A regular meeting of the City Council of the City of Newburgh was held Monday, February 8, 2021 at 7:00 p.m. via a Zoom Digital Platform.

Moment of Silence/ Momento de Silencio

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

Pledge of Allegiance/ Juramento a la Alianza

Roll Call/ Lista de Asistencia

Mayor Harvey, presiding; Councilman Grice, Councilwoman Mejia (arrived after roll call), Councilwoman Monteverde, Councilman Shakur, Councilman Sklarz, Councilwoman Sofokles (arrived after roll call) - 7

COMMUNICATIONS

Approval of the Minutes of the City Council Meeting on January 25, 2021

Councilman Sklarz moved and Councilman Shakur seconded.
Ayes: Grice, Monteverde, Shakur, Sklarz, Harvey - 5
Carried

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

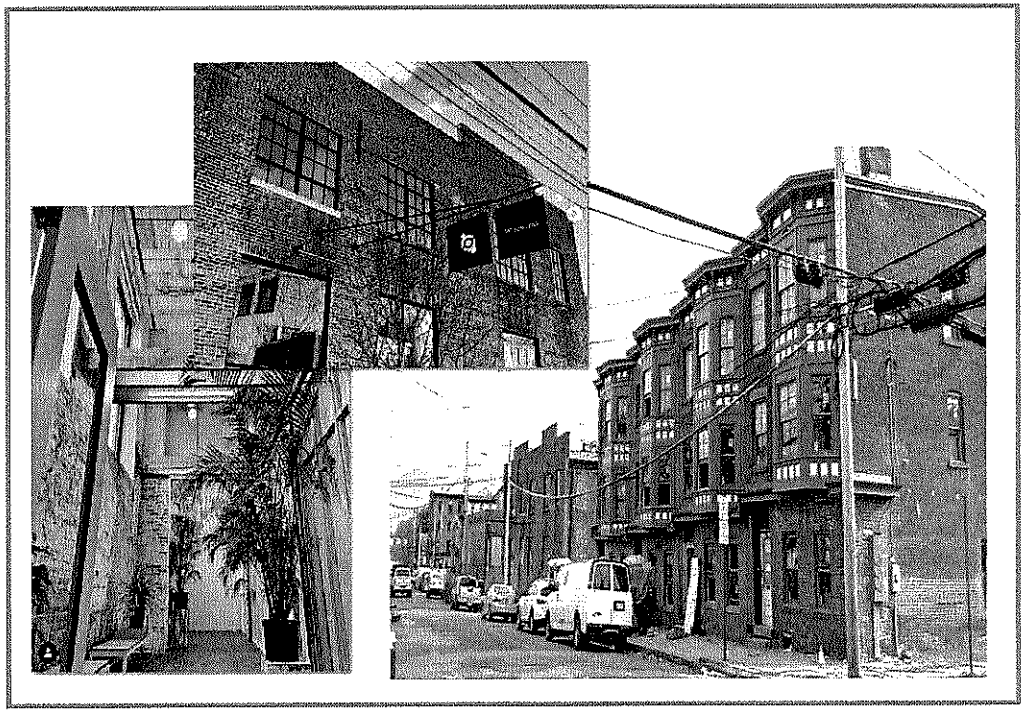
City Manager Update

Monday, February 8, 2020

Planning & Development

15 South Colden St.
RFP Awarded

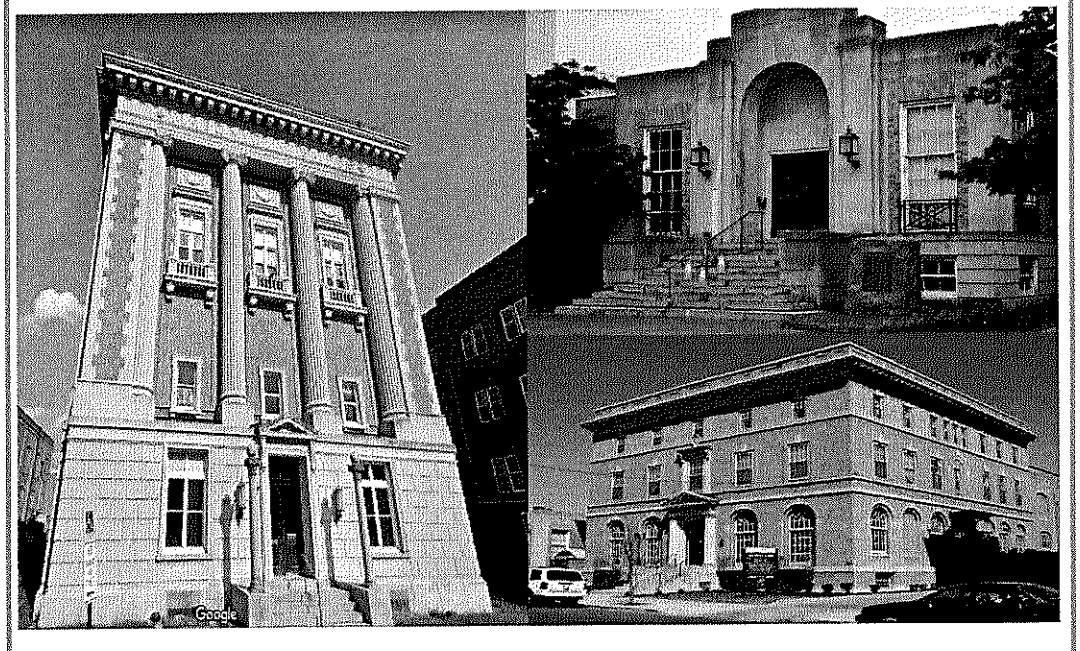
- ***$17 million***, 62-unit residential development



109 S. William S. - Rehabbed

$3.5 million transformation

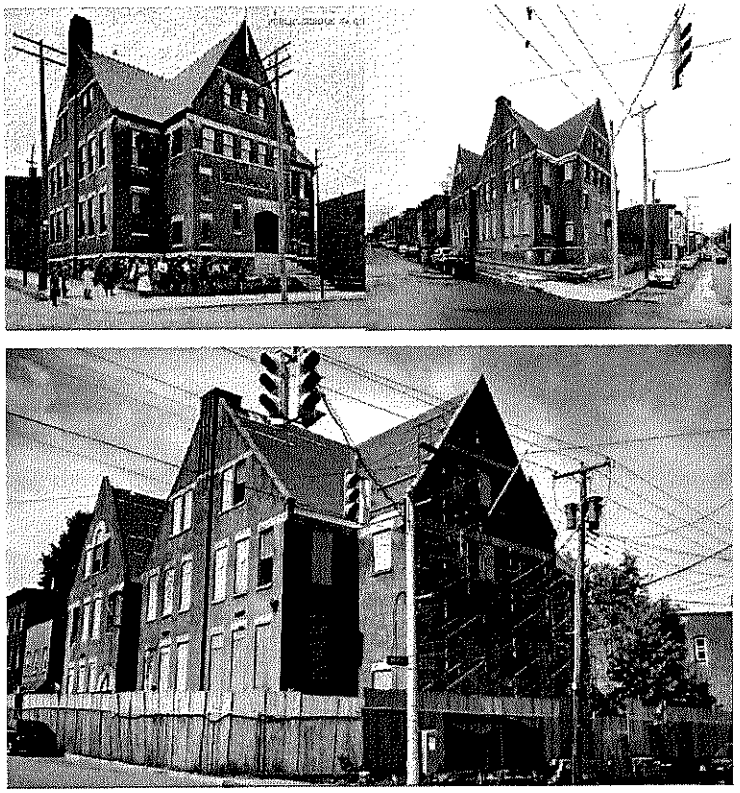
Planning & Development



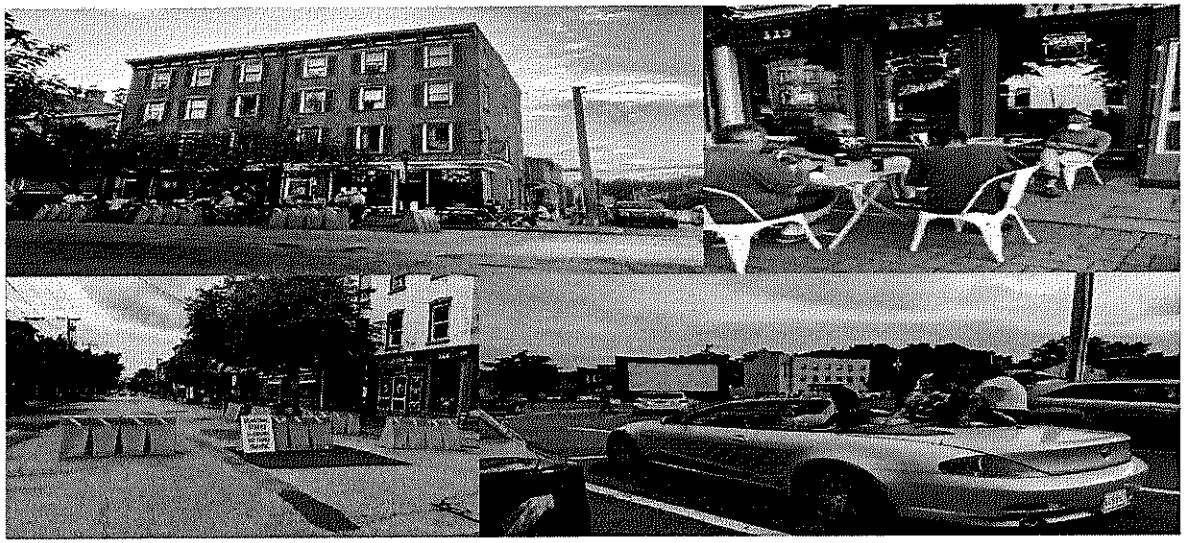
Sale authorized for:

- Masonic Temple
- American Legion Building
- YMCA

Projected $1.3mm annual sales tax and occupancy tax



~$1,000,000 in funding received



On the Map

Newburgh continues to be a top choice for film production in the Hudson Valley, with major studios booking Umbra Stages through 2020 and 2021.

Big Dog Series, streamed through Amazon Prime was filmed primarily in the City of Newburgh.

Socially Distanced Events

Planning & Development along with the Recreation Department held various "socially distanced" events during the Summer Months which included:

- Drive-In Movies
- Liberty Street Closures
- Play Streets City-wide

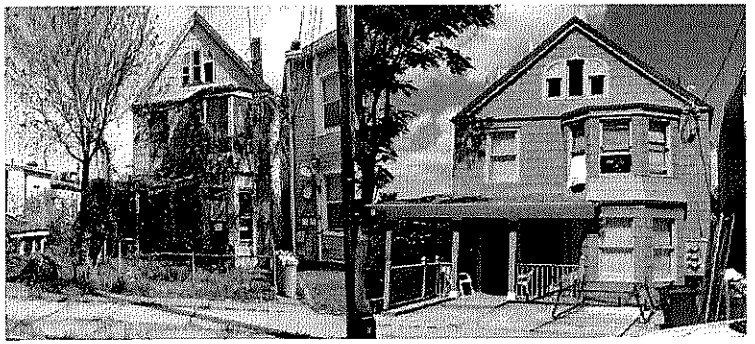
Planning & Development

402 Permits

- Substantial Repair
- New Residential Construction
- Commercial

- Average and median value of Single Family sales increased by 36%.
- Multifamily sales increased on average by a value of 11.7% and by a median value of 6%.
- **~$1,000,000 in sales of City owned properties**

Total property value in the City is up 16% to $1,536,578,685

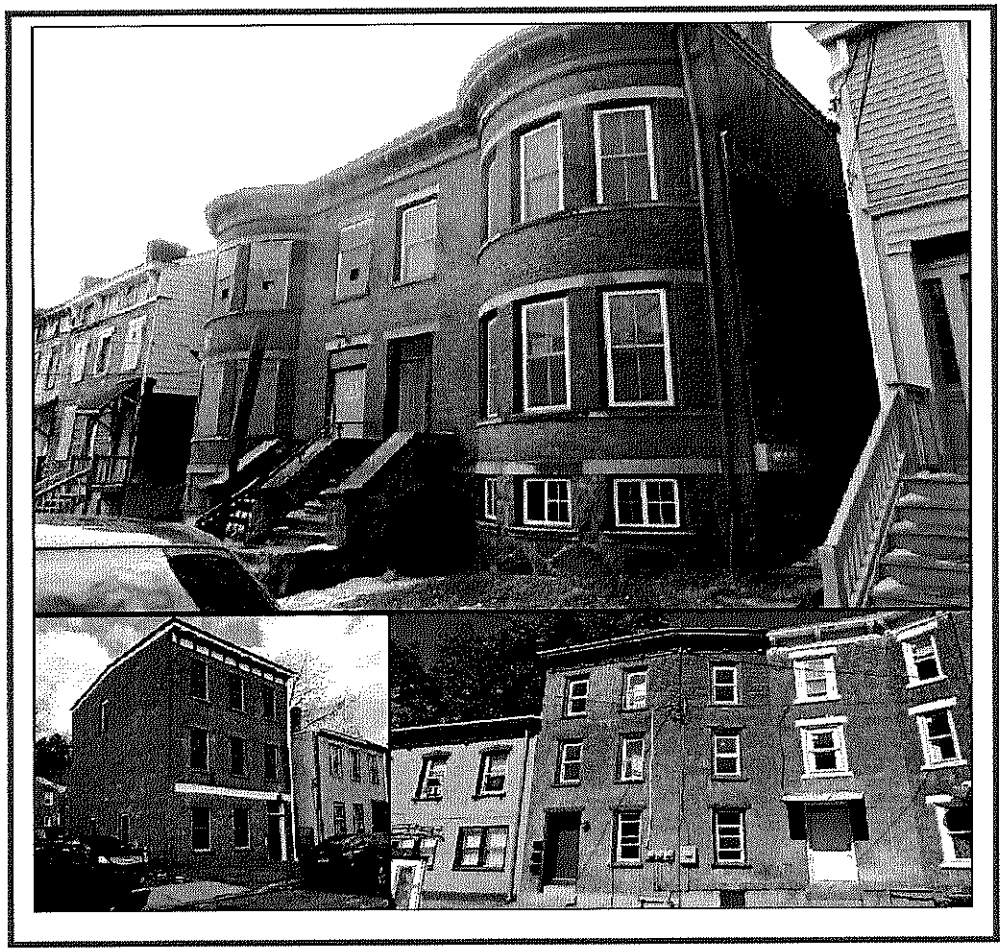


9 Carson Ave

104 Renwick

41 Liberty

Code Enforcement

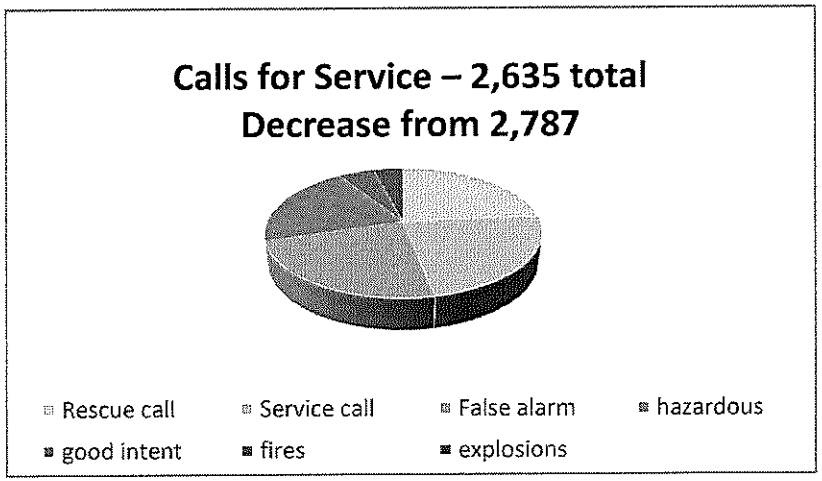


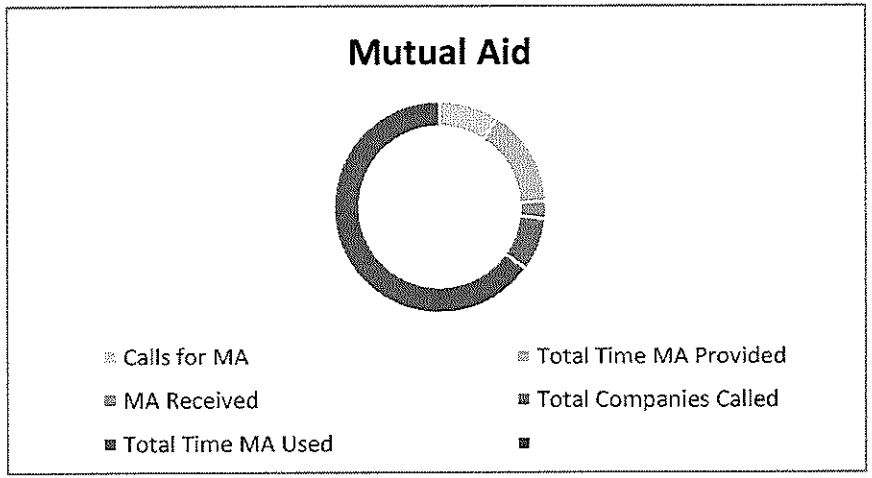
- Issued more than 1,800 permits and conducted over 2,000 inspections
- Total development valued at $36.1mm
- Resolved 2,300 complaints

CITY OF NEWBURGH NEW YORK

Codes

Newburgh Fire Department

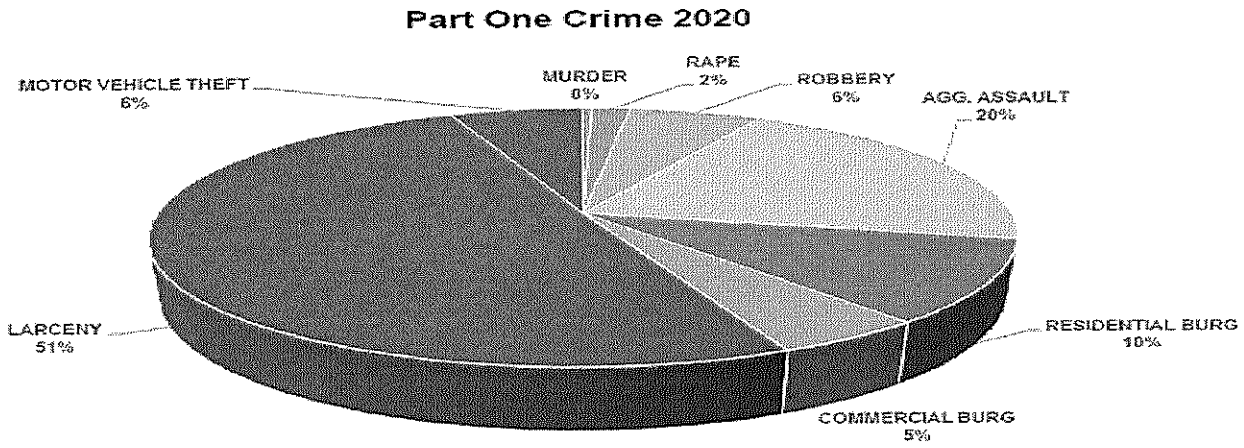




Rescue calls	**694 (796)**
Service calls	**680 (770)**
False alarms	**685 (580)**
Hazardous conditions	**304 (281)**
Good intent calls	**146 (139)**
Alarm of Fire	**120 (115)**

Provided Mutual Aid - 46
(2019) **--------> 46**
Received Mutual Aid - 13
(2019) **--------> 10**

Newburgh Police Department



TOTAL CALLS FOR SERVICE	***26,260***
• **Robbery**	**-28%**
• **Agg. Assault**	**-4%**
• **Residential Burg**	**-10%**
• **Violent Crime**	**-10%**

Community Updates

Legal Services of the Hudson Valley

Protecting Rights Promoting Justice

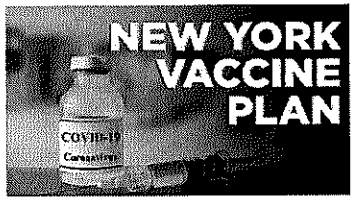
The Know Your Rights series held by LSHV are provided free of charge to City of Newburgh Residents interested in learning about their rights as tenants.

Vaccination Information Request Form

Orange County Office for the Aging
845-615-3700

vaccination.orangecountygov.com

State Vaccination Hotline
7AM - 10PM
1-833-697-4829



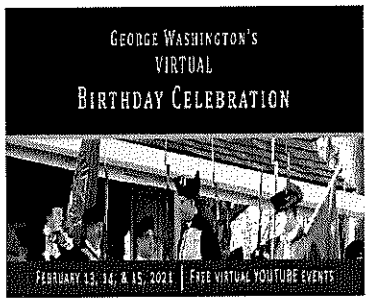
https://am-i-eligible.covid19vaccine.health.ny.gov/

Snow Emergency

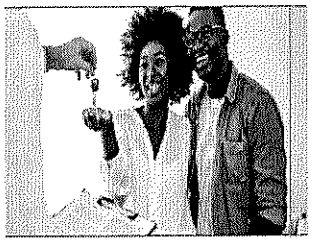
Snow Emergency declared on 2/6/21
Continues in Effect.

Sanitation Collection Changes

Presidents Day
February 15, 2021



GW'S Virtual Birthday Celebration free on-line events



Financial Literacy Virtual Workshop
February 24 at 10:00 a.m.

Apply today to serve on the
Board of Assessment Review

City Manager Update

Monday, February 8, 2020

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

Diana Aguilar, 29 Lutheran Street spoke about double tickets received on Tuesday morning for parking on the wrong side even though the street was not plowed. The trucks usually warn us to move our cars but they didn't.

Mayor Harvey said that we do a twenty-four hour advanced notice for a Snow Emergency. The Snow Emergency from Sunday was already called and never lifted because we have snow coming again tomorrow morning. You can go to the City Website to sign up for alerts and announcements if you know snow is coming. There should also be signs on the street telling what days and times to park during a Snow Emergency. This is all done in advance so the plows can salt the roads before the snowfall. The City Manager makes the call twenty-four hours before one snowflake hits the ground.

Ms. Aguilar said she is aware of the Snow Emergency regulations and always parks on the correct side.

Mayor Harvey noted that on the back of the ticket she can plead not guilty and send it in to plead her case to the City Judge in Court.

Councilman Shakur added that she should also take pictures.

Ms. Aguilar said she has pictures and videos.

Sertaira Boyd, 114 Prospect Street said thank you for putting her in touch with Allie Church regarding the traffic light. She needs to know when the next meeting is as she was told she would get an invitation but hasn't received one yet.

Mayor Harvey said he will get the time and date and text it to her.

City Manager, Joseph Donat said he believes it will be this Wednesday at 6:45 and he was told that the Chairman of the Transportation Advisory Committee has been in touch with her.

Ms. Boyd said that they have been in touch with her and she wanted to thank everyone for getting on top of this. She also would like to know if we are in the Yellow or Orange Zone with COVID.

Mayor Harvey said we are in the Yellow Zone.

Ms. Boyd asked how soon will there be rapid testing in areas of concern that are being overlooked.

Mayor Harvey said he spoke with the Governor's Office and his top Aids today and we are coordinating a rapid test for seniors at all six of our senior housing facilities.

Ms. Boyd said that a lot of people are concerned about what type of vaccination they are going to get. Which vaccination will they be giving?

Mayor Harvey said you don't know until you get to the vaccination sight.

Ms. Boyd asked if they will have a choice.

Mayor Harvey said that when you go to the sight they only have one or the other and that is what you will be offered. You don't have to take it if it's not the one you want but then you have to re-register all over again.

Councilwoman Mejia noted it would be good for the Council to know if we are interacting during comments. She had some things she would like to add about the snow event so she is looking for some direction.

Mayor Harvey said that in the interest of time we are not supposed to interact but he doesn't object to a Councilmember who might have the right answer responding.

City Manager, Joseph Donat pointed out that the next section of the meeting agenda is for comments from the Council.

Ann Sullivan, 3 Seagull Drive, Ellenville, wanted to address the Snow Emergency. It was noted that there was twenty-four hour notice but she got the e-mail on Saturday at 3:17 p.m. that it was going into effect at 6:00 p.m. so that was not twenty-four hours. At the last meeting a number of people hoped that the City would research which employees were off on January 6th and if any of them were involved in the Washington riots so she wonders if that was done. On the Subpoena power, in the presentation it now mentions this and that there will be a legal review. She thinks that along with Subpoena power it is critical that the PCRRB have disciplinary power otherwise it won't be affective. Around hiring and contracting she has asked for a number of years that the language when RFP's are sent out be strengthened around local hiring and giving contractors of color who are Newburgh resident's priority. Same thing with employees so sometimes the language is something like, *"Women and people of color are encouraged to apply"*. On the Census jobs she noticed it said something like, *"Bilingual applicants are needed and encouraged to apply."* She took a look at a recent Newburgh job ad and noticed it didn't say any of those things. It only noted that the City of Newburgh is an equal opportunity employer which she feels is a miss given all of the time, work and money that Genesis Ramos put into her work with the City.

Daniel Cronin, 38 Washington Place said he wanted to comment on the snow. He knows it's a lot of work but he doesn't get the excuses. His road has no off street parking yet it wasn't plowed and he doesn't no why. This road is also used for emergencies so why wasn't it plowed for emergencies?

Mayor Harvey said he was not aware that Washington Place was not plowed but he will look into it.

Mr. Cronin added that Officer Hinspeter was under investigation for two years and was allowed to retire somehow so now the taxpayers are paying for his retirement. Why is that

allowed and what type of standard is that setting?

Mayor Harvey said if someone is being criminally prosecuted everyone has due process under the law and he was prosecuted in another town. He wasn't prosecuted here. The City cannot take his retirement away because that is a Pension. He referred him to the Police Chief to answer his questions.

Mr. Cronin added that the Attorney General should investigate what's going on in Newburgh.

Joselyn Taylor, City of Newburgh addressed the residents who were listening in Spanish first. In regard to the snowstorm she said that many of the Council received e-mails and texts from her early in the morning because her neighbors were knocking on her window teller her she had to move her car because the Police were threatening to tow them and had ticketed everyone in the neighborhood. They will go through the due process and plead not guilty but the Hearing Officer they will go before doesn't decide whether it was right or wrong he just decides whether to dismiss or not. How this storm was handled was very distasteful and she has never before felt so unrepresented. Everyone in her neighborhood tried to coordinate with DPW and the Police Department so the street could be plowed but they never came to plow the side we were supposed to be parked on. They tried to communicate but feels like their voices were left unheard. This is not for her but the members of this community who were so appalled by the way they were treated during this storm. If the Police Department and DPW cannot meet the deadline, why should the residents be held responsible?

Mayor Harvey told Ms. Taylor that she openly admitted that they were all parked on the wrong side of the street. He got a text message from her early in the morning and was not happy with that. He noted that he is a taxpayer and a resident also so he doesn't appreciate getting a text message at 1:00 in the morning when she is openly admitting that they were parked on the wrong side of the street according to the parking rules. He doesn't understand why we are having this conversation.

Ms. Taylor said that there was no place to park because the other side of the street was not plowed.

Councilman Shakur said that if the other side of the street is not plowed, how can they move the cars over there? It's common sense.

Mayor Harvey said that they should have been parked on the proper side.

Ms. Taylor said that they were parked on the proper side but when 6:00 p.m. came for them to move to the other side the street had not been plowed. If we are to be held responsible, then she will take responsibility but the fact is that they were not treated correctly.

Mayor Harvey said he is trying to get an understanding because when he talked to DPW and the Police Station after he spoke with her he was told that they were on the wrong side of the road. He doesn't know what the road conditions were on the other side so if they have pictures he would like to see them. He said that they always have the option of pleading not guilty and going before the Judge where they can present those photos. The

City Council cannot and will not have anything to do with the judgement of that circumstance because they are not the point of authority on those tickets.

Ms. Taylor said that the City Council is responsible for the City Manager and the City Manager is responsible for the management so there is responsibility there. We all work hard and every car was fined $100.00. She knows we need revenue but we don't need it at this expense so we don't need to be treated like this. We talk about community relations and this is not ok.

Mayor Harvey added that many times people misunderstand what the City Council's roles and responsibilities are in the City. We legislate the laws so we would be the ones bringing forward a resolution and legislation to change the parking rules. What she is asking them to do is adjudicate and make a judgement based on a civil penalty that they have gotten and that is not their role.

Councilwoman Mejia expressed thanks to the people who are voicing their concerns. In Ward one she said they also experienced what she is calling the domino effect. A Snow Emergency was called on Saturday and by Sunday some cars had not moved which impedes the entire process and starts the domino effect. It was good that in the community common sense kicked in and the majority of people moved to one side allowing the plows to get through. This was a huge storm with three inches of snow falling every hour for a forty-eight hour period which is a lot of snow. She wants to recognize the work that was done by DPW but they fell behind schedule because we had whiteout conditions. This was a Nor'easter like we haven't seen in about six years but the residents, DPW and the Police all did their best but there was a point where cars were just left on the road because you couldn't move. It was an unusual storm and we should discuss what we can do about it. In conclusion it was lovely to see community and common sense come into play. The tickets are meant to encourage and demand compliance not to get revenue because that's not how this Council works to get revenue.

Councilman Shakur said this is a very important topic. What Ms. Taylor was talking about he witnessed himself because when he went out to assist some people the other side of his street wasn't plowed yet and it was time to move the cars but no one knew what to do. As Councilwoman Mejia stated it was a lot of snow and we all did what we could so everyone pitched in to help each other. The Mayor is correct that Ms. Taylor was parked on the wrong side but if the other side wasn't plowed where do you go? He understands both sides of the story but we have to have empathy and understand that the residents look to us for direction. Yes we do just legislate but when there are problems he goes out and looks at these problems not just what the City Manager or someone else is telling him. He goes directly to the source to make a better decision. The residents are crying out right now during this Pandemic and they have a lot going on in their lives. Some cars were towed and some were not so we have to make sure that everyone obeys the laws and not just a select few. Many people don't have garages and driveways so it's harder for them. There are two sides to our City with one side doing economically bad and one side that is doing better but different rules apply. When he is asked a question he has never deferred them to someone else. He always sees what he can do and he shows empathy.

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

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

Councilman Grice thanked everyone and noted in regard to the snow that our DPW is working hard. This was a huge snowstorm so some forgiveness should be given on that and in some areas we do need to improve. In his opinion, if everyone is parked on one side in a neighborhood and even if it's the wrong side then plow that other side rather than making them go out. He disagrees that there are two sides of the City because he lives in the west end and saw some of these same issues. They did a great job on South Miller Street where the community worked together and shoveled the other side so people could move over. He likes the Syracuse model where the police are in front of the plow trucks so you know they are coming and that is the model he has asked for. He also hopes that the Transportation Advisory Committee could be involved in whatever adjustments we need to make that bridges that gap between the hard work that DPW and our Police Department are doing and what the community expects and demands. This gives us an opportunity to fix this situation so that moving forward everyone is on the same page. Mayor Harvey was correct that we do not get people out of tickets so he would encourage anyone to appeal their ticket but it's not what we do as a Council. Let's take a pause and try to focus on a solution so when we have another snowstorm we won't run into these same situations.

Councilwoman Mejia said that we have to look at the domino effect that gets created when the Syracuse model is not utilized. For the second snowstorm that we experienced this past week it felt different with the Police out with the sirens reminding people. We do need to tweak it and talk about the signage and how to improve it so it's understood. She added that common sense goes a long way so if you see cars parked on one side don't be the only car parked on the opposite side. As for the rest of the items on the Agenda for tonight she is excited about the public hearings and appointments they will be discussing.

Councilwoman Monteverde said she agrees with Councilwoman Mejia that this was an incredible storm that dumped an incredible amount of snow. In the Heights there are a lot of vehicles in a small area so it's difficult to navigate but people did the best they could. With the second storm the Police were out early with a bullhorn reminding people of the Snow Emergency. For a city of this size with all of the vehicles we have it is really tough. It was a lot of snow and we hear what everyone is saying so we will work on it. She thanked DPW because they worked their butts off trying to keep this City safe and move that snow as fast as possible so they worked around the clock. She also thanked the Police for reminding people about the Snow Emergency. The City Manager mentioned Liberty Street School and she asked if there is a schedule for this. When will they be breaking ground? She added that we sold a million dollars in City owned properties which is something we should celebrate because that's quite an accomplishment.

Councilwoman Shakur noted with the snow removal that there are a lot of elderly and single women in the City so when you see them shoveling snow help them. He has some question on the Taxi regulations with COVID restrictions. He is sure they are not supposed to pick up more than one fare at a time. Not everyone is aware of the rules so maybe we should do a community forum so the driver's and passengers know the regulations. Next month is March and tenants are calling him saying that they are being

harassed and threatened by Landlords with evictions. He believes the Governor said that evictions are on hold until June 1st.

City Manager, Joseph Donat said he believes it is May.

Councilman Shakur added that we have to make sure people know the regulations because he feels that as City Council it is their job to make sure they are being enforced properly. Someone commented about asking who took off on January 6th and he said that he put in a request for that himself so he is just waiting for an answer.

Councilman Sklarz thanked everyone for their comments tonight. He reminded everyone that a lot of these issues can be brought before the Transportation Advisory Committee which meets this Wednesday at 6:45 p.m. They are willing to listen and help formulate policy changes for the City. He remembers when alternate side of the street parking existed every day from November 1st to May 1st and people got used to it. When a Snow Emergency is declared in the City of Newburgh people have to start thinking about where they are going to put their car long before the plows show up. He knows that parking is tight but you need to be mindful of that. He added his thanks to Mr. Kaplan, the staff at the Armory and many volunteers who participated in the vaccinations last Saturday. He also wanted to thank all of those who were vaccinated. This is one small step among many being taken throughout the Country which hopefully will put us closer to putting this ordeal behind us. He wanted to inform the residents in the Lake Street area that the delivery of parts of the Lake Street Bridge by crane was delayed because of the snowstorm. The crane now has to be rescheduled which will delay the project for a couple of weeks but parking restrictions will be posted in that neighborhood when they are due to return.

Councilwoman Sofokles said in regard to the snow that a lot of people in her Ward have driveways so there weren't a lot of issues and she doesn't know how the people on Third Street do it because they are parked perfectly in uniform all the time. Colonial Terrace is tough and there were some problems there but it's also tough for DPW. This was a big storm and you have to remember that when this City was planned there were no cars but now many houses have several cars which makes it tough. She also heard the Police out throughout the night so she believes we all have to pay a little more attention. This was a learning experience for many people and she thanked those who spoke up because you have to speak up when you feel that something is wrong. The Mayor was correct that we can't do anything about tickets but you can certainly go have your voice heard in Court. She agrees with Councilman Shakur about the Taxi regulations because she has seen cabs with more than one person riding in them and no one is wearing a mask so that's something that needs to be looked into. She also thanked Mr. Kaplan and the Armory for the vaccinations.

Mayor Harvey thanked everyone for the comments from the Council and the public regarding the snow removal. It's a very sensitive subject because as it was mentioned we had two and a half feet of snow dumped on our City so it was not just a Snow Emergency for the City but for the State of New York. We all need to be more aware of the Snow Emergencies so he suggested going to the website to sign up for alerts. He knocked on a lot of doors to help people in his neighborhood and he paid for some tickets for the elderly and the disabled because he felt bad for them. We need to think about the physically disabled and the elderly so if we are able to walk a block or two or pay to park in a lot

somewhere then that will leave spots on the street open for the elderly during a Snow Emergency. He thanked Mr. Kaplan, the Armory, our City Manager and the Governor's Aids that we worked with for the vaccinations where three hundred and seven elderly residents were vaccinated. He noted again that they are working on getting testing for all six senior housing facilities and he agrees that the Taxi regulations need to be looked at. This is an ongoing work in progress with the snow removal so he thanked DPW and the Water Department who were out plowing as well.

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

CITY MANAGER'S REPORT

Resolution No. 16 - 2021 - Contract with Hudson Valley Engineering Associates for Construction Inspection on the Lake Street (Route 32) Bridge Rehabilitation Project

Councilwoman Sofokles moved and Councilwoman Mejia seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 17 - 2021 - Proposal with McLaren Engineering for Engineering Services in Connection with PIN#8761.57 Lake Street (Route 32) Bridge Rehabilitation Project

Councilman Shakur asked if this is the project that is being delayed.

City Manager, Joseph Donat noted that Lake Drive is being delayed and this is for Lake Street. Once Lake Drive is done, we will route cars through Lake Drive as we shut down Lake Street to replace the temporary bridge that is currently in place there. These two resolutions are for prep work and inspection related services for the Lake Street Bridge Replacement Project.

Councilman Sklarz moved and Councilman Grice seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 18 - 2021 - 2020 Year End Budget Adjustment (For Audit)

Mayor Harvey asked if this is for the traditional audit for fiscal year 2020.

City Manager, Joseph Donat said that this resolution is for adjustments to last year's Budget for the audit that we are about commence.

Mayor Harvey said to clarify, the budget audit that is going to commence is the normally scheduled audit that we do every year.

Mr. Donat responded that is correct.

Councilman Grice moved and Councilman Shakur seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 19 - 2021 - Amending the 2021 Personnel Analysis Book

Councilman Sklarz moved and Councilman Grice seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 20 - 2021 - 34 Carter Street - Extension of Time to Rehabilitate

Councilwoman Sofokles moved and Councilman Shakur seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 21 - 2021 - 159 West Parmenter Street - Release of Restrictive Covenants

Councilman Grice moved and Councilman Shakur seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 22 - 2021 - To Schedule a Public Hearing and 15-Day Public Comment Period for the FY2020 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER)

Councilman Shakur moved and Councilman Sklarz seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 23 - 2021 - To apply for only - NEA Grant for Arts Project

Councilman Sklarz moved and Councilwoman Monteverde seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Ordinance No. 1 - 2021 - increasing the penalty for littering and dumping violations

Councilman Grice noted that when we are talking about illegal dumping we are talking about people filling their trucks and sneaking into the City to dump it. We are increasing the fine on that so if you see someone don't argue with them just take a picture and report them. He hopes that the City can continue the no cost bulk pick up days and that Safe Harbor and others can do their cleanups next year as well.

Councilwoman Sofokles said to everyone listening that whoever is dumping on Carpenter Avenue she has just installed two new cameras so we are going to catch you.

Councilwoman Mejia added that along with increasing the fine the enforcement aspect is attached to this so cameras go a long way.

Councilman Shakur said that the prior fine didn't justify the act because the fine was cheaper than taking the garbage to the dump so now that the fines are being increased it will be a deterrent.

Mayor Harvey thanked Councilman Grice for initiating this effort and they have all been in discussions on illegal dumping. Last year he saw someone on Mill Street unloading a truck and took pictures which he sent to the Police Department but never got any follow up on it. This is a major issue especially in the warmer months when people come from other areas to dump in our City. He feels that the Comprehensive Video Surveillance Program will help with this illegal dumping so he is happy with this resolution. In regard to enforcement, he thinks we should look into Grants for our residents so they can get cameras installed on their properties.

Councilman Grice moved and Councilwoman Mejia seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 24 - 2021 - Community Choice Aggregation

Councilwoman Sofokles moved and Councilman Sklarz seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 25 - 2021 - Authorizing a Payment of Claim with Jushawn Stevens

Councilman Grice moved and Councilman Sklarz seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 26 - 2021 - Appointing Joanne Matthews Forbes to Position of City Court Judge

Councilman Grice said there were a lot of great candidates and it was a unanimous decision so he looks forward to Ms. Forbes being our City Court Judge for ten years.

Councilman Shakur agreed it was a hard decision but if his life depended on it he would rather have someone who has been doing this for thirty one years. We are appointing someone who has never been in our City Court over someone who has thirty one years' experience in our City and a relationship with the community. When we talk about transparency and accountability he would like to know where that is to our residents because they are the ones who are going to be affected by this.

Mayor Harvey agreed that they had a difficult decision to make with a lot of qualified candidates.

Councilwoman Mejia moved and Councilwoman Monteverde seconded.
Ayes: Grice, Mejia, Monteverde, Sklarz, Sofokles, Harvey - 6
Nays: Shakur-1
Adopted

Resolution No. 27 - 2021 - Settlement of Reverter Claim

Councilman Grice moved and Councilwoman Sofokles seconded.
Ayes: Grice, Mejia, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

NEW BUSINESS

Councilwoman Monteverde reminded everyone that the City has been posting the Work Shops, *Know Your Rights for Tenants* that are being held by Legal Services. If you have any questions as a tenant or you have a landlord situation it would be good to attend these meetings or get information because of the Eviction Moratorium which is in place until May 31st.

Councilwoman Sofokles was going to mention that as well and wanted to thank Councilman Shakur for putting up the flag for Black History Month.

Mayor Harvey congratulated Mary Lou Carolan on her appointment to Director of the Newburgh Free Library. He also congratulated Chuck Thomas on his retirement and thanked him for many years of service. Ms. Carolan has some fascinating items and programs that she has already jumpstarted such as the one for people who are small business owners or want to be with a series of talks and seminars scheduled for the month of February. There is also a program planned to learn coding for the young people who are interested. For the last meeting in February he would like to put together a few slides and do a brief ten minute power point presentation in honor of Black History Month with a few students if the Council agrees. He also thanked Councilman Shakur for his efforts in raising the African American flag and apologized for not being there.

There being no further new business to discuss this portion of the meeting was closed.

OLD BUSINESS

Councilman Grice asked at the last meeting for the meetings to be done on Facebook Live because it seems like that is where the community is and we need to take as many steps as possible to engage with the community. He told Mayor Harvey that he offers to help with the Street Sweeper Program any way that he can. He feels that if we have this Program then those individuals could help with the litter and snow removal as well. In regard to the African American Day Parade, he would like to see about forming a committee to start the planning for that.

Mayor Harvey thanked Councilman Grice because he has been in ongoing discussions about the Street Sweeper Program which he feels is super significant. He has had conversations with RECAP to see if they can find funding to match what the City has already budgeted to make sure that the program is well accounted for with enough street sweepers and for shoveling in the winter to help the elderly or disabled residents with their cars. He would like to get some sort of update at the next Work Session meeting on this. There was also a recommendation to look at the Boys and Girls Club possibly matching what we budgeted and handling the administrative aspect of it if RECAP can't so that conversation has to happen. We had a very successful Summer Youth Employment Program so perhaps we can snowball this Street Sweeper Program and ad the youth to that program as well after we get it up and running. He would also like a report from our Technology Department on our Video Surveillance Program. He thinks there is a $100,000.00 Grant that we are waiting on from he believes New York State for the purchasing of some more cameras so he would like to see those two items on for the next

Work Session.

City Manager, Joseph Donat responded that the street camera update was provided at the last meeting. We have thirty four or thirty five cameras most of which are working but two are currently down. The $100,000.00 referenced has been stalled at the State level due to COVID with no further update. On the Street Sweeper Program he is all ears and willing to collaborate with anyone interested in rolling this program out and will continue to be available.

There being no further old business to discuss this portion of the meeting was closed.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice thanked everyone for being here tonight and said in regard to the snow removal that he would like the Transportation Committee to be a part of. He noted that he is also in support of getting more cameras. He congratulated Mary Lou and said that they have worked on a lot of things together so he is looking forward to her filling Mr. Thomas's shoes. He mentioned that Hudson Valley Legal Services does a great job so people should contact them especially if they feel aggrieved by their landlord. Lastly he wanted to thank Karen Mejia who has done a lot for him and the community.

Councilwoman Mejia said when talking about the snow earlier she failed to mention that the other obstructions she noticed with this past storm were some of our construction sites and Airbnb property sidewalks were not plowed. Kudos to the City for improving on the cleaning of the sidewalks and for Mr. Garrison and the Water Department working collaboratively as a team. She added that the Airbnb properties, businesses and construction sites throughout the City also have to follow regulations with cleaning up the sidewalks. She also reminded businesses that when they are cleaning up their sites not to push the snow out into the street. There are a lot of exciting things happening in 2021 and her mantra for the year is going to be functioning from abundance versus scarcity. There is a lot of talent and resources here in the City of Newburgh and the more we work together collaboratively to raise them up and leverage them will be great. She is looking forward to the housing study and the findings that will be shared so she is looking forward to a productive 2021.

Councilwoman Monteverde said that the snow is really a tough situation because there are not a lot of places to park in the City and a lot of people don't have driveways. Walking around her street it was hard to navigate the sidewalks because some of them were not shoveled at all and she agrees the Airbnb properties have to shovel too. She believes that 2021 is going to be better than 2020 which was a challenging year but be got through it. She is excited about the completion of the Baxter Project at 109 S. William Street and will be touring it on Wednesday. She is also excited to see that 15 Colden Street will hopefully have shovels in the ground shortly and hopes to see progress with the Liberty Street School with shovels in the ground as well. She told Councilman Grice that once the weather clears and the snow melts she is hearing that there are several groups planning some pop-up cleanups.

Councilman Shakur thanked everyone who spoke out tonight and said that when you have a problem this is the place to bring it to so sign up. The Street Sweeping Program is much needed and he thanked the Mayor for doing this but added that the streets need to be fixed too. You can't sweep the streets if they aren't fixed. In regard to the Grant for cameras for homeowners, someone asked him if renters can apply for them also if the homeowner signs off. This is where you get your problems fixed. If we don't hear about them we can't fix them so let's make sure we all become part of this process so we can all be part of the solution.

Councilman Sklarz noted that it is going to start snowing again at 3:00 tomorrow morning so be aware. He thanked all of the candidates for City Court Judge and congratulated Judge Matthews.

Councilwoman Sofokles said she is into the Street Sweeper Program and would be glad to help. They have always had a Summer Youth Program at Downing Park and this year we had the Urban Farm which was a nice group of young people. The youth are our future and working in the Park teaches them respect for the City so she thinks this Street Sweeper Program would be good and that Kevin White would be a good partner in that program. The Baxter Project is exciting and she has a vested interest in the Liberty Street School because her mother worked there. That corner kind of died when that school closed so she is waiting patiently for that project to be done. She added that Ms. Boyd has been on Taxicabs for a long time and it's become a problem so we really need enforcement on it.

Mayor Harvey thanked our City Manager, Executive staff, all of our city workers, his colleagues on the City Council, volunteers and residents. We have been going through a very difficult time with this Pandemic which has been a long haul that isn't' over yet. It has been very stressful, daunting, agitating and scary at times. Since last March of 2020 until now we are still trying to work our way through this Pandemic so he wanted to thank everyone because it's not easy but we are still seeing projects happen. We are going to move on this Street Sweeping Program which is going to make a huge difference. He is also excited about the possibility of getting Grants for cameras for public safety for our residents whether they are renters or homeowners. He also looks forward to continuing the work on the Mayor's Strategic Economic and Development Committee.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 9:00 p.m.

LORENE VITEK
CITY CLERK

RESOLUTION NO.: 16 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ACCEPT A PROPOSAL AND EXECUTE AN AGREEMENT WITH
HUDSON VALLEY ENGINEERING ASSOCIATES, P.C.
FOR CONSTRUCTION INSPECTION SERVICES RELATED TO
THE ROUTE 32/ METAL ARCH CULVERT BRIDGE (LAKE STREET BRIDGE)
REHABILITATION PROJECT BIN NO. 2022260 AT A COST OF $284,441.36

WHEREAS, by Resolution No. 225-2014 of September 8, 2014, the City of Newburgh accepted a proposal and executed an agreement with McLaren Engineering Group for inspection and engineering design services for the Route32/Metal Arch Culvert Bridge (Lake Street Bridge) Rehabilitation Project (the "Project"); and

WHEREAS, the Project was suspended until the City was awarded a New York State Department of Transportation Bridge NY 2016 Program grant to fund the Project; and

WHEREAS, Hudson Valley Engineering Associates, P.C. has submitted a proposal a professional engineering services agreement to provide construction inspection services for the Project at a cost of $284,441.36 with funding for the additional services to be derived from a DASNY grant, the OCTC TIP Reserve Fund, and A.1918.0400 – Grant Match; and

WHEREAS, the City Council has reviewed the annexed proposal and has determined that continuing with such work as proposed would be 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 a proposal and execute an agreement with Hudson Valley Engineering Associates, P.C. for professional engineering and construction inspection services in connection with repairing and rehabilitating the Route32/Metal Arch Culvert Bridge (Lake Street Bridge) BIN No. 2022260 Rehabilitation Project at a cost of $284,441.36.

RESOLUTION NO.: 17 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL AND EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MCLAREN ENGINEERING GROUP FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION SUPPORT SERVICES RELATED TO THE ROUTE 32/ METAL ARCH CULVERT BRIDGE (LAKE STREET BRIDGE) REHABILITATION PROJECT BIN NO. 2022260 AT A COST OF $41,770.00

WHEREAS, by Resolution No. 225-2014 of September 8, 2014, the City of Newburgh accepted a proposal and executed an agreement with McLaren Engineering Group for inspection and engineering design services for the Route32/Metal Arch Culvert Bridge (Lake Street Bridge) Rehabilitation Project (the "Project"); and

WHEREAS, the Project was suspended until the City was awarded a New York State Department of Transportation Bridge NY 2016 Program grant; and

WHEREAS, by Resolution No. 264-2018 of September 24, 2018, the City of Newburgh accepted a proposal and executed an amendment to the agreement with McLaren Engineering Group for professional engineering and construction support services, including certain design and pre-bid requirements required by the New York State Department of Transportation, for the Project; and

WHEREAS, McLaren Engineering Group has submitted a proposal for an amendment to the professional engineering services agreement for the bid phase of the Project to include construction support services, shop drawing review and contractor support, at a cost of $41,770.00 with funding for the additional services to be derived from a DASNY grant, the OCTC TIP Reserve Fund, and A.1918.0400 - Grant Match; and

WHEREAS, the City Council has reviewed the annexed proposal and has determined that continuing with such work as proposed would be 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 a proposal and execute a contract amendment with McLaren Engineering Group for professional engineering and construction support services in connection with repairing and rehabilitating the Route32/Metal Arch Culvert Bridge (Lake Street Bridge) BIN No. 2022260 Rehabilitation Project at a cost of $41,770.00.

RESOLUTION NO.: 18 - 2021

OF

FEBRUARY 8, 2021

RESOLUTION AMENDING RESOLUTION NO: 288-2019,
THE 2020 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK
FOR 2020 YEAR END BUDGET TRANSFERS AND/OR AMENDMENTS
TO ADJUST FOR ANY ITEMS IN EXCESS OF BUDGET

WHEREAS, all 2020 budget lines ending in excess of appropriation can be covered by other 2020 budget lines ending with funds remaining, which requires a budget amendment but no increase in excess of the total annual appropriation; the same being in the best interest of the City of Newburgh;

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

2020 Council Transfer

GL Account	Description	Decrease Budget	Increase Budget
	General Fund		
City Manager			
A.1230.0455.0001	Consultant Services Newburgh Facilities Master Plan	$61,032.81	
Expense of Property Acquired			
A.1364.0448	Other Services		
A.1364-0490	Prop Acq/Taxes & Search	$95,366.42	
Municipal Buildings			
A.1620.0422	Gas & Electric	$192,299.81	
Information Systems			
A.1680.0453	Dues & Subscriptions	$25,509.03	
A.1680.0491	WEB Services	$28,031.41	
Police Department			
A.3120.0860.0001	Health Insurance-Retirees	$274,048.93	

GL Account	Description	Decrease Budget	Increase Budget
	General Fund		
Assessor			
A.1355.0496	Tax Certiorari		$3,569.77
Records Management			
A.1460.0448	Other Services		$672.00
Fire Department			
A.3412.0103	Fire-Overtime		$670,858.53
Architectural Review Committee			
A.8041.0462	Legal Ads		$1,188.11
TOTAL GENERAL FUND:		$(676,288.41)	$676,288.41
	Sewer Fund		
Sanitary Sewers			
G.8120.0101	Salary	$9,773.88	
Special Items			
G.1900.1987	Prior Year Expenditures		$9,773.88
TOTAL SEWER FUND:		$ (9,773.88)	$9,773.88
GRAND TOTAL COUNCIL TRANSFER:		$(686,062.29)	$686,062.29

RESOLUTION NO.: 19 -2021

OF

FEBRUARY 8, 2021

A RESOLUTION AMENDING THE 2021 PERSONNEL ANALYSIS BOOK TO ADD TWO (2) ASSISTANT MAINTENANCE MECHANIC POSITIONS ON A TEMPORARY BASIS IN THE CITY OF NEWBURGH WATER DEPARTMENT

WHEREAS, the Water Department has advised the City Manager the department is in need of 2 additional individuals to perform the duties of "Assistant Maintenance Mechanic" to promote the economy and efficiency within the Department; and

WHEREAS, the creation of the 2 Assistant Maintenance Mechanic positions will be on a temporary basis and funding for such positions will be derived from available funds in F.8320.0101 (Ponds and Reservoirs) and F.8340.1010 (Distribution); and

WHEREAS, the City Council has determined that adding two temporary Assistant Maintenance Mechanic positions in the Water Department is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2021 be amended to add two (2) additional positions on a temporary basis in the job title "Assistant Maintenance Mechanic" in the Water Department.

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RESOLUTION NO. 20 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO REHABILITATE THE PREMISES KNOWN AS 34 CARTER STREET (SECTION 22, BLOCK 2, LOT 6) IN THE CITY OF NEWBURGH UNTIL AUGUST 31, 2021

WHEREAS, the City of Newburgh did convey the premises located at 34 Carter Street, more accurately described as Section 22, Block 2, Lot 6 on the Official Tax Map of the City of Newburgh, by deed dated February 8, 2019; and

WHEREAS, said deed included a provision requiring rehabilitation of the conveyed premises to be completed on or about August 8, 2020; and

WHEREAS, the owner of the property, 34 Carter Realty Partners, LLC, stated it would be unable to comply with the August 8, 2020 deadline, but has attempted a good faith effort and intent to complete the rehabilitation; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that 34 Carter Realty Partners, LLC be granted an extension to rehabilitate the premises known as 34 Carter Street in the City of Newburgh until August 31, 2021.

RESOLUTION NO.: 21 -2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO EDITH RIVERA TO THE PREMISES KNOWN AS 159 WEST PARMENTER STREET (SECTION 38, BLOCK 3, LOT 8)

WHEREAS, on January 24, 2001, the City of Newburgh conveyed property located at 159 West Parmenter Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 38, Block 3, Lot 8, to Edith Rivera; and

WHEREAS, Ms. Rivera's attorney has requested a release of the restrictive covenants contained in said deed; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, 5, and 6 of the aforementioned deed.

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN ($10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 159 West Parmenter Street, Section 38, Block 3, Lot 8 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, 5 and 6 in a deed dated January 24, 2001, from THE CITY OF NEWBURGH to EDITH RIVERA, recorded in the Orange County Clerk's Office on _____, in Liber _____ of Deeds at Page _____ and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Joseph P. Donat, City Manager
Pursuant to Res. No.: ___-2021

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

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH P. DONAT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

_____

RESOLUTION NO.: 22 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION SCHEDULING
THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)
PUBLIC HEARING AND OPENING OF
THE 15-DAY PUBLIC COMMENT PERIOD FOR FISCAL YEAR 2020

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the 15-day period to receive written public comment on the City of Newburgh's proposed City of Newburgh's proposed Consolidated Annual Performance and Evaluation Report (CAPER) with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2020 shall commence on February 23, 2021 and close on March 10, 2021; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that there is scheduled a public hearing to receive public comment on the Consolidated Annual Performance and Evaluation Report (CAPER) with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2020; and that such public hearing be and hereby is duly set to be held at 7:00 p.m. on the 22nd day of February, 2021; 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 February 22, 2021 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 Consolidated Annual Performance and Evaluation Report (CAPER)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_Ls3H6j2fRkKCKoMbhsaLLw. Please note that there is an underscore between the "N" and "L").

To register in advance for this webinar in order to provide comments during the hearing: https://zoom.us/webinar/register/WN_Ls3H6j2fRkKCKoMbhsaLLw. 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 Monday, February 22, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

Although several projects were placed on-hold due to the Coronavirus Pandemic, the City of Newburgh was still able to carry out several projects in 2020:

In Rem Property Program: Maintenance of the habitability of 100 residential properties returned to the City of Newburgh through the foreclosure process.

Neighborhood Services: Neighborhood Services project fo the "Socially-Distanced" Summer Film Festival.

Park Improvements: Park signage for "Socially-Distanced" activities.

Administration: Support services to the Community Development Block Grant, including publishing public notices, processing payment vouchers, report preaparation, Spanish translation and interpretation services and salary of the Director of Community Development.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Administration	Administration	CDBG: $	Other	Other	1	1	100.00%	1	1	100.00%

Economic Development	Non-Housing Community Development Economic Development	CDBG: $	Facade treatment/business building rehabilitation	Business	3	0	0.00%	3	0	0.00%
Economic Development	Non-Housing Community Development Economic Development	CDBG: $	Businesses assisted	Businesses Assisted	15	0	0.00%			
Economic Development	Non-Housing Community Development Economic Development	CDBG: $	Other	Other	0	0		1	0	0.00%
Housing	Affordable Housing	CDBG: $	Housing Code Enforcement/Foreclosed Property Care	Household Housing Unit	100	100	100.00%	80	100	125.00%
Infrastructure Improvements	Non-Housing Community Development Infrastructure Improvements	CDBG: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	28000	0	0.00%	28000	0	0.00%
Quality of Life Improvements	Non-Housing Community Development	CDBG: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	28000	0	0.00%			

Quality of Life Improvements	Non-Housing Community Development	CDBG: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1000	1500	150.00%	500	500	100.00%
Quality of Life Improvements	Non-Housing Community Development	CDBG: $	Other	Other	0	0		1000	1000	100.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

Priority Needs

Note: Due to the Coronavirus Pandemic, several scheduled projects were placed on-hold:

Housing: The In Rem property team provided maintenance of the habitability of 100 residential properties returned to the City of Newburgh through the foreclosure process. This project meets several goals, including preserving housing stock and reducing slum and blight.

Quality of Life -Public Services: Neighborhood Services provided a much-needed "Socially-Distanced" Summer Film Festival.This program provides public service outreach as well activities for youth.

Quality of LIfe - Park Improvements: Installation of park signage to encouage socially-distanced activities.

Administration: Support services to the Community Development Block Grant, including publishing public notices, processing payment vouchers, report preaparation, Spanish translation and interpretation services and salary of the Director of Community Development.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG
White	500
Black or African American	500
Asian	0
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	**1,000**
Hispanic	500
Not Hispanic	500

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The data in Table 2 is approximate. Of the families and individuals participating in the Neighborhood Services "Socially Distanced" Summer Film Festival, 70% were minorities. The City of Newburgh Summer Film Festival was open to all City of Newburgh residents. However, in order to reach as many low-income families who may have transportation restrictions, as well as provide a socially-distanced location, the festival was held at the Ann St. Parking Lot, located between Ann St. and Washington St., in Census Tract 5.0. This is a walkable location on the East-End of the City of Newburgh, a target area for low-income activities. The festival was attended by families and individuals, approximately 80% minority.

The In Rem Project assisted the following ethnic groups: 39% Latino or Hispanic, 61% Not-Hispanic or Latino. The racial categories assisted by the In Rem Project include: 6% Asian, 14% Black or African American, 77% White, 2% identify as Other.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	872,788	416,621

Table 3 - Resources Made Available

Narrative

$416,620.85 was expended for activities during the 2020 program year. Note: Due to the Coronavirus Pandemic, several planned projects we placed on-hold, including the Ann St./Liberty St. Sidewalk Repair project.

"Other" Funds include $23,686.27 expended as part of the CARES Act CDBG-CV allocation. This funding was expended on a Food Security Project through the Newburgh Urban Farm & Food Inititative (NUFFI).

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tracts 4 & 5	70	70	In Rem Property Project, Summer Film Festival
City Wide	30	30	In Rem Property Project, Summer Film Festival

Table 4 – Identify the geographic distribution and location of investments

Narrative

The majority of the CDBG projects took place in Census Tracts 4 and 5, including the "Socially-Distanced" Summer Film Festival.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

Complete Streets, Liberty Street Streetscape and Sidewalk Project: The City of Newburgh was awarded a Transportation Alternatives Program (TAP) grant from the New York State Department of Transportation in the amount of $400,000.00. The funds are to be used for a (new) complete street oriented streetscape design replacement of one block of City sidewalks in the heart of the City of Newburgh's Historic downtown, along Liberty St, between Broadway and Ann Street. Community Development Block Grant (CDBG) funding is used to match the TAP funds.

ADA Curb Cuts: The "ADA Curb Cuts" project is part of a larger City of Newburgh street improvement project. Street paving funds are provided through the New York State Consolidated Local Street and Highway Improvement Program (CHIPS) program. Federal (CDBG) funds are used for the ADA Curb Cut compliance portion of the project.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	3	1
Number of Special-Needs households to be provided affordable housing units	0	0
Total	**3**	**1**

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	3	1
Number of households supported through Acquisition of Existing Units	0	0
Total	**3**	**1**

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

After evaluating the previous City of Newburgh CDBG-funded Emergency Homeowner Repair program, it was detemined that a previous Emergency Homeowner Repair program was not meeting home-owner needs. In 2020, the Emergency Homeowner Repair Program was re-introduced.

In 2018, the City of Newburgh Water Department was awarded $544,000.00 from the New York State

NYS) Department of Health (DOH) in order to identify and replace lead water service lines from the City of Newburgh's water main to the Homeowner's water meter. This funding was used to create the City of Newburgh Lead Service Line Replacement Program (LSLRP). In 2020, as part of the larger LSLRP, the City of Newburgh offered a Homeowner Emergency Lead Line Repair program for low-moderate income residents for emergency lead water service line repairs. 1 low-moderate income homeowner was served through the program in 2020.

Discuss how these outcomes will impact future annual action plans.

The City of Newburgh will consider an increase in program funding as the program has been successful in assisting homeowners with lead service line replacement needs.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	0
Low-income	1	0
Moderate-income	0	0
Total	**1**	**0**

Table 7 – Number of Households Served

Narrative Information

In 2020, the City of Newburgh offered an Emergency Homeowner Lead Line Assistance program as part of the larger City of Newburgh LSLRP. The one year goal was to assist at least 3 income-qualified homeowner with lead line replacement. 1 homeowner was assisted.

A Homeowner Repair program has been funded for 2021. It is anticipated that the City of Newburgh Water Department will receive additional LSLRP funding from the NYS DOH. If needed, the Homeowner Repair program will fund additional low-moderate homeowner lead service line replacements, in the event that the NYS DOH funds are depleted.

After review of homeowner assistance needs in the City of Newburgh, it was determined that most homes in need of repair have multiple issues. For example, the home may have hole in the roof, in addition to broken front step railings.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Newburgh Ministry provides a homeless shelter on Johnston St. Social service assistance, as well as healthcare is provided. In conjunction with the ESPRI-funded "Fragile Economies" project, the Newburgh Ministry provides financial stability assistance, as well as improved health and wellness and resiliency through peer coaching to several at-risk families in the City of Newburgh.

In 2020, the Newburgh Ministry also operated a seasonal walk-in shelter at a City of Newburgh-owned building, 104 S. Lander St. Social Service assistance was provided to the walk-in guests of the shelter.

Addressing the emergency shelter and transitional housing needs of homeless persons

City of Newburgh partners with services such as Regional Economic Community Action Program (RECAP) and Orange County Department of Social Services to address emergency shelter and transitional housing needs of homeless persons. Other partners include Safe Harbors of the Hudson, the Newburgh Ministry and a growing number of organizations providing services to the formerly incarcerated.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Social service agencies and organizations in the City of Newburgh such as Exodus Transitional Community, Bridges of New York and Renwick Recovery, Inc., work to address and promote programs for vulnerable persons and families. In 2017, the NYS Governor's Office commenced the Empire State Poverty Reduction Initiative (ESPRI). ESPRI held a community listening session, as well as convened several task forces, including housing, workforce development, healthcare and wellness. The focus of ESPRI 2020 was to continue implementation of several support projects, including the "Fragile Economies Project."

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that

individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

RECAP and Orange County Department of Social Services address the housing transition needs for homeless indiviuals and families, as do a growing number of service organizations, such as Exodus Transitional Community, Bridges of New York, Renwick Recovery, Inc. and Project L.I.F.E.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

City of Newburgh staff continue to meet with the Director of the Newburgh Housing Authority (NHA) on a regular basis regarding any public housing needs. All CDBG programs and City of Newburgh jobs are advertised at the NHA site.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The "City of Newburgh - Housing Resource Guide" and information on how to apply for an fianance a City-owned property are shared with public housing residents. The Newburgh Community Land Bank has been awarded funding through the New York State Attorney General for a "Neighbors for Neighborhoods" Affordable Rental Housing Program. The purpose of the program is to encourage neighborhood residents to rehabilitate properties in their own neighborhood, and maintain the property as affordable rental housing.

Actions taken to provide assistance to troubled PHAs

This section is not applicable.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City of Newburgh supports affordable housing throughout the City of Newburgh. Fees related to land use procedures have been significantly reduced and zoning relaxed to provide more accessibility. The City of Newburgh Zoning is reviewed regularly to identify barriers to affordable housing projects.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City of Newburgh has a population in which at least 50% identify as Latinx. Spanish interpretation is provided at CDBG-related meetings (ex. Public Hearings). Spanish translation and dissemination of program materials into Spanish, as well as in English, is required by the City of Newburgh under the Language Access Plan. "La Voz" provides Spanish language announcements for City of Newburgh residents.

The City of Newburgh has contracted with Language Link to provide additional language translation and interpretation services.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Coordination bewtween Lead Safe Orange and City of Newburgh Code Compliance of City of Newburgh-owned properties.
The City of Newburgh is planning to apply for a Lead remediation grant through HUD's Office of Lead Hazard Control and Healthy Homes (OLHCHH).

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

In 2017, the NYS Governor's Office commenced the Empire State Poverty Reduction Initiative (ESPRI) in the City of Newburgh. The City of Newburgh ESPRI is managed by United Way of Dutchess-Orange Region.

ESPRI held a community listening session, as well as convened several task forces, including housing, workforce development, healthcare and wellness. The focus of ESPRI 2020 was to continue implementation of the Newburgh Ministry managed "Fragile Economies Project." The Fragile Economies Project aims to help low income families achieve financial goals and establish a savings cushion to help with life's unexpected events and emergencies. Families work with peer coaches to set goals, create an action plan, and stay on track. Families are connected to support where needed.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Fees related to land use procedures have been significantly reduced and zoning relaxed to provide more accessibility. In addition, the City of Newburgh has developed a more streamlined land use board process, to enhance accessibility.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City of Newburgh takes a lead in the Newburgh Housing Coalition, which includes Habitat for Humanity of Greater Newburgh, PathStone (HUD Homeowner training), Orange County Social Services, Safe Harbors of the Hudson and the Newburgh Community Land Bank. The City of Newburgh also participates in the Orange County Housing Planning Committee, which has even broader outreach and member organizations.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

Homeownership preparation and training through Pathstone, Independent Living and Habitat for Humanity of Greater Newburgh. Introduction of Tenants Responsiblities and accompanying public workshops are also provided.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Newburgh CDBG Advisory Group, comprised of several residents of the City of Newburgh recommended by the City Council, reviews proposed Activities for current and future Annual Action Plans. Members of the CDBG Advisory Group receive CDBG program updates. Activities are reviewed using the exhibits found in the CPD Monitoring Handbook. The "Guide for Review of Eligibility" as well as the guides for review of National Objectives, are used as Activities are selected and subsequently set-up.

In order to provide better outreach to minority-owned and women-owned businesses, a Section 3 and minority/women-owned business Workshop was held in 2020. The workshop was co-sponsored by the Small Business Administration (SBA), through renewed the SBA/City of Newburgh Co-Sponsorship Agreement. Additonal partners for the workshop included HUD and the Orange County Employment & Training. Additional workshops are planned for 2021, including a "Business Basics Bootcamp," as well as a low-income City of Newburgh resident "On-the-Job" training program.

A joint Planning and Development/Community Development/Grants Administration meeting is held bi-weekly in order to ensure that the CDBG program is in align with other City of Newburgh community needs. In addition, the whole CDBG program is monitored for "Timeliness" using a spreadsheet, which tracks Activity spending, as well as Public Service and Administration caps.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

In compliance with City of Newburgh procedures, the Notice of a 15-Day Public Comment Period for the 2020 CAPER was submitted to 4 local newspapers as well as a Spanish language publication/social media. The newspapers include the Times Herald Record, Orange County Post, Hudson Valley Press and the Times Community Papers (Mid-Hudson Times). La Voz provides Spanish language outreach for the 2020 CAPER.

The 2020 CAPER Public Hearing is scheduled for 02/22/2021. The 2020 CAPER will be available for public comment from 02/23/2021 - 03/10/2021.

The 2020 CAPER will be posted on the City of Newburgh website. Hard-copies of the CAPER will be available at City of Newburgh, City Hall, 83 Broadway, in the City of Newburgh Clerk's Office and in the City of Newburgh Department of Planning & Development office, 123 Grand St., and at the Newburgh Free Library, 124 Grand St.

The 2020 CAPER will also be distributed to the Community Development Block Grant [Citizens] Advisory Group.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes in the City of Newburgh's program objectives.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There were no changes in the City of Newburgh's program objectives.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

FY 2020 Community Development Block Grant (CDBG): Consolidated Annual Performance and Evaluation Report (CAPER)

Department of Planning & Development

February 2021

EQUAL HOUSING OPPORTUNITY

Consolidated Annual Performance and Evaluation Report (CAPER)

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- The primary purpose of the CAPER is to report on accomplishments of funded activities within the program year and to evaluate the grantee's progress in meeting one-year goals described in the Annual Action Plan and long-term goals described in the Consolidated Plan.

- Also provides grantees an opportunity to evaluate the effectiveness of their programs.

EQUAL HOUSING OPPORTUNITY

Consolidated Annual Performance and Evaluation Report (CAPER)

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- The CAPER is submitted to the United States Department of Housing and Urban Development (HUD) within 90 days after the end of its program year.

- Submitted to HUD through the Integrated Disbursement and Information System or "IDIS."

EQUAL HOUSING OPPORTUNITY

FY2020: Year 1 of the 5 Year Plan
2020 - 2024

EQUAL HOUSING OPPORTUNITY

Summary of FY2020 Projects/Activities

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities

- Housing
- Park Improvements
- Neighborhood Services
- Administration

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities

In Rem Property Project
Priority Need Supported: Housing

Summary:

- 3 City of Newburgh employees
- In Rem Property Team maintained the habitability of 100 properties returned to the City of Newburgh through the foreclosure process.

Activities included:

- Securing properties/Adding New locks
- Light property maintenance such as mowing, snow removal

- CDBG In Rem Property Spent in 2020: $162,418.00

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities

Park Improvements Project
Priority Need Supported: Quality of Life

Summary:

- Project

Activities included:

- Park Improvements

- CDBG Park Improvements Funding Spent in 2020: $1,085.00

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities

Neighborhood Services Project
Priority Need Supported: Quality of Life

Summary: Neighborhood Services activities in the City of Newburgh.

- Social Distanced Summer Film Festival: Outreach to approximately 1,000 film attendees over 6 weeks.

- CDBG Neighborhood Services Funds spent in 2020: $14,705.06

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities

Administration

Summary: Supports the Administrative activities for the Community Development Block Grant, including salary and benefits for the Director of Community Development, as well as public notice and mail costs, Spanish interpretation and translation.

CDBG Administration Funds spent in 2020: $142,928.33

EQUAL HOUSING OPPORTUNITY

FY2020 Projects/Activities
"CDBG CV"

Additional allocation received under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to fund the following projects:

Food Security
Emergency Income Payments (Rent)
Grant Administration

EQUAL HOUSING OPPORTUNITY

PART I: SUMMARY OF CDBG RESOURCES	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	387,060.38
02 ENTITLEMENT GRANT	872,788.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	1,259,848.38
PART II: SUMMARY OF CDBG EXPENDITURES	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	294,218.26
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	294,218.26
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	142,928.33
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	(72,354.24)
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	364,792.35
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	895,056.03
PART III: LOWMOD BENEFIT THIS REPORTING PERIOD	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	294,218.26
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	294,218.26
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	14,705.06
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	14,705.06
32 ENTITLEMENT GRANT	872,788.00
33 PRIOR YEAR PROGRAM INCOME	683,029.37
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	1,555,817.37
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	0.95%

PART V: PLANNING AND ADMINISTRATION (PA) CAP

37	DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	142,928.33
38	PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39	PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40	ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	(19,794.17)
41	TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	123,134.16
42	ENTITLEMENT GRANT	872,788.00
43	CURRENT YEAR PROGRAM INCOME	0.00
44	ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45	TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	872,788.00
46	PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	14.11%

LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Report returned no data.

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2017	13	577	6340939	Park Improvements	03F	LMA	$3,200.00
2018	4	581	6403063	Park Improvements	03F	LMA	$6,060.25
2019	3	586	6387716	Park Improvements	03F	LMA	$691.31
2019	3	586	6394883	Park Improvements	03F	LMA	$393.69
					03F	**Matrix Code**	**$10,345.25**
2019	2	585	6344064	Complete Streets Program	03K	LMA	$23,700.00
2019	2	585	6360826	Complete Streets Program	03K	LMA	$260.00
2020	2	596	6412314	Complete Streets Project	03K	LMA	$16,284.80
					03K	**Matrix Code**	**$40,244.80**
2018	1	583	6355183	Public Facilities Improvements	03Z	LMA	$1,479.14
					03Z	**Matrix Code**	**$1,479.14**
2019	4	587	6347594	Community Policing/Neighborhood Services	05D	LMC	$1,000.00
2020	5	598	6412314	Neighborhood Services - Summer Film Festival	05D	LMC	$7,459.52
2020	5	598	6421911	Neighborhood Services - Summer Film Festival	05D	LMC	$2,627.38
2020	5	598	6436919	Neighborhood Services - Summer Film Festival	05D	LMC	$3,618.16
					05D	**Matrix Code**	**$14,705.06**
2019	5	588	6360826	Homeowner Assistance Project	14A	LMH	$14,000.00
2019	5	588	6412314	Homeowner Assistance Project	14A	LMH	$5,500.00
2019	5	588	6415328	Homeowner Assistance Project	14A	LMH	$1,800.00
					14A	**Matrix Code**	**$21,300.00**
2018	2	579	6337999	In Rem Property Program	14J	LMH	$4.75
2018	2	579	6344749	In Rem Property Program	14J	LMH	$100.00
2018	2	579	6355183	In Rem Property Program	14J	LMH	$47.98
2018	2	579	6359834	In Rem Property Program	14J	LMH	$244.99
2018	2	579	6370772	In Rem Property Program	14J	LMH	$59.85
2018	2	579	6405899	In Rem Property Program	14J	LMH	$29.18
2018	2	579	6430791	In Rem Property Program	14J	LMH	$24.99
2019	1	584	6344064	In Rem Property Project	14J	LMH	$45,349.49
2020	1	594	6412314	In Rem Property Project	14J	LMH	$118,632.23
2020	1	594	6421911	In Rem Property Project	14J	LMH	$16,737.64
2020	1	594	6436919	In Rem Property Project	14J	LMH	$24,912.91
					14J	**Matrix Code**	**$206,144.01**
Total							**$294,218.26**

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
2019	4	587	6347594	No	Community Policing/Neighborhood Services	B19MC360119	EN	05D	LMC	$1,000.00
2020	5	598	6412314	No	Neighborhood Services - Summer Film Festival	B20MC360119	EN	05D	LMC	$7,459.52
2020	5	598	6421911	No	Neighborhood Services - Summer Film Festival	B20MC360119	EN	05D	LMC	$2,627.38
2020	5	598	6436919	No	Neighborhood Services - Summer Film Festival	B20MC360119	EN	05D	LMC	$3,618.16
								05D	**Matrix Code**	**$14,705.06**
				No	**Activity to prevent, prepare for, and respond to Coronavirus**					**$14,705.06**
Total										**$14,705.06**

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	6	578	6341704	Administration	21A		$467.50
2018	6	578	6355183	Administration	21A		$192.34
2018	6	578	6357059	Administration	21A		$25.41
2018	6	578	6364266	Administration	21A		$209.54
2018	6	578	6421911	Administration	21A		$20.20
2019	6	589	6344064	Administration	21A		$19,326.67
2019	6	589	6355183	Administration	21A		$391.30
2019	6	589	6376290	Administration	21A		$799.00
2019	6	589	6377192	Administration	21A		$1,083.80
2019	6	589	6421911	Administration	21A		$929.80
2020	6	593	6412314	Administration	21A		$74,750.90
2020	6	593	6421911	Administration	21A		$8,799.02
2020	6	593	6436919	Administration	21A		$15,407.11
2020	6	593	6448606	Administration	21A		$20,525.74
					21A	**Matrix Code**	**$142,928.33**
Total							**$142,928.33**

PR26 - Activity Summary by Selected Grant

Date Generated: 02/04/2021

Grantee: NEWBURGH

Grant Year: 2020

Formula and Competitive Grants only

Total Grant Amount for 2020 Grant year = $872,788.00														
State	Grantee Name	Grant Year	Grant Number	Activity Group	Matrix Code	National Objective	IDIS Activity	Activity to prevent, prepare for, and respond to Coronavirus	Activity Status	Amount Funded From Selected Grant	Amount Drawn From Selected Grant	% of CDBG Drawn From Selected Grant/Grant	Total CDBG Funded Amount (All Years All Sources)	Total CDBG Drawn Amount (All Years All Sources)
NY	NEWBURGH	2020	B20MC360119	Administrative And Planning	21A		593	No	Open	$132,666.30	$120,368.77		$132,666.30	$120,368.77
				Total Administrative And Planning						**$132,666.30**	**$120,368.77**	**13.79%**	**$132,666.30**	**$120,368.77**
NY	NEWBURGH	2020	B20MC360119	Economic Development	14E	LMA	599	No	Open	$27,791.30	$0.00		$27,791.30	$0.00
				Total Economic Development						**$27,791.30**	**$0.00**	**0.00%**	**$27,791.30**	**$0.00**
NY	NEWBURGH	2020	B20MC360119	Housing	14A	LMH	595	No	Open	$51,674.78	$0.00		$51,674.78	$0.00
NY	NEWBURGH	2020	B20MC360119	Housing	14J	LMH	594	No	Open	$227,257.38	$204,345.27		$227,257.38	$204,345.27
				Total Housing						**$278,932.16**	**$204,345.27**	**23.41%**	**$278,932.16**	**$204,345.27**
NY	NEWBURGH	2020	B20MC360119	Public Improvements	03F	LMA	597	No	Open	$178,907.82	$0.00		$178,907.82	$0.00
NY	NEWBURGH	2020	B20MC360119	Public Improvements	03K	LMA	596	No	Open	$233,932.16	$16,284.80		$233,932.16	$16,284.80
				Total Public Improvements						**$412,839.98**	**$16,284.80**	**1.87%**	**$412,839.98**	**$16,284.80**
NY	NEWBURGH	2020	B20MC360119	Public Services	05D	LMC	598	No	Open	$20,558.26	$13,705.06		$20,558.26	$13,705.06
				Non CARES Related Public Services						**$20,558.26**	**$13,705.06**	**1.57%**	**$20,558.26**	**$13,705.06**
				Total 2020						**$872,788.00**	**$354,703.90**	**40.64%**	**$872,788.00**	**$354,703.90**
				Grand Total						**$872,788.00**	**$354,703.90**	**40.64%**	**$872,788.00**	**$354,703.90**

RESOLUTION NO.: 23 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AN ART WORKS GRANT FROM THE NATIONAL ENDOWMENT OF THE ARTS IN THE AMOUNT OF $25,000.00 WITH A $25,000.00 MATCH TO DEVELOP AND IMPLEMENT A STREAMLINED GOVERNMENT PROCESS TO SUPPORT ARTS IN UNDER-UTILIZED SPACES

WHEREAS, the Newburgh Arts and Cultural Commission conducted an Arts and Cultural Study in 2020 which inventoried and assessed the diverse arts and culture in the City of Newburgh; and

WHEREAS, the 2020 Arts and Cultural Study identified four priorities for current and future arts and culture activities in the City of Newburgh, including the development and implementation of a streamlined government process to support the arts and harness underutilized spaces, particularly City-owned vacant lots; and

WHEREAS, the Newburgh Arts and Cultural Commission proposes to apply for an Art Works grant from the National Endowment of the Arts from with the funds will be used to develop and implement a streamlined government process to support the arts in underutilized spaces and provide a template to address the other priorities and recommendations from the 2020 Arts and Cultural Study; and

WHEREAS, the grant in the amount of $25,000.00 requires a match in the amount of $25,000.00; and

WHEREAS, this Council has determined that applying for 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 an Art Works grant in the amount of $25,000.00 from the National Endowment of the Arts to develop and implement a streamlined government process to support the arts in underutilized spaces; 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.

ORDINANCE NO.: ___1___ - 2021

OF

FEBRUARY 8, 2021

AN ORDINANCE AMENDING CHAPTER 183, ARTICLE I ENTITLED "LITTERING AND DUMPING" OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH INCREASING THE PENALTIES FOR VIOLATIONS

BE IT ORDAINED by the City Council of the City of Newburgh, New York that Chapter 183, Article I, entitled " Littering and Dumping" of the Code of Ordinances is amended as follows:

SECTION 1. Article 1. Littering and Dumping

§183-2. Penalties for littering and dumping.

B. Any person found to be in violation of §183-1 or other section of Article I of this Chapter shall be guilty, upon conviction, of an offense punishable by a fine of not less than $1,000 ~~500~~ nor more than $7,500 ~~5,000~~ or by imprisonment for a period not exceeding 15 days, or both such fine and imprisonment. The imposition of one penalty for any violation of Chapter 183 of the Code of Ordinances of the City of Newburgh unless otherwise specified shall not excuse the offense or permit it to continue, and all such persons shall be required to correct or remedy such violation or defects. Each day that prohibited conditions or actions exist or continue shall constitute a separate offense hereunder.

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.

~~Strikethrough~~ denotes deletions
Underlining denotes additions

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.

~~Strikethrough~~ denotes deletions
Underlining denotes additions

RESOLUTION NO.: 24 - 2021

OF

FEBRUARY 8, 2021

RESOLUTION SCHEDULING A PUBLIC HEARING FOR FEBRUARY 22, 2021 TO HEAR PUBLIC COMMENT CONCERNING "A LOCAL LAW ADDING CHAPTER 156 TO THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH ENTITLED "ENERGY" AND ENACTING ARTICLE I ENTITLED "COMMUNITY CHOICE AGGREGATION ENERGY PROGRAM"

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 adding Chapter 156 entitled 'Energy' and enacting Article I entitled 'Community Choice Aggregation Energy Program' to the Code of Ordinances of the City of Newburgh"; 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 22nd day of February, 2021; 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 February 22, 2021 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_Ls3H6j2fRkKCKoMbhsaLLw. Please note that there is an underscore between the "N" and "L").

To register in advance for this webinar in order to provide comments during the hearing: https://zoom.us/webinar/register/WN_Ls3H6j2fRkKCKoMbhsaLLw. 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 Monday, February 22, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

LOCAL LAW NO.: _____ - 2021

OF

_____, 2021

A LOCAL LAW ADDING CHAPTER 156 TO THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH ENTITLED "ENERGY" AND ENACTING ARTICLE I ENTITLED "COMMUNITY CHOICE AGGREGATION ENERGY PROGRAM"

BE IT ENACTED, by the Council of the City of Newburgh, New York that Chapter 156 "Energy" be and is hereby added and enacted as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law adding Chapter 156 entitled 'Energy' and enacting Article I entitled 'Community Choice Aggregation Energy Program' to the Code of Ordinances of the City of Newburgh".

SECTION 2 - AMENDMENT

The Code of Ordinances of the City of Newburgh is hereby amended to add new Chapter 156 entitled "Energy", Article I entitled "Community Choice Aggregation Energy Program" to read as follows:

ARTICLE I. COMMUNITY CHOICE AGGREGATION ENERGY PROGRAM

§ 156-1 Legislative findings, intent and purpose; authority.

A. It is the policy of both the City of Newburgh and the State of New York to reduce costs and provide price certainty for the purpose of consumer protection and economic development, to expand access and opportunities for consumers in retail energy markets, as well as to promote the sustainability and resilience of energy systems through the proliferation of renewable energy, energy efficiency, and distributed energy resources ("DER", as defined in this Chapter). Among the initiatives that may advance these objectives in New York is Community Choice Aggregation ("CCA"), which is a policy that empowers local governments to determine the source of electricity and/or natural gas supply on behalf of its residents and small businesses, reflecting local resources, priorities, and challenges. Energy delivery remains the responsibility of the distribution utility.

B. The purpose of CCA is to allow participating local governments to procure energy supply service for eligible consumers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing distribution utility.

This Chapter establishes the authority for the City of Newburgh, in connection with the implementation of a CCA program, to acquire utility data, to select, through a competitive solicitation, energy supplier(s) on behalf of default consumers within the jurisdictional boundaries of the City of Newburgh, and to maximize value for participating consumers through enhanced services related to DER. The City of Newburgh may choose to collaborate with other local governments to form an intermunicipal program. As a result, consumers will have the opportunity to lower and stabilize their energy costs, to spur local clean energy innovation and investment, and to reduce their environmental impact; thereby fulfilling the purposes of this Chapter and fulfilling an important public purpose.

C. The City of Newburgh is authorized to implement this Community Choice Aggregation Program pursuant to Section 10(1)(ii)(a)(12) of the New York State Municipal Home Rule Law; and consistent with State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 21, 2016) as may be amended, including subsequent orders of the Public Service Commission (PSC) issued in connection with or related to Case No. 14-M-0224, to the extent that orders related to Case No. 14-M-0224 enable actions by the municipality.

D. This Chapter shall be known and may be cited as the Community Choice Aggregation Energy Program Law of the City of Newburgh.

§ 156-2 Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission's Uniform Business Practices or, if not so defined there, as indicated below:

AGGREGATED DATA – Aggregated and anonymized information including the number of consumers by service class, the aggregated peak demand (kW) (for electricity) by month for the past 12 months, by service class to the extent possible, and the aggregated energy (kWh) for electricity or volumetric consumption for gas by month for the past 12 months by service class.

CCA ADMINISTRATOR – The City of Newburgh or third-party CCA Administrator duly authorized by the City of Newburgh to request aggregated and customer specific data, competitively solicit suppliers for the aggregated demand for electricity and/or natural gas on behalf of default consumers, and to offer participating consumers additional opportunities to participate or enroll in programs or projects related to distributed energy resources. CCA administrator is responsible for program organization, administration, procurement, communications, and for meeting all requirements for program implementation specified in the PSC CCA order, unless otherwise specified.

CUSTOMER SPECIFIC DATA – Customer specific information, personal data and utility data for all consumers in the municipality eligible for opt-out treatment based on the terms of PSC CCA Order and the CCA program design including the customer of record's name, mailing address, telephone number, account number, and primary language, if available, and any customer-specific alternate billing name, address, and phone number.

DEFAULT CONSUMERS – Customers of electricity and/or natural gas within opt-out eligible service classes, as defined in the PSC CCA order, who receive supply service from the distribution utility as of the date the supply contract goes into effect, or consumers within these service classes that subsequently become eligible to participate in the program including those that have terminated a supply contract with an ESCO, removed a freeze or block on their account, have voluntarily suspended service pursuant to a special rate, or are new residents to the City of Newburgh. Consumers with in opt-out eligible service classes, as of the date the supply contract goes into effect, taking service from an ESCO, those that have placed a freeze or block on their account, and those for whom enrollment in the CCA program would interfere with a choice they have already made to take service pursuant to a special rate are not considered default customers and will not be enrolled on an opt-out basis. All default customers must reside or be otherwise located at one or more locations within the geographic boundaries of the City of Newburgh, as such boundaries exist as of the date the supply contract goes into effect.

DEFAULT SERVICE – Supply service provided by the distribution utility to consumers who are not currently receiving service from an energy service company (ESCO). Default consumers within the City of Newburgh that receive default service, and have not opted out, will be enrolled in the program as of the effective date.

DISTRIBUTED ENERGY RESOURCES (DER) – Local renewable energy projects, community distributed generation, such as shared solar, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within geography of the CCA.

DISTRIBUTION UTILITY – Owner or controller of the means of distribution of the natural gas or electricity in the municipality. The distribution utility also serves as the default supplier of electricity and natural gas preceding the establishment of a CCA program.

ENERGY SERVICES COMPANY (ESCO) – an entity duly authorized to conduct business in the State of New York as an ESCO.

PARTICIPATING CONSUMERS – Default consumers who have not opted out, and non-default consumers of any service class that have voluntarily enrolled in the program.

PROGRAM ORGANIZER – The group responsible for initiating and organizing the CCA. This group will typically secure buy-in from local governments and engage in preliminary outreach and education around CCA. The Program Organizer may be a non-profit organization, local government, or other third party. The Program Organizer and the CCA Administrator may be the same.

PSC CCA ORDER – the PSC's Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, issued on April 21, 2016 in Case 14-M-0224, "Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs."

PUBLIC SERVICE COMMISSION (PSC) – New York State Public Service Commission.

SUPPLIER(S) – an ESCO(s) that procures electric power and natural gas for eligible consumers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

§ 156-3 Authorization/Establishment of a Community Choice Aggregation (Energy) Program.

A. Community Choice Aggregation (Energy) Program is hereby established by the City of Newburgh, New York, whereby the City of Newburgh may implement a CCA Program to the full extent permitted by the PSC CCA Order, as set forth more fully herein.

B. The City of Newburgh may act as aggregator or broker for the sale of electric supply, gas supply, or both to eligible consumers and may enter into contracts with one or more Suppliers for energy supply and other services on behalf of eligible consumers.

C. The City of Newburgh may enter into agreements and contracts with other municipalities, non-profits, consultants, and/or other third parties to:
   (1) develop and implement the CCA Program;
   (2) act as CCA Administrator; and/or
   (3) develop offers of opt-in DER products and services to participating consumers, including but not limited to opportunities to participate in local renewable energy projects, shared solar, energy efficiency, microgrids, storage, demand response, energy management, and other innovative initiatives and objectives designed to optimize system benefits, target and address load pockets/profile within the CCA zone, and reduce costs for CCA customers.

D. The operation and ownership of the utility service shall remain with the distribution utility. The City of Newburgh's participation in a CCA program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The City of Newburgh shall not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with suppliers on behalf of participating consumers.

E. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the uniform business practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

§ 156-4 Eligibility.

A. All default consumers shall be enrolled on an opt-out basis. Default consumers will have the right to opt out before the supply contract goes into effect, or disenroll any time thereafter with no penalty. Those that do not opt out before the supply contract goes into effect will be enrolled automatically.

B. All non-default consumers within the municipality, regardless of service class, shall be eligible to participate in the CCA program on an opt-in basis.

C. The CCA Administrator, on behalf of the City of Newburgh, shall issue one or more requests for proposals to suppliers to provide energy to participants and then may award a contract in accordance with the CCA program.

§ 156-5 Opt-out process.

A. A program notification letter, printed on City of Newburgh letterhead, shall be mailed to default consumers at least 30 days prior to customer enrollment. The letter shall include the information on the CCA program and the contract signed with the selected supplier(s) including specific details on rates, services, contract term, cancellation fee, and methods for opting out of the CCA program. The letter shall explain that consumers that do not opt out will be enrolled in the program under the contract terms and that information on those consumers, including energy usage data and APP status, will be provided to the ESCO.

B. After the thirty-day opt-out period, all consumers shall have the option to disenroll from the CCA program at any time without penalty.

§ 156-6 Customer service.

Participating Consumers shall be provided customer service, including a toll-free telephone number available during normal business hours (9:00 a.m. to 5:00 p.m., Eastern time, Monday through Friday) to resolve concerns, answer questions, and transact business with respect to the service received from the supplier(s).

§ 156-7 Data protection requirements.

A. The City of Newburgh, or CCA administrator on its behalf, may request aggregated data and customer-specific data from the distribution utility. However, a request for customer-specific date is limited to only those eligible consumers who did not opt-out after the initial opt-out period closed.

B. Customer-specific data shall be protected in a manner compliant with, collectively:

(1) All national, state and local laws, regulations or other government standards relating to the protection of information that identifies or can be used to identify an individual that apply with respect to the municipality or tis representative's processing of confidential utility information;
(2) The utility's internal requirements and procedures relating to the protection of information that identifies or can be used to identify an individual that apply with respect to the municipality or its representative's processing of confidential utility information; and
(3) The PSC CCA order and PSC rules, regulations and guidelines relating to confidential data.

C. For the purpose of protecting customer data, the City of Newburgh must enter into an agreement with the distribution utility that obligates each party to meet, collectively:
(1) All national, state and local laws, regulations or other government standards relating to the protection of information that identifies or can be used to identify and individual default customer or participating consumer with respect to the CCA administrator or its representative's processing of confidential information;
(2) The distribution utility's internal requirements and procedures relating to the protection of information that identifies or can be used to identify the individual default consumer or participating consumer with respect to the CCA administrator or its representative processing of confidential information; and
(3) The PSC CCA order and PSC rules, regulations and guidelines relating to confidential data.

§ 156-8 Administration fee.

The City of Newburgh or CCA Administrator may collect, or cause to be collected, funds from customer payments to pay for administrative costs associated with running the CCA program.

§ 156-9 Reporting.

A. Annual reports shall be filed with the City Clerk by March 31 of each year and cover the previous calendar year.

B. Annual reports shall include, at a minimum: number of consumers served; number of consumers cancelling during the year; number of complaints received; commodity prices paid; value-added services provided during the year (e.g., installation of DER or other clean energy services); and administrative costs collected. The first report also shall include the number of consumers who opted-out in response to the initial opt-out letter or letters.

C. If a CCA supply contract will expire less than one year following the filing of the annual report, the report must identify current plans for soliciting a new contract, negotiating an extension, or ending the CCA program.

§ 156-10 When effective.

This Chapter shall be effective immediately upon adoption and after filing with the Secretary of State.

§ 156-11 Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

SECTION 3 – 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 4 – 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", "Article", "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 5 – 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 6 – EFFECTIVE DATE

This Local Law and shall be effective immediately after the filing in the Office of the New York State Secretary of State in accordance with the provisions of New York State Municipal Home Rule Law.

NEW YORK STATE OF OPPORTUNITY. | NYSERDA

Community Choice Aggregation

A High-Impact Action for the Clean Energy Communities Program

Communities and Local Government Team at NYSERDA

Clean Energy Communities Program

Provides **rewards and recognition** to city, town, village, and county governments that demonstrate clean energy leadership

STEP 1: Earn the **Clean Energy Communities** designation by completing **4 out of 10 high-impact actions** (one of which is Community Choice Aggregation)

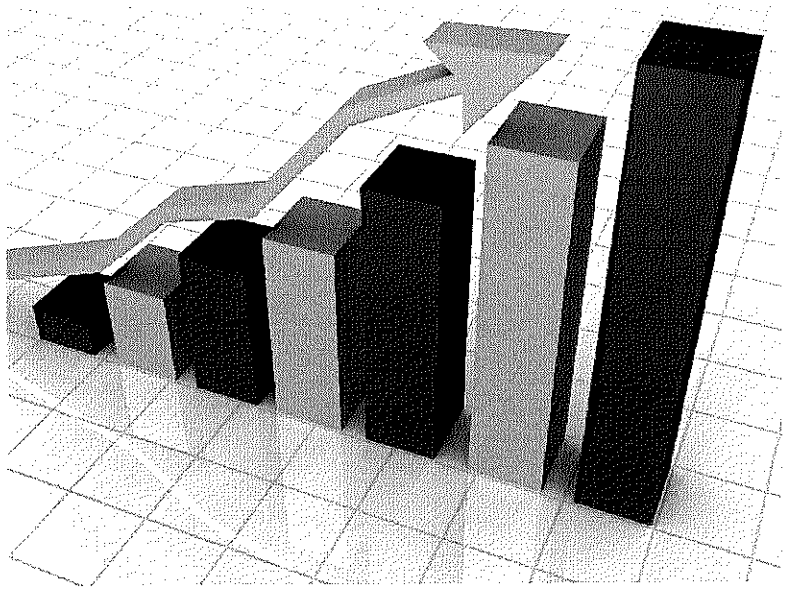
STEP 2: Access **grant funding**, up to $250K with no local cost share, to support additional clean energy projects

Dedicated and knowledgeable local coordinators are available to assist communities as they implement high-impact actions i.e. free on-demand technical support, decision support, step-by-step guidance, case studies, model ordinances, RFPs, etc.

NEW YORK STATE OF OPPORTUNITY. | NYSERDA

10 High-Impact Actions

1. Benchmarking
2. Clean Energy Upgrades
3. LED Street Lights
4. Clean Fleets
5. Solarize
6. Unified Solar Permit
7. Energy Code Enforcement Training
8. Climate Smart Communities Certification
9. **Community Choice Aggregation**
10. Energize NY Finance



NEW YORK STATE OF OPPORTUNITY. | NYSERDA

Community Choice Aggregation

- Community Choice Aggregation (CCA) is a municipal energy procurement model that replaces the utility as the default supplier of electricity for virtually all homes and small businesses within your jurisdiction. The utility remains responsible for energy delivery and billing.

- CCA puts control of choosing energy supply in local hands. By pooling demand, communities build the clout necessary to negotiate lower rates with private suppliers, and are able to choose cleaner energy.

- A CCA can allow whole communities to participate in the clean energy economy by ensuring that a greater percentage of electricity is coming from renewable sources.

- CCA has the potential to simultaneously deliver lower monthly bills and cleaner energy for your constituents.

CEC Requirements

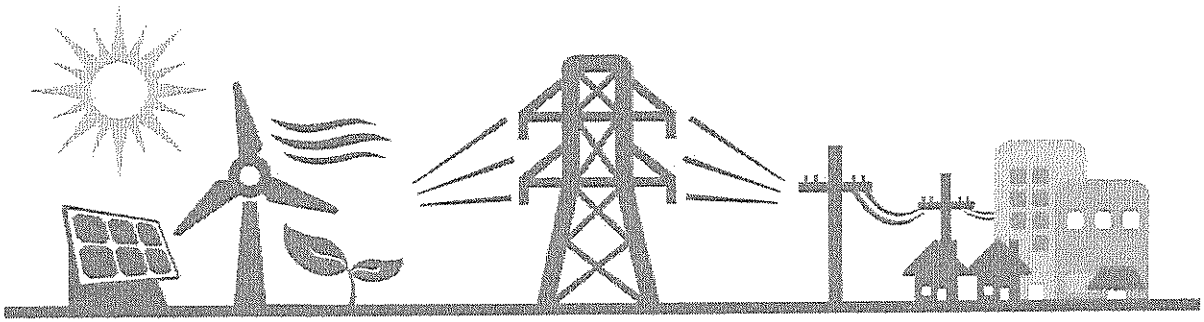
To earn credit for the Community Choice Aggregation action under NYSERDA's Clean Energy Communities (CEC) Program, the municipality must submit the following documentation to NYSERDA at www.nyserda.ny.gov/cec:

- Submit a copy of the adopted legislation authorizing the municipality's participation in an opt-out CCA program.

- Submit a copy of an executed electric service agreement between the applying jurisdiction and an Energy Services Company (ESCO) to supply electricity to participating customers on an opt-out basis that is a default 100% renewable clean energy product mix. The ESCO electric service agreement should provide that the ESCO will retire renewable energy certificates (RECs) on behalf of the Municipality in a New York State Generation Attribute Tracking System (NYGATS) Account (with reports on such retirements to the Municipality) in a manner that is compliant with the environmental attributes and delivery rules of the New York Public Service Commission Environmental Disclosure Program. The electrical energy associated with the renewable energy certificates must be consumed at retail in New York State.

- For communities that are already part of a CCA, executing a new contract or an addendum to the electric services agreement or a new contract after August 1, 2016 shall be counted as a new action.

How CCA Works



source	delivery	customer
CCA	UTILITY	YOU
buying and building electricity supply	delivering energy, maintaining lines, billing customers	benefitting from affordable rates, local control, cleaner energy

NEW YORK STATE OF OPPORTUNITY. | NYSERDA

Eligible Municipal Governments

Three types of municipalities under New York State law eligible to form a CCA are:

- Villages
- Towns
- Cities

County governments may act as CCA administrator but are not authorized to create a CCA independently of villages, towns and cities within the county.

It is not required that communities participate in NYSERDA's Clean Energy Communities program in order to pursue CCA.

Scope of CCA Programs

- CCA programs may aggregate electric supply, gas supply, or both.
- CCA programs may aggregate or integrate into their programs energy efficiency and distributed energy resources like solar.
- Municipalities are not permitted to allocate a portion of the CCA customer payments to a clean energy or public benefit fund.

Customer Eligibility

- All customers are eligible.
- A customer can be enrolled on an opt-out basis if their service class is listed in the relevant PSC Order. This means these customers may be automatically enrolled.
- ESCO customers or customers that have placed a freeze or block on their account can be enrolled on an opt-in basis.

The CCA Administrator can:

- Choose to apply opt-out treatment to a more limited class of customers, to only allow certain classes of customers to opt-in, or both.
- Determine whether eligible customers who move into a municipality should be enrolled on an opt-in or opt-out basis.

The Municipality's Role

- The process of planning for a CCA program will vary with each municipality and program.
- In some cases, a non-profit, consultant, or other third party may develop a plan and solicit municipal members.
- In other cases, municipal officials, on their own initiative or based on requests from residents, may develop their own plan for a CCA program and either implement it themselves or engage a third party to support them.
- Municipality will remain ultimately responsible for ensuring that the CCA program is operated in compliance with legal requirements, that it serves the interests of its residents, and that customer information is appropriately protected.

Administrative Costs

- CCA Administrators will be permitted to collect funds, through the supply charge, to pay for administrative costs associated with running the CCA program.
- Because most CCA customers will receive a single bill from the utility, any CCA customer payments to the CCA Administrator will have to be negotiated as part of the contract and built into the per kWh rates.
- Therefore, the payments to the CCA Administrator for CCA administrative purposes will be processed and remitted by the ESCO. Negotiations may include costs incurred before selection of the CCA Administrator.

NYSERDA's Role

NYSERDA is available as a technical consultant to assist municipalities and CCA administrators through:

- Individual consultations
- CCA toolkit describing best practices and including model documents such as customer outreach materials and contracts.
- For assistance, send an email to cec@nyserda.ny.gov

NYS Public Service Commission's Role

The Public Service Commission (PSC) Order on CCA sets forth the requirements, terms, and conditions under which CCA programs can proceed through implementation. The PSC Order requires that the following documents be filed with and approved by the PSC:

- A CCA Implementation Plan
- Data Protection Plan
- Local Law authorizations

Once these documents have been filed, the PSC will determine whether they comply with the requirement of the PSC's CCA Order and issue an approval.

CCA Implementation Plan

- Includes a description of the program and its goals
- Plans for value added services (e.g. installation of DER or other clean energy services) that will be included in an RFP
- A public outreach plan
- Includes drafts of written communications with its residents, including opt-out letters

CCA Data Protection Plan

The Data Protection Plan must:

- Describe how the CCA Administrator will ensure the same level of consumer protections, including low income customers, as currently provided by utilities and ESCOs.
- Utilities have developed a model Data Security Agreement which has been approved by PSC that will form the basis for these requirements.
- The Data Security Agreement is the standard agreement that all CCA Administrators will have to sign with the distribution utility.
- CCA Administrator must also file a Data Protection Plan, which will explain what steps will be taken to implement the agreement and otherwise protect personal data.

Municipal Approval

- Typically, the process starts with the municipality expressing interest in CCA by passing a non-binding resolution. This step is optional.
- Each municipality intending to implement a CCA program must pass legislation - exercising its Municipal Home Rule Law authority - after holding a public hearing.
- CCA programs where a third party acts as CCA administrator, municipalities may enter into a Memorandum of Understanding (MOU) with the CCA administrator to commit to participate in the CCA program subject to certain terms and conditions.
- Where a municipality acts as CCA administrator, municipalities may enter into Inter-Municipal Agreements (IMA) with participating municipalities to create a CCA program.

Opt-Out Process

- The Department of Public Service's order requires CCA Administrators to provide information and education to potential CCA members over no less than a two month period.
- The mailing of an opt-out letter must be preceded by the filing of Implementation and Data Protection Plans and certifications of local authorization with the Public Service Commission.
- Customers must be permitted by the selected ESCO to opt-out and return to utility service any time before the end of the third billing cycle after enrollment without penalty.

Energy Supply Contracts

- The terms of the contract must comply with applicable requirements for ESCO service.
- CCA programs are not limited to contracting with only one ESCO.
- Termination charges after the 3 month grace period will be subject to the contract.
- Contracts should not restrict the installation or use of distributed energy resources or energy efficiency products.

Provision of Customer Data

- CCA administrator may request aggregated data after Commission approval of its Implementation and Data Protection Plans and certifications of local authorization.
- Once contracts with ESCOs have been entered into and executed, customer-specific contract information can be requested for all eligible customers.
- Detailed customer information can be requested for eligible customers who did not opt-out once the initial opt-out period has closed.
- Data fees may apply.

Annual Reporting

The CCA administrator shall provide an annual report including:

- Number of customers served
- Number of customers cancelling during the year
- Number of complaints received
- Commodity prices paid
- Value–added services provided during the year
- Administrative costs collected

Project Snap Shot – Westchester Power CCA

Westchester Power
OUR COMMUNITY. OUR CHOICE.

SUSTAINABLE WESTCHESTER
Sharing. Saving. Solutions.

- Initiated by the non-profit Sustainable Westchester in 2016, the Westchester Power CCA supplies approximately 115,000 electrical customers in 27 participating municipalities in Westchester County.
- 24 municipalities opted to provide 100% renewable energy to eligible customers within their jurisdictions.

Results:

- 500 million kWh of 100% renewable power.
- Approximately $15 million in cost savings over three years.
- Cut the carbon footprint by 400,000 tons.

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Tools and Resources

Public Service Commission (PSC) CCA Order
The PSC Order on CCA sets forth the requirements, terms, and conditions under which CCA programs can proceed through implementation.

Template CCA Authorizing Legislation
This template legislation may be used as a resource by municipalities in developing their own authorization for participation in a CCA program.

Template Inter-Municipal Agreement (IMA)
This sample IMA may be used as a resource by municipalities to participate in a specific CCA program where the CCA Administrator is a municipal government.

Template Memorandum of Understanding (MOU)
This sample MOU may be used as a resource by municipalities to participate in a specific CCA program with a third-party CCA Administrator.

Tools and Resources (cont.)

Template Implementation Plan

CCA programs are authorized subject to the Public Service Commission's approval of the CCA Implementation Plan, Data Protection Plan, and certifications of local authorization. It is intended that this template be used as a resource in designing a CCA Implementation Plan. The purpose is to clearly define the CCA Program goals, milestones, and deliverables, while also defining the roles and responsibilities of each project partner. It also addresses the CCA approach to public engagement, outreach, and education.

Template Opt-out Letter

This is intended as a resource for municipalities in fulfilling the Commission's requirement that an opt-out letter be sent to all eligible customers providing information and education prior to commencement of the CCA. The opt-out letter is subject to Department of Public Service Staff approval

Technical Support

Dedicated and knowledgeable local Clean Energy Coordinators are available to help municipal officials implement Community Choice Aggregation. To access this support, please send an email to cec@nyserda.ny.gov

NEW YORK STATE OF OPPORTUNITY. | NYSERDA

The Bottom Line

Local government officials that implement Community Choice Aggregation can expect to:

- ✓ Be well positioned to secure lower energy prices locally
- ✓ Exercise more local control over energy resources
- ✓ Increase the percentage of renewables in the fuel mix

Contact

Communities and Local Government
New York State Energy Research and Development Authority (NYSERDA)
Email: cec@nyserda.ny.gov

www.nyserda.ny.gov/cec

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Community Choice Aggregation (CCA) Administrator Request for Proposal (RFP)

Purpose of this Document: *The Template Community Choice Aggregation (CCA) Request for Proposal (RFP) is meant to serve as an example RFP for municipalities and other organizations interested in pursuing CCA and running a competitive process for selecting a CCA Administrator. The information contained within can be adapted to meet a municipality's or a group of municipalities' specific needs. NYSERDA makes no representation that the information contained below will meet any specific municipality's local procurement policies or laws; this template should be customized by each user.*

Municipalities may wish to use the non-italicized text as sample language for a specific section of the RFP. The italicized text offers examples and options but should be drafted by the jurisdiction to meet their individual circumstances and needs. The bracketed text should be edited directly by the jurisdiction.

If CCA and the role of the Administrator is still new to you, you may find the Community Choice Aggregation Toolkit on NYSERDA's website helpful before embarking on an RFP process.

Section 1 – Purpose and Goals

A. Purpose

New York State municipalities are permitted to participate in a CCA program subject to local authorization, pursuant to the New York State Public Service Commission's Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, issued on April 21, 2016 in Case 140M-0224 ("PSC CCA Order").

[Insert municipality name(s)] adopted local laws creating its own CCA program. [Insert municipality name] adopted its legislation [insert legislation name] on [insert date], after holding a public hearing on [insert date]. [Repeat above for each municipality]

Suggested language for communities entering a MOU (optional): The municipalities, through their legislative bodies, have adopted a Memorandum of Understanding ("MOU") to work collectively – in compliance with each municipality's respective procurement policy – to solicit, evaluate and select, a common CCA Administrator to assist in procuring, administering, and managing an electricity supply contract.

In this Request for Proposals (RFP), [City(s) / town(s) / Village(s) of ____] intend to review and select an organization to administer a Community Choice Aggregation ("CCA") program.

B. Goals

The municipality(s) seeks to implement a CCA program that: [Insert goals of CCA]. *Example goals could include, but are not limited to:*

- *Reduces electricity costs for community members.*

- *Provides a 100% renewable energy (RE) product as the default supply*[1].
- *Supports locally* [insert definition of local, such as within the town, county, region, or state] *produced renewable energy generation.*
- *Supports the community in meeting clean energy goals/targets.*
- *Supports local economic development including local job creation, the attraction and retention of business establishments, and/or investment.*
- *Supports inclusive and equitable access to the CCA program.*
- *Offers constituents a range of opportunities to take advantage of clean energy products and services.*

C. Basic Requirements

Respondents to this RFP must have the following:

- A CCA Implementation Plan and Data Protection Plan approved by the New York Public Service Commission.
- Experience in [insert key experience]. *Potential examples include:*
    - *Experience in all aspects of administering a CCA program.*
    - *Experience procuring a 100% renewable clean energy product.*
    - *Experience with the above in New York State and/or demonstrated experience with New York State clean energy policies and programs.*
- Respondents must be in good financial standing with federal agencies and the State of New York.
- Respondents, subcontractors, or consultants must disclose whether they have been debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency.

D. Timeline

- Issuance of RFP: [Insert date]
- Pre-Proposal Conference RSVP: [Insert date]
- Pre-Proposal Conference: [Insert date]
- Deadline for Submissions: [Insert date]
- Final Decision: [Insert date]

- A pre-proposal conference will be held at [location] on [date] at [time]. If you plan to attend, please contact [name] at [email] or [phone] by [RSVP date].

[1] Green claims can only be made about a CCA's product mix when the supplier retires renewable energy certificates (RECs) on behalf of the municipality in a New York State Generation Attribute Tracking System (NYGATS) Account (with reports on such retirements to the municipality) in a manner that is compliant with the environmental attributes and delivery rules of the New York Public Service Commission Environmental Disclosure Program.

- Submitted proposals must be signed by an individual who is authorized to bind the proposer to all commitments made in the proposal. A PDF of the proposal, together with all attachments, must be submitted by email no later than [insert time] on [insert date]. Any late proposals will not be accepted.

Interested parties are advised that the authorized contact person for this procurement is set forth below. No contact with any other municipal personnel other than the authorized contact person is allowed until such times as an award (or awards) has (have) been made. The municipality is under no obligation to respond to any question, inquiry or assertion that is not received in writing. Interested parties may contact the authorized contact person by telephone or email. Violation of these provisions may result in immediate disqualification. Proposers will submit all proposals and direct all responses, questions, and any other communications to the following authorized contact person:

[Insert contact information]

E. Rights of Individual Municipalities *(in the case of a joint RFP with other municipalities)*
Each municipality reserves the right to contract with a CCA Administrator individually, or with all the other municipalities, or with one or more of the other municipalities on the same terms and conditions as provided in the RFP and the responses thereto. Nothing herein shall preclude any of the municipalities, together or individually, from negotiating contract terms with a CCA Administrator that each municipality deems to be in its best interest.

Ultimately the decision of retaining a CCA Administrator will reside with each individual municipality.

Section 2 - Scope of Services

The [insert name of municipality(s)] is seeking a CCA Administrator to procure, administer, and manage an electricity supply contract for the [insert name of municipality(s)] and to responsibly fulfill the obligations of a CCA Administrator as set out by PSC CCA Order. The following section details the specific scope of services the [insert name of municipality(s)] is seeking:

1. **Compliant with all Federal and NY State laws, rules, and regulations:** Ensure the CCA program complies with the PSC CCA Order, related orders, and other applicable laws and regulations.
2. **Goals and Objectives:** Support the municipality(s) and community(s) in further refining goals and objectives of CCA and identify how success will be measured and evaluated.
3. **Procurement of Electricity Supply Contract:** Procure an electricity supply contract below the utility benchmark price and include a 100% renewable energy option.
4. **Clean Energy Products and Services:** Offer a compelling and robust plan to provide and market clean energy products and services to the community, including the benefits the community may anticipate from such products and services and how success will be measured and evaluated. The benefits may include, but are not limited to, supporting local economic development through local job creation, the attraction and retention of business establishments and/or investment, increasing access to clean energy including for low to moderate income populations, electricity cost savings, reducing greenhouse gas (GHG)

emissions, and improving local air quality. Metrics for measuring and evaluating success may include the percentage of CCA participants that partake in clean energy product and service offerings or the percentage of electricity cost savings per participating household, among others.

- The clean energy products and services could be provided through programs the proposer organization already offers, through the electricity supply contract solicitation, through a separate solicitation for clean energy products and services, or another mechanism.
- Potential products and services could include, but are not limited to, community solar, rooftop solar, battery storage, clean heating and cooling technologies, energy efficiency, smart home products, demand side management programs, micro-grid projects, electric vehicles, and electric vehicle charging infrastructure. Appendix 1 provides examples of potential clean energy products and services a CCA Administrator could facilitate. These examples should not be viewed as prescriptive. Innovative and creative ideas are encouraged.

5. **Program Roles and Responsibilities:** Take full responsibility for administering the CCA and partner with local organization(s) and municipality(s) to implement the CCA.
6. **Public Education and Outreach:** Conduct comprehensive community education and outreach on CCA.
7. **Local Partner/Presence:** Work with/leverage local partner organizations, advocates, and/or other third-party stakeholders and have some local presence.
8. **Customer Enrollment and Management:** Maximize customer enrollment, maintain and manage customer participation, manage opt-outs.
9. **Consumer Protection:** Lawfully and securely procure, transfer, and store anonymized and customer-specific program data on behalf of the municipality(s), pursuant to an approved Data Protection Plan.
10. **Pricing:** Provide a clear description of how the Administrator plans to establish a utility benchmark price to compare and evaluate the CCA price against once the price becomes available.
11. **Program Fees:** Provide a clear explanation of how the Administrator anticipates covering program costs and any fees that will be passed on to CCA program participants or the municipality(s). This should include:
    - The costs the fee will cover such as program staffing and overhead, outreach and communications, legal expenses, program development.
    - The estimated per kWh fee (if available).
    - How the fee will be collected.
    - Any other fees charged to the municipality(s) or program customers.
    - Any fees associated with clean energy products or services (DERs) or other services offered to CCA customers by the CCA Administrator.
12. **Reporting:** Analyze and report regularly to the municipality(s) and Public Service Commission on program data, pursuant to the PSC CCA Order.

13. **Implementation Timeline:** Implement and administer the CCA in a timely fashion.
14. **Vet and pre-qualify prospective electricity suppliers, clean energy product and service providers** in accordance with criteria established by the municipality(s).
15. **Continued Support and Additional Services and Information:** Provide continued support and capacity building to the municipality(s) and customers after program launch, including:
    - Customer service.
    - Monitoring and management of contractual obligations.
    - Regular program data and performance metrics reporting.
    - Program development and enhancement.
    - Continued analysis of relevant market and regulatory issues.
    - Ongoing support to the municipality(s) in helping them achieve broader energy goals.
    - Other services and information as relevant.

Section 3 – Proposal Requirements

All proposals must include the following information to be considered complete. The [insert name of municipality(s)] reserve(s) the right to reject any proposal for non-compliance with these requirements and specifications or may choose to accept the proposal regardless of compliance. For each step, be sure to detail what technical and support services the proposer has available.

A. **Cover Letter**

a. A transmittal letter on the proposer's business stationery from the individual(s) or a principal officer of the organization offering the proposal and certifying that the proposal will remain in effect for ninety (90) days after the proposal due date. The letter should contain a general description of the mission or focus of the organization and provide the name and address of the individual or firm and contact information for the individual or officer (telephone and email address).

B. **Organization Overview**

a. Please provide a brief history of the proposing organization. If a separate organization will be engaged as a subcontractor or consultant for this project, or has entered into any contract (as such term is defined in General Municipal Law Article 18) with any third party in connection with this RFP or with the proposal, please provide the following information for both companies:
    i. Background
    ii. Year founded and number of years in business
    iii. Ownership status (public, private, or non-profit)
    iv. Office location including headquarters and any local offices
    v. Number of employees in local branch office at time of submittal (full time employees, excluding subcontractors)
    vi. Contact information

vii. Description of the organization
viii. Federal Tax Identification Number
ix. Any relevant certifications or licenses

C. **CCA Administrator Team**

Provide information about the key personnel to be assigned to this CCA Administrator team. If a separate organization will perform any of the responsibilities, please provide project team information for both organizations, including:

1. Full contact information for the project manager.
2. A team chart including all key personnel and their proposed roles (including subcontractors, if applicable).
3. For all key personnel (including subcontractors), include a bio of professional experience, certifications, role, and office location.
4. Indicate the local point of contact.
5. Indicate if any additional staff would need to be hired to carry out the scope of services.
6. Resumes of key personnel, provided in an appendix to the proposal.
7. Describe the proposer's compensation structure, fees, and terms.

D. **Qualifications:** Provide a detailed narrative that clearly demonstrates the proposer's and any subcontractors' prior and relevant qualifications and experience including the following:
   1. Energy procurement, CCA program administration, and/or community-scale clean energy development in New York State.
   2. Work with local governments in New York State and in the region.
   3. Goals or measurable objectives for CCAs that the proposer administered in New York, or other jurisdictions.
   4. CCA bids for electrical supply that the proposer has solicited or plans to solicit in New York including information on the results of the bid such as:
      i. How do the electricity prices compare to the utility price benchmarks?
      ii. Was a renewable energy option procured?
      iii. Was a local option included?
      iv. How many accounts were enrolled?

E. **Proposed Approach to CCA Administration.** Please provide a detailed approach describing how the proposer would carry out the scope of services as outlined in Section 2. The approach should clearly articulate which elements of the scope of services, if any, subcontractors would perform or participate in performing. The proposer's approach should include, but is not limited to the following:

1. **Goals and Objectives**: Describe the proposer's approach to defining the goals and measurable objectives for the CCA.
2. **Procurement Approach**: Describe the proposer's approach to procuring an electricity supply contract that is below the utility benchmark price and includes a 100% renewable energy supply option.

3. **Clean Energy Products and Services:** Describe the proposer's approach to offering clean energy products and services including renewable energy certificates (RECs), community solar, rooftop solar, smart thermostats, demand response, energy storage, energy efficiency, electric vehicles, and charging infrastructure, or similar products and services.
4. **Program Roles and Responsibilities**: Describe the roles and responsibilities for administration, management, and implementation. Please include information on the roles and responsibilities envisioned for the municipality(s), along with the anticipated workload, the roles and responsibilities of the Administrator, the roles and responsibilities of the energy supplier, and any other relevant organizations or stakeholders that will play a role in the CCA.
5. **Public Education and Outreach:** Describe the proposer's approach to how it will conduct public education, outreach, and capacity building about CCA, energy supply contracts, and renewable energy to the municipality(s), community residents including low to moderate income residents or underserved populations, and businesses within the community. Also provide examples of how the proposer has handled these activities in the past.
6. **Local Partner/Presence:** Describe how the proposer will work with/leverage local partner organizations, advocates, and/or other third-party stakeholders. Describe what kind of local presence the proposer will have, if any. Also provide examples of how the proposer has worked with other local organizations in the past.
7. **Customer Enrollment and Management:** Describe the proposer's approach to:
    i. Maximizing customer enrollment and maintaining customer participation including considerations for time-of-use customers, demand-metered customers, low-income customers, non-English speaking constituent groups, and other customer segments.
    ii. Customer service/customer care including website, social media, print collateral, mailings, call center & training, platforms, etc.
8. **Consumer Protection:** Describe the proposer's approach to customer protection, including customer data.
9. **Pricing**: Describe the proposer's approach to establishing a utility benchmark price to compare and evaluate the CCA price against once the CCA price is available.
10. **Program Fees**: Describe the proposer's anticipated fees to complete the Program Scope tasks and how they will be paid for via the electricity supply contract.
11. **Reporting:** Describe the proposer's approach to annual reporting to the municipality(s) and the PSC.
12. **Implementation Timeline:** Outline a proposed timeline for the completion of each task. Submit as an appendix.
13. **Inclusivity:** Describe the proposer's approach to ensure the CCA reaches low to moderate income residents or underserved residents in the community.
14. **Local Impact:** Detail the proposer's approach to making a local impact through job creation, training, or supporting community economic development.

15. **Additional Services and Information:** Describe anything else that may be relevant to the RFP such as other ongoing or additional services the proposer anticipates providing to the municipality(s) to ensure the long-term success of the program beyond the initial contract.

F. **References.** Provide at least three references for whom the proposer's organization has administered a CCA program, or a similar scope of services. Include the following information for each in the appendix:
   1. Name and address of client
   2. Name and telephone number of contact person
   3. Summary of services provided

G. **Required Appendices Checklist.** As an appendix to the submission, the proposer shall include the following checklist to ensure that all components have been included in the proposal.
   - ☐ Public Service Commission approved Implementation Plan and Data Protection Plan
   - ☐ Local point of contact
   - ☐ Resumes of key personnel
   - ☐ Implementation Timeline
   - ☐ At least three references for whom the proposer has administered a CCA program, or a similar scope of services.
   - ☐ Example education, outreach, and engagement materials such as:
     - Links to social media pages and websites
     - PDFs of print material or PowerPoint presentations

Section 4 – Submission Instructions

1. All proposers should carefully review the contents of this document. All the Requirements and Specifications in this document may become part of an agreement to be signed by the municipality(s) and the successful respondent.
2. All proposals must be submitted by [insert date and time].
3. Proposals may be submitted by [insert municipality's required submission format and instructions including contact information of relevant municipal official].

Section 5 – Evaluation Criteria

The municipalities will evaluate proposals based on the weighted criteria described below *[Sample evaluation criteria and scoring are provided below. Please adjust and edit as appropriate for any given municipal procurement. The total weighting should add up to 100 and the weighting of each criterion should reflect the importance of each criteria to the municipality].*

Criteria	Detail	Weight
Overall Quality of Proposal	☐ *Degree to which the proposal fulfills the requested scope of services and proposal requirements.* ☐ *Clarity and completeness of the proposed team and approach.*	[insert value] *10*
Experience, Qualifications, and References	☐ *Capability and experience of the respondent (and its participating subcontractors) to carry out the roles and responsibilities of a CCA Administrator.* ☐ *Credentials, capabilities, and experience of the proposed team and key personnel.* ☐ *Experience providing effective education and outreach for other community or clean energy programs, especially within New York State* ☐ *Quality of references.*	[insert value] *40*
Technical Approach and Workplan	☐ *Clear outline of roles and responsibilities of the CCA administrator, municipality, local partners, electricity supplier and any other organizations involved in the CCA.*	[insert value] *15*
Project Management and Implementation	☐ *Clear and appropriate implementation timeline that includes key benchmarks such as procurement of clean energy resources, local partnerships formed and customer enrollment start-dates* ☐ *Ability to manage subcontractors and collaborate with municipality personnel.* ☐ *Ability to help inform and educate project stakeholders including the public.*	[insert value] 15
Pricing, Fees & Cost Savings	☐ *Approach to establishing a utility benchmark price to compare and evaluate the CCA price against once available.* ☐ *Clear description of the proposed fees to complete the program scope and tasks and how they will be paid for via the electricity supply contract.* ☐ *Experience in procuring energy supply contracts at costs below existing utility rates.*	[insert value] *10*
Local Impact and Inclusivity	☐ *Approach to meet local impact goals and incorporate consumer protections (PSC Approved data protection plan).* ☐ *Clear explanation of how the approach will benefit the community.* ☐ *Description of how the Administrator will reach and market the program to low to moderate income residents or underserved residents in the community.* ☐ *Clear articulation of plan for working with local partners and providing a local presence.*	[insert value] *10*

Section 6 – Selection Process

All proposals that are deemed responsive (as described above) will be reviewed by staff as determined by the judgment of the municipality(s). All reviewers will sign a confidentiality statement and keep all content of proposals confidential, except to the extent disclosure of proposals is required by law or deemed advisable by the municipalities in any litigation arising from this RFP. The winning proposal may be shared unless it contains details on business models and/or proprietary secrets.

Appendix 1. Example Clean Energy Products and Services, Associated Benefits and Measuring Success

Appendix 1 describes several examples of how a proposer may incorporate clean energy products and services into their offering, as well as how they can measure the success of those offerings.

Clean Energy Product/Service	Example	Example Benefits	Measuring Success
Community Solar	• The CCA develops partnerships with one or more Community Solar projects that are located within same utility territory as the CCA. The CCA encourages community members to subscribe in these projects, regardless of whether they enroll in the CCA program.	• Guaranteed long-term electricity bill savings for participating customers. • Support local, clean, renewable energy. • Support job creation. • Reduce GHG emissions. • No upfront cost. • Participation not limited by rooftop or property characteristics. • No operations and maintenance concerns.	• Community members and CCA members fully subscribe to the available community solar projects. • More than 50% of CCA participants opt-in to the community solar offering. • Long-term partnerships are developed with community solar developers and community solar becomes a lasting CCA offering.
Rooftop Solar/Battery Storage/Clean Heating and Cooling (CHC)	• The CCA partners with existing or new community-based clean energy campaigns such as Solarize, Solarize + Battery Storage, and/or Clean Heating and Cooling Campaigns. • CCA and campaign(s) conduct outreach, education, and enrollment to community members in conjunction. • Community members learn about the different clean energy product and service options and benefits as well as the CCA and can	• Energy and bills savings for participants. • Maximize electricity bill savings by installing solar and enrolling in a CCA. • Reduce reliance on heating oil or natural gas by installing CHC technologies. • Maximize and support local, clean, renewable energy adoption. • Support local job creation and workforce training. • Reduce GHG emissions. • Reduce customer acquisition costs. • Compatible with time-of-use rates.	• At least 20% of Solarize/Solarize + Battery storage/clean heating and cooling campaign participants install the relevant technology. • More than 50% of Solarize/Solarize + Battery storage/clean heating and cooling campaign program participants enroll in the CCA. • At least 10% of participants are low to moderate income. • Lower purchase and installation cost of relevant technologies by at least 10-20%.

Clean Energy Product/Service	Example	Example Benefits	Measuring Success
	enroll in a one or multiple campaigns.		• Local university, community college, technical college, or veterans receive workforce training on relevant technology.
Battery Storage	• The CCA works with the local government and community to identify critical facilities that could benefit from battery storage. • Identifies at least one facility, issues an RFP, and selects a qualified energy storage contractor to install storage (or solar + storage) offering.	• Increase resilience of critical facilities (e.g., hospital, nursing homes, schools, or community centers) to operate during outages. • Help commercial customers avoid demand charges by shifting electric demand need to low cost periods. • Provide high power quality without fluctuations in voltage or frequency to critical facilities, such as hospitals.	• At least one critical facility in the community evaluates and installs battery storage (or solar + storage).
"Smart Home"/Demand Side Management	• By enrolling in the CCA customers can also sign up to: 1) receive smart home or energy efficient technologies, such as smart thermostats or smart water heaters, that are supported through a utility program or NYSERDA incentive. 2) enroll in a demand response program where customers allow their load to be shifted remotely by the CCA program administrator. • CCA administrator supports the customers with the	• Customer bill savings due to reduced consumption. • Compatible with time-of-use rates. • Ability for program administrator to shift customer electricity consumption in aggregate to times that benefit the grid and avoid electricity supply constraints. • CCA participants are educated on smart home and energy efficient products. • Increase energy-efficiency of community.	• Customers understand their options for energy efficiency and smart home products. • 50% of customers who enroll with the CCA receive and install a smart thermostat or other smart or energy efficient technology. • 10% of customers who enroll with the CCA enroll in a demand response program.

Clean Energy Product/Service	Example	Example Benefits	Measuring Success
	process of purchasing, installing, and properly using the new, smart, efficient technologies. • CCA administrator supports customer with enrolling in demand response program and manages customer participation.		
Electric Vehicles (EVs) and Charging Stations	• The CCA partners with an existing local community partner or campaign to run an aggregated purchase program to reduce purchase costs on electric vehicles and charging stations for municipal fleets, commercial fleets (if possible), and residents. • CCA and EV campaign conduct outreach, education, and enrollment to community members. • Community members learn about the options and benefits of EVs as well as the CCA and can enroll in one or both programs.	• GHG emissions reductions in the transportation sector. • Compatibility with time-of-use rates. • Increased cost savings on EV purchases. • Reduced customer acquisition costs.	• Increase EV penetration in the community by at least 10%. • Lower purchase price on EVs by at least 10% for end-users. • 10% increase in home and municipal charging stations.

APPENDIX C

LIST OF OPT-OUT ELIGIBLE SERVICE CLASSES BY UTILITY

Company	Electric Opt-Out Service Classes	Gas Opt-Out Service Classes
Central Hudson Gas & Electric Corporation	SC 1 Residential Service; and SC 2 General Service	SC 1 Residence Rate; and SC 2 Commercial and Industrial Rate
Consolidated Edison Company of New York, Inc.	SC 1 Residential and Religious; SC2 General - Small; SC 8 Multiple Dwellings - Redistribution; SC 12 Multiple Dwelling - Space Heating; and SC 13 Bulk Power - Housing Developments	SC 1 Residential and Religious Firm Sales Service; SC 2 General Firm Sales Service; and SC 3 Residential and Religious-Heating Firm Sales Service
KeySpan Gas East Corp. dba Brooklyn Union of L.I.	N/A	SC 1 Residential Service; SC 2 Non-Residential Service; and SC 3 Multiple Dwelling Service
National Fuel Gas Distribution Corporation	N/A	SC 1 Residential; and SC 3 General
New York State Electric & Gas Corporation	SC 1 Residential Service; and SC 6 General Service	SC 1 Residential Service; and SC 2 General Service
Niagara Mohawk Power Corporation	SC 1 Residential and Farm Service; and SC 2 Small General Service	SC 1 Residential Service; and SC 2 Small General Service

Orange and Rockland Utilities, Inc.	SC 1 Residential Service; and SC 2 General Secondary or Primary Service	SC 1 Residential and Space Heating; and SC 2 General Service
Rochester Gas and Electric Corporation	SC 1 Residential Service; and SC 2 General Service - Small Use	SC 1 General Service
The Brooklyn Union Gas Company	N/A	SC 1A Residential Non-Heating Service; SC 1B Residential Heating Service; SC 2 General Service; and SC 3 Heating and/or Water Heating Service (Multi-Family Buildings)

RESOLUTION NO.: 25 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PAYMENT OF CLAIM WITH JUSHAWN STEVENS IN THE AMOUNT OF $12,500.00

WHEREAS, Jushawn Stevens brought a claim against the City of Newburgh; and

WHEREAS, parties and the City have reached an agreement for the payment of the claim in the amount of Twelve Thousand Five Hundred and 00/100 Dollars ($12,500.00) 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 these matters 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 Manager is hereby authorized to settle the claim of Jushawn Stevens in the amount of Twelve Thousand Five Hundred and 00/100 Dollars ($12,500.00) and that the City Manager be and he hereby is authorized to execute documents as the Corporation Counsel may require to effectuate the settlement as herein described.

RESOLUTION NO.: 26 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION APPOINTING JOANNE MATTHEWS FORBES TO THE POSITION OF FULL-TIME CITY COURT JUDGE FOR A TERM OF TEN (10) YEARS

WHEREAS, there is a vacancy in the appointive office of City Court Judge; and

WHEREAS, Section 2104(f)(1)(ii) authorizes the City Council of the City of Newburgh to fill such vacancy; and

WHEREAS, this Council believes that appointing Joanne Matthews Forbes to serve as City Court Judge is in the best interests of the City of Newburgh and of this community;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Joanne Matthews Forbes be and she is hereby appointed as City Court Judge of the City of Newburgh for a term of ten (10) years commencing February 9, 2021 and ending February 8, 2031.

RESOLUTION NO.: 27 - 2021

OF

FEBRUARY 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE OFFICE OF THE CORPORATION COUNSEL TO EXECUTE A SETTLEMENT AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE PREMISES LOCATED AT 223 THIRD STREET (SECTION 22, BLOCK 2, LOT 10), 225 THIRD STREET (SECTION 22, BLOCK 2, LOT 9), AND 227 THIRD STREET (SECTION 22, BLOCK 2, LOT 8)

WHEREAS, the City of Newburgh commenced legal action against Primo Contracting LLC, current owner of record of the premises known as 223 Third Street (Section 22, Block 2, Lot 10), 225 Third Street (Section 22, Block 2, Lot 9), and 227 Third Street (Section 22, Block 2, Lot 8) to enforce its reverter and re-entry rights to the premises; and

WHEREAS, the parties have reached a settlement agreement in a manner and form substantially similar to the agreement annexed hereto; and

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

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