

A regular meeting of the City Council of the City of Newburgh was held on Monday, May 24, 2021 at 7:00 PM via a Zoom Digital Platform.

Moment of Silence / Momento de Silencio

Pledge of Allegiance/ Juramento a la Alianza

Roll Call/ Lista de Asistencia

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

COMMUNICATIONS

Approval of the Minutes of the City Council Meeting on May 10, 2021

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Carried

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

City Manager Todd Venning highlighted key points in city departments.

PRESENTATIONS

There were no presentations at this time.

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

Chuck Thomas signed up to speak, but he was not present.

Daniel Cronin commented about an incident that occurred on May 12, 2021, in which he witnessed a young girl almost being snatched up by a man. He called the police department and told them that he had video of the incident. Ultimately he said he got no response from the department. When he posted commentary on Facebook about the incident, the police showed up at his house and questioned him like he did something wrong. He mentioned another incident in which one of the panhandlers was defacing the political signs. She was picked up and released, only to return to his home and started removing her clothes in front of Cronin and his girlfriend. He asked what type of process is going on in the police department. Somebody has to be held accountable. Hopefully with a new city manager there can be an open dialogue between them. He stated he has video of both of these incidents.

Michael Diaz signed up to comment, but he was not present.

Maryann Marrato signed up to comment, but she was not present.

Kippy Boyle commented that NYS Open Meetings Law allows executive sessions to be identified in a clearer way than this city thinks it needs to. While it is true that you don't need to go into a lot of personal detail about personnel issues, it is entirely appropriate to state that you are going to discuss a matter within a particular department to narrow down the discussion. It is allowable and recommended by the State, and it is doing a disservice to the public for this council and corporation counsel to think that they don't need to do it that way. Also she spoke about the city's grievance of assessments. She feels that the public should be allowed to see the list of all of the neighborhoods that the office has created, and to see what the percentage increases are in each neighborhood. That way if we are going to look at trend data analysis we have a little more information. The Assessor's office was helpful to some extent, but she was basically told by the office that it is not their job to tell us where the trend data comes from; rather it is the property owner's job to prove that the city's trend data analysis is incorrect. I think we need to look at the whole process thoroughly between now and next year. Given the current sales prices, many homeowners are going to suffer, and gentrification is going to be speeded up the way that it is being done right now.

This portion of the meeting was closed.

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

Councilman Grice welcomed Mr. Venning in his new role. He heard Kippy's statement and he assured her that they have followed all of the legal requirements with it. He would hope that the community never has to break a friendship or business relationship based on differing opinions on matters. Sometimes he has made 'No' votes, while his colleagues on the council have made 'Yes' votes, and then afterwards they still remained amicable and committed to the things that the council does. Grice has a lot of respect for Mayor Harvey and the council, as a whole. To that, if the council would like a caucus next time then he would be open to that. If his colleagues presented legislation regarding a 4-year term for the city manager, or a strong mayor system, he would welcome that too. Grice does not want to get into things that were discussed in executive session. Next, he is happy that we are on Facebook Live. He urged commenters on that platform to understand that this is not the proper mechanism for the council to make responsive comments. info@cityofnewburgh-ny.gov is the proper format to submit comments about any concerns.

Councilwoman Mejia welcomed Mr. Venning to the first of many Mondays to come. She appreciated his update and found the walk through on the disposition of city property to be insightful and informative for everybody watching. She is excited that we are finally on Facebook Live. The kinks still need to be ironed out, but this platform increases the number of viewers that we have. As a council person, she is responsible to do what is in the best interest of the city, including the acquiring of top notch talent to help move the city forward. She thanked Mr. Donat for his service and passion. She is optimistic about the new leadership in Venning. He brings an incredible wealth of knowledge and financial expertise to this city. It is needed at this particular moment, given the budget planning season and contract negotiations ahead. She hopes that we can continue to have conversations, and prioritize our Phase 1 legislative objectives. We are challenged with the task of balancing economic development without displacement. We also need to make sure that we are tending to the need of the taxpayers, homeowners and businesses. Mejia is looking forward to ending in a stronger position than we are in now, as we come out of the pandemic. It is going to be a new 'normal'. It is not the normal that we were accustomed to, and she is looking forward to that.

Councilwoman Monteverde agreed with Grice and Mejia. She noticed the chatter on social media over the weekend. Of course, people were surprised with the council's decision to move forward and go in a different direction. As an elected official, there are times when you have to act quickly and you think that you are acting in the best interest of the community, which is how she felt when the matter came up. She is very excited about Venning's energy for the city. She feels that we are finally turning the corner. She thanked Donat for his leadership, as he got us through some challenging times during the

pandemic, and kept this city going when it was basically shut down. She is looking forward to the new legislation that they have worked to prioritize as a council. When we talk about transparency, she knows that people talk about back room deals. She wants everyone to know that that is not the case. She is excited about the housing plan, and she is excited to move forward with those action items. She pointed out that milling begins on May 26th. She encouraged everyone to look at the water report, and mentioned that we have the best water this side of New York City. The water department does its best to keep the water clean and safe.

Councilman Shakur welcomed the new leadership in Venning, and stated that he hopes we can see results pretty soon. He looked at Rupko's portfolio advertising 'affordable' rents. Shakur feels that the properties are only affordable for individuals earning \$50K or more per year. Most of the people here in the City of Newburgh earn on the average \$33K per year. We need to look at our relationship with Rupko and find out who they are being 'affordable' to. They have too many apartments and buildings in this city for us to be trying to turn the corner on gentrification given the rental situation of our city. If we could lower the income threshold to \$33K then we could ensure that residents could afford these apartments. Second, he hopes that we can get back to live meetings. As we have witnessed tonight, we are not getting through to our constituents. He does not know where the disconnect lies, but, some people are just not being able to talk. Last, he mentioned that a lot of people have been asking him about City Consultant McLymore. Are we still paying him, and if so, what are we paying him for? Shakur has not heard or seen anything from him, and feels that it may be time to end that relationship too.

Councilman Sklarz pointed out that of the standing Covid-19 vaccination sites located in Poughkeepsie and Middletown, the rate of vaccination of their residents surpassed 40%. Our vaccination rate in Newburgh is 37%. The City of Newburgh's rate may even be lower because our numbers are often grouped together with the Town of Newburgh. While he realizes that vaccination hesitancy exists, statistics prove that those locations with standing Covid-19 vaccination sites have higher vaccination rates. We have to do better for our citizens. Last week he attended a statewide Zoom conference with cities throughout the State experiencing similar issues with unlicensed, unregistered, and the reckless driving of dirt bikes and ATVs on city streets. There are some innovative approaches to curb this activity in the state. Currently our police department and legal department are reviewing the matter and hopefully there will be a resolution for this council to consider soon. Sklarz wished Venning every success in his new role as city manager. His success means that the City of Newburgh continues on a positive note.

Councilwoman Sofokles congratulated Venning. She addressed the comments about the assessments. Having spent fourteen years on the City's Assessment Review Board, she believes that Joanne Majewski is a very fair assessor. The board is fair too. They listen, deliberate and come up with what Sofokles feels is always a good decision. She pointed out that just because your assessment rises does not necessarily mean that your taxes will increase too. She concurs with Sklarz regarding the minibikes. There is going to be a tragedy in this city. The other night three bikers almost hit her new truck. She called the police department and they were responsive, but, she does not want a problem to escalate

between the community and the police department either. She does not know what the answer is, but something needs to be done. Sofokles stated that it is nice to be out on the streets again and speaking with people in her ward. The North Montgomery Street and Broadway projects are good for the city. She thanked Venning for bringing up the 10-year situation, because it has worked in her own neighborhood. She commented that North Montgomery Street is one of her favorite streets in the city.

Mayor Harvey reiterated the sentiments of his colleagues and thanked Venning for all of his hard work as the city comptroller. He welcomed him as the City Manager. He thanked Mr. Joe Donat and had nothing but positive things to say about him and his service to this community. Harvey considers him a Battle Buddy, especially given we were hit with the worst, historical and global pandemics known to the United States and the World. Mayor Harvey stated that he would serve in the trenches with Donat again, any morning, noon or night. Second, he commented that he is excited about the scheduled milling and paving. While there are some tough fiscal decisions that we have had to make in the past, we will continue to move this city forward as we examine the American Rescue Act and some of the windmill of funds that we are scheduled to receive. He agrees that we need to come up with solution for the dirt bikes and the motor bikes. We have to create alternative solutions to maintain public safety. He thanked our police and fire departments and everyone in public safety for the ongoing work that they do. Harvey thanked Lieutenant-in-Charge Lahar and the entire police department in these challenging times.

This portion of the meeting was closed.

CITY MANAGER'S REPORT

Resolution No. 125 - 2021 - Proposal with ARCADIS for Review of CSX Utility Plans at the 5th Street Railroad Overpass Project

Councilman Sklarz moved and Councilman Grice seconded.

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

Adopted

Resolution No. 126 - 2021 - RFP No. 3.21 Professional Engineering Services Contract with Gerard Associates Consulting Engineers, PC

Councilman Sklarz moved and Councilman Grice seconded.

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

Nays: Shakur-1

Adopted

Resolution No. 127 - 2021 - Purchase of 185 Broadway

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Nays: Shakur-1

Adopted

Resolution No. 128 - 2021 - Purchase of 318 North Montgomery Street

Councilwoman Monteverde moved and Councilman Sklarz seconded.

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

Nays: Shakur-1

Adopted

Resolution No. 129 - 2021 - 41 Benkard Avenue - Release of Restrictive Covenants

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution 130 - 2021 - to Schedule the 1st Public Hearing and 30-Day Public Comment Period for the FY2022 Community Development Block Grant (CDBG) Annual Action Plan

Councilman Shakur moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 131 - 2021 - Street Sweeper Program

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 132 - 2021 - Fire Reporting Software

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 133 - 2021 - Authorizing Settlement of a Water Bill with an Out-of-City Account

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 134 - 2021 - Authorizing Settlement of a Water Bill with an Out of City Account

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 135 - 2021 - Ratifying a Settlement and Authorizing a Payment of Claim

Councilwoman Monteverde did not know if she could speak about this publicly.

Michelle Kelson commented that at this time she could only mention that this refers to a settlement of a claim that was brought against the City of Newburgh.

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

The City Manager concluded his report.

RESOLUTION NO.: 125 - 2021

OF

MAY 24, 2021

**A RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING
THE CITY MANAGER TO EXECUTE A CONTRACT WITH
ARCADIS OF NEW YORK INC. FOR PROFESSIONAL ENGINEERING SERVICES
FOR A UTILITY ASSESSMENT REVIEW IN CONNECTION WITH THE
CSX TRANSPORTATION RAILROAD BRIDGE REPLACEMENT PROJECT
IN AN AMOUNT NOT TO EXCEED \$5,000.00**

WHEREAS, CSX Transportation plans to replace the railroad bridge over the former Fifth Street located at railroad milepost QR 57.00; and

WHEREAS, CSX Transportation has submitted a Utility Relocation Concept Plan for the City's review; and

WHEREAS, the City solicited and received a proposal from Arcadis of New York, Inc. for professional engineering services for an assessment of the Utility Relocation Concept Plan; and

WHEREAS, such engineering services will include a review of the Utility Relocation Concept Plan, evaluation of the existing utilities and recommendations; and

WHEREAS, the cost of such proposal shall not exceed \$5,000.00 and will be funded by CSX Transportation through an escrow account; and

WHEREAS, this Council finds that entering into a contract with Arcadis of New York, Inc. based on the foregoing is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to accept a proposal and execute a contract with Arcadis of New York, Inc., for professional engineering services for an assessment of the Utility Relocation Concept Plan submitted by CSX Transportation in connection with the replacement of the railroad bridge over the former Fifth Street at railroad milepost QR 57.00 in an amount not to exceed \$5,000.00.

RESOLUTION NO.: 126 - 2021

OF

MAY 24, 2021

A RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING
THE CITY MANAGER TO EXECUTE A CONTRACT WITH
GERARD ASSOCIATES CONSULTING ENGINEERS, P.C. FOR
PROFESSIONAL ENGINEERING SERVICES FOR
THE BOILER REPLACEMENT AND CONVERSION TO NATURAL GAS
AT 123-125 GRAND STREET IN AN AMOUNT NOT TO EXCEED \$40,260.00

WHEREAS, the City of Newburgh solicited, received and evaluated proposals for professional engineering services for the Boiler Replacement and Conversion to Natural Gas Project at 123-125 Grand Street; and

WHEREAS, the City has received a proposal from Gerard Associates Consulting Engineers, P.C. which has been identified as a qualified firm to provide said services; and

WHEREAS, such engineering services shall include concept and design development, preparation of plans, specifications, bid and contract documents, and bid services; and

WHEREAS, the cost of such proposal shall not exceed \$40,260.00 and the funds shall be derived from 2020 BAN under budget line H1.1120.0208.2020; and

WHEREAS, the Council has reviewed the proposal and finds that authorizing a contract to perform said professional engineering services is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to accept a proposal and execute a contract with Gerard Associates Consulting Engineers, P.C., for professional engineering services for the Boiler Replacement and Conversion to Natural Gas Project at 123-125 Grand Street in an amount not to exceed \$40,260.00.

126-21

NOTICE
REQUEST FOR PROPOSALS
for
Professional Services
Related to the
Boiler Replacement and Conversion to Natural Gas at 123-125 Grand Street

RFP No. 3.21

City of Newburgh, Orange County, New York

Sealed Proposals will be received by the City Comptroller in his office at City Hall, 83 Broadway, 4th Floor, Newburgh, New York 12550, until 12:00 p.m., (local time), Wednesday, April 7, 2021 for professional services related to the Boiler Replacement and Conversion to Natural Gas at 123-125 Grand Street..

This Request for Proposal (RFP) and consultant selection process is being conducted to engage in the selection of a qualified NYS Licensed Professional Engineer to perform investigative and design services related to the removal of two (2) oil-fired boilers and the replacement with natural-gas fired boilers located at 123 Grand Street, Newburgh, New York. Based upon the required criteria, an internal Evaluation Committee shall review and evaluate each Proposal and recommend award be made to a qualified consultant that submits a proposal that best meets the City's needs.

This Request for Proposals, becoming available to the public on Friday, February 26, 2021, may be viewed and downloaded at no charge by visiting the Empire State Purchasing Group website at: www.BidNetDirect.com/new-york/city-of-newburgh, selecting the "Open Solicitations" tab and title of solicitation. Vendors may have to register if visiting this site for the first time.

Proposals must be submitted in accordance with the requirements and provisions stated in the RFP Document and submitted on or before the specified due date and time. Proposals submitted after the deadline will not be considered. Facsimile or electronic mail submissions will not be accepted. *Vendors are responsible for the timely delivery of their Proposals.* There will be no exceptions.

Proposals shall not be withdrawn for a period of forty-five (45) days subsequent to the submission deadline without the consent of the City of Newburgh Comptroller. The City of Newburgh reserves the right to reject any or all Proposals and to waive any informality or technicality in any proposal deemed to be in the best interest of the City.

By submission of a Proposal in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, selected Proposer, or any assignee certifies that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted on the Office of General Services website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>. The selected respondent further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, the selected respondent is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended. The City of Newburgh reserves the right to reject any Proposal from an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a Contract and appears on the Prohibited Entities list after Contract award. By submission of a Proposal to the City of Newburgh, Proposer thereby certifies their firm is in compliance with all aspects of this regulation.

BY ORDER OF THE CITY OF NEWBURGH

By: _____

City Comptroller

Dated: _____

2/22/21

"An Equal Opportunity, Affirmative Action Employer"

RESOLUTION NO.: 127 - 2021

OF

MAY 24, 2021

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY
KNOWN AS 185 BROADWAY (SECTION 36, BLOCK 1, LOT 2) AT PRIVATE SALE
TO ALBERTO MARTINEZ, MARK CONNELL AND PAUL GUILLARO
D/B/A HUDSON VISIONARY DEVELOPMENT, LLC
FOR THE AMOUNT OF \$180,000.00

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

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

WHEREAS, the City of Newburgh desires to sell 185 Broadway, being more accurately described as Section 36, Block 1, Lot 2, on the official tax map of the City of Newburgh; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the property be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before August 27, 2021, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
185 Broadway	36 - 1 - 2	Alberto Martinez	\$180,000.00
		Mark Connell	
		Paul Guillaro	
		d/b/a Hudson Visionary Development, LLC	

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

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Terms and Conditions Sale

185 Broadway, City of Newburgh (SBL: 36-1-2)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2020-2021, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2020-2021, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.

9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid **by Purchaser** by money order or guaranteed funds to the City of Newburgh Comptroller's Office by the date listed in the approved City Council Resolution, notwithstanding any extensions of time granted pursuant to terms contained herein ("Closing Deadline"). Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees. The City is not required to send notice of acceptance or any other notice to a purchaser.*
11. Provided that the sale is not subject to an owner-occupancy restriction, the purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
12. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days from the Closing Deadline. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for its consideration.
13. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
14. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
15. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**
16. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.
17. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh. Any survey description shall be provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.

18. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.
19. Notice is given that the property lies within either the East End Historic District or the Colonial Terraces Architectural Design District as designated in the City of Newburgh's current zoning map. This parcel is sold subject to all provision of law applicable thereto. It is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance any additional laws, rules or regulations applicable to those districts.
20. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.
21. Within ten (10) business days of approval of sale by the City of Newburgh, the purchaser shall tender a non-refundable downpayment in the amount of \$18,000.00 payable to "City of Newburgh" by money order or guaranteed funds to the City of Newburgh Comptroller's Office. At closing, the downpayment amount shall be credited against the purchase price.

ACKNOWLEDGED AND AGREED

Hudson Visionary Development, LLC

BY:

Date: _____

Date: _____

Alberto Martinez

Mark Connell

Date: _____

Paul Guillaro

RESOLUTION NO.: 128 - 2021

OF

MAY 24, 2021

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN
AS 318 NORTH MONTGOMERY STREET (SECTION 4, BLOCK 7, LOT 6)
AT PRIVATE SALE TO DARNELL DODSON FOR THE AMOUNT OF \$300,000.00

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

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

WHEREAS, the City of Newburgh desires to sell 318 North Montgomery Street, being more accurately described as Section 4, Block 7, Lot 6 on the official tax map of the City of Newburgh; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchasers upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before August 27, 2021, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
318 North Montgomery Street	4 - 7 - 6	Darnell Dodson	\$300,000.00

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

28-21

Terms and Conditions Sale 318 North Montgomery Street, City of Newburgh (SBL: 4-7-6)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of 2020-2021, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2020-2021, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.

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

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

ACKNOWLEDGED AND AGREED

Date: _____

DARNELL DODSON

RESOLUTION NO.: 129-2021

OF

MAY 24, 2021

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO BARBARA LAPOLT TO THE PREMISES KNOWN AS
41 BENKARD AVENUE (SECTION 45, BLOCK 13, LOT 9)**

WHEREAS, on December 10, 2002, the City of Newburgh conveyed property located at 41 Benkard Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 13, Lot 9, to Barbara Lapolt; and

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

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

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

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 41 Benkard Avenue, Section 45, Block 13, Lot 9 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated December 10, 2002, from THE CITY OF NEWBURGH to BARBARA LAPOLT, recorded in the Orange County Clerk's Office on March 27, 2003, in Liber 11004 of Deeds at Page 177 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.: _____130_____ - 2021

OF

MAY 24, 2021

**A RESOLUTION OPENING A 30-DAY PUBLIC COMMENT PERIOD AND
SCHEDULING A PUBLIC HEARING FOR JUNE 14, 2021
TO RECEIVE PUBLIC COMMENT ON THE CITY OF NEWBURGH'S
PROPOSED ACTIONS WITH RESPECT TO
THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE
ANNUAL ACTION PLAN FOR FISCAL YEAR 2022**

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, the City is now preparing a one-year Annual Action Plan for FY 2022 in order to implement various elements of the strategies identified in its Consolidated Plan and must satisfy all statutory requirements, including those related to citizen participation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the time for citizen participation is commenced by opening a 30-day period beginning on June 15, 2021 and closing on July 15, 2021 to receive public comment on the City of Newburgh's proposed actions with respect to the Community Development Block Grant Program for the FY 2022 Annual Action Plan; 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 City of Newburgh's proposed actions with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2022; and that such public hearing be and hereby is duly set to be held at 7:00 p.m. on the 14th day of June, 2021 in the City Council Chambers, 83 Broadway, City Hall, 3rd Floor, Newburgh, New York; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the capacity of the City Council Chambers will be limited due to the space available to maintain six (6) feet of social distancing and in-person attendance will be on a first-come, first-serve basis, and therefore, in accordance with the Governor's Executive Order 202.1, as amended, the June 14, 2021 City Council meeting also will be accessible via videoconferencing, and a transcript will be provided at a later date. The public will have the option to see and hear the meeting live and provide comments on the proposed CDBG FY2022 Annual Action Plan as follows:

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

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App:
https://zoom.us/webinar/register/WN_GdD4y4FtRqiZSThDVVeSWg. Please note that there is an underscore between the "N" and "G").

In order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Monday, June 14, 2021 through the Zoom App:
https://zoom.us/webinar/register/WN_GdD4y4FtRqiZSThDVVeSWg. Please note that there is an underscore between the "N" and "G"). Please fill out the required information (First Name, Last Name, E-mail Address and check appropriate box to comment during the public hearing). 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, June 14, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

Community Development Block Grant (“CDBG”) FY2022 Annual Action Plan

Department of Planning &
Development
June, 2021





City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large



**EQUAL HOUSING
OPPORTUNITY**

City of Newburgh Community Development Goals - Refresher

- Economic Development without Displacement.
- Enhance outreach and communications with the community.
- Support a climate that values diversity, rewards independence, nourishes creativity, and brings all of us together.

Successful community building requires reestablishing trust, which takes time, patience, outreach and communication.



“CDBG” - Brief Primer

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is under the Orange County Consortium (Orange County, City of Newburgh, City of Middletown).
- The City of Newburgh is required to prepare and submit a Consolidated Plan that establishes goals for the use of CDBG funds. The new City of Newburgh Consolidated Plan: FY2020-FY2024
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.

Proposed FY2022 CDBG Projects/Funding

Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding		% Project increase, if HUD allocation greater than proposed (approx.)		% Project decrease, if HUD allocation less than proposed (approx.)	
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$230,000.00	No Increase			10%	
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	\$50,000.00	25%			10%	
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	\$300,000.00	25%			25%	
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	\$40,000.00	25%			20%	
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	\$75,000.00	15%			10%	
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	\$25,000.00	10%			20%	
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	\$135,000.00	No Increase			5%	
			Proposed Total FY2022 Allocation	\$855,000.00					

Contingency Funding

If the actual annual allocation amount exceeds the proposed estimate, the project budgets will increase by:

Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	% Project increase, if HUD allocation greater than proposed (approx.)
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	No Increase
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	25%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	25%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Facade and signage, Workforce Training.	15%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap. Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	10%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	No Increase

Contingency Funding

If the actual annual allocation amount is less than the proposed estimate, the project budgets will decrease by:

Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	% Project decrease, if HUD allocation less than proposed (approx.)
Housing	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	20%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	10%
Quality of Life Improvements	Neighborhood Services	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	5%

Project: Housing

Proposed Activities:

- In Rem Property Program
- Homeowner Repair Assistance Program
(Implemented by City of Newburgh
Housing Partner)

Proposed Housing Activity: In Rem Property Program

Budget: \$230,000.00

Description:

- Activity staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.

Proposed Housing Activity: Home Repair Assistance Program

Budget: \$50,000.00

Description:

- Funding for Light Home Repair Assistance Program for Low/Moderate Income City of Newburgh Homeowners.* Implemented through City of Newburgh Housing Partner.

* Light repairs, such as railings, steps, etc.

Proposed Infrastructure Improvements

Activity: Curb Ramp and Sidewalk

Upgrades

Budget: \$300,000.00

Description:

- Funding to continue funding Curb Ramp & Sidewalk Improvements project.

Proposed Infrastructure Improvements
Activity: Public Facility Improvements
Budget: \$40,000.00

Description:

- Funding for Public Accessibility Improvements to City of Newburgh Buildings.

Proposed Economic Development Activity:

Business Assistance

Budget: \$75,000.00

Description:

- Funding for business assistance such as Business Façade and Signage grants, Workforce Training.

Proposed Quality of Life Activity: Neighborhood Services

Budget: \$25,000.00

Description (Anticipated Services):

- 2022 Summer Film Festival
- Health Outreach Initiative
- National Night Out

Important: Public Service Activity, subject to 15% Annual Allocation Cap.

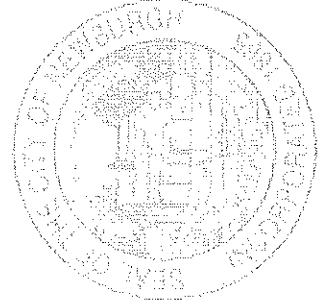
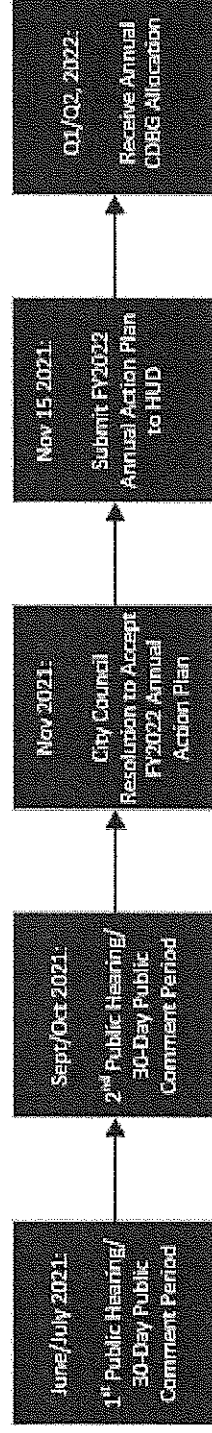
Proposed Activity: Administration

Budget: \$135,000.00

Description:

- Funding for program administration, staff salary and benefits, language translation services, program operating costs (including mailings), program trainings/conference.

FY2022 CDBG AAP Timeline



FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS TIMELINE



RESOLUTION NO.: ____131____ - 2021

OF

MAY 24, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH
THE REGIONAL ECONOMIC COMMUNITY ACTION PROGRAM, INC.
FOR THE MAYOR'S STREET SWEEPER PILOT PROGRAM TO PROVIDE
EMPLOYMENT OPPORTUNITES FOR CITY OF NEWBURGH RESIDENTS
DURING THE SUMMER OF 2021**

WHEREAS, the City of Newburgh and Regional Economic Community Action Program, Inc. (RECAP) have collaborated to offer the Mayor's Street Sweeper Pilot Program for the purpose of providing employment opportunities for participants; and

WHEREAS, the Mayor's Street Sweeper Pilot Program requires a contract between the City of Newburgh and Regional Economic Community Action Program, Inc.; and

WHEREAS, funding for the Mayor's Street Sweeper Pilot Program is allocated in the City of Newburgh's adopted budget for 2021 and Regional Economic Community Action Program, Inc. will provide eligible participants and supportive services to those participants during the program; and

WHEREAS, this Council finds that entering into the attached agreement with the Regional Economic Community Action Program, Inc. for this purpose is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute an agreement with the Regional Economic Community Action Program, Inc. to facilitate and support the Mayor's Street Sweeper Pilot Program for the summer of 2021.

RESOLUTION NO.: 132 - 2021

OF

MAY 24, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH BACKDRAFT OPCO, LLC, D/B/A EMERGENCY REPORTING
FOR PERSONNEL, EQUIPMENT AND FIRE DATA REPORTING SOFTWARE
AND SERVICES FOR THE CITY OF NEWBURGH FIRE DEPARTMENT**

WHEREAS, the City of Newburgh Fire Department must replace existing Firehouse software before it becomes obsolete; and

WHEREAS, Backdraft OpCo, LLC d/b/a Emergency Reporting offers subscription-based software and services to assist fire agencies for analyzing and reporting personnel, equipment and other fire related data and will integrate with new scheduling software to improve efficiency and effectiveness; and

WHEREAS, the cost for the software, services, equipment and training in the initial year is \$5,745.00 and such funding shall be derived from A.3412.0448.0008; and

WHEREAS, the City Council finds that entering into such a contract with Backdraft OpCo, LLC d/b/a Emergency Reporting for the subscription-based data reporting software and related services is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager of the City of Newburgh be and he is hereby authorized to enter into an agreement with Backdraft OpCo, LLC d/b/a Emergency Reporting, as annexed hereto with such other terms and conditions as may be required by Corporation Counsel, to provide subscription-based data reporting software and related services and equipment to the City of Newburgh Fire Department.

RESOLUTION NO.: 133 - 2021

OF

MAY 24, 2021

**A RESOLUTION AUTHORIZING SETTLEMENT OF A WATER BILL
WITH AN OUT-OF-CITY ACCOUNT FOR THE AMOUNT OF
FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00)**

WHEREAS, Hugh McHugh is the owner of property known as 483 Little Britain Road in the Town of Newburgh ("Property"); and

WHEREAS, the City of Newburgh provides water services to the Property; and

WHEREAS, Mr. McHugh's attorney has offered to settle unpaid water usage and penalty amounts owed Mr. McHugh without the need for litigation; and

WHEREAS, the parties have reached an agreement to settle the account for the amount of Fifteen Thousand and 00/100 dollars (\$15,000.00), and to enter into a Water Service Agreement with Mr. McHugh, his successors, or assigns to the property for the City of Newburgh to continue providing water services to the Property in exchange for a release to resolve all claims among them; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to settle the matter for the amount agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the outstanding water account for the Property in the total amount of Fifteen Thousand and 00/100 dollars (\$15,000.00), and enter into a Water Service Agreement with Mr. McHugh, his successors, or assigns to the property to provide water services to the Property.

RESOLUTION NO.: 134 - 2021

OF

MAY 24, 2021

**A RESOLUTION AUTHORIZING SETTLEMENT OF A WATER BILL
WITH AN OUT-OF-CITY ACCOUNT FOR THE AMOUNT OF
TEN THOUSAND AND 00/100 DOLLARS (\$10,000.00)**

WHEREAS, Jeffrey Whritner is the owner of property known as 465 Little Britain Road in the Town of Newburgh ("Property"); and

WHEREAS, the City of Newburgh provides water services to the Property; and

WHEREAS, the City of Newburgh commenced litigation to collect unpaid water usage and penalty amounts from Mr. Whritner; and

WHEREAS, the parties have reached an agreement to settle the account for the amount of Ten Thousand and 00/100 dollars (\$10,000.00), and to enter into a Water Service Agreement for the City of Newburgh to continue providing water services to the Property in exchange for a release to resolve all claims among them; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to settle the matter for the amount agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the outstanding water account for the Property in the total amount of Ten Thousand and 00/100 dollars (\$10,000.00), and enter into a Water Service Agreement with Mr. Whritner to provide water services to the Property.

RESOLUTION NO.: 135 - 2021

OF

MAY 24, 2021

**A RESOLUTION RATIFYING A SETTLEMENT AND AUTHORIZING THE PAYMENT
OF CLAIM WITH LAKEEM THOMPSON IN THE AMOUNT OF \$400,000.00**

WHEREAS, Lakeem Thompson brought a claim against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the amount of Four Hundred Thousand and 00/100 Dollars (\$400,000.00) in exchange for a release to resolve all claims among them; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to settle the matter for the amount agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager, Corporation Counsel and the City's outside defense counsel are hereby authorized to settle the claim of Lakeem Thompson in the total amount of Four Hundred Thousand and 00/100 Dollars (\$400,000.00) and further authorized to execute documents as may be required to effectuate the settlement as herein described.

OLD BUSINESS

Councilman Shakur mentioned the situation with James Faison's car. There was an order not to destroy his car, and it was destroyed anyway. Faison is seeking compensation, and the council really needs to look into it.

Mayor Harvey requested an update from the Recreation Department on summer youth programming, as well as plans for summer youth employment. His phone has been ringing off the hook from parents and families inquiring about summer work opportunities, which would also come in conjunction with CDC guidelines in the relaxation of some of the restrictions that have been in place since last year. Also he requested an update on the swimming pool, as well as the guidelines and minimum restrictions in place for reopening it this summer.

There was no other old business to discuss.

NEW BUSINESS

Councilman Shakur requested an update on Mr. McLymore's consulting agreement with the city. He wants to know what services are being provided. Also he wants to discuss whether we still need his services, because Shakur stated that he has not seen anything.

Councilwoman Sofokles does not know whether we should discuss it publicly because it is a personnel issue.

Mayor Harvey stated that we could certainly get an update on his consulting agreement, including discussion of where we are with it.

Councilwoman Mejia wants to bring forth the support of the housing resolution that they have discussed. It was recommended by the group that they bring forth draft text for support of this resolution, and they will plan to get that to Michelle's office to move forward with the process. The other thing she requested is a follow up on the noise ordinance conversations they have had previously.

There was no other new business to discuss.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice thanked everyone for logging into Facebook Live. He encouraged people to send their questions through the proper channels. He joined Sklarz with efforts in getting a vaccination site in the City of Newburgh. The statistics are not being indicated by Census Tracks, but by zip codes instead. When you drill down the census tracks, there are areas that are lacking and these individuals are not getting the vaccines that they desire. We have to look at these mobile sites, and also at better access to transportation to get people to the vaccines. Even though the Covid-19 rates are dropping, he encouraged everyone to continue to wear their masks. As the weather warms up and people want to hold events, he encouraged everyone to go through the proper permit process. It is a simple process.

Councilwoman Mejia thanked everyone for tuning in tonight. She is super excited about the new platform that has been added. It is a good temperature check for us to have that additional interaction. She reminded everyone about Riverkeeper's urgent deadline of June 4th, requesting that the PFAS Cleanup become a priority by the Department of Defense. DOD has a relative risk evaluation that it uses to prioritize cleanup of the sites, and we want to continue to bring forward the sentiment that Newburgh is one of the worst polluted sites that the DOD needs to prioritize. There are all sorts of posts on social media regarding how you can make your voice heard. This is one of our lasting things in the city that we need to continue and not forget about. We did not dirty up our water and we deserve access to clean, affordable water. She mentioned that she and Grice have been participating on a panel concerning what happens next after Indian Point closes. The panel discusses what the social, justice and environmental impacts of the plant's closing on the Hudson Valley Region. The next panel meets on Wednesday, May 26th at 6:00 p.m. She encouraged everyone to look at the city's social media channels for postings on how people can get involved with that conversation too.

Councilwoman Monteverde stated that now that we are on the Facebook platform, hopefully we will be able to reach a lot more people. She is looking forward to meeting back in the Council Chambers in June. She wants to start planning a Town Hall meeting now that it is a little safe to get back out there. Although the CDC has put out some guidelines for fully vaccinated people, she is concerned about the low numbers in the City of Newburgh. She would like to see more people getting vaccinated so that we can all be out there socializing safely once again. She does not know what 'normal' looks like any more, but she is looking forward to summer activities. Hopefully the pool will open because she heard that is going to be a very hot summer.

Councilman Shakur congratulated the new city manager. He stated that he saw the old city manager last week. Shakur stated that the former city manager acted in a way that was not very professional and without integrity. He facetiously wished him a nice vacation.

Councilman Sklarz thanked everyone for tuning in and providing their comments tonight.

Councilwoman Sofokles pointed out that she is not Bob, as she did not receive her Zoom invite and was forwarded the invite by Sklarz. She welcomed Mr. Venning with open arms. Sofokles wants to start up the ward meetings again, including the Meet the Mayor chats. She thanked everyone, and mentioned that a lot of good things are coming up in the city.

Mayor Harvey stated that he looks forward to going out into the community this summer as we have in the past, including the hosting of the Coffee Chats with the Mayor and council members in each ward. He will be working on a digital flyer in the next couple of weeks and plans to keep the council in the loop, as all of the council members are welcomed to attend the chats. Harvey thanked Senator Gillebrandt and RECAP for a very important press conference. The senator introduced three bills on affordable prescription drugs for Newburgh residents. Also a town hall was held with Congressman Maloney at Unico Park. We heard some exciting initiatives that Maloney is working on, particularly the additional funding for infrastructure to help us with the North Interceptor, as mentioned in the DEC Consent Order. Harvey stated that Maloney has always been a champion for Newburgh, and he is coming to the city for another press conference later this week. Last, he thanked Alpha Phi Alpha Fraternity, Inc. and Armory Unity Center, who have teamed up for a successful vaccine event. Over two hundred twenty people received vaccines. Harvey stated that the latest data he received for fully vaccinated persons in the City of Newburgh was 50%. He stated that he would get the correct data for Sklarz though. Harvey knows that we have more work to do, and we are going to continue our efforts and champion for vaccine sites in the city. Harvey thanked Nick in IT for live streaming on Facebook. He hopes that it was successful.

This portion of the meeting was closed.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 8:13 p.m.

Respectfully Submitted,

**KATRINA COTTEN
DEPUTY CITY CLERK**