NEA CARES Act grant is for operational support, including contractual personnel, and not project support. The application requests covering the costs of three contractual personnel. She noted that the grant for the project discussed in the March meeting was cancelled; that project is eligible for an upcoming NEA grant in July.

Discussion opened. Ms. Miller clarified that the Commission's discussion is a requirement for the City. Questions included knowing more about outreach efforts and bridging the digital divide, details of the budget, and a section of the application. Six members voiced support for the grant application, the work done by the two project managers, and making sure the project moves forward. Mr. Baker asked that his clarification be included in the minutes: the budget is for two

Newburgh Arts & Cultural Commission

Project Managers at \$9,000 a piece, Naomi Miller and Naomi Hersson-Ringskog, and \$29,500 for Lord Cultural Resources, who is currently under contract with the City of Newburgh.

Mr. Baker expressed reservations about the application because he understands the by-laws to say that commissioners shouldn't be in a position to earn money from activities as a commissioner. Joining the conversation, Mr. Sachs would have proposed a project that directly supports artists at this time and feels frustrated that his voice hasn't been heard until now. It's generally acknowledged that communications within the commission can be improved. Ms. Miller clarified the parameters of this grant, which does not support new projects, it's for operations and salaries for organizations. Mr. Sachs appreciated the clarification.

Mr. Cianni suggested returning to these points during the June meeting. The Commission can work together to sort out issues with Ms. Miller's position then. He supports and recommends that the grant application be submitted to both the NEA and the City.

Main Motions

No motions were made.

Action Items

- Submit the Meeting Minutes to The City of Newburgh (**Ms. Miller**).

Adjournment

The next meeting is Monday, June 1st at 7:00 pm at the same location (until further notice). Mr. Cianni motioned to adjourn. The meeting was adjourned at 7:52 pm.

Applicant Information

Tracking Number: GRANT13080466

Application #: 1882508

Date: 05-04-2020 15:45 PM

Application Information

Category CARES

Name City of Newburgh, New York

Organization Information

NEA Discipline for Proposed Project

Local Arts Agency

Legal/IRS Name (per your IRS Determination Letter)

City of Newburgh, New York

Popular Name (if different)

Briefly summarize the mission of your organization.

The City of Newburgh is a local government. The mission of the City's Arts and Cultural Commission is to promote and enhance access to, appreciation of, and participation in the arts and educational opportunities for all persons and be a catalyst and support for equitable social and economic redevelopment and reactivation of Newburgh. NACC ensures public funding for the arts, and advises and makes recommendations to the City and its agencies on the development of arts and culture in Newburgh.

Organization Budget

	Most Recently Completed FY	Previous FY	Two FYs Prior
FY End Date (MM/DD/YYYY)	12/31/2019	12/31/2018	12/31/2017
Income:			
<u>Total Income</u>	\$47,798,102	\$44,650,901	\$44,410,286

	Most Recently Completed FY	Previous FY	Two FYs Prior
Expenses:			
Total Expenses	\$47,798,102	\$44,650,901	\$44,410,286
Operating Surplus and Deficit	\$0	\$0	\$0

Project Information

NEA Discipline
for Proposed Project Local Arts Agency

Project Title CARES Act

ProjectSummary Job Support

**Total number of
current paid employees:** 0

**Number of jobs
included in this request:** 4

**Is your
organization
requesting
facilities costs?:** No

Project
Description A. N/A

B. City of Newburgh seeks support in covering the costs to fully execute the Newburgh Arts & Cultural Study, the City's first study to inventory and assess the diverse arts and cultural ecology in Newburgh, NY. Once an economic and cultural powerhouse in the 19th century, Newburgh has operated under severe budgetary constraints since the 1960s. As a result, it relies on contractual personnel instead of in-house staff for many of its operations, especially those that support the arts. Under COVID-19 conditions, the City is unable to maintain operations for this project due to the urgency of other competing social service and infrastructure priorities, and the evaporation or shifting of grant funding. The City's challenge is paying contractual personnel for the study's remaining phases. The current, year-long study, which gathers qualitative and quantitative data on the existing cultural sector, and makes recommendations to enable informed and coordinated decisions, has three areas of focus: economic development, workforce development, and improved social cohesion. The study is expected to significantly impact the creation of opportunities and growth for Newburgh's diverse population (50% Latinx, 30% African American, 20% White; 25% of residents live in poverty with a median income of

\$35,000). Eliminating this already sparsely structured project will adversely set back the momentum and renaissance of Newburgh's arts and creative industries. Without these metrics, stakeholders will be unable to address the sector's needs and opportunities. It will also perpetuate inequitable economic and social development on a local and regional scale. Lastly, interrupting this project will preserve painful perceptions of a historically struggling city. Supporting Newburgh's operations is significant because it 1) demonstrates the City prioritizing the arts for improved quality of life and economic development; 2) ensures participation in the community engagement process by underserved and underrepresented residents; 3) demonstrates a model, replicable by other City departments, for a resident-engaged knowledge base and strategy to support the arts and culture.

To maintain operations from July 2020 to January 2021, the contractual personnel includes:

- 1) Project Consultant, Lord Cultural Resources, \$29,500: Provides expertise on survey structure and collection, leads community workshops, and synthesizes and analyzes data and research into a final report with salient recommendations.
- 2) Project Managers (2), Naomi Hersson-Ringskog, Naomi Miller, \$9,000 each: Grassroots outreach and engagement, assemble community advisors and manage partnerships, produce virtual events, recruit volunteers/interns, and general on-the-ground logistics.
- 3) Media Content Producer, \$2,500: Creates content for bilingual communications and enhanced online access, including social media, flyer, and advertising for community outreach. Hiring July 1, 2020.

C. N/A

**Subgranting
Information
Only:**

Project Start Date
7/1/2020
Project End Date
1/31/2021

Newburgh is home to a diverse population of over 28,000 people, with an estimated 5,000 undocumented immigrants. The population identifies itself as roughly 50% Hispanic or Latinx, 30% African American, and 20% White. The city is among the nation's most distressed communities: over 25% of its residents live in poverty and the average median income is \$35,000. In Orange County, 3% of veterans live in Newburgh. Our outreach efforts include working collaboratively with the following organizations to

increase participation: our two local colleges, Newburgh Free Academy, Habitat for Humanity, Boys + Girls Club, Latinos Unidos, and We Are Newburgh and other grassroots organizations.

Through this study, we intend to meaningfully serve our city's residents in the following ways:

- 1) Define the arts and culture broadly, allowing for less traditional art forms and disparate groups, neighborhoods, and communities to be documented as a whole. The city's heterogeneity ranges from college art departments to African-American gospel choirs to Mexican rodeo to artist enclaves to Salvadorean restaurants to film and fabrication industries.
- 2) Represent the different sectors, geographies, ethnicities, genders/orientations, ages, and backgrounds in Newburgh through the study's 15 community advisors. Cultivating a set of new leaders, advisors refine the project's goals, expectations, and methodology to document a broad range of the city's arts-and-cultural activities, people, and destinations. Primarily, we are concerned with the representation of people of color, who are the majority, and other people in historically marginalized groups.
- 3) Provide communications, including the survey and the final report, in English and Spanish to ensure access by the majority Spanish-speaking population.
- 4) Provide services for residents mindful of access and inclusivity, including video-recorded meetings, technology tutoring, encrypting personally identifiable information, and hard copy survey access.

Project Budget

Project Expenses

DIRECT COSTS: SALARIES & WAGES

Title and/or Type of Personnel	Number of personnel	Annual or Average Salary Range	% of time devoted to this project	Amount
		\$		
		\$		
		\$		
		\$		
		\$		
		\$		
		\$		

Total Salaries and Wages \$0

FRINGE BENEFITS \$0

**Total Salaries and
Fringe Benefits** \$0

DIRECT COSTS:

TRAVEL

# of travelers	From	To	Amount
----------------	------	----	--------

Total Travel Expenses \$0

DIRECT COSTS:

OTHER

Description	Amount
-------------	--------

Cultural Planning Consultant	\$29,500
---------------------------------	----------

Project Managers	\$18,000
------------------	----------

Media Content Producer	\$2,500
------------------------	---------

\$0

\$0

\$0

\$0

\$0

\$0

\$0

\$0

\$0

\$0

\$0

Total Other Expenses \$50,000

**TOTAL DIRECT
COSTS** \$50,000

**INDIRECT COSTS (if
applicable)**

Federal Agency

Rate Agency (.0000) 0.00

Base \$0

**TOTAL INDIRECT
COSTS**

Amount Requested from the NEA
\$50,000

TOTAL PROJECT COSTS/EXPENSES (Total Direct Costs + Total Indirect Costs)
\$50,000

Organization & Project Information

Applicant Organization Discipline: Select the primary discipline that is most relevant to your organization and, optionally, up to two additional disciplines. This refers to the primary artistic emphasis of your organization.

- Local Arts Agency

Applicant Organization Description: Select the primary description that is most relevant to your organization

- Government

Does your organization have a disaster preparedness plan (i.e., plans to handle disasters and emergencies such as floods, hurricanes, and man-made disasters)?

- Yes

© 2020 - National Endowment for Arts

RESOLUTION NO.: 119 - 2020

OF

MAY 28, 2020

**RESOLUTION SCHEDULING A PUBLIC HEARING FOR JUNE 8, 2020 TO HEAR
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE
CITY OF NEWBURGH CDBG FY2019 ANNUAL ACTION PLAN
FOR THE ALLOCATION OF
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING**

WHEREAS, by Resolution No. 327-2018 of November 13, 2018, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2019 Annual Action Plan (“AAP”); and

WHEREAS, the City of Newburgh received a special allocation of CDBG funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which requires a Substantial Amendment to the previously authorized FY 2019 AAP and a public hearing;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a substantial amendment to the CDBG FY 2019 Annual Action Plan; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 8th day of June, 2020; and

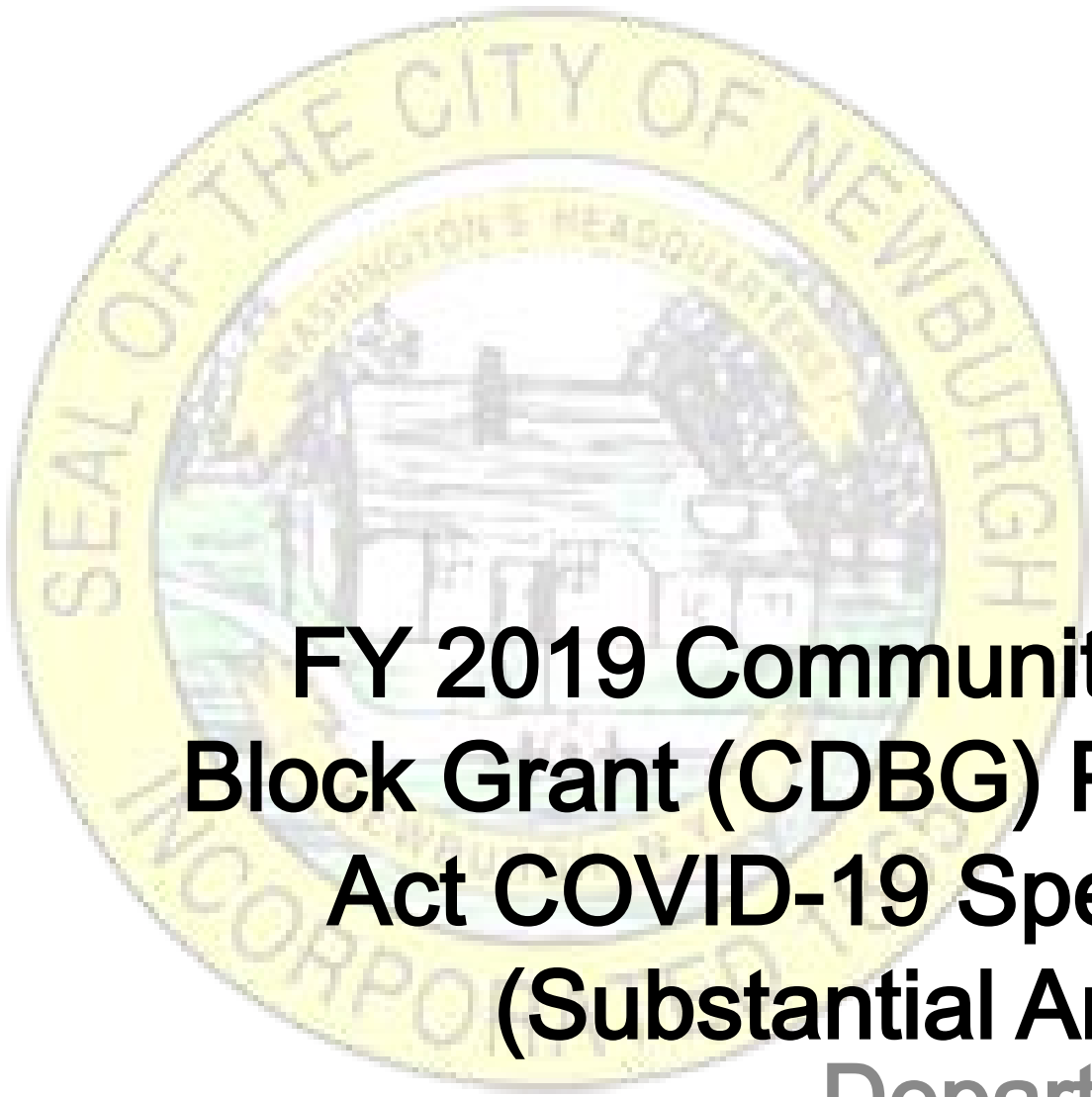
BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council will not meet in-person and in accordance with the Governor’s Executive Order 202.1, as amended, the June 8, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed CDBG FY2019 Annual Action Plan as follows:

To view the livestream of the City Council Meeting visit: <https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App: https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6ldPw. Please note that there is an underscore between the “N” and “n”).

To order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Friday, June 5, 2020 through the Zoom App: https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6ldPw. Please note that there is an underscore between the “N” and “n”). Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.

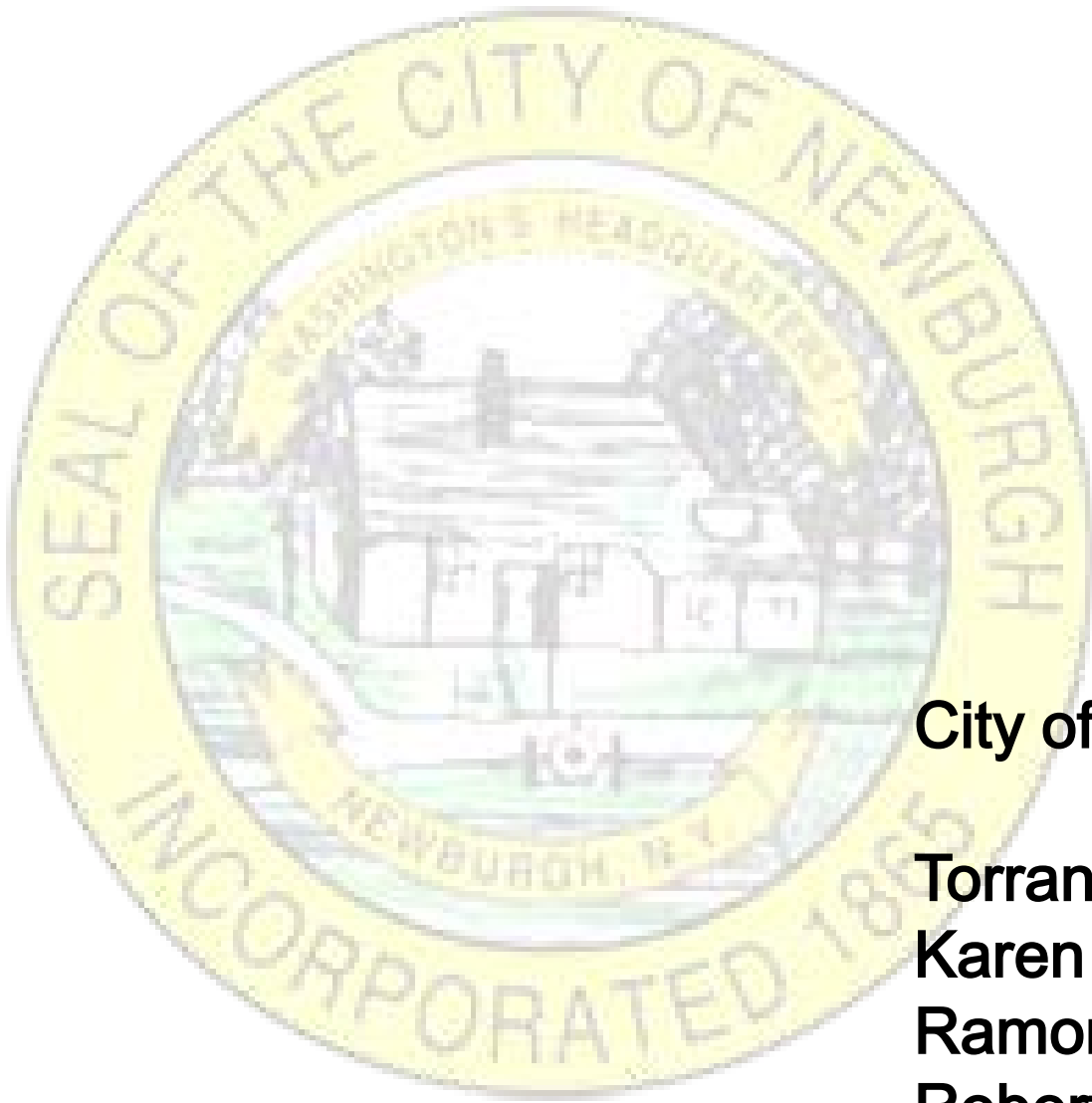
Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Friday, June 5, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.



**FY 2019 Community Development
Block Grant (CDBG) Projects + CARES
Act COVID-19 Special Allocation
(Substantial Amendment)**

Department of Planning &
Development
May, 2020





City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large

(New) CARES Act Funding

- In April, 2020, the City of Newburgh received a special allocation of Community Development Block Grant (CDBG) funds in the amount of \$513,511.00 to “prevent, prepare for, and respond to the Coronavirus (COVID-19).”
- The allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.



(New) City of Newburgh FY2019 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
 - A “change of more than 25 % of the total grant award funding the activity.”
 - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



(New) City of Newburgh FY2019 Substantial Amendment

- As the CARES Act special allocation to the City of Newburgh is greater than both the “change of more than 25 % of the total grant award funding the activity” and a “change [to] the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized,” the substantial amendment process must be activated in order for the City of Newburgh to accept the funding.
- The substantial amendment process includes:
 - Update to a previously authorized AAP
 - Public Hearing
 - Public Comment Period
 - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



(New) City of Newburgh FY2019 Substantial Amendment

- To expedite and streamline use of the special allocation of CDBG funding, CDBG-CV, the special allocation will be added to the City of Newburgh FY2019 AAP.
- New Activities added to the FY2019 AAP:
 - Public Service**
 - Emergency Income Payments (Rent): \$413,511.00
 - Emergency Food Service - CARES Act (CDBG-CV): \$50,000.00
 - Administration**
 - Administration - CARES Act (CDBG-CV): \$102,702.20

Additional information begins on Slide 11



“CDBG” - Brief Primer

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The most recent City of Newburgh Consolidated Plan: **FY2015-FY2019**
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.



City of Newburgh Community Development Goals

- Economic Development without Displacement.
- Enhance outreach and communications with the community.
- Support a climate that values diversity, rewards independence, nourishes creativity, and brings all of us together.

Successful community building requires reestablishing trust, which takes time, patience, outreach and communication.



City of Newburgh CDBG Projects Overview:

- Manage city-owned properties, through the in rem program.
- Provide access to parkland, trails, and healthy activities in nature
- Positively reinvest in our community and our infrastructure
- Provide public service activities to respond to community need



FY2019: Annual Action Plan Projects updated with CARES Act COVID-19 Special Allocation

Year 5 of the 5 Year Plan 2015 - 2019



FY2019 Entitlement + CARES Act Funding Amended CDBG Projects/Funding

Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG- EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Façade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.		\$50,000.00
	CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.		\$413,511.00
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.		\$50,000.00
Total		\$838,786.00	\$1,352,297.00

Added through Substantial Amendment (New)
Project: Public Service, Emergency Food Service -
CARES Act (CDBG-CV)
Previous Budget: \$0.00
New Budget: \$50,000.00

Summary: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities. Funding to be provided to organization through Request For Proposal (RFP) process.



Added through Substantial Amendment (New)
Project: Public Service, Emergency Income
(Rent) Payment - CARES Act (CDBG-CV)
Previous Budget: \$0.00
New Budget: \$413,511.00

Summary: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.



Added through Substantial Amendment (New)
Project: Administration - CARES Act (CDBG-CV)
Previous Budget: \$0.00
Budget: \$50,000.00

Summary: Funding for Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.



Project: In Rem Property Program
Budget: \$215,000.00

Summary: Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.



In Rem Property Program Highlights

- Staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.



Project: Complete Streets Project
Budget: \$225,000.00

Summary: Funding to support the following Complete Streets projects:

- Sidewalks
- Façade Improvements (including business signs)
- Infrastructure



Project: Park Improvements
Budget: \$200,000.00

Summary: Funding to support park improvements in the City of Newburgh. Projects to include support to the new South Street Park.



Project: Community Policing/Neighborhood Services
Budget: \$18,000.00

Summary: Funding to support:

- 2019 National Night Out
- 2019 Children's Summer Film Festival



Project: Homeowner Resource Assistance
Budget: \$60,000.00

Summary: Funding to support a low-income homeowner resource assistance program. Includes repairs as well as other assistance such as financial/budget counseling.

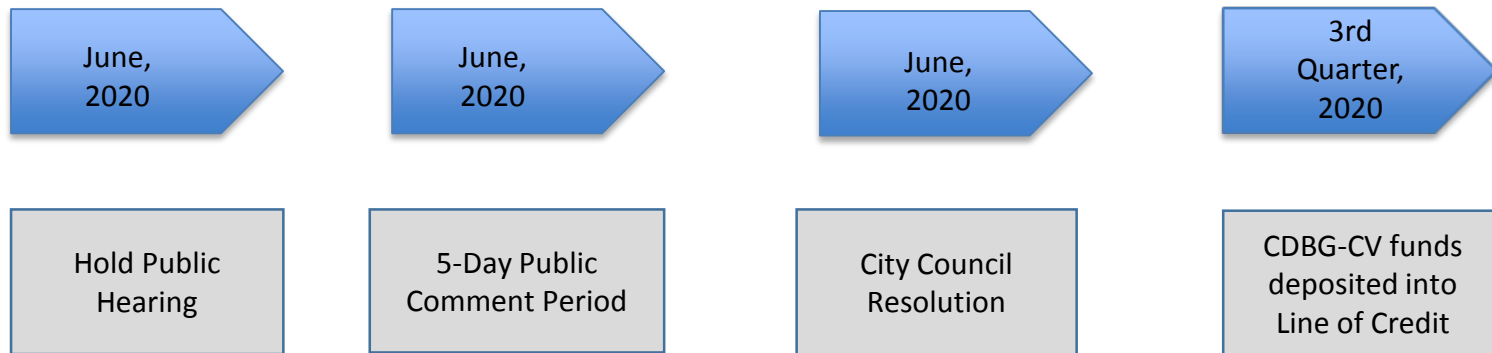


Project: Administration
Project Funding: \$130,000.00

Summary: Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

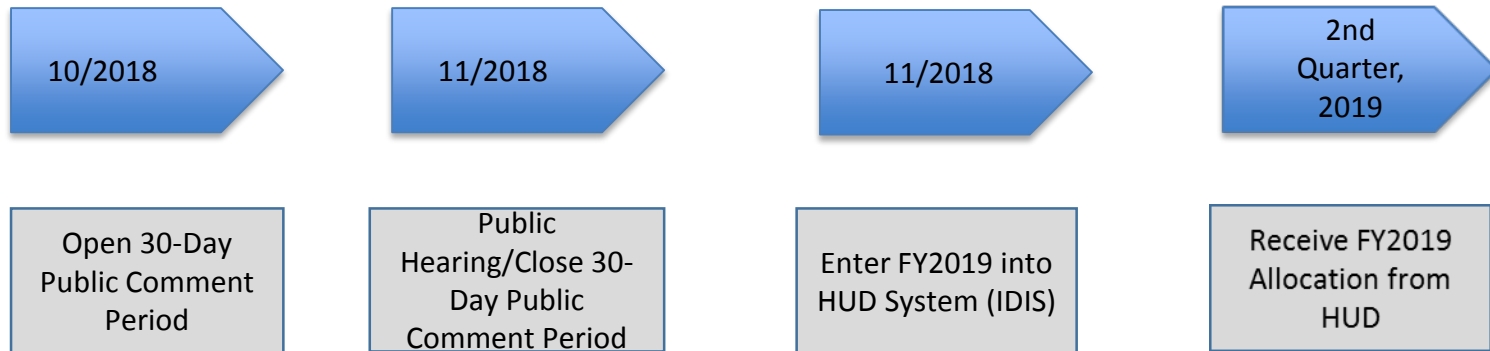


FY2019 CDBG-CV Projects Timeline (New)



FY 2019 CDBG-CV PROJECTS TIMELINE

FY2019 CDBG Projects Timeline



**FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE**



Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG-EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Faade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.		\$50,000.00
	CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.		\$413,511.00
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.		\$50,000.00
Total		\$838,786.00	\$1,352,297.00

RESOLUTION NO.: 120 - 2020

OF

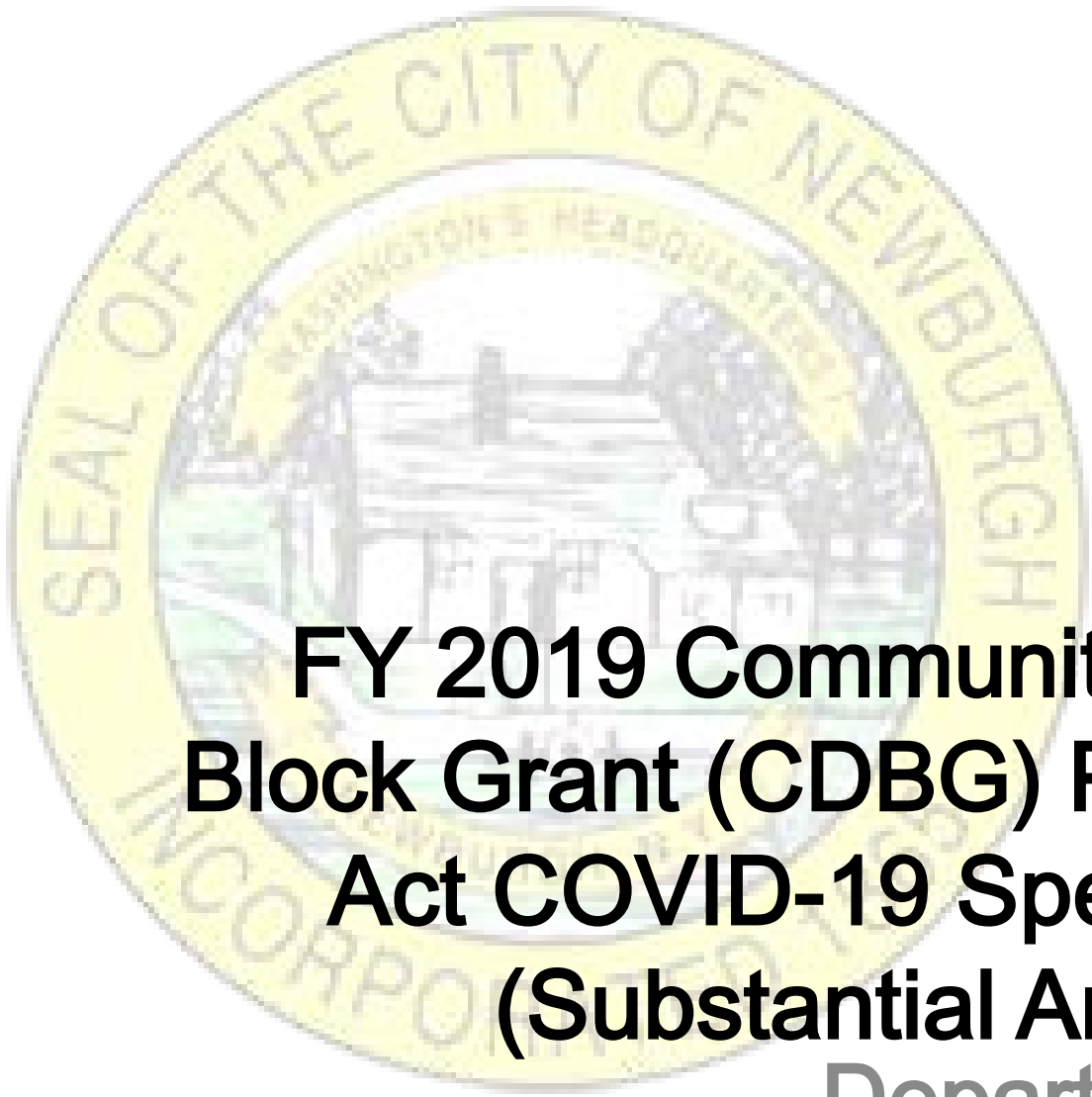
MAY 28, 2020

**RESOLUTION OPENING A 5-DAY PUBLIC COMMENT PERIOD TO RECEIVE
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE
CITY OF NEWBURGH CDBG FY2019 ANNUAL ACTION PLAN
FOR THE ALLOCATION OF
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING**

WHEREAS, by Resolution No. 327-2018 of November 13, 2018, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2019 Annual Action Plan (“AAP”); and

WHEREAS, the City of Newburgh received a special allocation of CDBG funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which requires a Substantial Amendment to the previously authorized FY 2019 AAP and a 5-day public comment period;

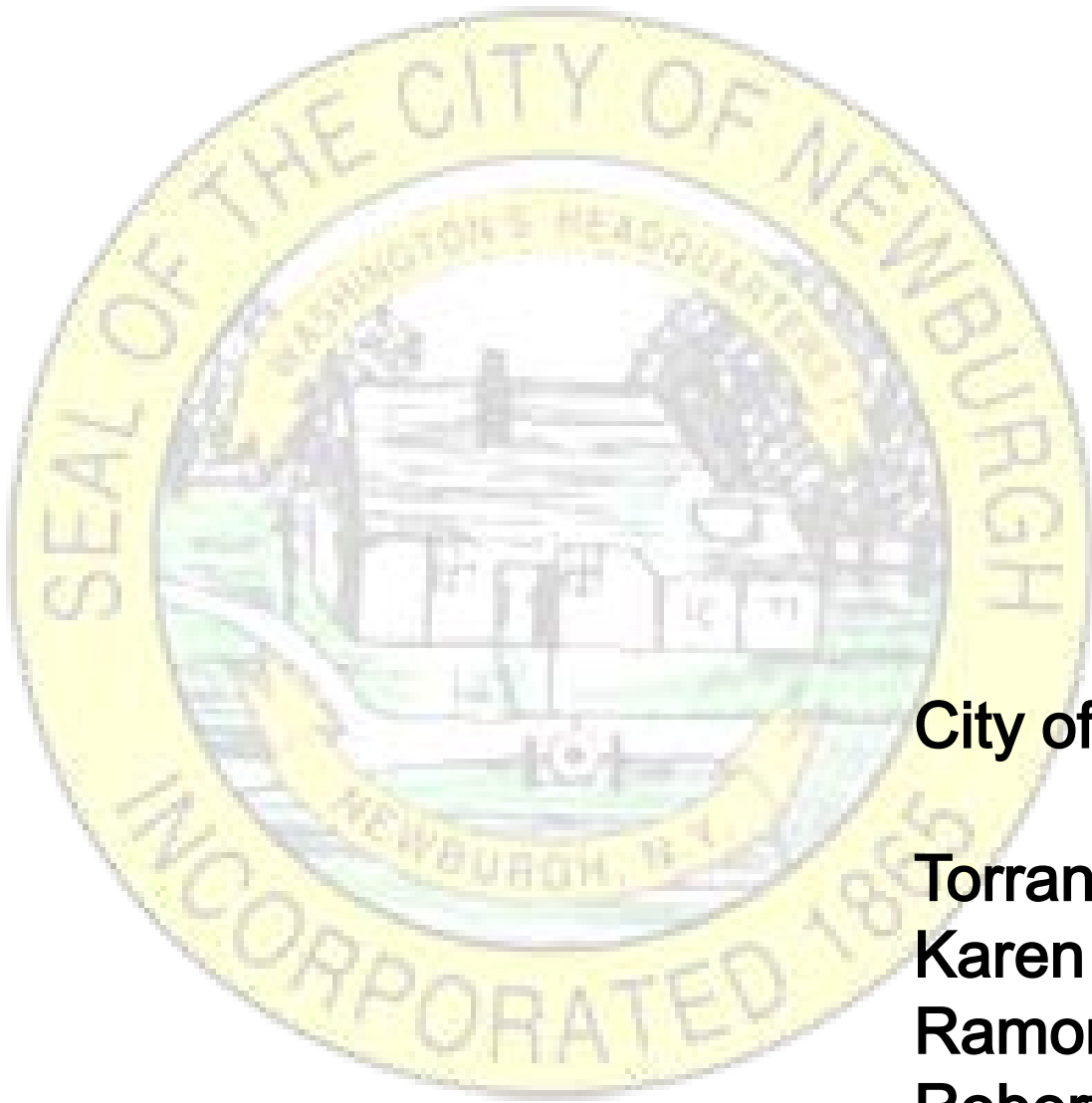
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the 5-day period to receive written public comment on the City of Newburgh’s substantial amendment to the CDBG FY 2019 Annual Action Plan shall commence on June 9, 2020 and close on June 14, 2020.



**FY 2019 Community Development
Block Grant (CDBG) Projects + CARES
Act COVID-19 Special Allocation
(Substantial Amendment)**

Department of Planning &
Development
May, 2020





City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large

(New) CARES Act Funding

- In April, 2020, the City of Newburgh received a special allocation of Community Development Block Grant (CDBG) funds in the amount of \$513,511.00 to “prevent, prepare for, and respond to the Coronavirus (COVID-19).”
- The allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.



(New) City of Newburgh FY2019 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
 - A “change of more than 25 % of the total grant award funding the activity.”
 - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



(New) City of Newburgh FY2019 Substantial Amendment

- As the CARES Act special allocation to the City of Newburgh is greater than both the “change of more than 25 % of the total grant award funding the activity” and a “change [to] the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized,” the substantial amendment process must be activated in order for the City of Newburgh to accept the funding.
- The substantial amendment process includes:
 - Update to a previously authorized AAP
 - Public Hearing
 - Public Comment Period
 - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



(New) City of Newburgh FY2019 Substantial Amendment

- To expedite and streamline use of the special allocation of CDBG funding, CDBG-CV, the special allocation will be added to the City of Newburgh FY2019 AAP.
- New Activities added to the FY2019 AAP:
 - Public Service**
 - Emergency Income Payments (Rent): \$413,511.00
 - Emergency Food Service - CARES Act (CDBG-CV): \$50,000.00
 - Administration**
 - Administration - CARES Act (CDBG-CV): \$102,702.20

Additional information begins on Slide 11



“CDBG” - Brief Primer

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The most recent City of Newburgh Consolidated Plan: **FY2015-FY2019**
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.



City of Newburgh Community Development Goals

- Economic Development without Displacement.
- Enhance outreach and communications with the community.
- Support a climate that values diversity, rewards independence, nourishes creativity, and brings all of us together.

Successful community building requires reestablishing trust, which takes time, patience, outreach and communication.



City of Newburgh CDBG Projects Overview:

- Manage city-owned properties, through the in rem program.
- Provide access to parkland, trails, and healthy activities in nature
- Positively reinvest in our community and our infrastructure
- Provide public service activities to respond to community need



FY2019: Annual Action Plan Projects updated with CARES Act COVID-19 Special Allocation

Year 5 of the 5 Year Plan 2015 - 2019



FY2019 Entitlement + CARES Act Funding Amended CDBG Projects/Funding

Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG- EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Façade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.		\$50,000.00
	CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.		\$413,511.00
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.		\$50,000.00
Total		\$838,786.00	\$1,352,297.00

Added through Substantial Amendment (New)
Project: Public Service, Emergency Food Service -
CARES Act (CDBG-CV)
Previous Budget: \$0.00
New Budget: \$50,000.00

Summary: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities. Funding to be provided to organization through Request For Proposal (RFP) process.



Added through Substantial Amendment (New)
Project: Public Service, Emergency Income
(Rent) Payment - CARES Act (CDBG-CV)
Previous Budget: \$0.00
New Budget: \$413,511.00

Summary: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.



Added through Substantial Amendment (New)
Project: Administration - CARES Act (CDBG-CV)
Previous Budget: \$0.00
Budget: \$50,000.00

Summary: Funding for Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.



Project: In Rem Property Program
Budget: \$215,000.00

Summary: Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.



In Rem Property Program Highlights

- Staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.



Project: Complete Streets Project
Budget: \$225,000.00

Summary: Funding to support the following Complete Streets projects:

- Sidewalks
- Façade Improvements (including business signs)
- Infrastructure



Project: Park Improvements
Budget: \$200,000.00

Summary: Funding to support park improvements in the City of Newburgh. Projects to include support to the new South Street Park.



Project: Community Policing/Neighborhood Services
Budget: \$18,000.00

Summary: Funding to support:

- 2019 National Night Out
- 2019 Children's Summer Film Festival



Project: Homeowner Resource Assistance
Budget: \$60,000.00

Summary: Funding to support a low-income homeowner resource assistance program. Includes repairs as well as other assistance such as financial/budget counseling.

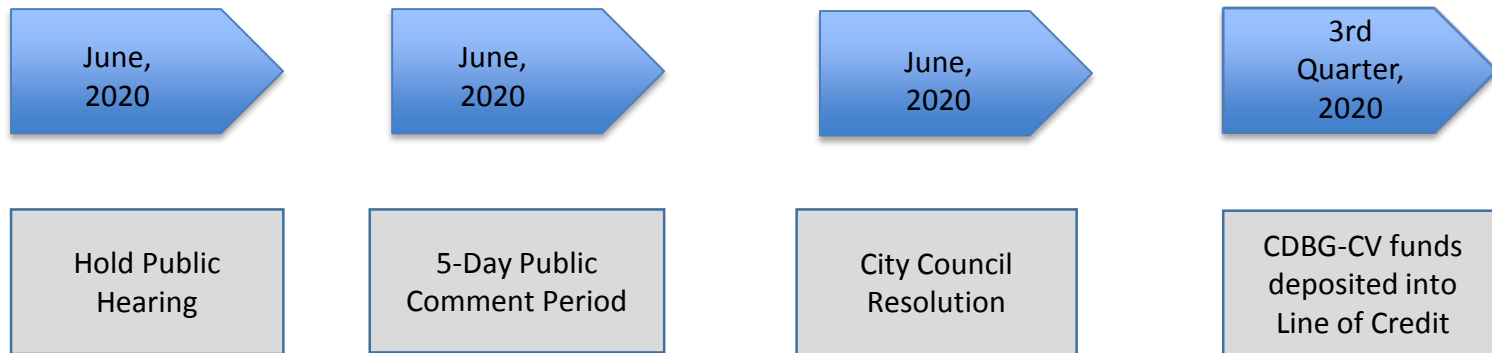


Project: Administration
Project Funding: \$130,000.00

Summary: Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

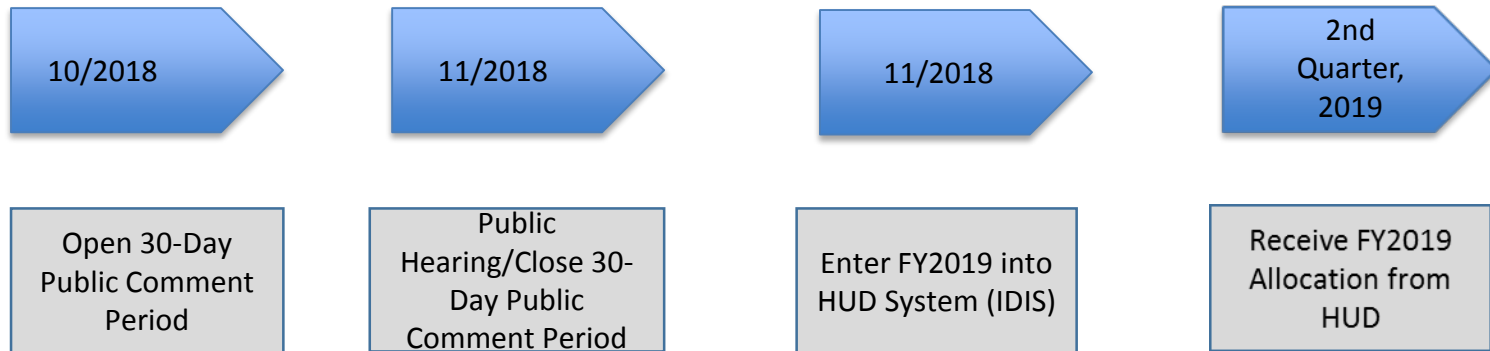


FY2019 CDBG-CV Projects Timeline (New)



FY 2019 CDBG-CV PROJECTS TIMELINE

FY2019 CDBG Projects Timeline



**FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE**



Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG-EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Faade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.		\$50,000.00
	CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.		\$413,511.00
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.		\$50,000.00
Total		\$838,786.00	\$1,352,297.00

RESOLUTION NO.: 121 - 2020

OF

MAY 28, 2020

**RESOLUTION SCHEDULING A PUBLIC HEARING FOR JUNE 8, 2020 TO HEAR
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE
CITY OF NEWBURGH CDBG FY2020 ANNUAL ACTION PLAN TO REALLOCATE
FUNDING TO COMMUNITY POLICING AND NEIGHBORHOOD SERVICES**

WHEREAS, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2020 Annual Action Plan (“AAP”); and

WHEREAS, the City of Newburgh proposes to reallocate CDBG funding from Park Improvements to Community Policing and Neighborhood Services, which requires a Substantial Amendment to the previously authorized FY 2020 AAP and a public hearing;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a Substantial Amendment to the CDBG FY 2020 Annual Action Plan; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 8th day of June, 2020; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the City Council will not meet in-person and in accordance with the Governor’s Executive Order 202.1, as amended, the June 8, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed CDBG FY2020 Annual Action Plan as follows:

To view the livestream of the City Council Meeting visit: <https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App: https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6IdPw. Please note that there is an underscore between the “N” and “n”).

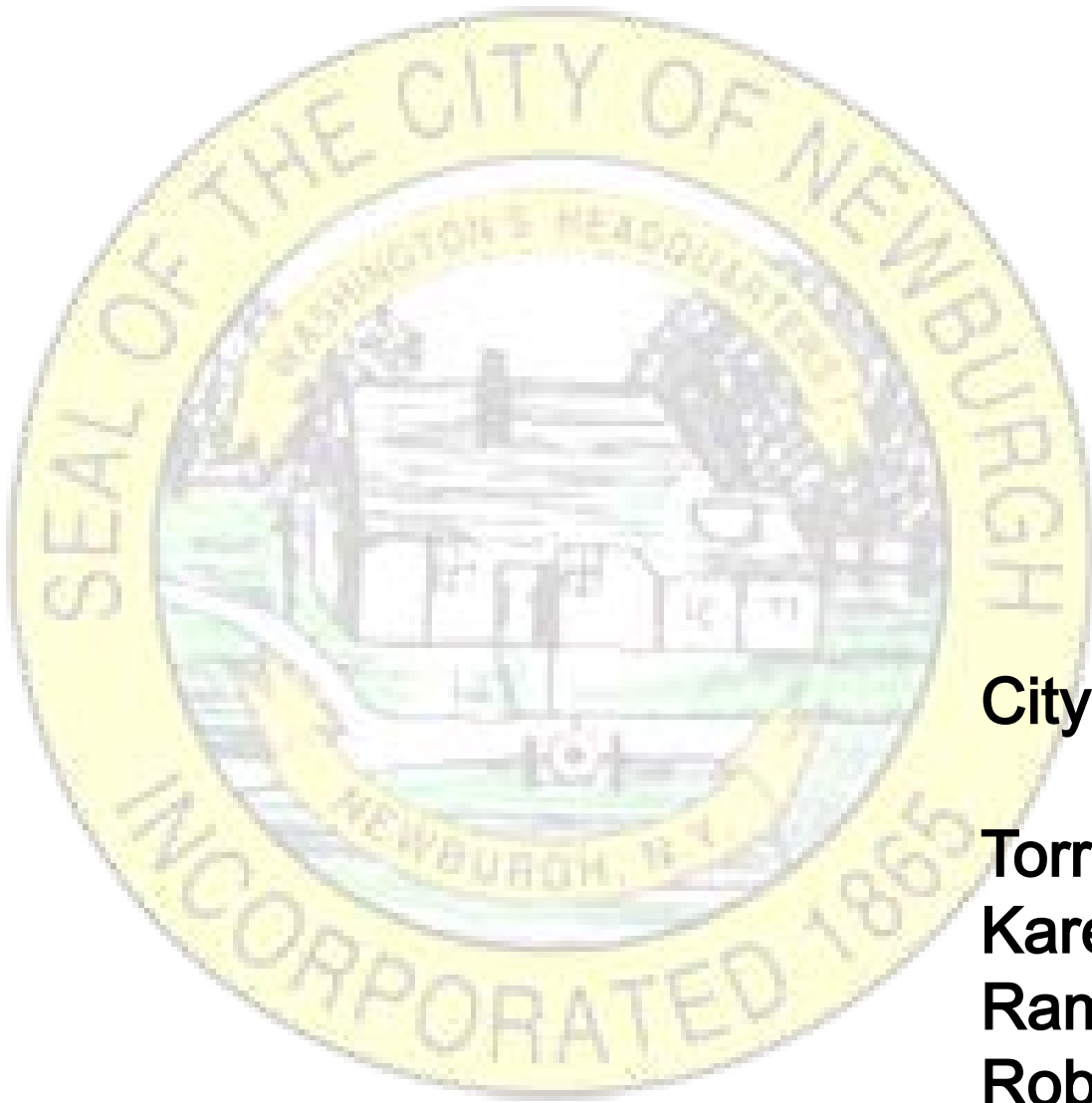
To order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Friday, June 5, 2020 through the Zoom App: https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6IdPw. Please note that there is an underscore between the “N” and “n”). Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.

Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Friday, June 5, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

The seal of the City of Newburyport is a circular emblem. The outer ring is yellow with the text "SEAL OF THE CITY OF NEWBURYPORT" in black. Inside this is a blue ring with "INCORPORATED 1652". The center features a landscape with a river, a bridge, and a building, with the text "WASHINGTON'S HEADQUARTERS" above it.

Community Development Block Grant ("CDBG") FY2020 Annual Action Plan Substantial Amendment

**Department of Planning &
Development
May, 2020**



City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large

City of Newburgh Community Development Goals - Refresher

- Economic Development without Displacement.
- Enhance outreach and communications with the community.
- Support a climate that values diversity, rewards independence, nourishes creativity, and brings all of us together.

Successful community building requires reestablishing trust, which takes time, patience, outreach and communication.



“CDBG” - Brief Primer



- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is under the Orange County Consortium (Orange County, City of Newburgh, City of Middletown).
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The new City of Newburgh Consolidated Plan: **FY2020-FY2024**
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.



(New) City of Newburgh FY2020 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
 - A “change of more than 25 % of the total grant award funding the activity.”
 - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



(New) City of Newburgh FY2020 Substantial Amendment

- The substantial amendment process includes:
 - Update to a previously authorized AAP
 - Public Hearing
 - Public Comment Period
 - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



(New) City of Newburgh FY2020 Substantial Amendment

- Activities updated in the FY2020 AAP:

Quality of Life

- Park Improvement Project: \$98,907.82 (Decrease \$80,000)

Community Policing/Neighborhood Services

- New Community Policing Initiative: \$100,558.26 (Increase in \$80,000.00 from Park Improvements + \$20,558.26 from Summer Film Festival/National Night Out)

Additional information begins on the next slide



(New) FY2020 CDBG Projects/Funding

Substantial Amendment

Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
Homeowner Assistance Program	\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Amendment: Park Improvements, including playground equipment upgrades	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	\$98,907.82
Amendment: 2020 Children's Summer Film Festival	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	\$0.00
Amendment: Community Policing Initiative						\$100,558.26
Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
Proposed Total FY2020 Allocation	\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

Contingency Funding

If the actual annual allocation amount exceeds the proposed estimate, the project budgets will increase by:

Housing	Salaries for 3 full-time employees, In Rem Property		
	Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00 \$50,000.00	26% 6%
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	14%
Community Policing/Neighborhood	2020 Children's Summer Film Festival	\$20,000.00	2%
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

Contingency Funding

If the actual annual allocation amount is less than the proposed estimate, the project budgets will decrease by:

Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	No Change
	Homeowner Assistance Program	\$50,000.00	No Change
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	10%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	No Change
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	10%
Community Policing/Neighborhood Services	2020 Children's Summer Film Festival	\$20,000.00	No Change
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

New - Substantial Amendment
Project: Park Improvements
Previously Approved Budget: \$178, 907.82
New Budget: \$98,907.82

Summary

Examples of projects may include:

- Playground equipment improvements/upgrades
- Fencing



New - Substantial Amendment

**Project: Community Policing/Neighborhood Services – New
Community Policing Initiative**

Previously Approved Budget: \$0.00

New Budget: \$100,558.26

Summary

Examples of activities included in this initiative may include:

- Park/Walk-n-Talk Details
- Innovative Community Policing efforts performed in accordance with safe social-distancing (as required)
- Community Policing materials



New - Substantial Amendment
Project: Community Policing/Neighborhood Services
Previously Approved Budget: \$20,558.26
New Budget: \$0.00 (Funding re-allocated to new
Community Policing Initiative)

Summary

Examples of Projects may include:

- 2020 Children's Summer Film Festival



In Rem Property Program Highlights

- Staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.

The Housing and Community Development Act of 1992 authorizes activities necessary to make essential repairs and payment of operating expenses needed to maintain the habitability of housing units acquired through tax foreclosure proceedings in order to prevent abandonment and deterioration of such housing in primarily low- and moderate-income neighborhoods.

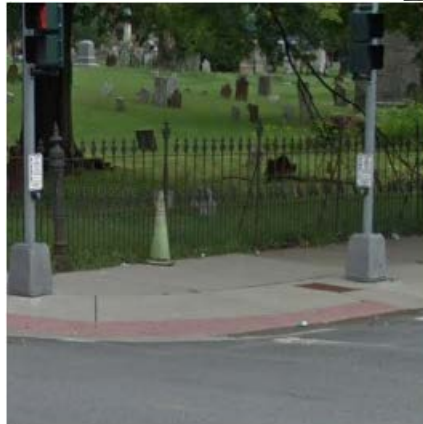


Project: Infrastructure Improvements
Budget: \$225,000.00

Summary

Examples of projects may include:

- “Complete Streets” Safe Access Upgrades
- Sidewalk improvements



Project:	Housing	
Activities:	In Rem Property Project	(\$220,000.00)
	Homeowner Assistance	(\$50,000.00)

Summary

- Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.
- Funding to support City of Newburgh Housing Partner Homeowner Assistance Program.

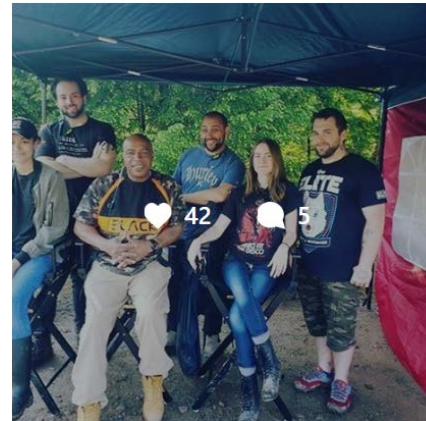


Project: Economic Development
Budget: \$25,000.00

Summary

Examples of projects may include:

- Business Signage/Façade Improvements
- Funding to Support Business Workforce Development Training.



Project: Administration
Project Funding: \$130,000.00



Summary

Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

(New) FY2020 CDBG AAP Timeline Substantial Amendment



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE – Substantial Amendment**

FY2020 CDBG AAP Timeline



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE**

Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Housing	Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
			\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Infrastructure Improvements	Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Economic Development	Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Quality of Life Improvements	Park Improvements	Amendment: Park Improvements, including playground equipment upgrades	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	\$98,907.82
Quality of Life Improvements	Community Policing/Neighborhood Services	Amendment: 2020 Children's Summer Film Festival Amendment: Community Policing Initiative	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	\$0.00 \$100,558.26
Administration	Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
Proposed Total FY2020 Allocation			\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

RESOLUTION NO.: 122 - 2020

OF

MAY 28, 2020

**RESOLUTION OPENING A 30-DAY PUBLIC COMMENT PERIOD TO RECEIVE
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE
CITY OF NEWBURGH CDBG FY2020 ANNUAL ACTION PLAN TO REALLOCATE
FUNDING TO COMMUNITY POLICING AND NEIGHBORHOOD SERVICES**

WHEREAS, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2020 Annual Action Plan (“AAP”); and

WHEREAS, the City of Newburgh proposes to reallocate CDBG funding from Park Improvements to Community Policing and Neighborhood Services, which requires a Substantial Amendment to the previously authorized FY 2020 AAP and a 30-day public comment period;

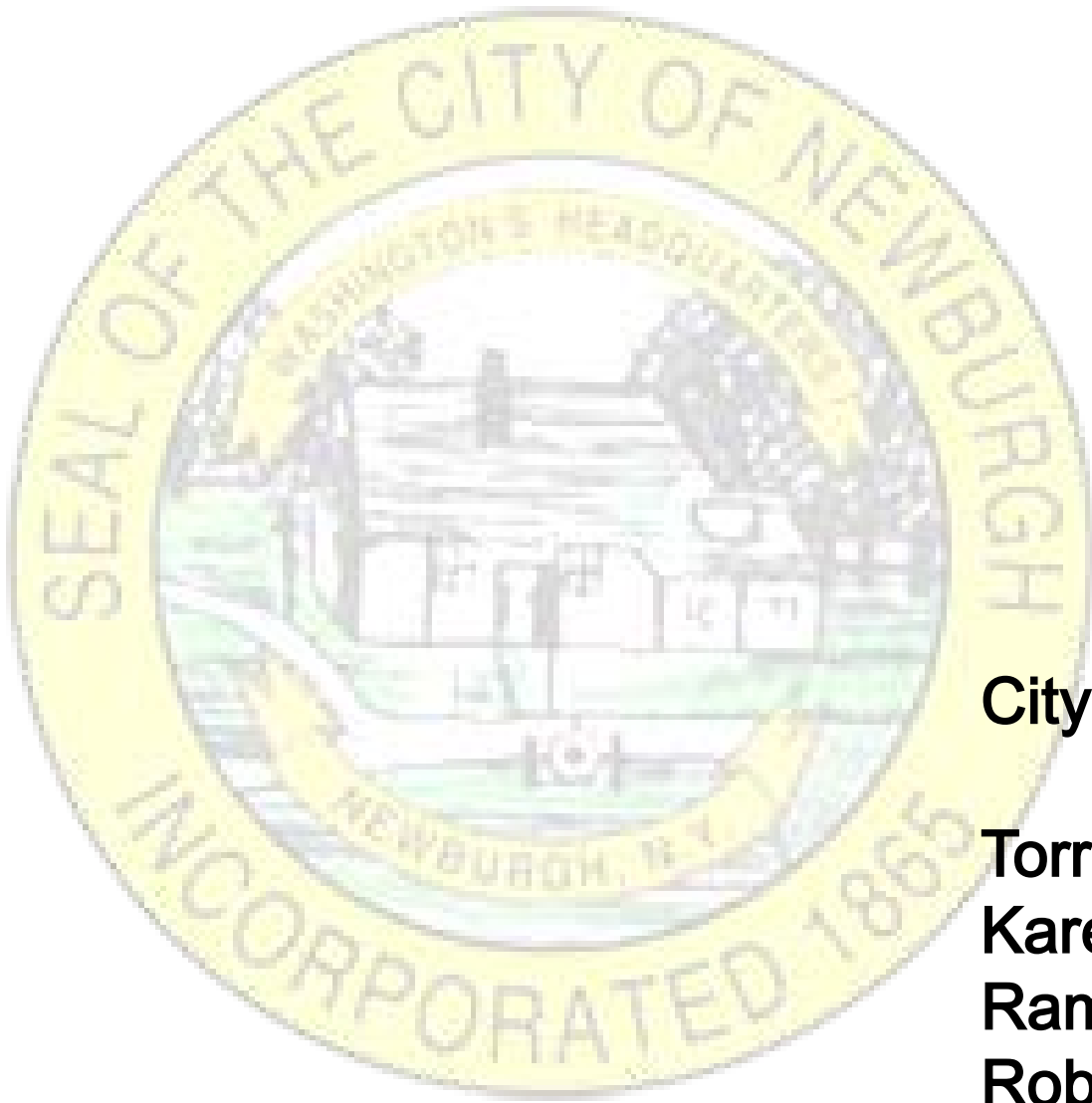
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the 30-day period to receive written public comment on the City of Newburgh’s Substantial Amendment to the CDBG FY 2020 Annual Action Plan shall commence on June 9, 2020 and close on July 9, 2020.

The seal of the City of Newburyport is a circular emblem. The outer ring is yellow with the text "SEAL OF THE CITY OF NEWBURYPORT" in black. Inside this is a blue ring with "WASHINGTON'S HEADQUARTERS" at the top and "NEWBURYPORT" at the bottom. The center features a detailed illustration of a harbor scene with a large ship, a smaller boat, and a lighthouse on a hill in the background.

Community Development Block Grant ("CDBG") FY2020 Annual Action Plan Substantial Amendment

**Department of Planning &
Development
May, 2020**





City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large

City of Newburgh Community Development Goals - Refresher

- Economic Development without Displacement.
- Enhance outreach and communications with the community.
- Support a climate that values diversity, rewards independence, nourishes creativity, and brings all of us together.

Successful community building requires reestablishing trust, which takes time, patience, outreach and communication.



“CDBG” - Brief Primer



- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is under the Orange County Consortium (Orange County, City of Newburgh, City of Middletown).
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The new City of Newburgh Consolidated Plan: **FY2020-FY2024**
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.



(New) City of Newburgh FY2020 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
 - A “change of more than 25 % of the total grant award funding the activity.”
 - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



(New) City of Newburgh FY2020 Substantial Amendment

- The substantial amendment process includes:
 - Update to a previously authorized AAP
 - Public Hearing
 - Public Comment Period
 - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



(New) City of Newburgh FY2020 Substantial Amendment

- Activities updated in the FY2020 AAP:

Quality of Life

- Park Improvement Project: \$98,907.82 (Decrease \$80,000)

Community Policing/Neighborhood Services

- New Community Policing Initiative: \$100,558.26 (Increase in \$80,000.00 from Park Improvements + \$20,558.26 from Summer Film Festival/National Night Out)

Additional information begins on the next slide



(New) FY2020 CDBG Projects/Funding

Substantial Amendment

Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
Homeowner Assistance Program	\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Amendment: Park Improvements, including playground equipment upgrades	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	\$98,907.82
Amendment: 2020 Children's Summer Film Festival	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	\$0.00
Amendment: Community Policing Initiative						\$100,558.26
Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
Proposed Total FY2020 Allocation	\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

Contingency Funding

If the actual annual allocation amount exceeds the proposed estimate, the project budgets will increase by:

Housing	Salaries for 3 full-time employees, In Rem Property		
	Supplies, In Rem Training,	\$220,000.00	26%
	Homeowner Assistance Program	\$50,000.00	6%
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	14%
Community Policing/Neighborhood	2020 Children's Summer Film Festival	\$20,000.00	2%
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

Contingency Funding

If the actual annual allocation amount is less than the proposed estimate, the project budgets will decrease by:

Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	No Change
	Homeowner Assistance Program	\$50,000.00	No Change
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	10%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	No Change
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	10%
Community Policing/Neighborhood Services	2020 Children's Summer Film Festival	\$20,000.00	No Change
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

New - Substantial Amendment
Project: Park Improvements
Previously Approved Budget: \$178, 907.82
New Budget: \$98,907.82

Summary

Examples of projects may include:

- Playground equipment improvements/upgrades
- Fencing



New - Substantial Amendment

**Project: Community Policing/Neighborhood Services – New
Community Policing Initiative**

Previously Approved Budget: \$0.00

New Budget: \$100,558.26

Summary

Examples of activities included in this initiative may include:

- Park/Walk-n-Talk Details
- Innovative Community Policing efforts performed in accordance with safe social-distancing (as required)
- Community Policing materials



New - Substantial Amendment
Project: Community Policing/Neighborhood Services
Previously Approved Budget: \$20,558.26
New Budget: \$0.00 (Funding re-allocated to new
Community Policing Initiative)

Summary

Examples of Projects may include:

- 2020 Children's Summer Film Festival



In Rem Property Program Highlights

- Staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.

The Housing and Community Development Act of 1992 authorizes activities necessary to make essential repairs and payment of operating expenses needed to maintain the habitability of housing units acquired through tax foreclosure proceedings in order to prevent abandonment and deterioration of such housing in primarily low- and moderate-income neighborhoods.

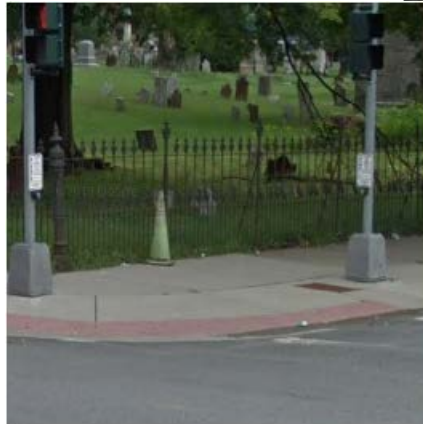


Project: Infrastructure Improvements
Budget: \$225,000.00

Summary

Examples of projects may include:

- “Complete Streets” Safe Access Upgrades
- Sidewalk improvements



Project:	Housing	
Activities:	In Rem Property Project	(\$220,000.00)
	Homeowner Assistance	(\$50,000.00)

Summary

- Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.
- Funding to support City of Newburgh Housing Partner Homeowner Assistance Program.

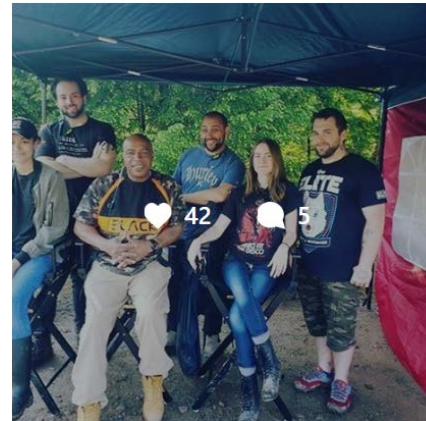


Project: Economic Development
Budget: \$25,000.00

Summary

Examples of projects may include:

- Business Signage/Façade Improvements
- Funding to Support Business Workforce Development Training.



Project: Administration
Project Funding: \$130,000.00



Summary

Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

(New) FY2020 CDBG AAP Timeline Substantial Amendment



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE – Substantial Amendment**

FY2020 CDBG AAP Timeline



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROJECTS TIMELINE**

Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Housing	Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
			\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Infrastructure Improvements	Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Economic Development	Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Quality of Life Improvements	Park Improvements	Amendment: Park Improvements, including playground equipment upgrades	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	\$98,907.82
Quality of Life Improvements	Community Policing/Neighborhood Services	Amendment: 2020 Children's Summer Film Festival Amendment: Community Policing Initiative	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	\$0.00 \$100,558.26
Administration	Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
Proposed Total FY2020 Allocation			\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

RESOLUTION NO. 123 - 2020

OF

MAY 28, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A PAYMENT OF CLAIM WITH JANET MARTINEZ, INDIVIDUALLY, AND AS MOTHER
AND NATURAL GUARDIAN OF K.F. IN THE TOTAL AMOUNT OF \$30,000.00

WHEREAS, Janet Martinez brought a claim for herself and as mother and natural guardian of K.F. against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the total amount of \$30,000.00 in exchange for a release to resolve all claims among them; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City's attorneys are hereby authorized to settle the claim of Janet Martinez, individually, and as mother and natural guardian of K.F., in the total amount of \$30,000.00, and that City Manager be and he hereby is authorized to execute a written settlement agreement and general release, and any other documents as the City's attorneys may require, to effectuate the settlement as herein described.

RESOLUTION NO.: 124 - 2020

OF

MAY 28, 2020

**RESOLUTION TO OPEN A 5-DAY PUBLIC COMMENT PERIOD
TO RECEIVE COMMENTS FROM THE PUBLIC ON
THE AMENDED CITY OF NEWBURGH CDBG CITIZEN PARTICIPATION PLAN**

WHEREAS, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) 5 year Consolidated Plan for FY 2020-2024; FY2020 one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements, Citizen Participation Plan and a Language Access Plan; and

WHEREAS, the Citizen Participation Plan requires an amendment to include processes for Citizen Participation during Emergencies and Disasters, including the potential use of new technology that improves the avenues of participation by residents, in preparation for the receipt and allocation of CDBG Coronavirus aid (CDBG-CV); and

WHEREAS, by Resolution No. 107-2020 of May 11, 2020, the City Council scheduled a public hearing to receive comments concerning a proposed amendment to the CDBG Citizen Participation Plan at the regular City Council meeting held at 7:00 p.m. on May 28, 2020; and

WHEREAS, the City Council now wishes to open a 5 day Public Comment Period to receive comments from the public on the amended City of Newburgh Citizen Participation Plan, which amendments include processes for citizen participation during disasters and emergencies; and

WHEREAS, the 5-Day Public Comment Period shall commence on June 1, 2020 and conclude on June 6, 2020; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a 5 day Public Comment Period to receive comments from the public on the amended City of Newburgh Citizen Participation Plan commencing on June 1, 2020 and conclude on June 6, 2020.

Ciudad de Newburgh
Departamento de Planeamiento y Desarrollo
Programa de Subvención en Bloque para el Desarrollo de la Comunidad

CDBG

Plan de Participación Ciudadana



Capítulo/Sección	Página
Contenido	2
Introducción	3
Fomento de la Participación Ciudadana	3
Plan de Participación Ciudadana	6
Plan General	10
Plan Anual de Acción	15
Informe General de Desempeño y Evaluación (CAPER)	20
Sección 108 Programa de Asistencia a	
Préstamos Garantizados	21
Quejas	22

A. Introducción

Propósito

Conforme a los requisitos de participación ciudadana del 24 CFR de la Sección 91.105 y 24 CFR Parte 5, la Ciudad de Newburgh (en adelante: "Ciudad") establece el siguiente Plan de Participación Ciudadana (En adelante: "Plan"), relacionado con la administración de los programas de subvenciones financiados por el Departamento de Desarrollo Urbano y Vivienda de Estados Unidos (HUD por sus siglas en inglés), incluyendo:

- Subvención en Bloque para el Desarrollo de la Comunidad (**CDBG** por sus siglas en inglés).
- Cualquier otra subvención que pudiera proveer el HUD.

El Plan presenta el proyecto de la Ciudad de Newburgh para proveer oportunidades y fomentar la participación de todos los ciudadanos y ciudadanas en el desarrollo, revisión, enmiendas, aprobación e implementación de:

- El Plan de Participación Ciudadana
- La Evaluación de Vivienda Digna (AFH por sus siglas en inglés)
- El Plan General (CP por sus siglas en inglés)
- El Plan Anual de Acción (AAP por sus siglas en inglés)
- Informe General del Desempeño Anual y Evaluación (CAPER por sus siglas en inglés)
- La Sección 108 Programa de Préstamo Garantizado

Agencia Principal

El Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh es el organismo principal, responsable de la administración de los siguientes programas de subvenciones federales financiadas por HUD:

- Subvención en Bloque para el Desarrollo de la Comunidad (CDBG)
- Cualquier otra subvención que pudiera proveer el HUD.

Fecha de Vigencia

Con posterioridad a su aprobación por el Ayuntamiento de la Ciudad de Newburgh, este Plan de Participación Ciudadana, estará en vigencia hasta que sea enmendado o reemplazado.

B. Fomento de la Participación Ciudadana

General

La Ciudad de Newburgh apoya y fomenta la participación ciudadana en el desarrollo, revisión, enmienda, aprobación e implementación del Plan de Participación Ciudadana, la Evaluación de Vivienda Digna, el Plan General, el Plan de Acción Anual y el CAPER. La Ciudad de Newburgh fomenta la participación de las personas de bajos-y-moderados ingresos, particularmente de los residentes de los barrios de bajos-y-moderados ingresos, así como de quienes viven en áreas designadas como áreas de revitalización, áreas de construcciones precarias o arruinadas, y/o en áreas donde se ha propuesto que sean usados los fondos HUD. Con respecto a las iniciativas de participación pública incluidas en este Plan, la Ciudad de Newburgh tomará las decisiones apropiadas para fomentar la participación de todos

sus ciudadanos, incluyendo a las minorías, personas de bajos-y-moderados ingresos y personas con discapacidades, personas que no hablan inglés, como se describen más abajo.

Personas que no Hablan Inglés

La Ciudad de Newburgh utiliza las Tablas de Datos de la Encuesta # DP-1, DP02, DP05 de la American Community Survey. Basándose en estos datos, la Ciudad de Newburgh alcanza el umbral de hablantes de español de 1,000 o el 5% de personas con dominio limitado del inglés (LEP por sus siglas en inglés).

La Ciudad de Newburgh proveerá servicios de intérprete en las reuniones del Ayuntamiento (City Council) donde se discuten los programas de HUD. Las agendas de las reuniones, los planes propuestos y otros materiales de las reuniones serán traducidos al español.

Personas con Discapacidades

Para fomentar la participación de las personas con discapacidades, la Ciudad de Newburgh incluirá el siguiente párrafo en todas las notificaciones de audiencias públicas que se publiquen en periódicos y en la revista La Voz, en su publicación en papel/sitio web: "En las audiencias públicas, la Ciudad de Newburgh proveerá los servicios y acomodaciones razonables para los ciudadanos con deficiencias sensoriales o discapacidades. Según pedido y disponibilidad se podrían ofrecer servicios de traducción. Las personas que requieran dichos servicios/acomodaciones deben comunicarse con la Ciudad de Newburgh con, por lo menos, tres días hábiles de anticipación a la fecha de reunión. Las personas que requieran información acerca de los formatos alternativos deben comunicarse con el Departamento de Desarrollo y Planeamiento de la Ciudad de Newburgh, al teléfono: (845) 569-9400".

La Ciudad de Newburgh va a llevar a cabo todas las audiencias públicas en lugares accesibles a las personas con discapacidad, cuando estén disponibles.

A pedido de los interesados, la Ciudad de Newburgh enviará por correo copias de las notificaciones de audiencias públicas a las personas que se encuentren confinadas y requieran dicha adecuación, con un plazo no menor a los siete días previos a la audiencia pública.

Personas de Bajos-o-Moderados Ingresos

Fomentaremos la participación de todos los ciudadanos de la Ciudad de Newburgh, en el proceso del programa CDGB, especialmente la de aquellos de bajos-o-moderados ingresos. El 73% de los residentes de la Ciudad de Newburgh se consideran Personas de Bajos-o-Moderados Ingresos, con la pobreza concentrada sobre todo en el East End (2011-2015 Encuesta de la Comunidad Americana [*American Community Survey*, ACS por sus siglas en inglés]).

Organizaciones y Agencias

En el proceso de desarrollar, examinar, enmendar, aprobar e implementar todos los documentos abarcados por este Plan, la Ciudad de Newburgh fomenta la participación de instituciones regionales y locales; el Continuum of Care; empresas de negocios; promotores inmobiliarios; organizaciones sin fines de lucro; organizaciones filantrópicas; proveedores de servicios de banda ancha de internet; organizaciones que participen en disminuir la brecha digital; agencias cuyas reponsabilidades principales

incluyan la gestión de áreas propensas a las inundaciones y recursos de tierras públicas o agua; agencias de gestión de emergencias; y organizaciones de base comunitaria o basadas en la fe, en el proceso de desarrollar, revisar, enmendar, aprobar e implementar todos los documentos abarcados por este Plan. Esto se logrará a través de entrevistas a los participantes, grupos de discusión y/o reuniones públicas.

Agencia Local de Vivienda Pública

La Ciudad de Newburgh fomenta —en consulta con la Autoridad de Vivienda Pública (PHA), la Autoridad de Vivienda de Newburgh (NHA)— la participación de residentes de Sección 8 - Vales de Elección de Vivienda (*Section 8 Housing Choice Vouchers*) emitidos por el PHA en el proceso de desarrollo, revisión, enmienda, aprobación e implementación de los documentos abarcados en este Plan. La Ciudad de Newburgh proveerá al Director Ejecutivo del NHA la información sobre la Evaluación de Vivienda Digna, su continuación de estrategia de acción afirmativa, y las actividades del Plan General relacionadas con el desarrollo de viviendas y comunidades, de modo que el PHA pueda mantener esta información disponible en las audiencias públicas anuales requeridas por el Plan de la Agencia de Vivienda Pública.

La Ciudad de Newburgh fomenta la participación de las partes interesadas del PHA. Esto se llevará a cabo proveyendo al PHA la información de las reuniones públicas, estudios/encuestas y otras iniciativas de extensión relacionadas con los documentos cubiertos por este Plan.

Notificaciones Públicas

Las notificaciones de Reuniones Públicas y documentos/notificaciones de comentarios de análisis de documentos se colocarán en (4) periódicos locales:

- Orange County Post
- Hudson Valley Press
- Mid Hudson Times
- Times Herald Record

Las notificaciones de reuniones o el análisis de documentos se colocarán en una publicación local en español:

- La Voz (ya sea en su publicación mensual de papel, o en La Voz online cuando se trate de una notificación urgente).

Audiencias Públicas

De acuerdo con este Plan, todas las audiencias públicas se establecerán en horarios y lugares que sean convenientes para los potenciales y reales beneficiarios, y contarán con acomodaciones para las personas con discapacidades y los hablantes de español que no hablen inglés.

Asistencia Técnica

Cuando los programas estén disponibles, el personal de Planeamiento y Desarrollo de la Ciudad de Newburgh estará disponible para asistir a las organizaciones representativas de las personas de bajos-o-moderados ingresos y otros individuos elegibles interesados en presentar una propuesta para obtener fondos a través de programas de Desarrollo de la Comunidad financiados por HUD.

Recomendamos especialmente, a todas las personas que sean potenciales solicitantes, que se comuniquen con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh para recibir asistencia técnica antes de iniciar una solicitud de pedido de financiación.

Acceso En-línea

La Ciudad de Newburgh va a publicar copias de borradores y copias finales de todos los documentos cubiertos por este Plan en su sitio en-línea: <https://www.cityofnewburgh-ny.gov/community-development>.

Otras Técnicas de Participación

Este Plan puede ser enmendado a medida que la Ciudad de Newburgh continúe ganando acceso a la tecnología que mejore las vías de participación de sus residentes.

Contacto de la Ciudad de Newburgh

Toda comunicación relacionada con el Plan, la Evaluación de Vivienda Digna, el Plan General, el Plan Anual de Acción, el CAPER, comentarios, quejas, acomodaciones razonables para las personas con discapacidad, servicios de traducción y otros elementos deben dirigirse a:

City of Newburgh
Department of Planning and Development
83 Broadway
Newburgh, NY 12550

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando las reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de Newburgh podría optar por llevar a cabo las audiencias públicas y reuniones de manera virtual —vía llamado en conferencia o transmisión en directo— que permitieran hacer preguntas y ofrecer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los de lenguaje de signos o servicios de traducción—. Los documentos para la revisión pública se compartirán a través del sitio web de la Ciudad de Newburgh. Las copias de los documentos se pueden enviar por correo o por correo electrónico a pedido. Los comentarios públicos y el período de exhibición de cualquier Enmienda Importante será no menor a los cinco (5) días.

C. El Plan de Participación Ciudadana

Desarrollo del Plan

La Ciudad de Newburgh deberá implementar el siguiente procedimiento cuando enmiende su Plan de Participación Ciudadana.

Revisión Pública del Borrador del Plan

El borrador del Plan de Participación Ciudadana estará disponible para su revisión pública por un período de 15-días anterior a su consideración y aprobación por el Ayuntamiento de la Ciudad de Newburgh; y esto puede ser realizado simultáneamente con el proceso de revisión pública y comentarios del Plan General. Las copias del borrador del Plan de Participación Ciudadana estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Audiencia Pública

La Ciudad de Newburgh llevará a cabo una audiencia pública para aceptar comentarios sobre el borrador del Plan de Participación Ciudadana, antes de su aprobación y presentación al HUD. Esta audiencia pública puede ser llevada a cabo simultáneamente con la audiencia pública realizada conjuntamente con el Plan General.

Comentarios Recibidos sobre el Plan General

Los comentarios por escrito serán aceptados por la Ciudad de Newburgh, o ente designado, durante los 15-días del período de revisión pública.

Acción de la Ciudad de Newburgh

A partir de la audiencia pública, el Plan de Participación Ciudadana será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal. Un resumen de todos los comentarios escritos y aquellos comentarios orales recibidos durante la audiencia pública, así como las respuestas a todos los comentarios escritos, se adjuntarán al Plan de Participación Ciudadana antes de su presentación al HUD.

Presentación al HUD

El Plan de Participación Ciudadana será aprobado como un documento independiente y presentado al HUD con un resumen de todos los comentarios escritos y aquellos comentarios orales recibidos durante la audiencia pública, así como las respuestas a todos los comentarios escritos, y las respuestas de la

Ciudad de Newburgh a los comentarios escritos, y las pruebas de que se haya cumplido con los 15-días de revisión pública y el requisito del período de comentarios.

Además, un sumario de cualquier comentario u opinión no aceptada y las razones del rechazo deberán ser provistas al HUD.

Enmiendas al Plan de Participación Ciudadana Aprobado

La Ciudad de Newburgh debe seguir el siguiente procedimiento para enmendar el Plan de Participación Ciudadana, cuando sea necesario.

Consideraciones sobre las Enmiendas

La Ciudad de Newburgh enmendará el Plan cuando sea necesario, para asegurar la participación adecuada y la colaboración del público en la toma de decisiones relacionadas con los programas financiados por HUD. Se podrían requerir enmiendas sustanciales al Plan de Participación Ciudadana si la Ciudad de Newburgh encontrara que una disposición del Plan estuviera en conflicto con las regulaciones del HUD, o cuando ocurrieran cambios en las regulaciones del HUD.

Las ediciones del Plan que solamente incluyan actualizaciones de la información de contacto o cambios editoriales para hacer aclaraciones no se revelarán para los comentarios públicos y revisiones.

Revisión del Borrador Enmendado del Plan de Participación Ciudadana

El Borrador Enmendado del Plan de Participación Ciudadana estará disponible para la revisión pública por un período de 15-días anterior a la consideración y aprobación del Ayuntamiento de la Ciudad de Newburgh y puede hacerse simultáneamente con el proceso de revisión y comentarios del Plan General. Copias del borrador del Plan Enmendado estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office

123 Grand St.

Newburgh, NY 12550

City of Newburgh Clerk's Office

83 Broadway

Newburgh, NY 12550

Newburgh Free Library

124 Grand St.

Newburgh, NY 12550

City of Newburgh website:

<https://www.cityofnewburgh-ny.gov/community-development>

Recepción de Comentarios al Borrador Enmendado del Plan de Participación Ciudadana

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 15-días del período de revisión pública.

Audiencia Pública

La Ciudad de Newburgh realizará una audiencia pública para revisar y aceptar los comentarios públicos del borrador del Plan Enmendado de Participación Ciudadana, antes de su aprobación y presentación al HUD. Esta audiencia pública podría realizarse simultáneamente con la audiencia pública realizada en conjunto con el Plan General. En el evento de una declaración local, estatal o federal de desastre o emergencia donde los lugares públicos pudieran cerrarse al público, o que la participación en-persona no fuera posible, o que las reuniones numerosas se consideraran de riesgo para la salud pública, la Ciudad de Newburgh podría optar por no realizar las audiencias públicas para examinar las revisiones al Plan de Participación Ciudadana.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan de Participación Ciudadana será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

Una copia del Plan de Participación Ciudadana Enmendado, incluyendo un resumen de todos los comentarios escritos y aquellos recibidos durante las audiencias públicas así como las respuestas y prueba de haber cumplido con el requisito del mínimo de 15-días de período de revisión pública y comentarios, será presentado al HUD. Un resumen de cualquier comentario u opiniones no aceptados y las razones del rechazo deberán también ser provistos al HUD.

Acceso al Plan

El Plan de Participación Ciudadana Enmendado y aprobado será archivado en:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Las copias en papel del Plan de Participación Ciudadana Enmendado estarán disponibles para quienes lo soliciten, contactando al Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado.

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de Newburgh podría optar por llevar a cabo las audiencias pública y reuniones de manera virtual —vía llamada en conferencia o transmisión en directo, con la habilidad de formular preguntas y hacer comentarios en tiempo real—. Las acomodaciones se proveerán a petición de las personas con discapacidades —tales como los servicios de traducción o lenguaje de signos—. Los documentos para la

revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A solicitud del interesado las copias del documento podrían ser enviadas por correo o correo electrónico. El período de exhibición y comentarios públicos para cualquier Enmienda Sustancial que se realice será de no menos de cinco (5) días.

D. Plan General (CP por sus siglas en inglés)

Desarrollo del Plan

Para el desarrollo de su Plan General (CP), la Ciudad de Newburgh seguirá todos los procesos y procedimientos descriptos abajo.

Consulta a los Participantes y Alcance Ciudadano

En el desarrollo del CP, la Ciudad de Newburgh consultará con otras agencias públicas y privadas incluyendo, pero no limitándose, a las siguientes:

- Autoridad de la Vivienda de Newburgh.
- Otros proveedores de vivienda asistida.
- Los proveedores de servicios sociales, incluyendo aquellos que se enfocan en servicios a las personas de bajos-o-moderados ingresos, las familias con hijos, los ancianos, las personas con discapacidades, las personas con HIV/AIDS y sus familias, las personas en situación de calle, y otras clases protegidas.
- Organizaciones de base-comunitaria y organizaciones de base-regional que representan a miembros de clases protegidas y organizaciones que implementan las leyes de vivienda digna.
- Agencias regionales de Gobierno que involucren el planeamiento metropolitano-amplio y las responsabilidades de la transportación.
- Proveedores de internet de banda ancha y organizaciones que participen en reducir la brecha digital.
- Agencias cuyas reponsabilidades primarias incluyan la gestión de áreas propensas a inundarse, tierras o recursos hídricos públicos.
- Agencias de gestión de emergencias.

Cuando se prepare la parte del Plan General concerniente a los riesgos de las pinturas con base-de-plomo, la Ciudad de Newburgh deberá consultar con las agencias de salud y bienestar infantil, locales y estatales; y examinar la data relacionada con los riesgos de las pinturas con base-de-plomo y tóxicos, incluyendo la data del Departamento de Salud de ubicaciones/direcciones de unidades de vivienda en donde los niños hayan sido identificados como intoxicados-por-plomo.

Cuando se prepare la descripción de las necesidades prioritarias de desarrollo comunitario, no relacionadas con la vivienda, la Ciudad de Newburgh notificará a las unidades adyacentes del Gobierno local, en la medida de lo posible.

Se podrán utilizar una variedad de mecanismos para solicitar la opinión de estas personas/servicios/proveedores/agencias/entidades. Estos mecanismos incluyen cartas escritas,

entrevistas en persona o por teléfono, encuestas por correo, respuestas basadas-en-internet y encuestas, grupos de estudio focalizado, y/o talleres de consulta.

Audiencias Públicas

La Ciudad de Newburgh va a conducir, por lo menos, dos audiencias públicas acerca del desarrollo del Plan General (CP). La primera audiencia pública se llevará a cabo antes de la publicación para comentarios del borrador del CP. Durante la primera, la Ciudad de Newburgh estudiará las necesidades de vivienda y desarrollo de la comunidad; el desarrollo de las actividades propuestas; la cantidad de asistencia que la Ciudad de Newburgh espera recibir (incluyendo los fondos de subvenciones y los ingresos del programa); el rango de actividades abordadas, incluyendo el monto estimado que beneficiaría a los residentes de bajos-o-moderados ingresos; y una revisión del desempeño del programa.

La segunda audiencia pública se llevará a cabo durante o después de período de los 30-días de comentarios públicos, durante el cual la Ciudad de Newburgh abordará las necesidades identificadas de vivienda y desarrollo de la comunidad; las actividades elegibles propuestas; y las estrategias y acciones propuestas para impulsar positivamente la vivienda digna de acuerdo con la Evaluación de Vivienda Digna.

Desplazamiento Potencial de Personas

Aunque la Ciudad de Newburgh no prevee que ocurran desplazamientos residenciales en el futuro próximo, se requiere la descripción de los planes destinados a minimizar el desplazamiento de personas y también el plan de asistencia a cualquier persona desplazada. Cuando el desplazamiento sea inevitable, tanto temporal o permanente, la Ciudad de Newburgh va a cumplir con la Ley Federal de Reubicación Uniforme (*Federal Uniform Relocation Act*).

Si el desplazamiento de los residentes fuera necesario como resultado del uso de los fondos abarcados por este Plan, la Ciudad de Newburgh deberá compensar a los residentes que hayan sido realmente desplazados —de acuerdo con el Manual HUD Número 1378, Asistencia al Inquilino, Reubicación y Adquisición de Propiedades Inmobiliarias (*HUD Handbook No. 1378, Tenant Assistance, Relocation and Real Property Acquisition*)—.

Se puede acceder a este recurso en-línea usando el enlace:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780.

Exhibición Pública y Período de Comentario

El borrador del Plan General (CP) se exhibirá públicamente por un período no menor a los 30 días, para fomentar la revisión y comentarios públicos. La notificación pública deberá incluir un resumen, descripción de contenido y propósito del CP; el monto estimado de la financiación (incluyendo el ingreso del programa, si existiera); las actividades propuestas que pudieran resultar en desplazamientos, si existieran; los planes para minimizar el desplazamiento de personas como resultado de las actividades financiadas, si existieran; los planes de asistencia a las personas realmente desplazadas por el proyecto, si existieran; las fechas del período de comentarios y exhibición pública; los lugares donde se pueden

examinar copias del anteproyecto del CP; cómo se aceptarán los comentarios; cuándo el Ayuntamiento de la Ciudad de Newburgh considerará los documentos para la acción; y la fecha anticipada de su presentación al HUD. Copias del borrador CP estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los grupos o residentes que los soliciten un número razonable de copias gratis del borrador del documento.

Comentarios Recibidos sobre el Borrador del Plan General

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante el período de 30-días de exhibición y comentarios públicos. En preparación para el Plan General final, la Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh que se reciban por escrito u oralmente en las audiencias públicas. Un resumen de estos comentarios u opiniones, y un resumen de cualesquiera comentarios u opiniones no aceptadas, y las razones por las que fueron rechazadas, se adjuntarán a la presentación al HUD de la versión final del Plan General.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan General (CP) será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan General(CP) será presentado al HUD en un plazo no menor a los 45-días anteriores al comienzo del ciclo del programa de cinco-años de la Ciudad de Newburg.

En el Evento de Desastre o Emergencia

En el evento de un desastre o emergencia declarados, ya sea local, del estado o federal, cuando los lugares públicos pudieran estar cerrados al público o la participación en-persona no fuera posible, o cuando las reuniones grandes de personas se consideraran un riesgo para la salud pública, la Ciudad de

Newburgh podría optar por llevar a cabo las audiencias públicas y reuniones de manera virtual —vía llamado en conferencia o transmisión en directo, con la habilidad de formular preguntas y hacer comentarios en tiempo real—. Las acomodaciones se proveerán a petición de las personas con discapacidades u otros —tales como los servicios de traducción o lenguaje de signos—. Los documentos para la revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A solicitud del interesado las copias del documento podrían ser enviadas por correo o correo electrónico. El período de exhibición y comentarios públicos para cualquier Enmienda Sustancial que se realice será de no menos de cinco (5) días.

Revisiones al Plan General

La Ciudad de Newburgh deberá seguir los siguientes procedimientos para revisar su Plan General, según sea necesario.

Consideraciones de la Revisión

Existen dos tipos de enmiendas que se podrían realizar al Plan General (CP): enmiendas menores y enmiendas sustanciales. Una enmienda al Plan General aprobado será considerada sustancial cuando se trate de un cambio de necesidades, metas, o prioridades, identificadas en el Plan General.

Todos los otros cambios que no alcancen el criterio definido más arriba, serán considerados enmiendas menores y no se someterán a comentarios públicos. Estos cambios serán completamente documentados y aprobados por el Ayuntamiento de la Ciudad de Newburgh. Si así lo eligiera, la Ciudad de Newburgh podría presentar al HUD una copia de cada enmienda al Plan General, como ocurre al final de año del programa. Las cartas que transmitan copias de enmiendas serán firmadas por el Mánager de la Ciudad de Newburgh, o ente designado.

Exhibición Pública y Período de Comentarios

El anteproyecto del Plan General Revisado será expuesto al público por un período no menor a los 30-días, para fomentar los comentarios y revisiones del público. La notificación pública deberá incluir un breve resumen de las revisiones, las fechas de la exhibición pública y el período de comentarios, los lugares donde las copias del CP revisado se podrán examinar, cómo se aceptarán los comentarios, cuándo los documentos se considerarán para la acción del Ayuntamiento de la Ciudad de Newburgh, y la fecha anticipada de su presentación al HUD. Las copias del anteproyecto del CP Revisado estarán disponibles para revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.

Newburgh, NY 12550

City of Newburgh website:

<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los residentes y grupos que lo soliciten un número razonable de copias.

Comentarios Recibidos sobre el Anteproyecto Revisado del Plan General

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 30-días de exhibición pública y período de comentarios. En preparación para la versión final del Plan General Revisado, la Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito, u oralmente, en las audiencias públicas. Un resumen de estos comentarios u opiniones y un resumen de los comentarios y opiniones no aceptados, y las razones de su rechazo, se adjuntarán a la versión final del Plan General Revisado para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan General Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan General revisado será presentado al HUD dentro de los 30-días siguientes a la terminación de su exhibición pública y período de comentarios.

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, en el cual los fondos de los programas cubiertos por este Plan se pudieran gastar para llevar a cabo las actividades elegibles con las cuales la Ciudad de Newburgh abordara la respuesta al desastre; bajo este Plan, los requerimientos de la Ciudad de Newburgh se facilitarían para incluir:

- Un período de exhibición pública y comentarios de 5-días para enmendar el Plan General.
- Un mínimo de una audiencia pública se debiera llevar a cabo para recibir comentarios al Plan General Revisado. La Ciudad de Newburgh podría optar por conducir audiencias públicas y reuniones virtuales por vía de llamadas en conferencia o transmisión-en-directo con la habilidad de hacer preguntas y proveer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los servicios de traducción o lenguaje de signos—. Los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o por correo electrónico. El período de comentarios y exhibición pública para cualquier Enmienda Sustancial será de no menos de (5) cinco días.
- Subsiguiente a la audiencia pública, el Plan General Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.
- El Plan General Revisado será presentado al HUD tras su aprobación por el Ayuntamiento de la Ciudad de Newburgh.

- Los documentos para revisión pública serán compartidos por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados, los documentos se enviarán por correo o por correo electrónico.

Acceso al Plan

El Plan General Revisado se archivará en la Oficina del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en 123 Grand St. Newburgh, NY 12550.

Se puede acceder al plan en-línea en: <https://www.cityofnewburgh-ny.gov/community-development>

Las copias en papel serán puestas a disposición de aquellos que requieran el Plan General Revisado comunicándose con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. En el evento de que se declarara el desastre o emergencia, local o federal, los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán por correo o correo electrónico.

E. Plan Anual de Acción (AAP por sus siglas en inglés)

El Plan Anual de Acción (AAP) es un componente del Plan General (CP), y describe el uso que propone la Ciudad de Newburgh de los recursos federales, y otros recursos, para afrontar las necesidades prioritarias y los objetivos específicos de cada año del programa del Plan General; el método de la Ciudad de Newburgh para distribuir los fondos a las municipalidades locales; y las áreas geográficas de la Ciudad de Newburgh hacia las cuales dirigirá su asistencia.

Desarrollo del Plan

En el desarrollo del su Plan Anual de Acción, la Ciudad de Newburgh seguirá el proceso y procedimientos descriptos más abajo.

Audiencias Públicas

La Ciudad de Newburgh conducirá, por lo menos, dos audiencias públicas durante el desarrollo del Plan Anual de Acción (AAP) para obtener las opiniones de los residentes y responder a sus propuestas y preguntas.

La primera audiencia pública se conducirá antes de que el borrador del AAP se publique para su comentario público. Durante la primera audiencia pública, la Ciudad de Newburgh abordará las necesidades de vivienda y desarrollo comunitario, el desarrollo de las actividades propuestas, el monto de asistencia que la Ciudad de Newburgh espera recibir (incluyendo los fondos de subvención e ingresos del programa), el rango de actividades que podrían llevarse a cabo, incluyendo el monto estimado que beneficiaría a los residentes de bajos-y-moderados ingresos, y la revisión del desempeño del programa.

La segunda audiencia pública se conducirá durante o después del período de 30-días de comentarios públicos, en el cual la Ciudad de Newburgh abordará la identificación de las necesidades de vivienda y desarrollo comunitario, las actividades elegibles propuestas, y las estrategias y acciones propuestas para llevar adelante y positivamente la vivienda digna, de acuerdo con la Evaluación de Vivienda Digna.

Comités de Consulta Ciudadana

En el evento de que se anuncie una Solicitud de Propuesta (RFP por sus siglas en inglés) y que el Departamento de Planeamiento y desarrollo de la Ciudad de Newburgh reciba las Solicitudes de Propuestas, se llevará a cabo un proceso de revisión, conforme al cual las solicitudes se clasificarán de acuerdo al criterio delineado en el RFP. El personal de Desarrollo y Planeamiento asumirá la revisión inicial de la Solicitud de Propuesta. Los miembros del Grupo de Consulta CDBG de la Ciudad de Newburgh examinarán las propuestas. El Grupo de Consulta CDBG recomendará, entonces, las adjudicaciones al Ayuntamiento de la Ciudad de Newburgh. El Grupo de Consulta CDGB está compuesto por residentes de la Ciudad de Newburgh y el Director de Desarrollo Comunitario de la Ciudad de Newburgh (o ente designado).

Exhibición y Período de Comentarios Públicos

El borrador del Plan Anual de Acción será puesto en exhibición por un período de no menos de 30-días para fomentar la revisión y comentarios públicos. La notificación pública debe incluir un breve resumen del Plan Anual de Acción, los montos esperados de los fondos (incluyendo los ingresos del programa, si los hubiera), las fechas del período de exhibición y comentarios públicos, la ubicación de los lugares en donde se puedan examinar las copias del borrador del Plan Anual de Acción, cómo se aceptarán los comentarios, cuándo un documento puede ser considerado para la acción del Ayuntamiento de la Ciudad de Newburgh, y las fechas en que se espera su presentación al HUD. Las copias del borrador del Plan Anual de Acción estarán disponibles en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Además, la Ciudad de Newburgh pondrá a disposición un número de copias gratis para los residentes y grupos que los soliciten.

Comentarios Recibidos sobre el Borrador del Plan Anual de Acción

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante el período de 30-días de exhibición y comentarios. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la ciudad de Newburgh, recibidos por escrito u oralmente en audiencia pública, en preparación para la versión final del Plan Anual de Acción. Un resumen de estos comentarios u opiniones, y un resumen de cualquier

comentario u opinión no aceptado y las razones del rechazo, se adjuntarán a la versión final del Plan Anual de Acción para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan Anual de Acción se presentará al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan Anual de Acción se presentará al HUD con no menos de 45-días previos al comienzo del programa anual de la Ciudad de Newburgh.

Revisiones al Plan Anual de Acción

La Ciudad de Newburgh seguirá los siguientes procedimientos para revisar su Plan Anual de Acción, según sea necesario.

Consideraciones de la Revisión

Hay dos tipos de enmiendas que pueden ocurrir en el Plan Anual de Acción: enmiendas menores y enmiendas sustanciales.

Una enmienda al Plan Anual de Acción aprobado se considera sustancial siempre y cuando la Ciudad de Newburgh tome una de las siguientes decisiones:

- Haga un cambio en la asignación de prioridades o cambie el método de distribución de fondos;
- Lleve a cabo una actividad usando fondos de un programa cubierto por el Plan General (incluyendo: ingresos del programa, reembolsos, restituciones, recuperaciones, o reasignaciones del HUD), que no se hayan descrito previamente en el plan de acción; o
- Cambiar el propósito, alcance, ubicación o beneficiarios de una actividad.

Los siguientes cambios definen una enmienda sustancial:

- Cambios sustanciales al plan CDBG que afecten directamente al Plan General de la Ciudad de Newburgh. Un cambio sustancial al Plan Anual de Acción sería un cambio de más de un 25 % de la subvención total otorgada para financiar la actividad.
- Llevar a cabo una actividad, usando fondos de cualquier programa del Plan General (incluyendo ingresos del programa) que no estuviera previamente identificada en el Plan.
- Cambiar el propósito, alcance, ubicación y beneficiarios de una actividad a otra en más de un 25 % de los fondos totales previamente autorizados.

Cambios que no se consideran enmiendas sustanciales:

- Cambios de cualquier proyecto al presupuesto de CDBG que sean menores a un monto del 25 %;
- Actualizaciones de la data del Plan General: Actualizaciones de la data del Plan General, como por ejemplo, data proveniente del censo, límites de ingreso, alquileres de mercado dignos, alquileres altos y bajos de mercado HOME, límites a los subsidios del hogar, y tipos similares de data no se deben considerar enmiendas sustanciales;

- Cambios menores en la ubicación de un proyecto: Un cambio menor en una ubicación de una propiedad específica no se considera un cambio sustancial siempre y cuando el propósito, alcance, y los beneficiarios previstos sean esencialmente los mismos;
- Cambio de un ítem en la Línea de Presupuesto del Proyecto: La transferencia de alguno de los fondos (pero no todos) dentro de un proyecto desde un ítem de una línea de presupuesto aprobado a otra línea de presupuesto aprobado.

Todos los otros cambios para financiar actividades asignadas o aprobadas que no alcancen el criterio definido arriba, serán considerados enmiendas menores y no estarán sujetos a comentarios públicos. Estas enmiendas menores se documentarán y ejecutarán completamente por el Ayuntamiento de la Ciudad de Newburgh. La Ciudad de Newburgh podría elegir presentar una copia de cada enmienda del AAP al HUD mientras ocurra, o al final del año del programa. Todas las enmiendas se someterán al HUD para su revisión por la vía de IDIS.

Período de Exhibición y Comentario Público

El borrador Revisado del Plan Anual de Acción (AAP) será exhibido por un período no menor a los 30-días para fomentar la revisión y los comentarios del público. La notificación pública deberá incluir un breve resumen de las revisiones, las fechas de exhibición pública y el período de comentarios, los lugares donde se puedan examinar las copias del borrador revisado del AAP, cómo se aceptarán los comentarios, cuándo se considerarán los documentos para la acción del Ayuntamiento de la Ciudad de Newburgh, y la fecha esperada de su presentación al HUD. Copias del borrador Revisado del Plan Anual de Acción estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

En adición, la Ciudad de Newburgh pondrá a disposición de los residentes y grupos que lo soliciten un razonable número de copias gratuitas.

Comentarios Recibidos sobre el Borrador Revisado del Plan Anual de Acción

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante un período de exhibición pública y comentarios de 30-días. Para preparar la versión final del Plan Anual de Acción Revisado, la Ciudad de Newburgh

considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito u oralmente en las audiencias públicas. Un sumario de estos comentarios u opiniones, y un sumario de cualquier comentario u opinión no aceptado y las razones del rechazo, se adjuntarán a la versión final del Plan Anual de Acción para su presentación al HUD.

Acción del Ayuntamiento de la Ciudad de Newburgh

Subsiguiente a la audiencia pública, el Plan Anual de Acción Revisado será presentado al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.

Presentación al HUD

El Plan Anual de Acción Revisado se someterá al HUD dentro de los 30-días siguientes al final del período de exhibición y comentario.

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, en el cual los fondos de los programas cubiertos por este Plan, se pudieran gastar para llevar a cabo las actividades elegibles con las cuales la Ciudad de Newburgh abordaría la respuesta al desastre; bajo este Plan, los requerimientos de la Ciudad de Newburgh se facilitarían para incluir:

- Un período de 5-días de exhibición y comentarios para enmendar el Plan General.
- Debe llevarse a cabo un mínimo de una audiencia pública para recibir comentarios sobre el Plan General Revisado. La Ciudad de Newburgh podría optar por conducir audiencias públicas y reuniones virtuales vía llamadas en conferencia o transmisión-en-directo, con la habilidad de hacer preguntas y proveer comentarios en tiempo real. A petición de las personas con discapacidades/LEP se proveerán acomodaciones —tales como los servicios de traducción o lenguaje de signos—. Los documentos para revisión pública se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o por correo electrónico. El período de comentarios y exhibición públicos para cualquier Enmienda Sustancial será de no menos de (5) cinco días.
- No se requerirá que el Grupo de Consulta Ciudadana revise las enmiendas propuestas al Plan.
- Subsiguiente a la audiencia pública, el Plan Anual de Acción Revisado se presentará al Ayuntamiento de la Ciudad de Newburgh para su consideración y acción formal.
- El Plan Anual de Acción Revisado se someterá al HUD luego de ser aprobado por el Ayuntamiento de la Ciudad de Newburgh.
- Los documentos a ser revisados por el público se compartirán por la vía del sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias del documento por correo o correo electrónico.

Acceso al Plan

El Plan Anual de Acción y cualesquiera revisiones se conservarán en el archivo del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en: 123 Grand St., Newburgh NY 12550. Se puede acceder en-línea al plan y revisiones en: <https://www.cityofnewburgh-ny.gov/community-development>

A pedido de los interesados las copias en papel del Plan Anual Revisado estarán disponibles contactando al Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. En el evento de desastre o emergencia, los documentos estarán disponibles en el sitio web de la Ciudad de Newburgh. A pedido de los interesados se enviarán copias por correo o correo electrónico.

F. Informe General del Desempeño Anual y Evaluación (CAPER)

Desarrollo del Informe

La Ciudad de Newburgh debe seguir el siguiente procedimiento al hacer el borrador y aprobar su Informe General del Desempeño Anual y Evaluación (CAPER).

Consideraciones del Informe

El Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh evaluará e informará los logros y el desembolso del año previo del programa y deberá hacer el borrador del CAPER de acuerdo con los requisitos del HUD.

Período de Comentarios y Exhibición Pública

El borrador del CAPER se colocará en exhibición por un período no menor a los 15-días para fomentar la revisión y comentarios públicos. La notificación pública del período de exhibición y comentarios se publicará en el periódico Times Herald Record con no menos de dos semanas de anticipación al comienzo del período —con acomodaciones para las personas con discapacidades y personas hablantes de español que no hablan inglés (LEP), de acuerdo con este Plan—. Esta notificación pública debe incluir un breve sumario y propósito del CAPER, un sumario de los gastos del programa, un resumen del desempeño del programa, las fechas del período de exhibición y comentarios, la ubicación donde se pueden examinar las copias del borrador del CAPER, cómo serían aceptados los comentarios, y la fecha anticipada de presentación al HUD. Las copias del borrador del CAPER estarán a disposición para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Comentarios Recibidos sobre el Borrador del CAPER

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 15-días del período de exhibición y comentario. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh, recibidos por escrito, mientras se prepara la versión final del CAPER. Un resumen de estos comentarios u opiniones, y un resumen de los comentarios u opiniones no aceptados y las razones de su rechazo, se adjuntarán a la versión final del CAPER para su presentación al HUD.

Presentación al HUD

El CAPER se presentará al HUD dentro de los 90-días subsiguientes al final del programa anual de la Ciudad de Newburgh.

Acceso al Plan

El CAPER se conservará en el archivo de la Oficina del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, sito en: 123 Grand St. Newburgh, NY 12550.

El CAPER se puede acceder en línea: [athttps://www.cityofnewburgh-ny.gov/community-development](https://www.cityofnewburgh-ny.gov/community-development)

En el Evento de Desastre o Emergencia

En el evento de que se declarara el desastre o emergencia, local o federal, cuando los lugares públicos pudieran estar cerrados al público o la revisión en-persona del CAPER no fuera posible, o grandes reuniones pudieran considerarse de riesgo para la salud pública, la Ciudad de Newburgh colocará los documentos para su revisión en su sitio web. A pedido de los interesados las copias del documento podrían enviarse por correo o correo electrónico.

G. Sección 108 Programa de Asistencia a Préstamos Garantizados

Desarrollo de la Sección 108 de la Solicitud de Préstamo Garantizado

Las solicitudes de asistencia presentadas por la Ciudad de Newburgh para la asistencia a la Sección 108 Préstamo Garantizado y autorizada bajo regulación del HUD —24 CFR Part 570, Subpart M— están sujetas a todas las disposiciones establecidas dentro de este Plan. Dichas solicitudes para la asistencia de la Sección 108 pueden ser incluidas como parte del proceso del Plan General o realizadas separadamente en cualquier momento durante el programa anual de la Ciudad de Newburgh.

Antes de que la Ciudad de Newburgh presente una solicitud de asistencia de Préstamo Garantizado de Sección 108, la Ciudad de Newburgh pondrá a disposición de sus residentes, agencias públicas y otras partes interesadas, la información que incluya el monto de la asistencia que la Ciudad de Newburgh espera hacer disponible (incluyendo los ingresos del programa), el rango de actividades que pudiera asumir, el monto estimado que beneficiaría a las personas de bajos-o-moderados ingresos, y cualquier otra actividad que posiblemente resultara en un desplazamiento.

Período de Exhibición y Comentarios Públicos

La Ciudad de Newburgh publicará su propuesta de solicitud de préstamo de Sección 108 para su revisión y comentarios. Las notificaciones públicas deben incluir un sumario describiendo los contenidos y propósito de la solicitud y una lista de los lugares donde la solicitud completa pueda ser examinada. Una

solicitud de financiación de un Préstamo Garantizado de Sección 108 debe estar disponible para la revisión pública por un período de 30-días anteriores a la consideración y presentación al HUD y pudiera hacerse simultáneamente con el proceso de revisión y comentarios públicos del Plan General.

Las copias de la propuesta de solicitud de préstamos de Sección 108 estarán disponibles para su revisión en los siguientes lugares:

City of Newburgh Department of Planning and Development Office
123 Grand St.
Newburgh, NY 12550

City of Newburgh Clerk's Office
83 Broadway
Newburgh, NY 12550

Newburgh Free Library
124 Grand St.
Newburgh, NY 12550

City of Newburgh website:
<https://www.cityofnewburgh-ny.gov/community-development>

Los comentarios escritos serán aceptados por el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado, durante los 30-días de exhibición y comentarios públicos. La Ciudad de Newburgh considerará cualquier comentario u opinión de los residentes de la Ciudad de Newburgh recibidos por escrito, en preparación para la solicitud final. Un sumario de estos comentarios u opiniones, y un sumario de los comentarios u opiniones no aceptados y las razones de su rechazo, se adjuntarán a la versión final de la solicitud para su presentación al HUD.

Presentación al HUD

La solicitud de Préstamo de Sección 108 se presentará al HUD.

H. Quejas

Los residentes pueden registrar sus quejas con respecto a cualquier aspecto de los programas financiados por HUD y administrados por el programa CDBG del Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, comunicándose con el Departamento de Planeamiento y Desarrollo de la Ciudad de Newburgh, o ente designado. Todas las quejas recibidas por escrito se atenderán por escrito dentro de los 15-días.

Los residentes que deseen objetar la aprobación final del HUD a la versión final del Plan General, el Plan Anual de Acción u otros documentos identificados en este plan pueden enviar objeciones escritas al Departamento de Vivienda y Desarrollo Urbano del estado de Nueva York (*Department of Housing and Urban Development, New York State Office*):

Department of Housing and Urban Development, New York State Office: Jacob K. Javits Federal Building, 26 Federal Plaza Room 3541, New York, NY 10278-0068.

Las objeciones deben realizarse dentro de los 30-días subsiguientes a la presentación del Plan General u otros documentos realizada por la Ciudad de Newburgh ante el HUD. Solamente se realizarán al HUD, cualesquiera objeciones, debidas a las siguientes razones:

- La descripción de las necesidades y objetivos de la Ciudad de Newburgh sea claramente incompatible con la data y hechos disponibles.
- Las actividades que serán realizadas sean claramente incompatibles con las necesidades y objetivos identificados con la Ciudad de Newburgh.
- El Plan Anual de Acción no cumpla con los requerimientos del programa CDBG u otras leyes aplicables.
- El Plan Anual de Acción hubiera propuesto actividades que fueran inelegibles bajo las regulaciones del programa.

Las objeciones deben incluir ambas, una identificación de requisitos no cumplidos, y la data y hechos disponibles.

RESOLUTION NO.: 124 - 2020

OF

MAY 28, 2020

**RESOLUTION TO OPEN A 5-DAY PUBLIC COMMENT PERIOD
TO RECEIVE COMMENTS FROM THE PUBLIC ON
THE AMENDED CITY OF NEWBURGH CDBG CITIZEN PARTICIPATION PLAN**

WHEREAS, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) 5 year Consolidated Plan for FY 2020-2024; FY2020 one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements, Citizen Participation Plan and a Language Access Plan; and

WHEREAS, the Citizen Participation Plan requires an amendment to include processes for Citizen Participation during Emergencies and Disasters, including the potential use of new technology that improves the avenues of participation by residents, in preparation for the receipt and allocation of CDBG Coronavirus aid (CDBG-CV); and

WHEREAS, by Resolution No. 107-2020 of May 11, 2020, the City Council scheduled a public hearing to receive comments concerning a proposed amendment to the CDBG Citizen Participation Plan at the regular City Council meeting held at 7:00 p.m. on May 28, 2020; and

WHEREAS, the City Council now wishes to open a 5 day Public Comment Period to receive comments from the public on the amended City of Newburgh Citizen Participation Plan, which amendments include processes for citizen participation during disasters and emergencies; and

WHEREAS, the 5-Day Public Comment Period shall commence on June 1, 2020 and conclude on June 6, 2020; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a 5 day Public Comment Period to receive comments from the public on the amended City of Newburgh Citizen Participation Plan commencing on June 1, 2020 and conclude on June 6, 2020.

ORDINANCE NO.: 5 - 2020

OF

MAY 28, 2020

AN ORDINANCE AMENDING SECTION 223-3, "DEFINITIONS; WORD USAGE," AND SECTION 223-9, "FOOD VENDORS," OF THE CODE OF THE CITY OF NEWBURGH TO INCLUDE REGULATIONS FOR MOBILE FOOD VENDORS

BE IT ORDAINED, by the Council of the City of Newburgh, New York that Section 223-3 entitled "Definitions; Word Usage" and Section 223-9 entitled "Food Vendors" of the Code of the City of Newburgh are hereby amended as follows:

SECTION 1. Amendment

§ 223-3. Definitions; Word Usage

A. As used in this chapter, the following terms shall have the meanings indicated:

CANVASS or SOLICIT

To make or seek to make personal contact with another, either on the highways or streets of this City or on public or private property other than his own, for the purpose of raising funds for, supporting goals of or recruiting new members into a religious, charitable, educational, or political organization or participating in a political campaign on behalf of any candidate for public office.

CITY

The City of Newburgh, of the State of New York, unless otherwise specified.

DECIBEL (dB)

A unit for measuring the volume of sound, equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure of 20 micronewtons per square meter.

FALSE, FRAUDULENT, MISREPRESENTATION, INACCURATE or MISLEADING

- (1) Representations that goods have manufacture, sponsorship, approval, accessories, characteristics, ingredients, uses, benefits or quantities that they do not have; the supplier or manufacturer has a sponsorship, approval, status, affiliation or connection that he does not

Underlining denotes additions

~~Strikethrough~~ denote deletions

have; goods are original or new if they are deteriorated, altered, reconditioned, reclaimed or secondhand; or goods are of particular standard, quality, grade, style or model if they are of another; and/or

- (2) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact if such use deceives or tends to deceive; and/or
- (3) Disparaging the goods, services or business of another by false or misleading representations of material facts; and/or
- (4) Offering goods with intent not to sell them as offered; and/or
- (5) Making false or misleading representations of fact concerning the reasons for, existence of or amount of price reductions, or price in comparison to prices of competitors or one's own prices at a past or future time; and/or
- (6) Falsely stating the reasons for offering or supplying goods at sale or discount prices.

FOOD

Any raw, cooked or processed edible substances, beverages, ingredients, condiments, ice or water used or intended for use or for sale in whole or in part for human consumption.

FOOD SERVICE ESTABLISHMENT

A place where food is prepared and intended for individual portion service and includes the site at which the individual portions are provided, whether consumption occurs on or off the premises. The term excludes food processing establishments, retail food stores, private homes where food is prepared or served for family consumption, and food service operations where a distinct group mutually provides, prepares, serves and consumes the food limited to a congregation, club or fraternal organization.

MOBILE FOOD VEHICLE

A commercially manufactured, self-contained, mobile unit in which ready-to-eat food is cooked, wrapped, packaged, processed, prepared or portioned for service, sale or distribution; or one in which beverages are brewed, blended, chilled, bottled, portioned, poured, or prepared for service, sale or distribution.

MOBILE FOOD VEHICLE VENDOR ("MFVV")

The owner of a mobile food vehicle or the owner's agent.

Underlining denotes additions

~~Strikethrough~~ denote deletions

PERSONAL CONTACT

The face-to-face canvassing or solicitation of a person by another. Mail and telephone contact does not require registration or wearing an identification badge under this chapter.

POLITICAL ORGANIZATION

An organization, a substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation or participating in any political campaign on behalf of any candidate for public office.

PUBLIC SPACE and PUBLIC STREETS

All publicly owned property between the private property lines on a street as such property lines are shown on City records, including, but not limited to, a park, plaza, roadway, shoulder, tree space, sidewalk or parking space between such property lines. It shall also include, but not be limited to, publicly owned or leased land, buildings, piers, wharfs, stadiums and terminals.

RELIGIOUS OR CHARITABLE OR EDUCATIONAL ORGANIZATION

An organization granted tax exemption by the Internal Revenue Service of the United States Treasury Department.

VENDOR or PEDDLER

Includes any person traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, clothing, products, items for sale, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, cart, pushcart, table, platform, automotive vehicle, trailer, railroad car or other vehicle or conveyance or other stationery location on a public street, sidewalk or other location on City-owned property normally used for public accommodation or travel, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a vendor or peddler, subject to the provisions of this chapter. The word "peddler" shall include the words "vendor," "street vendor," "hawker" and "huckster" and other such words carrying or conveying the same meaning and understanding and addressing the same activities described thereby.

B. The use of any pronoun shall be deemed to include both the masculine and the feminine, and the singular and plural, as the sense and meaning thereof shall appropriately require.

Underlining denotes additions

~~Strikethrough~~ denote deletions

§ 223-9. Food Vendors

Each licensed food vendor and mobile food unit licensee shall:

- ~~A. Permit regular inspections by any authorized City law, Fire or Code Enforcement Officer of any mobile food unit used in the operation of his business, or any premises under his control in which food is intended to be sold, offered for sale, distributed or given away by him as a food vendor is prepared, processed or stored, and present such mobile food unit for inspection at such place and time as may be designated by the City Code Enforcement, Fire Department or Police Department.~~
- ~~B. Provide to the Code Enforcement or Police Department, or any other authorized officer or employee of the City, the names and home and business addresses of the owners of such service rooms, commissaries, depots or distributors from whom such licensee received his food supply and where his mobile food unit and food supply are stored when not in use for sale or distribution.~~
- ~~C. Have in his possession and make available for inspection satisfactory proof or documentation detailing the source of all foods being held, stored, offered for sale, distributed or given away.~~
- ~~D. Not use or permit anyone else to use the mobile food unit for vending, distributing or giving away any foods other than those authorized, in writing, by the license issued to such vendor.~~
- ~~E. Refrain from acting as a food vendor or operating a mobile food unit after the expiration of his license or permit and during any period of suspension or revocation of same.~~
- ~~F. Surrender his license, permit, badge and insignia promptly to the City Clerk upon revocation, suspension, termination or expiration of his license or permit.~~
- ~~G. Not sell, lend, lease or in any manner transfer his license, permit, badge or insignia unless otherwise specifically provided by law or by rule or regulation prescribed by this Code.~~
- ~~H. Comply with all laws, codes, rules and regulations applicable to all vendors provided herein and all laws, codes, rules and regulations applicable to the sale or provision of food and drink to the general public.~~
- ~~I. Vendors are hereby prohibited from using tangible City property meant for public use to enhance their business. Such City property includes, but is not limited to, picnic tables and garbage cans.~~

Underlining denotes additions

~~Strikethrough~~ denote deletions

A. General Provisions

- (1) It shall be unlawful for any person to operate a mobile food vehicle within the public space or public streets within the City of Newburgh without first having obtained a valid mobile food vending license as prescribed in this article. Operation of a mobile food vehicle on private property shall continue to be regulated and prohibited in accordance with all applicable provisions of the City Code.
- (2) It shall be unlawful for a MFVV to park, stand, or operate in a location which is:
 - (a) Within twenty-five (25) feet of a sidewalk corner;
 - (b) Within twenty-five (25) feet of a street intersection;
 - (c) Within twenty-five (25) feet of an area operating pursuant to a valid sidewalk café permit;
 - (d) Within 1,000 feet of the boundary line of any fair, carnival, circus, festival, special event or civic event that is licensed or sanctioned by the City, except when the vendor has obtained a permit to so operate from the City in accordance with Chapter 110 of the City of Newburgh Code of Ordinances;
 - (e) Within 10 feet from other parked vehicles in the front and rear of the MFVV;
 - (f) In the Low Density, Medium Density, or High Density Residential zones, as defined in Chapter 300 of the City of Newburgh Code of Ordinances;
 - (g) Contrary to the provisions of §223-11 of the City of Newburgh Code of Ordinances. In the event that the provisions of §223-11 and this subsection conflict, the provisions of this subsection shall prevail.
- (3) Each and every MFVV must at all times carry on the vehicle a "measuring wheel" with a measuring capacity of no less than 500 feet as a condition of its licensure. The failure of any MFVV to carry such a "measuring wheel" or abide by the proximity distance restrictions included in this article shall constitute a violation of this article.
- (4) All MFVV's must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, except that a mobile food vehicle that is of such a length that it occupies all or a portion of two vehicle parking spaces may park in said spaces so long as it abides by all other City parking requirements.

Underlining denotes additions

~~Strikethrough~~ denote deletions

- (5) No MFVV's shall attach or have attached any flashing or revolving light or lights on a vehicle used in aid of the mobile food vendor's business.
- (6) MFVV's are prohibited from using tangible City property meant for public use to enhance their business. Such City property includes, but is not limited to, picnic tables and garbage cans.
- (7) MFVV's are prohibited from disposing of garbage generated in the course of business operations into any garbage receptacles owned by the City, located on a City sidewalk, or in a City right-of-way, and shall comply with the provisions of §223-14.

B. Mobile Food Vehicle Requirements.

All mobile food vehicles must comply with the following:

- (1) Make available for inspection each vehicle to the Fire Department to determine that the vehicle meets the current standards of the New York State Uniform Fire Prevention and Building Code.
- (2) Affix side-by-side, in a conspicuous location on the mobile food vehicle where it may be readily observed by all patrons, its license for food service issued by the Orange County Department of Health and its license for operation in the City of Newburgh, as prescribed in §223-9(C).
- (3) Any signage must be permanently affixed to the mobile food vehicle. No accessory signage shall be placed outside or around the mobile food vehicle.
- (4) Be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.
- (5) Not exceed ten (10) feet in width or forty (40) feet in length.
- (6) Have a serving window that shall be adjacent to the sidewalk when parked.
- (7) If equipped with an engine or generator, said engine or generator must operate in accordance with §223-13.
- (8) Receive inspection and approval from the Fire Department for all fuel storage and diesel or propane generators, including those fueled directly from a vehicle fuel tank.
- (9) No more than two (2) 100-pound propane tanks are allowed (200 pounds aggregate).

Underlining denotes additions

~~Strikethrough~~ denote deletions

- (10) No storage or use of LPG cylinders or tanks shall be allowed within the vehicle at any time. Any generator or LPG storage compartments located on the exterior of the vehicle must be enclosed, with venting to the exterior and must not allow any venting to the interior of the vehicle.
- (11) Have a bumper that extends beyond the compartment to provide added impact protection if an LPG storage compartment is located on the rear of the truck.
- (12) Be properly placarded to indicate the storage of any combustible or flammable gases.
- (13) Comply with New York State Department of Transportation ("NYSDOT") standards if a belly tanks is installed and/or located within the truck body frame for additional structural protection.
- (14) Be equipped with "Class 1 Commercial" kitchen hoods and suppression systems for any vehicle with a grill, stove, or fryolator.
- (15) Be equipped with an 8", non-combustible splash shield when a grill, stove, or fryolator are adjacent to each other.
- (16) Affix a sticker in a conspicuous location that indicates a cleaning and service of the hood and exhaust systems within the past 365 days measured from the date of inspection.
- (17) Have all piping, interior gas appliances and commercial kitchen hood suppression systems be professionally installed by licensed plumber and permitted through the City of Newburgh Plumbing Inspector. "Flex pipe" shall be allowed from the LPG tank to a regulator, but the regulator to the appliance must be "hard piped" by a licensed, City of Newburgh plumber.
- (18) Be equipped with a Class K extinguisher of sufficient size and a 20 BC extinguisher installed inside the vehicle.
- (19) Be equipped with NSF/ANSI or equivalent certified hand washing sinks, with capacity for tempered hot/cold water under pressure, and soap and towels with splash guards.
- (20) Be equipped with NSF/ANSI or equivalent certified three-compartment sinks with integral drain boards, and with capacity for tempered hot/cold water under pressure.
- (21) Have interior lighting with a minimum of 35-foot candles of light on the preparation, hand washing sink, and three-compartment sink surfaces.

Underlining denotes additions

~~Strikethrough~~ denote deletions

- (22) Have a 15-gallon fresh water supply, a water heater that provides no less than 10 gallons per hour of 120°F (±2°) of hot water, and a waste water tank that is at least 15 percent larger than the combined capacity of fresh and hot water tanks.
- (23) Comply with NFPA 96 standards for ventilation control and fire protection of commercial cooking operations.

C. License Required; Additional Application Requirements.

- (1) In addition to the requirements set forth in §223-4, any person desiring to operate a mobile food vehicle shall provide the following information:
 - (a) Name, address, phone number, e-mail address, and signature of the owner (if a natural person) of the mobile food vehicle, or the same information for any business entity and any officer or member of the business entity that owns the mobile food vehicle.
 - (b) If the applicant is a business entity, the name and address of its registered agent.
 - (c) Names, addresses, e-mail addresses, and phone numbers of all individuals who will operate the mobile food vehicle, either to drive the mobile food vehicle to a particular location, or to prepare or sell food to the public.
 - (d) A valid copy of all licenses, permits or certificates required by the County of Orange, the State of New York or any subsidiary enforcement agencies or departments thereof.
 - (e) A valid copy of New York State Department of Motor Vehicles registration and certificate of inspection and valid driver's licenses of all vehicle operators.
 - (f) Address used for the base of operations for all cleaning, disposal of wastewater, and mobile food vehicle servicing operations.
 - (g) A signed statement that the vendor shall hold harmless the City and its officers and employees, and shall indemnify and hold harmless the City and its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the license.
- (2) The vendor shall furnish and maintain such public liability, food products liability, and property insurance, as will protect the vendor and the City from all claims for damage to property or bodily injury, including death, which may arise from the operations under the license or in connection therewith. Such insurance shall provide coverage of not less

Underlining denotes additions

~~Strikethrough~~ denote deletions

than \$500,000 per occurrence. The policy shall further provide that it may not be canceled except upon 30 days' written notice served upon the City Clerk.

(3) All license applicants shall submit to a Newburgh Police Department background check for criminal convictions that the City Council has deemed related to the proposed activity. A license application shall be denied if the Chief of Police, upon review of a criminal background check, determines that any mobile food vehicle operators, as defined in Section 223-9(C)(1)(c) have been convicted of:

- (a) Any felony in the ten (10) years preceding the date of the application for a crime involving: theft, fraud, the sale of marijuana, the sale of controlled substances, or an alcohol-related offense; or
- (b) Any misdemeanor in the five (5) years preceding the date of the application for a crime involving: theft, fraud, the sale of marijuana, the sale of controlled substances, or an alcohol-related offense;

C. Form and condition of license.

(1) Every mobile food vehicle vending license shall be subject to the following conditions:

- (a) The license shall not be transferable.
- (b) The license shall be valid for one vehicle only.
- (c) The license shall be permanently and prominently affixed to the vehicle, and shall be posted in a conspicuous location on the mobile food vehicle where it may be readily observed by all patrons.

SECTION 2. Severability.

The provisions of this Ordinance are separable and if any provision, clause, sentence, section, subsection, word or part thereof is held to be illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted is such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Ordinance or part here of is held inapplicable had been specifically exempt therefrom.

Underlining denotes additions
~~Strikethrough~~ denote deletions

SECTION 3. Codification.

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Ordinance shall be included in the Code of Ordinances of the City of Newburgh; that the sections and subsections of this Ordinance may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Ordinance" shall be changed to "Chapter", "Section", or other appropriate word as required for codification; and that any such rearranging of the numbering and/or lettering and editing shall not affect the validity of this Ordinance or the provisions of the Code of Ordinances affected thereby.

SECTION 4. Validity

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision of this Ordinance that can be given effect without such invalid provision.

SECTION 5. This ordinance shall take effect immediately.

Underlining denotes additions

~~Strikethrough~~ denote deletions

ORDINANCE NO.: 6 - 2020

OF

MAY 28, 2020

AN ORDINANCE AMENDING CHAPTER 163 ENTITLED "FEES"
OF THE CODE OF THE CITY OF NEWBURGH TO PROVIDE
FEES RELATED TO LICENSING OF MOBILE FOOD VENDORS

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

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

§ 163-1. Schedule of Code Fees.

Chapter 223, Peddlers, Vendors and Solicitors

<u>§ 223-9</u>	<u>Mobile Food Vendors</u>	
	<u>Application Fee (includes first year of license)</u>	<u>\$350.00</u>
	<u>License Renewal Fee</u>	<u>\$200.00</u>
	<u>Duplicate or Lost License Fee</u>	<u>\$50.00</u>
	<u>Late Fee for Licenses Renewed Within Following the Expiration of a License</u>	<u>\$50.00</u>

Section 2. This ordinance shall take effect immediately.

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