

A regular meeting of the City Council of the City of Newburgh was held on Monday, June 14, 2021 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Moment of Silence / Momento de Silencio

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

Pledge of Allegiance / Juramento a la Alianza

Roll Call / Lista de Asistencia

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

COMMUNICATIONS

Approval of the minutes from the Special City Council meeting of May 20, 2021 and the minutes from the regular City Council Meeting of May 24, 2021

Councilman Shakur moved and Councilman Grice seconded.

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

Carried

PRESENTATIONS

Passion Project Presentation by Leonardo Guzman Perez

Passion Project was presented by Leonardo Guzman Perez with Ebony Clark and Dennis Maher from N.F.A. West seeking approval of a fundraiser to renovate and create two tennis courts on Lily Street.

Mayor Harvey said that in regard to the fundraising they will have to consult with our legal team on what we can and cannot do. There may be some restrictions with Colonial Terrace but we are willing and able to listen and have discussions because he thinks it's an awesome idea. He wished Leonardo the best with his tennis endeavors and told him that we support his Passion Project and will be in touch with him very soon.



City Manager's Update

Newburgh City Council Meeting

Monday, June 14, 2021

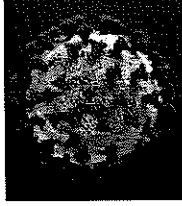


Novel Coronavirus (COVID-19)

For more information

Hotline: 1-888-364-3065

www.health.ny.gov/diseases/communicable/coronavirus



Department of Health
NYSDOH COVID-19 Tracker

Testing data as of 6/03/20 2 PM
Testing data last updated on 6/3/20

Statewide

Total Persons Tested
56,879,535

Total Tested 6/08
113,709

Total Tested Positive
2,039,997

Sex Distribution of Positive Cases

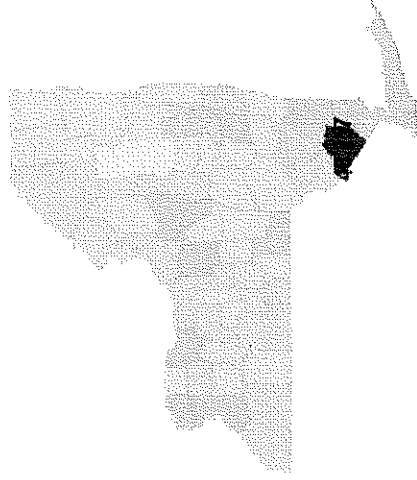
Female 60.7% Male 48.2% Unreported 1.2%

New Positives 6/08
426



Persons Tested Positive by County

- 100-499
- 1,000-4,999
- 5,000-9,999
- 10,000-14,999
- 15,000-19,999
- 20,000+



Click County to See Detail
Click Again for Statistics

New York	2,039,997
Niagara	21,217
Oneida	23,326
Onondaga	18,553
Ontario	7,542
Orange	48,257
Orleans	6,117
Oswego	1,534
Otsego	1,403
Pulmon	18,600
Queens	27,133
Rensselaer	11,517
Richmond	43,372
Rockland	46,512
Saratoga	18,343
Schenectady	13,182
Schoharie	1,692
Schuyler	1,059

[Click for Daily Trends](#)

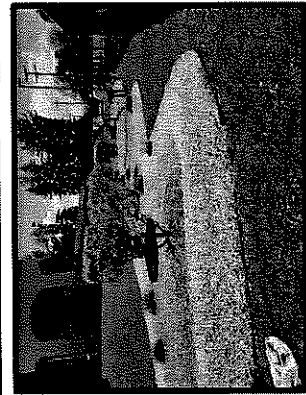
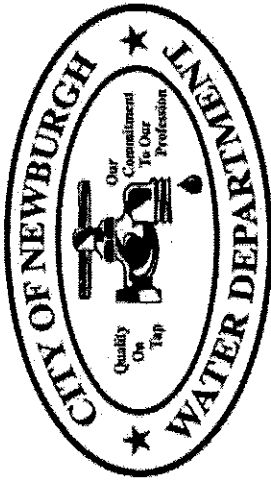
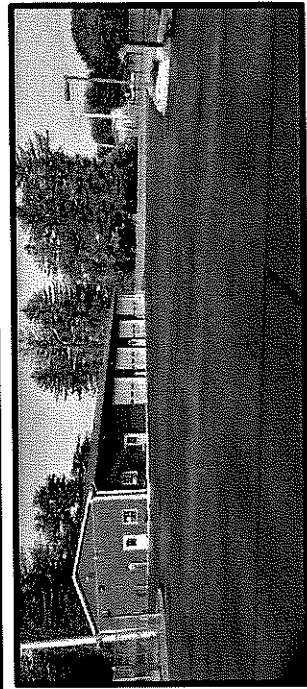
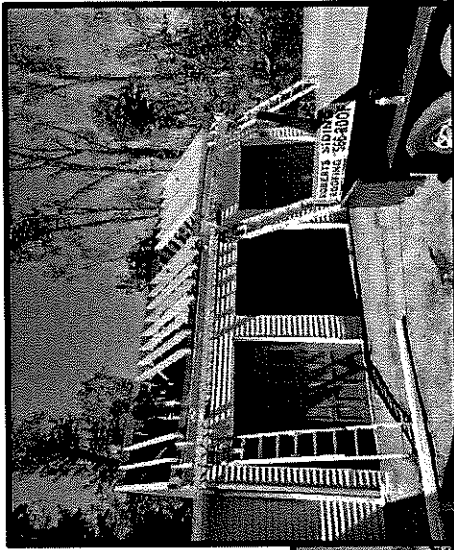
[Click for Table View](#)

[Click for Fatality Data](#)

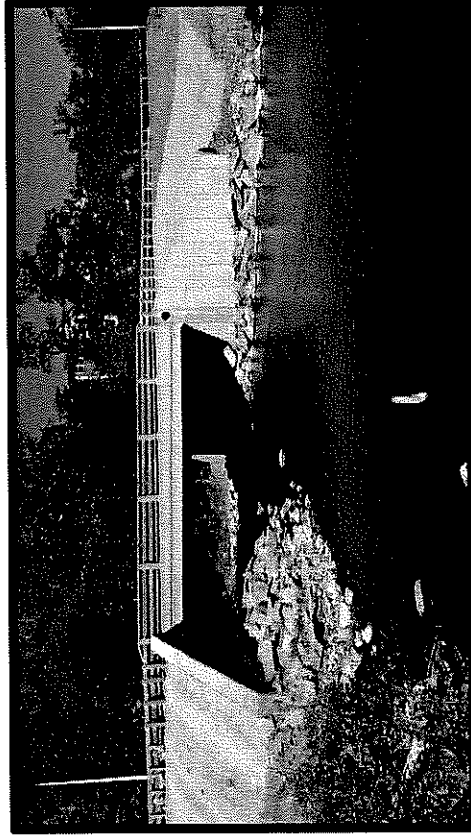
[FAQs & Helpful Links](#)

County Stats: Orange (6/8)

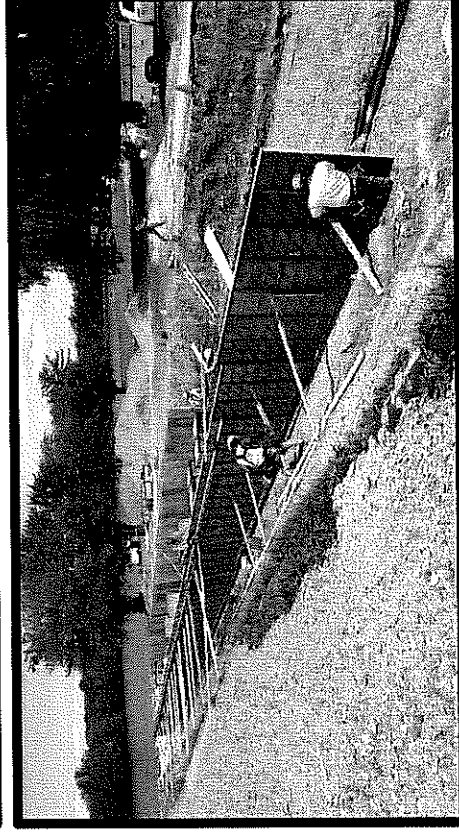
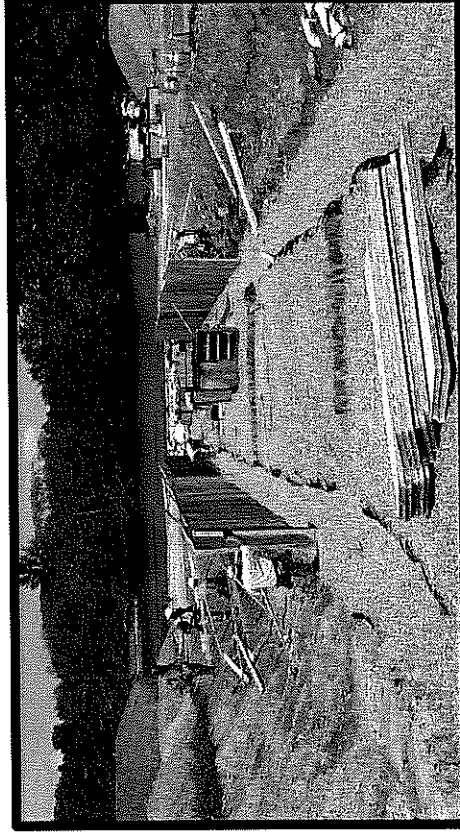
Total Persons Tested	Total Tested Positive	% Positive Results	Persons Tested Today	New Positives Today
815,971	48,257	5.9%	2,155	11



Lake Drive Bridge Replacement



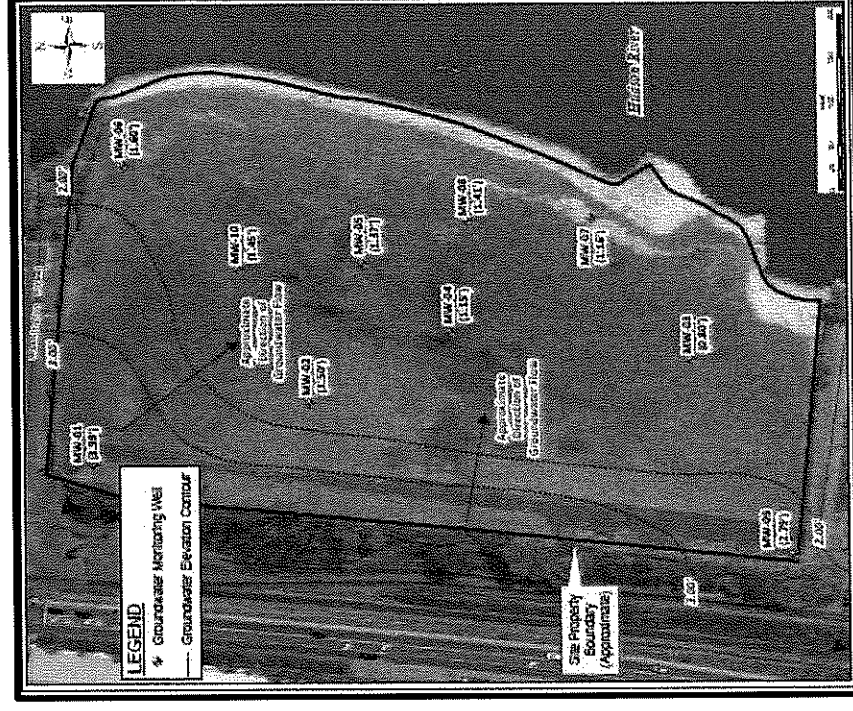
Washington Lake Dam Improvements



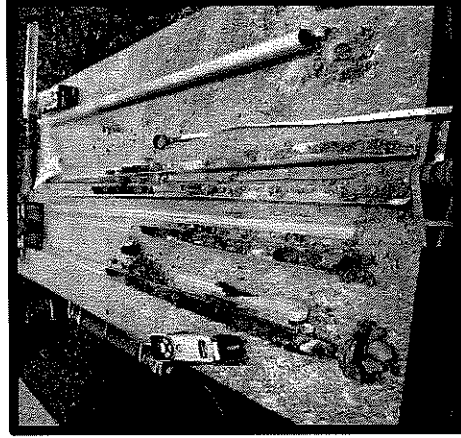
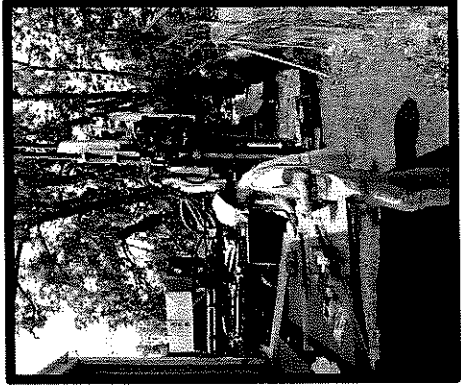
North Interceptor Sewer



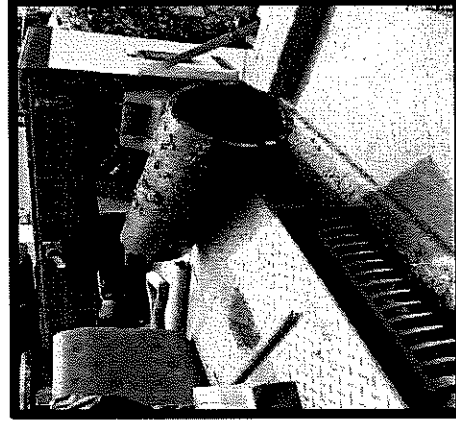
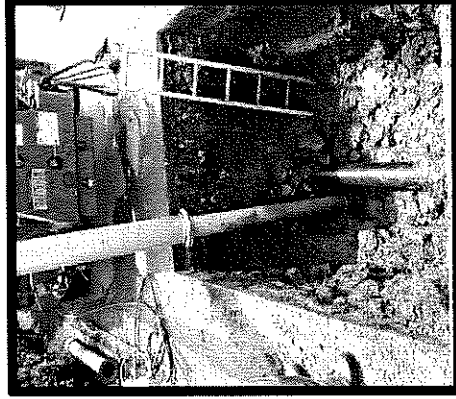
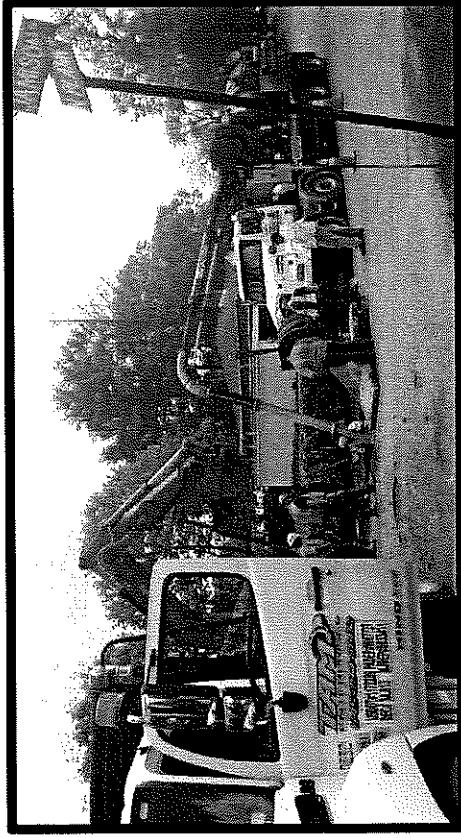
Former Con Iron Cleanup Site



DPW Landfill Investigation



Crescent Avenue Sewage Pump Station



Wastewater Treatment Plant

Asbestos Abatement

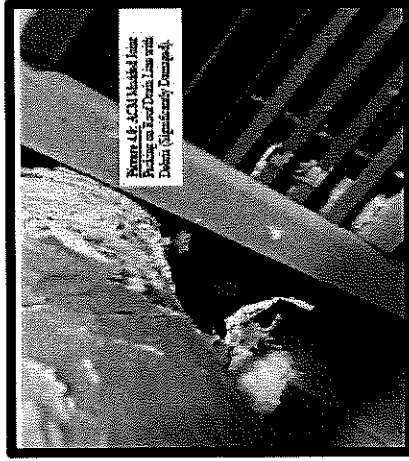


Figure 1b: ACM Material Joint Packing within Lab Room
Containment Chamber

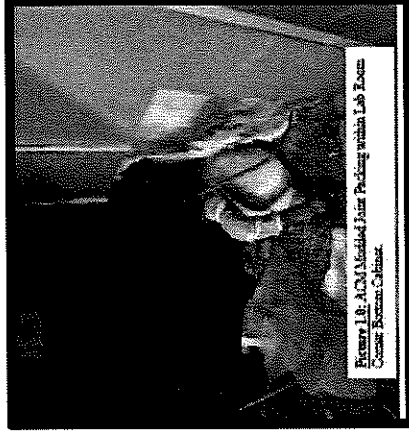
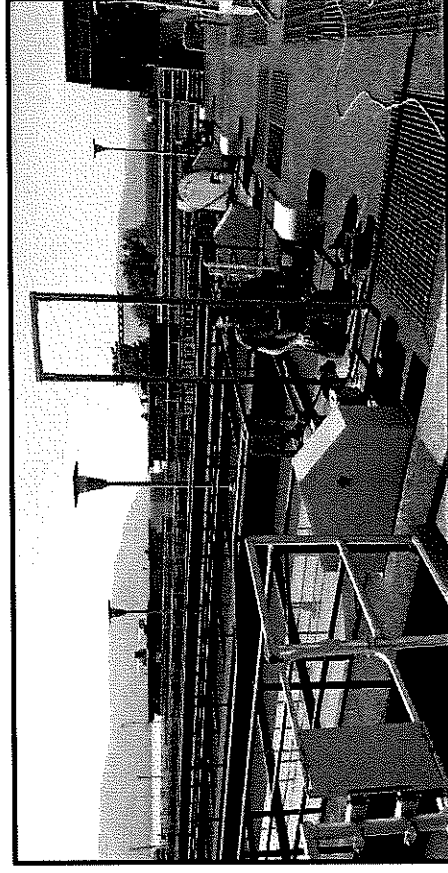


Figure 1b: ACM Material Joint Packing within Lab Room
Containment Chamber

Belt Filter Press Tank Repair



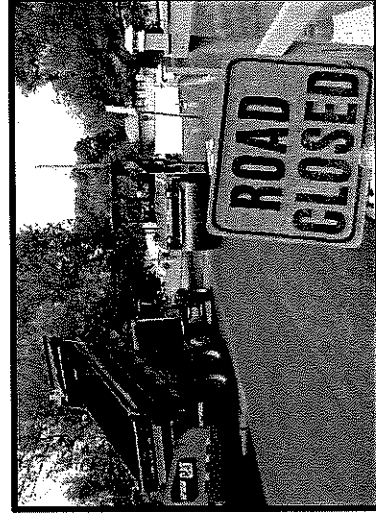
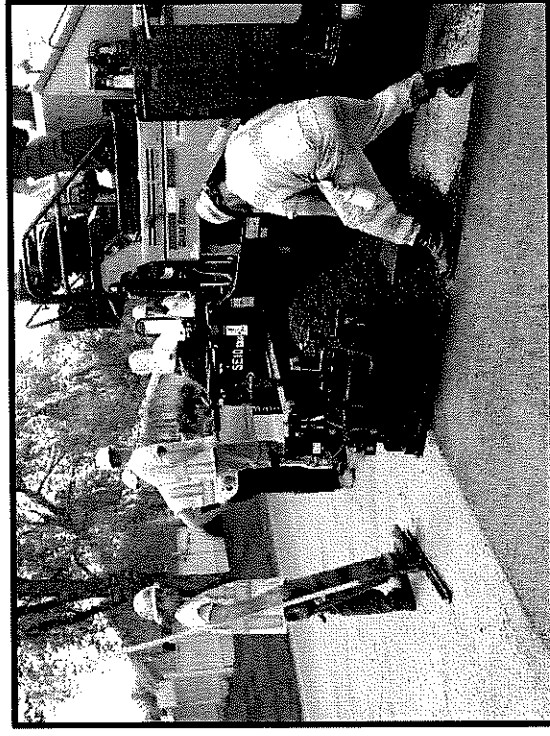
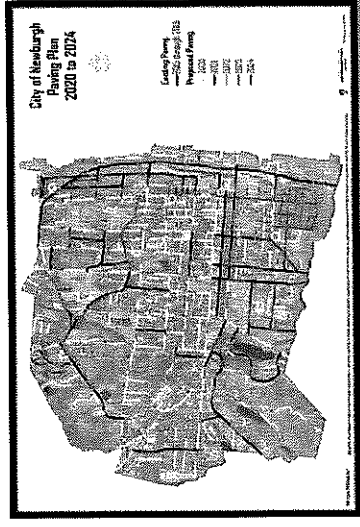
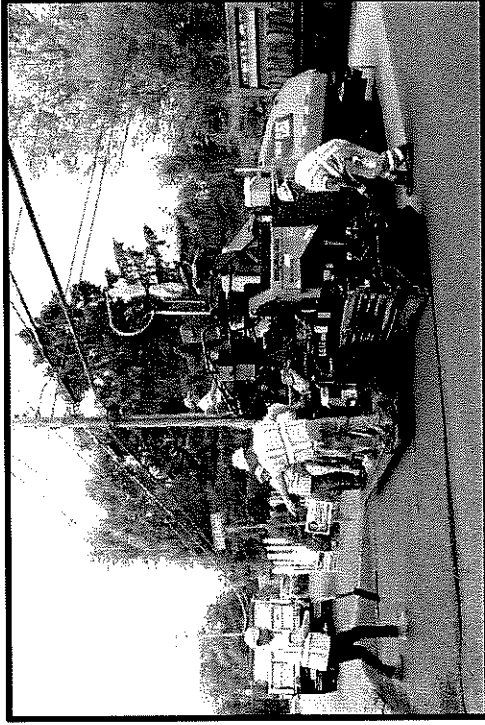
Primary Clarifier Motor Controller Replacement

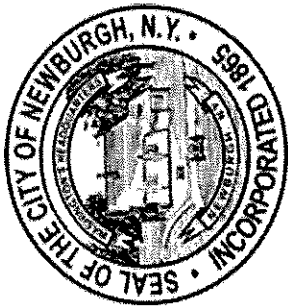


Paving Begins

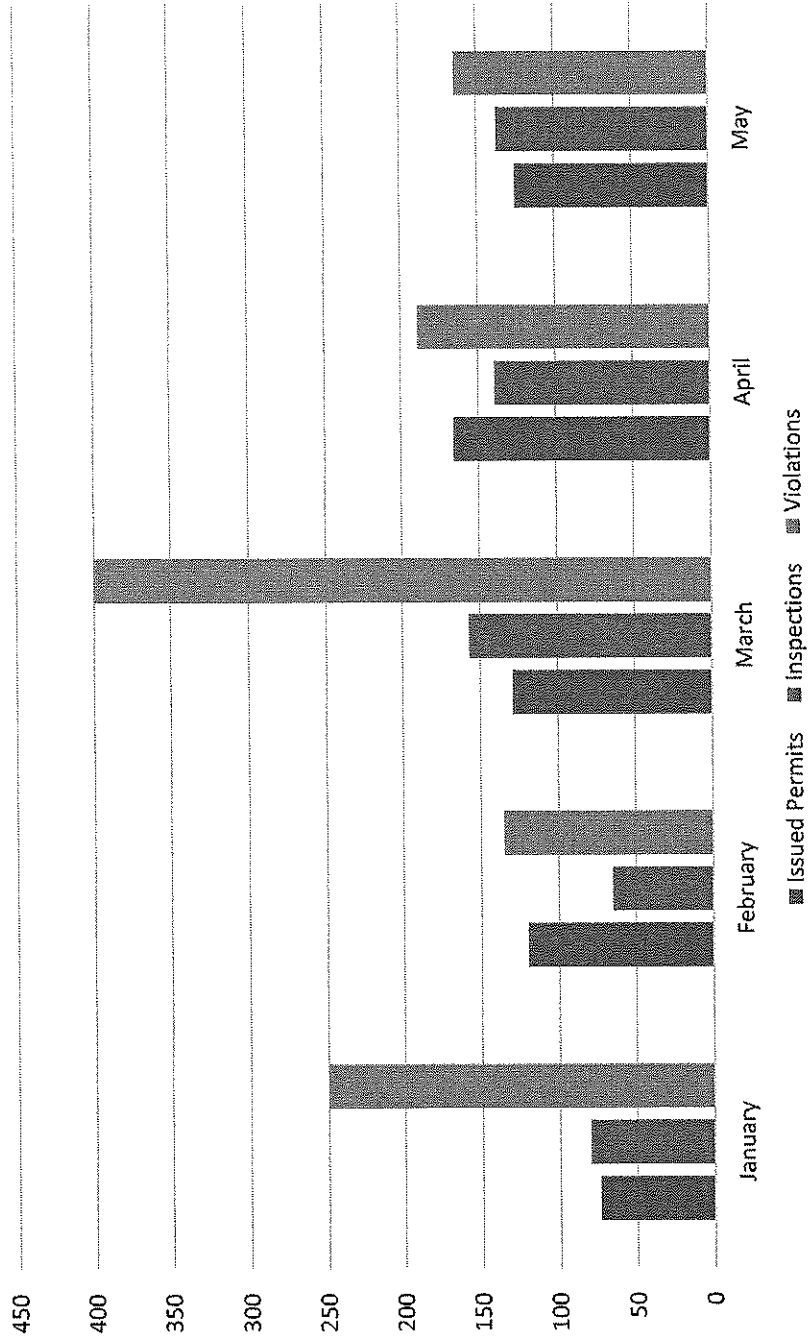
2021

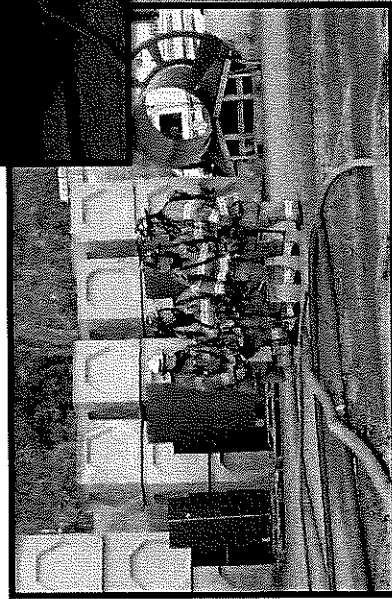
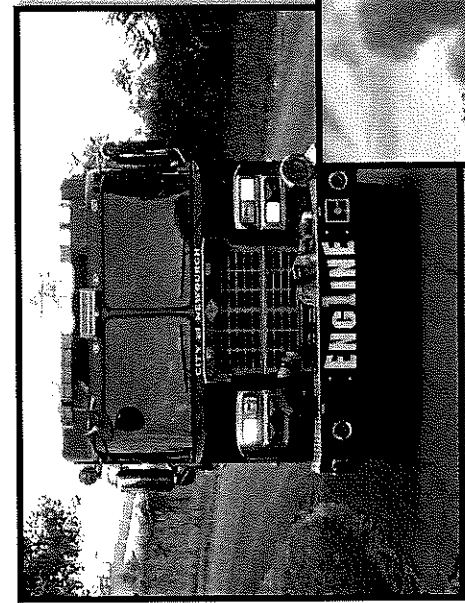
Sherman Drive
Flemming Drive
Morningside Road
Pleasant Place
Circle Drive





Issued Permits, Inspections, Violations





5

Fire in Structures

69

Rescues & EMS.

18

Hazardous Conditions

37

Calls for Service

16

Good Intent Calls

54

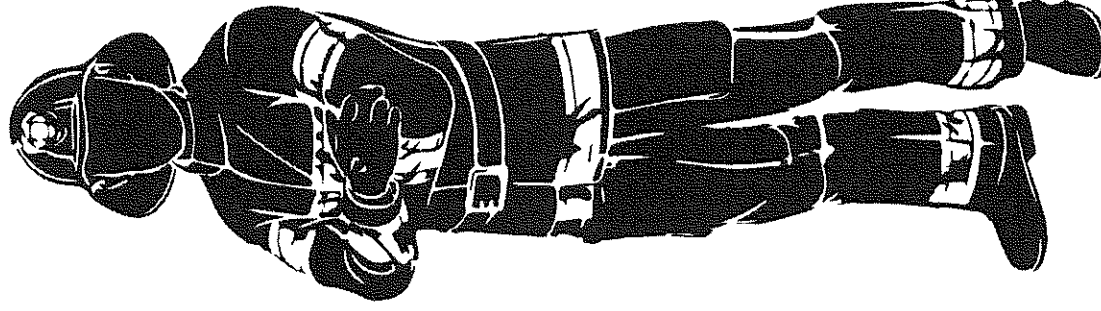
Malicious Alarms
False Alarm

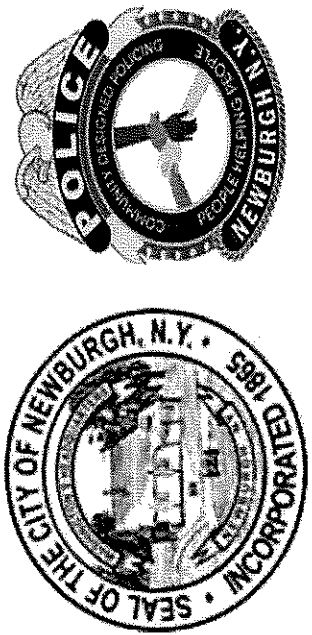
18

Malfunction of Alarms
False Alarm

33

Set off in error, due to cooking
False Alarm





City of Newburgh Police Department

Police Monthly Operations Report

Calls for Service

The City of Newburgh Police Department fielded 2,244 call for service entries in May 2021. This was an 11% decrease compared to May 2020 and below the three year average. There were 361 officer initiated entries in May. This was a 44% decrease compared to May 2020, but there was a prolonged joint operation between the City of Newburgh Police and the State Police which increased officer initiated activity in May 2020. Public generated calls, which include calls to 911 or the department's direct emergency line, showed 1,883 entries for May. This was an increase of about 1% over May 2020. The top ten most frequent public generated calls accounted for 51% of the total public generated call volume for the first five months of the year. The most frequent call type was Disorderly Adult with roughly 9% of the public generated entries (Table 1). All "disorderly" calls combined accounted for nearly 10% of the public generated call volume. The next most frequent public

Table 1	CALL TYPE	PLATOON PLATOON PLATOON			TOTAL
		ONE	TWO	THREE	
	DISORDERLY ADULT	161	204	287	732
	ALARM - BURGLARY	150	216	227	593
	INVA - PROPERTY DAMAGE	43	247	187	477
	DOMESTIC DISPUTE	107	153	146	406
	NOISE COMPLAINT	154	33	212	399
	DISORDERLY	71	74	223	370
	SICK/INJURED PERSON	99	156	107	362
	WELFARE CHECK	55	156	134	345
	THEFT (LARCENY)	33	129	53	215
	GENERAL INCIDENT	55	139	51	244

generated call type was Alarms with 7.7% of the activity. Motor Vehicle Accident (MVA) - Property Damage entries rounded out the top three most frequent public generated calls with 5.8% of activity. All motor vehicle accident entries combined accounted for 8.7% of the public generated entries.

Arrest Activity

The City of Newburgh Police Department had 105 arrest entries in the Department's Records Management System in May 2021 (Table 3). The majority of subjects arrested were male. The most frequent cause of arrest was for a crime in progress (44%), followed by Court Summons (30%), Complaint (20%), Crime in Progress (44%), Order of Protection (1%), and Other (10%). The number of criminal charges per arrest ranged from only one offense (67%). Charges ranged from city code violations for Disordered Person, up to serious felonies like Criminal Possession of a Loaded Firearm and Aggravated Assault with Intent to Injure. There were also several arrests for subject driving under the influence of drugs and / or alcohol.

Part One Crime

Preliminary Part One crime for January 1st through May 31st, 2021 is showing a 28% reduction compared to the same timeframe in 2020 (Table 2). These figures are subject to

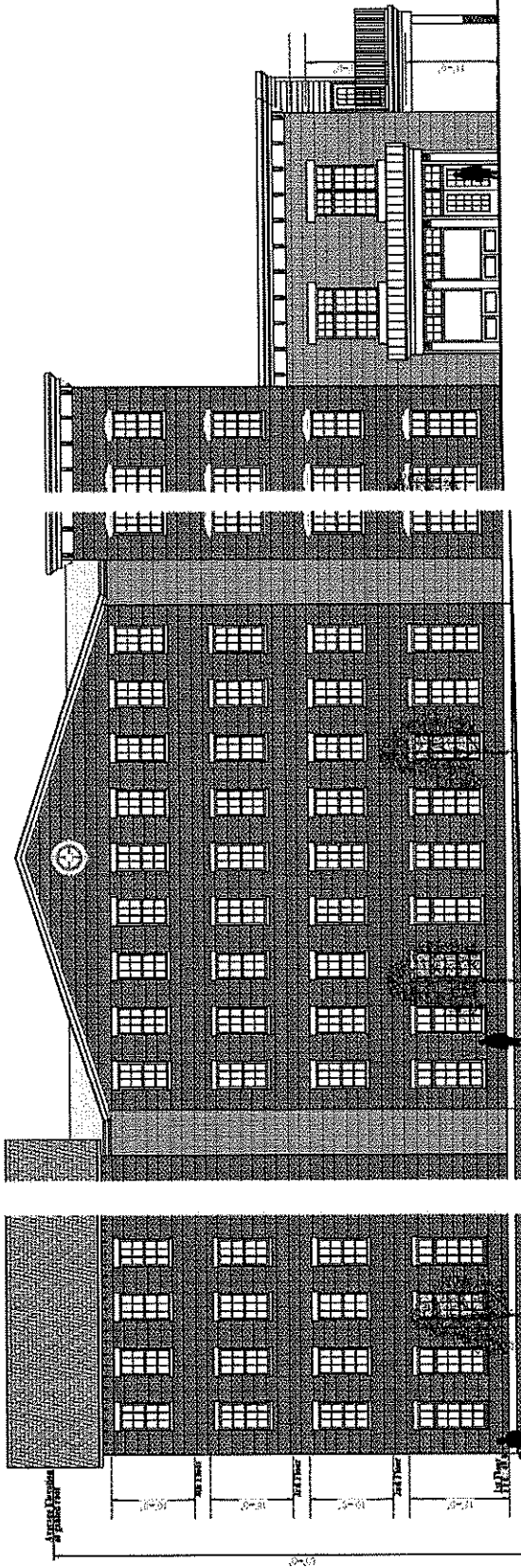
Table 2	Jan 1 - May 31	Part One Crime			% Change
		2020	2021	Raw Change	
	Murder	1	0	-1	-100%
	Rape	6	8	2	33%
	Robbery	26	30	4	15%
	Agg. Assault	82	81	-1	-1%
	Rev. Burglary	60	18	-42	-70%
	Comm. Burglary	26	10	-16	-62%
	Larceny - Theft	212	154	-58	-27%
	Auto Theft	26	15	-10	-40%
	Total	438	318	-122	-28%
	Violent Crime	115	119	4	3%
	Property Crime	323	197	-126	-39%

change pending the outcome of investigations that may lead to upgraded charges or reclassification of incidents. Violent Crime is experiencing a 3% increase with four additional incidents in 2021 then in 2020. Robbery is showing the highest numerical increase with four additional incidents so far this year. Aggravated Assaults had been showing a yearly increase earlier this year, but a 33% reduction in May assisted in the year to date decrease. Property Crime has experienced a significant reduction of 39% through May of 2021 compared to the same timeframe in 2020. All four Property Crime subcategories yielded reductions. May 2021 figures showed slight monthly increases in both Commercial Burglary and Larceny-Theft.

Table 3: Arrests		105
# of People Arrested		
Gender		
	Female	26
	Male	78
	Unknown	1
Cause of Arrest		
	Complaint	20
	Court Summons	30
	Crime in Progress	44
	Order of Protection	1
	Other	10



15 S. Colden Street



1 South Corner Detail
A4 NTS

2 Center Detail
A4 NTS

3 Restaurant Corner Detail
A4 NTS

COPPOLASSOCIATES

Design, Architecture & Planning
404 North Pearl Street
Suite 101
Newburgh, NY 12550
TEL: 845-561-2352
info@coppolassociates.com

Project Name: J182

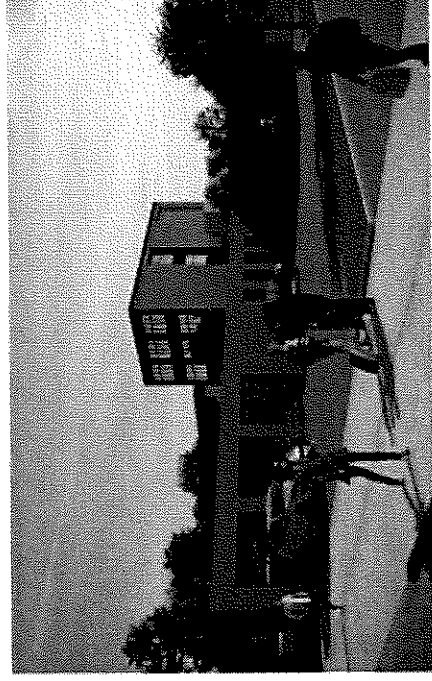
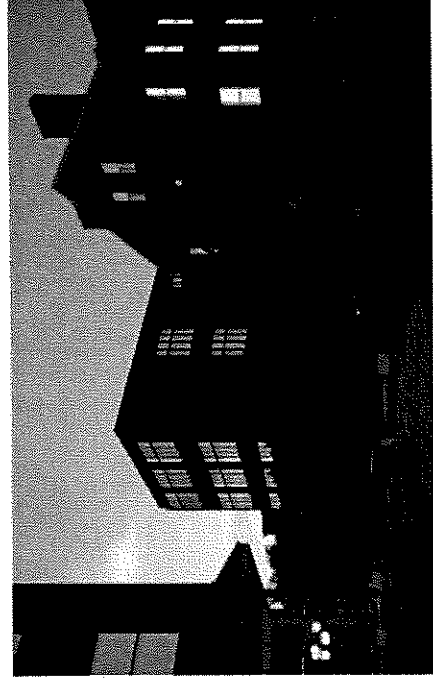
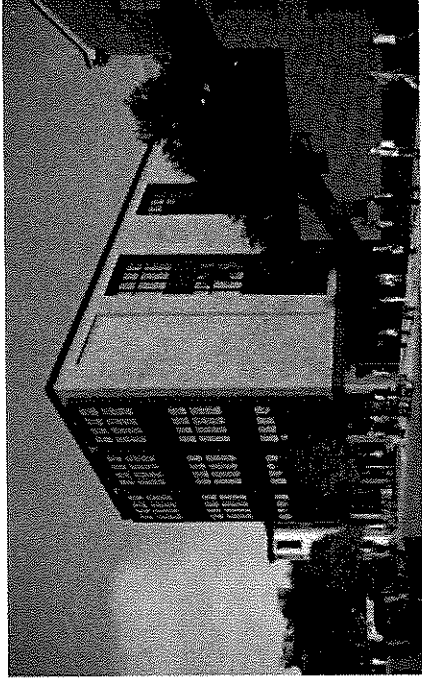
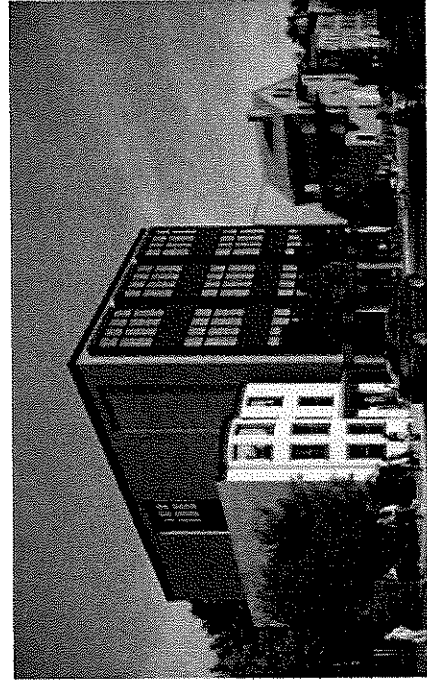
Project No: J182-001

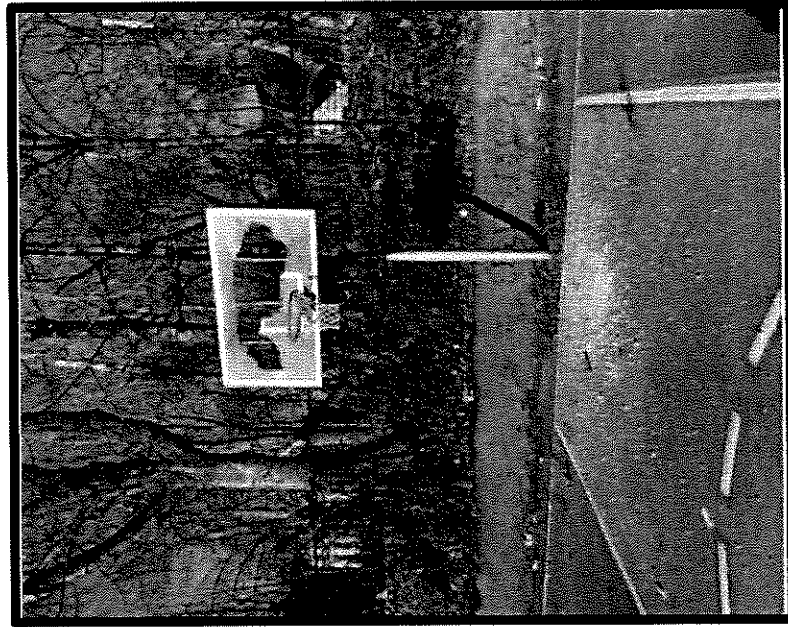
East End
Apartments

Colden Street
Newburgh, NY

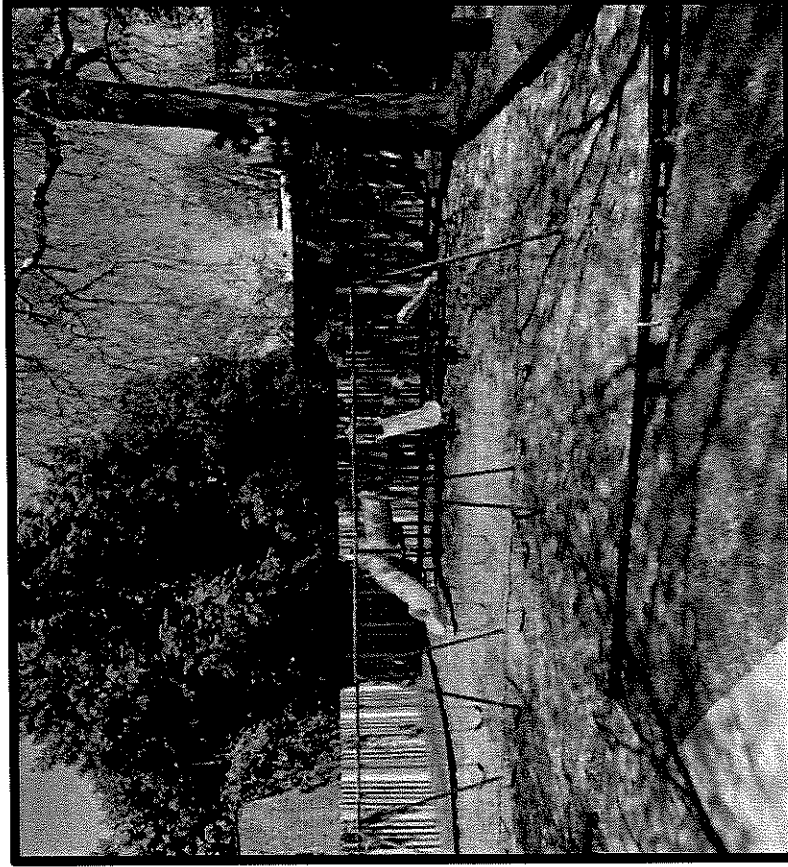


104 Washington Street

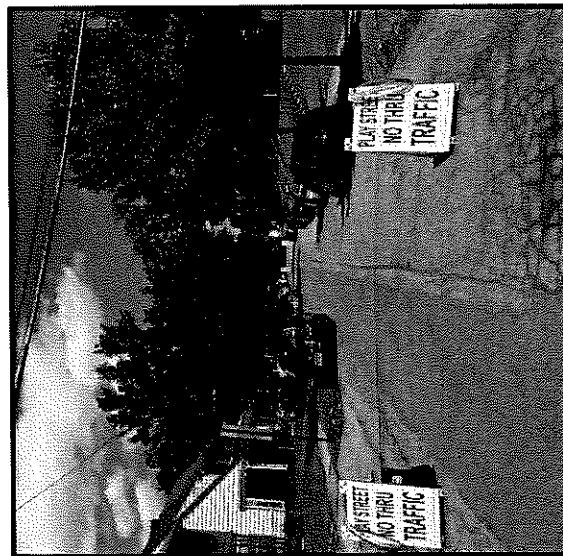
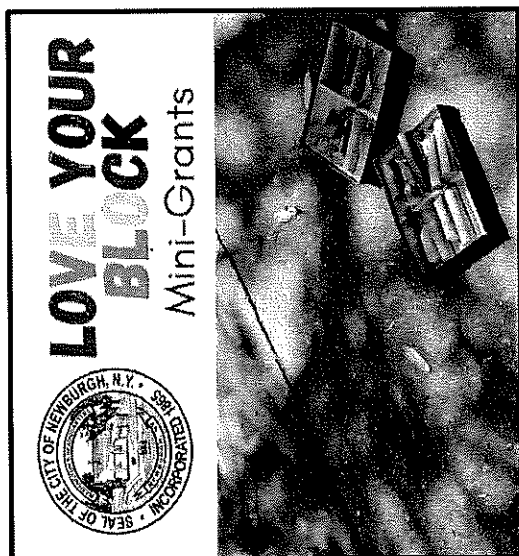
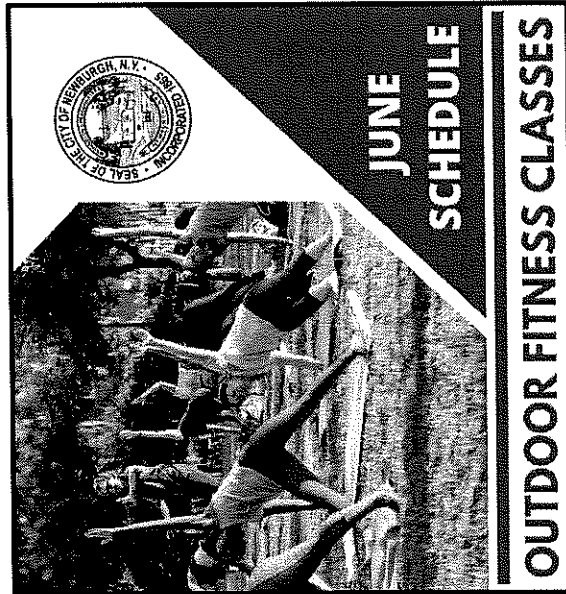




Gidney Avenue Basketball Courts



Hasbrouck Park





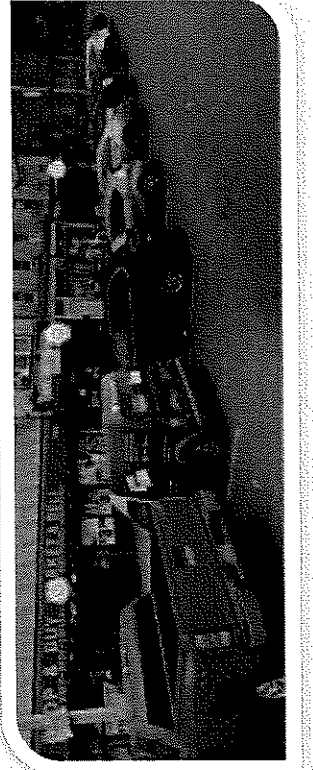
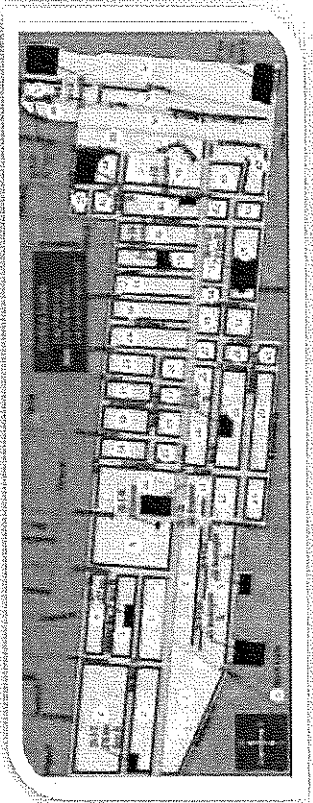
Parking RFP Timeline

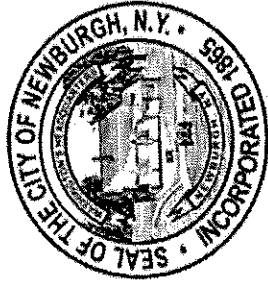
7/2
Questions
Deadline

6/9
Publication

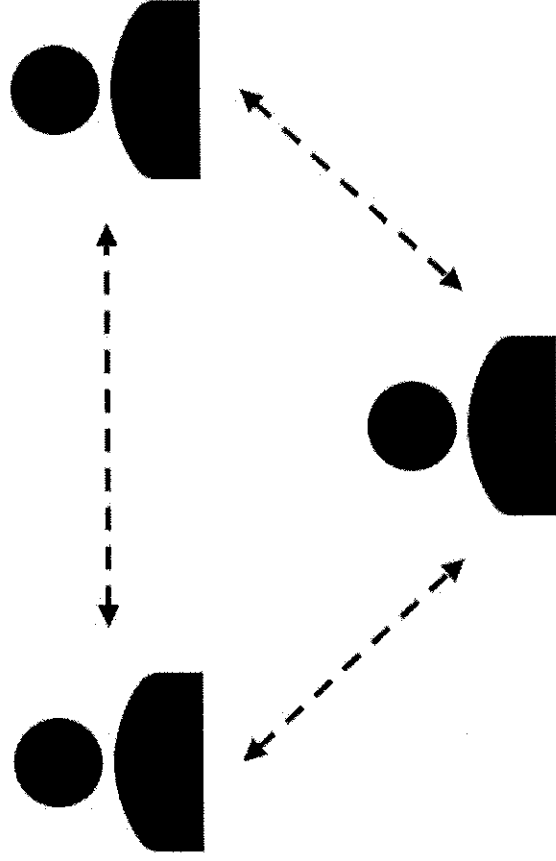
7/23
RFP Deadline

6/18
Walkthrough



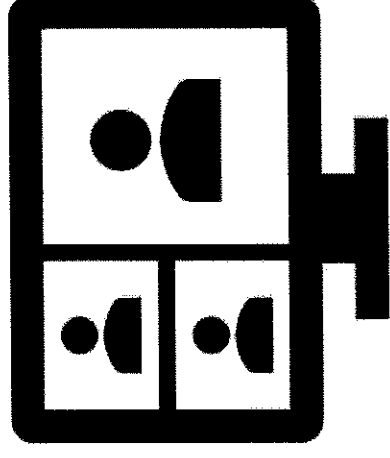


Hybrid meetings

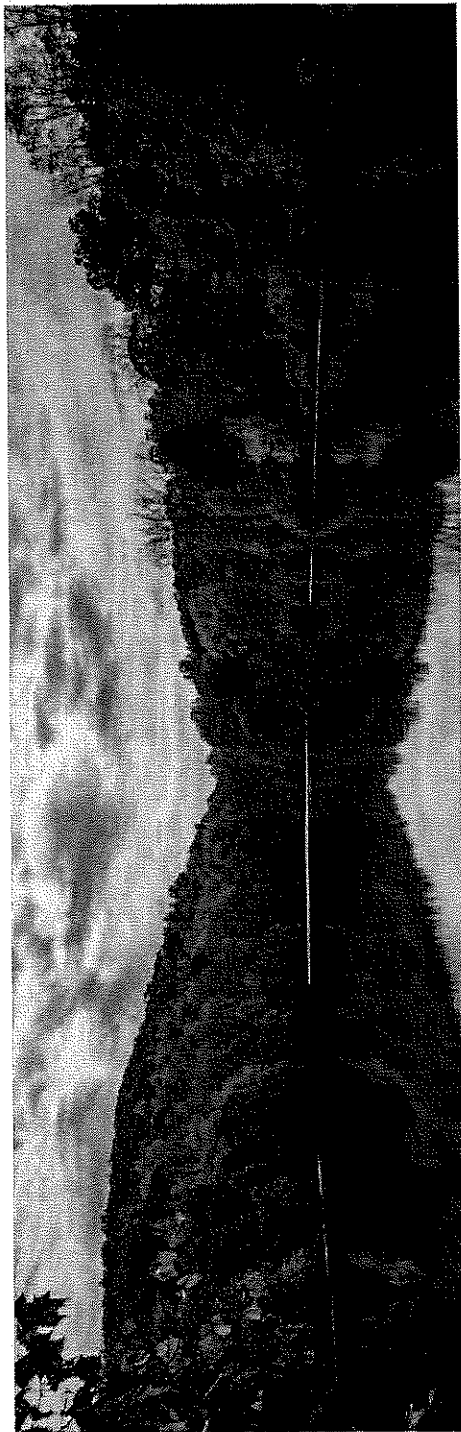


A few people
in the room

and



Virtual
attendees



Online Programs



Neuilly 1402



James G. Thompson



കുറിപ്പ്



ಅವರು ವಿಧವಾರ್ಥಿಗಳು



Family Literacy

KEEPING UP WITH NEWBURGH



NOTES - BUILDING
CONSTRUCTION

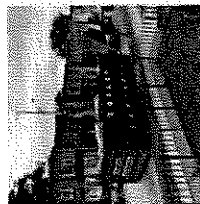
The City of Honolulu Civil Service Commission is accepting applications for

Don't forget the Club Directory.

City of Newburgh Sewer District
Newburgh, New York

continued. Although
the 1992 and 1993
conferences were
conducted in the
same manner as
the 1991 conference,
the 1994 conference
was held in a more
informal setting, and
the 1995 conference
was held in a more
formal setting.

Printed at the University of Cambridge Press, 1954.



Love Your Black Males

The City of Chicago has been awarded
the contract by the General Public Works
Department to build a new city hall,
located at the corner of Madison Street and

Don't forget to check out the [New York Times](#) article.



JUNE 10, 2021 WORK SESSION
JUNE 14, 2021 REGULAR
COUNCIL MEETING EXECUTIVE
SESSION SCHEDULED

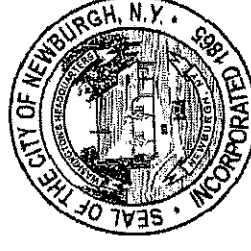
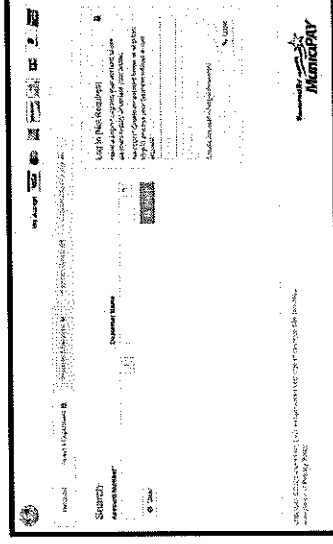
The City of Newburgh, General Work
Seminars and Magazine Seminars
with the University of the Pacific in 1911

Read about the Chambers residence.

**DISCOVER A
NEW WAY TO
PAY!**

Paying your Water/Sewer/Sanitation bills has never been easier!

- Easy to locate document center for account information
- Pay via the City website
- American Disability Act (ADA) Compliant



Learn More:
<https://www.cityofnewburgh-ny.gov/562/Pay-for>

Need Help?
Call: 845-569-7330

We're Hiring!



Current Vacancies

Job Title

Recreation Department (Seasonal Employment)

“Justice, Equity, Diversity and Inclusion are core values to the City of Newburgh, where there is a strong commitment to establishing and maintaining an environment free of discrimination. These values are promoted through the daily practice of professionalism, respect, acceptance and understanding. As such, City residents along with women, minorities, individuals with disabilities, members of the LGBTQ community, and veterans are encouraged to apply”



Community Updates



**COVID-19 Homebound Vaccine
Sign Up & Appointments**



Are you a renter behind
on your rent or utility bill
because of COVID-19?
**Your Orange County
Government can help!**

COVID-19 Homebound Vaccine

NYS Emergency Rental Assistance

NEWBURGH FREE LIBRARY PRESENTS:

**Diversity is Good for
Business**

with Edward Lawson, Jr., JD, MBA
Family and Community Engagement
Services, Inc. (FACES)



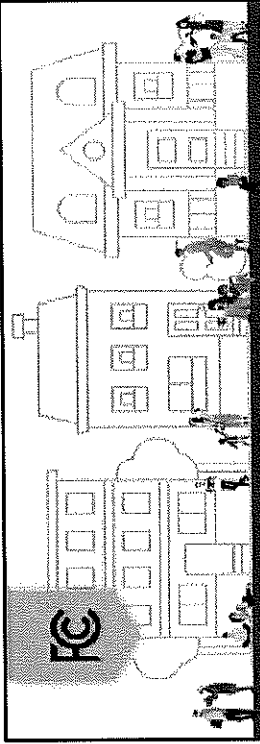
Thurs., June 17 | 6 p.m. - 7:30 p.m.
Virtual Program

SBA Bootcamp – Virtual Program



**Resolutions
of Support
for CFA
Applications**

CFA Resolutions of Support



EMERGENCY BROADBAND BENEFIT

WHAT IS IT?

The Emergency Broadband Benefit is a temporary FCC program to help households struggling to afford internet service during the pandemic.

The benefit provides:

- Up to \$50/month discount for broadband services;
- Up to \$75/month discount for households on qualifying Tribal lands; and
- A one-time discount of up to \$100 for a laptop, desktop computer, or tablet purchased through a participating provider.

WHO IS ELIGIBLE?

A household is eligible if one member of the household:

- Has an income that is at or below 135% of the Federal Poverty Guide lines or participates in certain government assistance programs;
- Receives benefits under the free and reduced-price school lunch or breakfast program;
- Received a Federal Pell Grant during the current award year;
- Experienced a substantial loss of income due to job loss or furlough since February 28, 2020; or
- Meets the eligibility criteria for a participating provider's existing low-income or COVID-19 program.

THREE WAYS TO APPLY

1

Contact your preferred participating provider directly to learn about their application process.

2

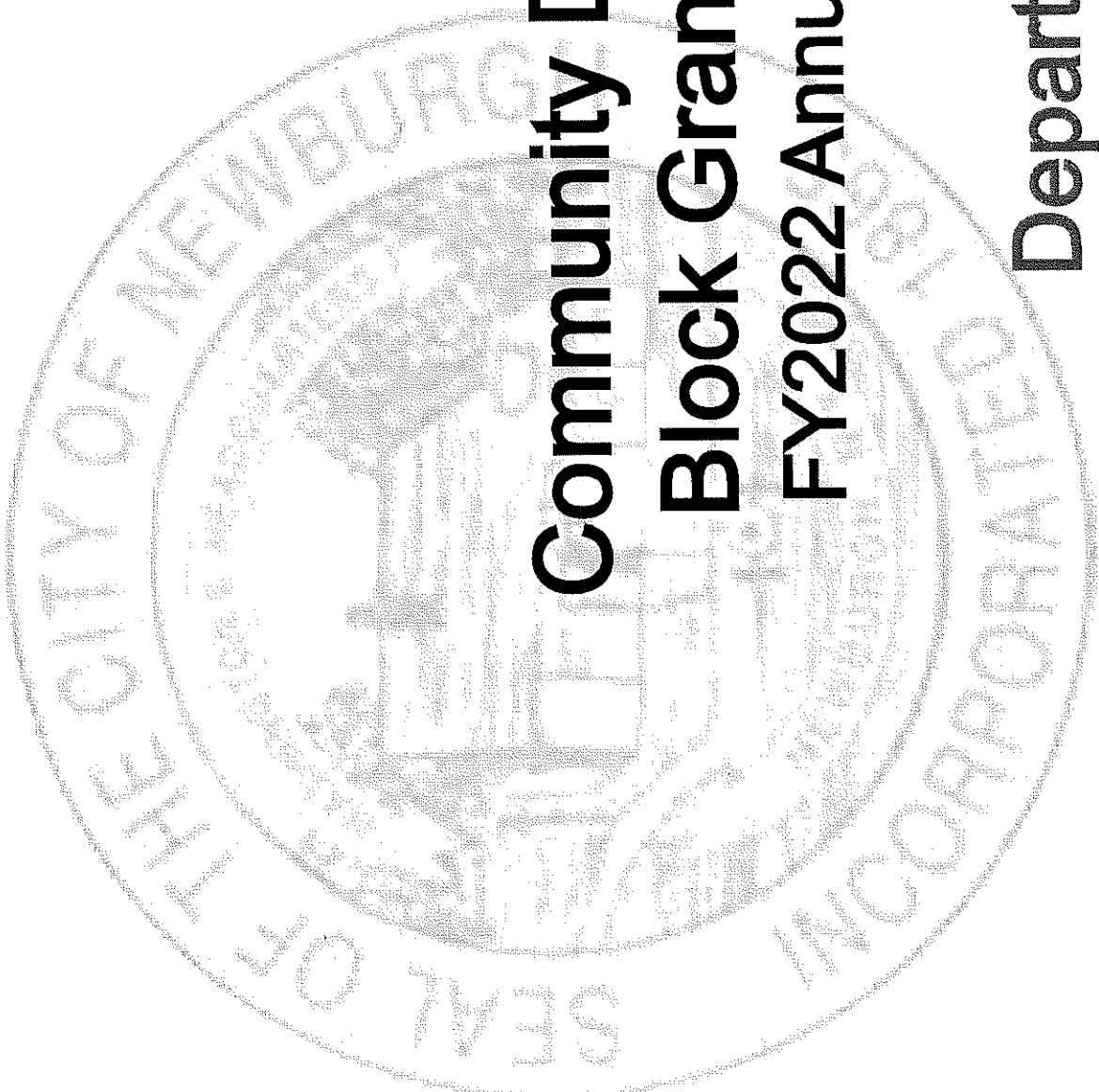
Go to [GetEmergencyBroadband.org](https://getemergencybroadband.org) to submit an application and to find participating providers near you.

3

Complete a mail-in application and send it along with proof of eligibility to:
Emergency Broadband Support Center
P.O. Box 70381
London, KY 40742

LEARN MORE

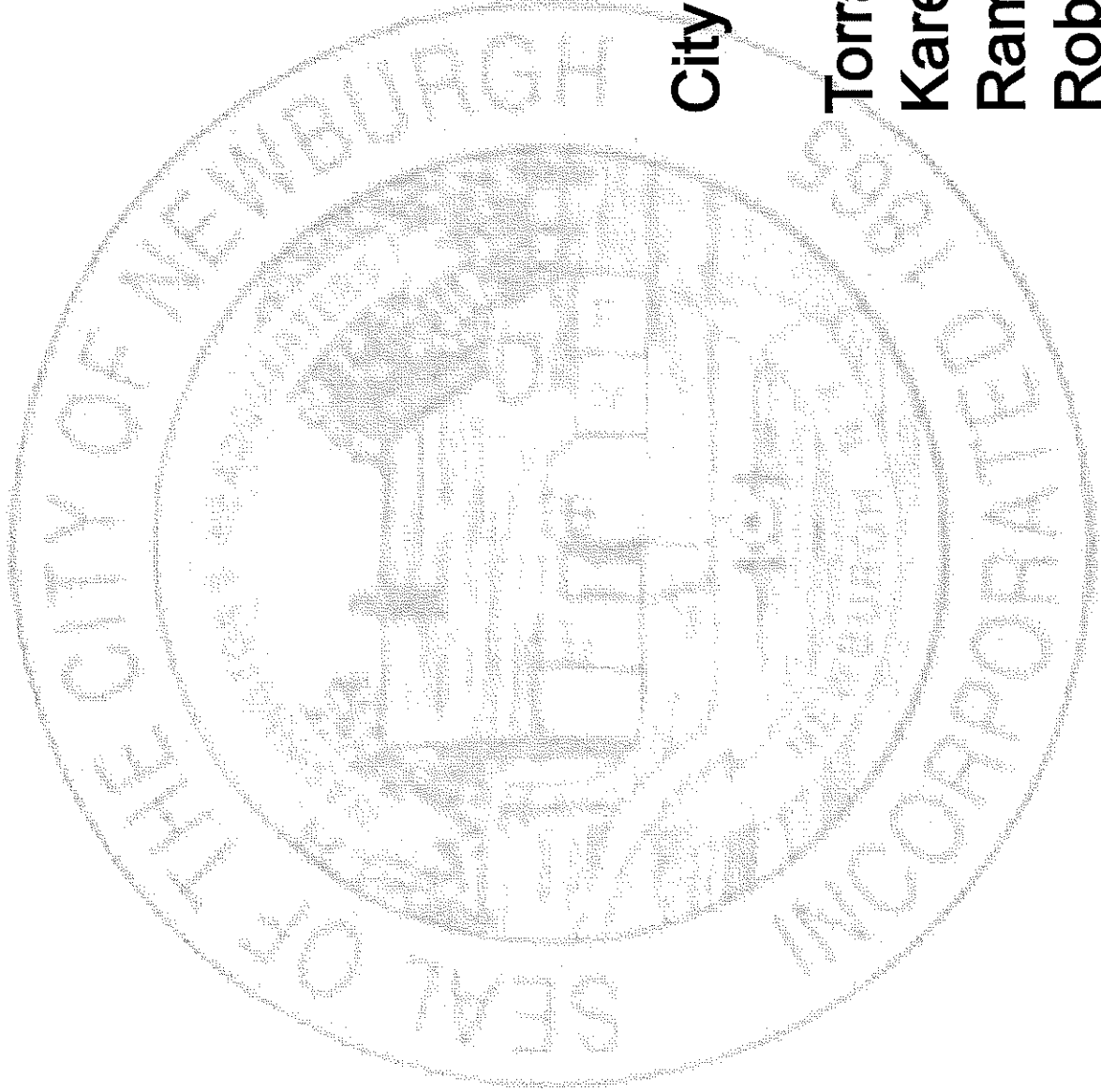
- Call 855-511-4311 or
- Visit fcc.gov/ebsupport/broadbandbenefit



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

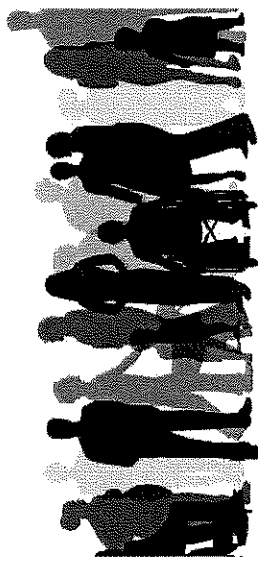
Omari Shakur, At-Large



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 increase, if HUD allocation greater than proposed (approx.)		% Project decrease, if HUD allocation less than proposed (approx.)
				Project Funding		
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 in foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$230,000.00	No Increase	10%
Housing	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	\$50,000.00	25%	10%
Infrastructure Improvements	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	\$300,000.00	25%	25%
Infrastructure Improvements	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	\$40,000.00	25%	20%
Economic Development	Economic Development	Economic Development	Examples of Economic Development Activities: Business Facade and signage, Workforce Training.	\$75,000.00	15%	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).	\$25,000.00	10%	20%
Administration	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 Façade 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	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	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.



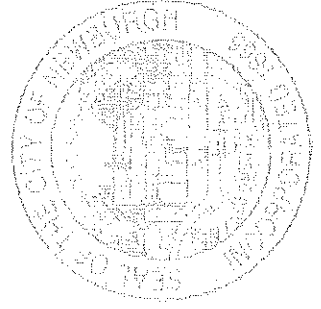
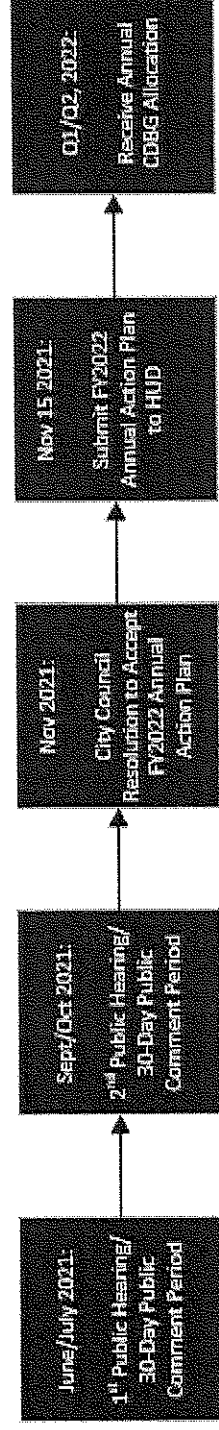
Proposed Activity: Administration

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



FY2022 Annual Action Plan
Community Development Block Grant (CDBG)

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.)	
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			Proposed Total FY2022 Allocation	\$855,000.00				

Community Development Block Grant (CDBG) FY2022 1st Public Hearing

Mayor Harvey called a public hearing that was advertised for this meeting to receive comment on the City of Newburgh Community Development Block Grant (CDBG) FY2022 Annual Action Plan.

Michelle Kelson, Corporation Counsel said that the Director of Planning and Development was going to give a brief overview but the storm knocked out the power. The Plan is in the Council's folders and has been added to the agenda so if anyone wishes to speak tonight they can.

Alexandra Church, Planning & Development Director was on via phone and noted that if the Council has any questions she will be happy to answer them and people can continue to give comments throughout the public comment period to her office.

Councilman Shakur asked if there is time to postpone this to the next meeting because people don't seem to be aware this. We can take comments tonight but maybe we can do this again?

Michelle Kelson, Corporation Counsel noted that this is the first of two public hearings. Tonight is the opening of the first public hearing and also the opening of a thirty day public comment period that will begin tomorrow, June 15, 2021 and close on July 15, 2021.

Anyone who has additional comments that they are unwilling or unable to give tonight can submit those comments via email or in writing to the department of Planning & Development. Later in the summer early fall there will be a second public hearing to receive comments on the Annual Action Plan. This is the regular format which is scheduled one meeting in advance.

Ray Harvey, NAACP President, 408 Carpenter Avenue said that information needs to start getting to the people because he didn't know anything about this. We need to start getting this information out to the people in the community who want to speak on this.

Mrs. Boyd, Police Community Relations and Review Board Chairperson asked if this grant will change some of the zoning structures when it comes to some of these buildings they are going to put up. That is her concern about changing the community so she wants to know about the zoning. She received a letter in the mail from someone about their property and there is a zoning issue. How are they going to change the zoning?

Anne Sullivan, Ellenville wants to make sure that there is not a dime for the Police Department in the CDGB money. Sometimes there has been money for community policing or policing at the movies in the summer. She thinks it was clear last year with the public hearings and the budget hearings that the community does not want money for police added to the Police Budget through CDBG. There are more urgent needs for the community so every dime of CDBG should be going to the community and nothing for the Police.

Councilman Grice said he agrees with the community and we have a new website but we need a communication strategist. We have a lot of good things going on but sometimes that message is not hitting the community like it should. He knows it's a budget issue and it's nothing against our staff but we need a communication strategist to get the information

out. He encouraged everyone to look at the CDBG so that during the comment period they can give informed comments.

Councilwoman Mejia said this is just the kickoff of the public hearing portion of CDBG and she reminded everyone that we go through this every year to allocate funds. She encouraged everyone to visit the website as it details exactly what the proposed projects are, the budget allocated for it and a description. There were comments made about zoning which is not within this realm so please take a look at the description of each of the projects.

Councilwoman Monteverde told Ms. Sullivan that while looking at the CDBG Grant she is not seeing anything except for National Night Out and we will have to get clarification on that but she is not seeing anything going to the Police Department specifically. Ms. Boyd asked about zoning and we went through rezoning several years ago so she is not sure what her question is about but she would be happy to speak to her about her concerns. There is a lot of development going on and a lot of these projects are going before ARC and Planning where they have had to redesign their buildings so they are listening to public comments from the community but she would be happy to talk to her further about that and answer her questions.

Councilman Shakur said that this Grant is very important for our community but we have to make sure that the community this is meant for gets this information so they can be part of that development.

Councilman Sklarz said that the material they have in front of them is about a ten page outline and he encouraged everyone to go to the new website to take a look at it. Use the public comment period for the next month to offer suggestions or ask questions about this Grant.

Councilwoman Sofokles said that CDBG money over the years been used in many different ways but the suggestions of the other Council members are correct. Go to the website and read before the next public hearing exactly what the monies are proposed to be used for. Years ago it used to be almost all used for community groups but public comment of what you want to happen with the money is what it's all about so read all about it and at the next Council meeting in July everyone will be a bit more prepared to talk about it. It's a process and it's always been this way.

Mayor Harvey echoed what his colleagues have said. This is an annual process with two public hearings and opportunities to go on line to leave comments so it's very transparent. These are federal funds from HUD and a lot of the money for 2022 is allocated toward In Rem properties and housing repairs. He wishes there was more allocated for homeowners who cannot afford to make some of these housing repairs. A lot of it is for infrastructure, curbs, sidewalks and road re-pavement. Many people don't realize that the City of Newburgh is a walkable city so any time we have to repave a road we have to mill it and pave it but prior to that we have to make sure the sidewalks are ADA compliant, which is a federal law, so the elderly and disabled can access them. The Town of Newburgh and Town of New Windsor are not walkable so they don't have to worry about ADA compliance which comes with additional costs that are in this plan.

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

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

Ulanda Troy, 98 Ann Street said there are people walking around in the heat with winter clothes on so they are not dressed for the season. She said that we need cotton and she doesn't know where the slave camps are but she knows they exist because cotton is the most popular fabric in America. We need to find a way to free these people from these slave camps.

Thomas Dodd, 250 Grand Street said that the Council will be voting tonight on releasing the covenants for 378 Liberty Street and he thanked them all for making this possible. This is part of their Home Ownership Program and they will own their own home once this is released which they have worked extremely hard for. It took longer than we wanted it to but it's done and it's gorgeous. There is another property he has requested an extension to without losing his rights to the property. It's another project that has taken a long time but there has been a lot of support coming through so he hopes they are getting that information. We have support from Congressman Maloney, Senator Skoufis, the County Executive and Assemblyman Jacobson. He spoke today with Jeremy, Assistant Corporation Counsel and he appreciates that they are talking. He invited everyone to come see the progress and even though it has been a difficult building he assured that it will be gorgeous. Once it's done it will be like stepping into the 1800s so he looks forward to hopefully coming to an agreement on that. He also welcomed Todd Venning as the new City Manager.

Carla Johnson, City of Newburgh said that she sits on the Police Community Relations & Review Board with Ms. Boyd and she would like the Council to consider giving them subpoena and disciplinary powers because she was very disgusted by the way the Police Department talked about the young kids in our community on Facebook. She was also shocked about the things they said about the Mayor. How can we build better relationships with the Police Department if they are slandering our community? In regard to the CDBG Grants, the sidewalks needs to be fixed. When her daughter was born six years ago she had to push the stroller on the street, which is dangerous, because the sidewalks are terrible. The only streets getting done are Montgomery, Grand and Liberty but what about the other streets in the City? She congratulated Todd Venning and said she knows he will do a great job.

James Faison, City of Newburgh spoke regarding his 2001 Cadillac DeVille which was stolen and was involved in an accident. There is an Incident Report showing that he could not be in two places at the same time so Chief Douglas Solomon gave the order that the car would not be sold or destroyed but somehow that happened because after Chief Solomon resigned his car was put on the auction list. At this time he has exhausted all remedies and is willing to get a voucher to go to the auction to get another car.

Schnekwa McNeil, City of Newburgh said in regard to the sidewalks that it's very critical that Broadway between Johnson and Lander gets fixed immediately because it's a liability. The City is divided into Wards and she wonders if the Council members ride through their

Wards with their eyes closed. They are responsible for their Ward so they should take action in their Ward. That area on Broadway is a danger waiting to happen because the sidewalk isn't walkable. We heard Mr. Guzman speak about tennis and we used to have a beautiful tennis court at the Rec but it was turned into a soccer field and no one said a word so it would be nice to bring our tennis court back.

Gabrielle Hill, 76 Leroy Place echoed Ms. McNeil's comments and noticed there are also tennis courts on South Street and she is not sure what is going on with those. In regard to the sidewalks, her daughter brought that up about seven years ago and she believes some progress is being made. There is also a huge tree stump pushing out of the sidewalk on First Street across from Life Restoration which is going to cause a serious injury. Her parents have been residents of the City of Newburgh and dedicated taxpayers since 1982 but recently her mother received a letter saying that the grass was a little too tall and the letter was very harsh. Luckily she intercepted the letter because her mother is eighty-two years old and does not need to see a letter stating that if it's not cut within thirty days she will be fined two hundred and fifty dollars. When letters are sent they should be more compassionate especially with community members who have invested almost forty years here. In regard to remarks made by an Officer, she said that we are trying to build relationships and once those words go out it can create chaos and more harm in our community. Historically we know there are issues between the Black and Brown communities and the Police so we should be doing more things to bring people together. Police Officers are paid employees so she wants to know who they are and if she sees one that she doesn't know then she introduces herself too them which builds relationships. We have a Board in place and if they know all of the Officers and develop relationships with them then that can spread out into the community. She noted that Hook Elite is doing a wonderful job with our most vulnerable kids so she hopes they reconsider having them on the budget line moving forward.

Ms. Boyd, Prospect Street and Police Community Relations and Review Board member said they are still requesting subpoena power which needs to be done or they are going to start hearing form the community. She told the community if they want this Board to move forward they have to get to know the Police and have them at all of their events. She sat on the Executive Order 203 Board but doesn't know what was sent to Albany so she is asking the City Manager to see what was sent because she needs a copy. She knows that subpoena power was one of the items asked for so they are asking for that to be implemented as quickly as possible to move forward.

Anne Sullivan, Ellenville, said that she supports the subpoena and disciplinary power for the Police Community Relations and Review Board. She filed a complaint over a year ago against Officers Loscerbo and Vasta that was upheld but still has not gone before the Police Community Relations and Review Board. Now we see again this same Officer who was on videotape being rude to her because she was filming them breaking the law and Governor's Order to wear masks in public. They continued to harass her for months after that which is dangerous and inappropriate police behavior so it didn't surprise her to hear this same Officer's public comments as President of the PBA. Why is the City still negotiating with a PBA that has a history of deeply imbedded racism in their Union? Do you need to consider disbanding this Police Department if this Union continues to act this way? At the very least this Officer should have been demoted, put on desk duty and retrained in how he talks to the community. When a public employee slanders the community and the Mayor, where is the Police Department? She was happy to hear that

Officer Lahar has said that doesn't represent the Police Department but that is not something the community has heard. We have not actually heard the Police Department stand up and take a stand against racism and against this kind of abuse of the community.

Ray Harvey, 48 Carpenter Avenue announced that this Saturday from 10:00 a.m. to 7:00 p.m. there will be a first ever Juneteenth Event at the People's Park and we need the City's support so that next year it can be bigger and better.

Michelle Basch, 87 Broad Street noted that the Tavern on Liberty Street which Mr. Dodd mentioned has taken a very long time and it is her understanding that the Council is considering rescinding the sale. If this is correct and had it happened pre-COVID, she would understand because he has taken way too long and too much time to do so little. Because of COVID, however, and everything being halted and stopped and the fact that she doesn't believe anyone else is going to want that building, she doesn't think it would be wise for the City to take that property back onto the City's tax rolls. If the City were to consider other properties she would have nothing against it because she does feel that RipRap has taken way too long on many items. She added that it's nice to see people at the Council meeting again and she thanked the City Council and the City Manager for everything they are doing.

Reggie Young, City of Newburgh thanked the Council and welcomed Todd to his new position as City Manager. Sitting on the ARC he is in favor of the consideration to Mr. Dodd when it comes to the Tavern building because he has been working very hard on it. He also can't imagine anyone else taking that project on at this point and everyone who lives in Newburgh is proud of our history so saving that building is important.

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 said that the sidewalk between Johnston and Lander on Broadway will be fixed within the next two weeks so we are aware of it and think it's important. Pretty soon we will have a public hearing about a Police Commissioner so he urged the community to look at the history of the City of Newburgh and why we had a Police Commissioner a long time ago. Also look at other cities that have Police Commissioners and the pros and cons of that so when you speak it is a better informed conversation. It was brought to his attention that Lake Drive Bridge has some potholes but it is on the list to be paved so they will be fixed eventually. He encouraged everyone to look at our Housing Policy which we will hopefully adopt tonight. There are other great things in the works regarding housing so be on the lookout for that. The North Interceptor is huge and will take about twelve million dollars but once we have that done it will really open the City up for more development. In regard to the food security it is critically important for them to have their educational programming and to be able to get fresh produce out even in the winter. He applied for the Love Your Block Grant and noted that you can really do a lot with that. On the Juneteenth Event, he will be visiting other communities Juneteenth

events first and then plans to make the City of Newburgh his last stop with his whole family.

Councilwoman Mejia said its super exciting to be here and to see other humans although we are still with masks on for public safety which is really important. She reminded everyone that if they have not gotten their vaccination that we are at the point where you can now walk in and there is an Event taking place on June 19th. She noted that she is retiring this year and is not seeking re-election and wanted to share that the most frustrating thing about government is the time it takes for results to take place. We all know that the sidewalk between Johnston and Lander needs to be replaced and it's finally taking place but it took only what, "*twenty years*"? Tyrone Crabb Park took forty years but it got done so if nothing else, Newburgh has guts, love and consistency. She is proud of the Board that sits here today because we make history every single day. She is proud of the staff around them because they make history twenty-four seven but we have to start looking at the Charter because to solve this City's problems a part-time Council does not make sense. Keep talking about it and keep changing it and making it inclusive. She looks forward to the housing discussions we are going to continue to have.

Councilwoman Monteverde said someone commented about knowing what's going on in our Ward and she goes out every day. She works in the City of Newburgh and she gets calls and helps people on the weekends. She does as much as she can being a part-time Council member with a full-time demanding job, a family and a private life. She does the best she can and she agrees with Councilwoman Mejia that this is a full-time job and at some point she thinks they need to rethink that. If you really want the Councilmembers to do the job that you expect, then we need to go back and look at that Charter. She noted that they did a great job on Lake Drive Bridge but there is still work that has to be done so take a drive by and look at it. The new website is up and she is very impressed with it so she will keep looking at it and give her feedback. The North Interceptor is a big win and is going to be major for the City of Newburgh. She asked if we are on schedule with paving because she knows we didn't start on time and wonders if we will be able to get everything paved for 2021.

Councilman Shakur said he wanted to talk about, "*Juneteenth, Juneteenth, Juneteenth*". In regard to Mr. Faison, this issue with his car has been going on for a long time and started by him coming up to his car asking to speak to the Police Chief. The second part of that issue is an incident where an Officer called our children thugs and gang members and he is partners with the Officer who stopped him so they are two of the most racist Cops on our Force. This is the second racial incident we have had from a PBA President. If they represent the PBA then we should stop all contract negotiations with the PBA as long as this guy is President. He demanded that the City Council makes sure that our City Manager has no more talks with them as long as he is President and he should be demoted to the lowest rank possible. This man carries a gun and he said that our children are gang members so he opened the door for any Officer to kill one of our children and get away with it. This Officer is still active in our community and we want him off the streets. He said that he did this against our children and our Mayor because he is getting ready to retire and he took them for a team. What team is he talking about? The Good Boys, the Proud Boys or the Klan? Is News Channel 12 the spokesperson for the Police Department because we had a Press Conference today and they didn't show up? He said that he is talking to the Attorney General's Office about this Police Department because

they have gotten away with too much. The last Police Chief attacked him in a text and was allowed to retire so this Police Department needs to be investigated.

Councilman Sklarz said that February of 2020 was the last time we were here for a Council Meeting and it's been a long and strange sixteen months so welcome back. Last month the Council participated in a retreat with Leviticus and we reviewed the Newburgh Housing Report. This report followed a yearlong study of Newburgh housing and made recommendations for continued development of equitable housing options for our residents. He encouraged everyone to read this report on the Website. Newburgh Urban Farms is doing wonderful work to address issues with food security in the City and a resolution is on the Agenda tonight to approve a Grant to add an additional building or repair the one that's there. Someone said that the North Interceptor sounds like something from Star Wars and he agrees. This is a very expensive project that is primarily funded by a Grant to remove the current sewer that crosses the green hill overlooking the river and it's being done for both environmental and economic reasons which will bring us into compliance. The hill overlooking the river was once an economic engine for the east end and the entire City and it can be so again. We can expect to break ground in April, 2022 and it will be messy but once it's done it will be worth it and it will help the City a lot. Lake Drive Bridge is finally open and he thanked Jason in Engineering, Wayne in the Water Department, George in DPW as well as staff in the City Manager's Office for all of the work done to bring this project to completion. The residents of Lake Street have expressed their sincere appreciation that they can now drive across that bridge and walk into the City.

Councilwoman Sofokles agreed they did a beautiful job on the Lake Drive Bridge and everyone is happy. As Councilwoman Monteverde noted, they are all out in their Wards every day and they do have full-time jobs. This is a part-time job that we have made a full-time job as she is on the phone every day in the middle of her business. The Tennis Court in question is in her Ward on South Street by Colonial Terrace. The young man did a great presentation and she loves his energy and enthusiasm but there are steps that will have to be taken. She met with the Grant writer because they started writing Grants for the Tennis Court two years ago with the previous Grant writer and then COVID hit. We are kind of going back to square one and it's already in process but she would like to meet with this young man and talk more about that. In regard to Juneteenth, we used to have a Juneteenth celebration years ago so she was happy to see that there is something planned for the community this weekend.

Mayor Harvey said he received a phone call from Acting Chief Lahar regarding the incident that happened with one of our Detectives which was on News 12. For the record he stated that Acting Chief Lahar said that those comments and words were not the sentiment and belief of the Police Department. Those comments were made strictly by that individual so he was pleased to hear that and he thanked Acting Chief Lahar for calling him. We had a successful Press Conference although News 12, Spectrum and some others did not show up. The Mid-Hudson Times and Mr. Wolfe, who is a photographer in the community, did show up so when those breaking stories happen and Spectrum or News 12 contact him he is going to ignore their messages since they didn't show up today. Our community had an outcry about some of the remarks that were said about our children and the Mayor on News 12 so when they are looking for a story they no longer have a friend in the Mayor's Office like they had in the past. He added that he will be at the People's Park for the Juneteenth celebration. The City supported that event and a permit was signed by

the former City Manager. Roads and paving are ongoing and he thinks it's important for him and the City Manager to talk about the five year plan for road paving because the plan was posted on social media and it got a lot of kickback and criticism from the community. It's a conversation they need to have because the DPW Superintendent decides what roads get paved and milled. He puts the plan together and the Council makes recommendations and then the City Manager approves it. Renwick Street is one of the roads that is being milled and paved and he personally, as the Mayor of the City of Newburgh, recommended that road be paved all the way up to William Street but that recommendation was not honored in this five year plan. He is not happy about that so he will have that conversation with our City Manager because the concern from the public is that certain areas get paved and the areas that we consider the hood get ignored year after year.

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

CITY MANAGER'S REPORT

Resolution No. 136 - 2021 - Street Lighting Authority Order with Central Hudson for New Street Lights on the Liberty Street Streetscape Project

Councilman Grice moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 137 - 2021 - PIN#8761.91 Proposal with GPI for Professional Engineering Services in Connection with the Liberty Street Streetscape Project

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 138 - 2021 - Solitude Lake Management Water Quality Sampling contract for Washington Lake

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 139 - 2021 - Distribution Tank Inspection Contract with Under Water Solutions

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 140 - 2021 - 141 Lander Street - Release of Restrictive Covenants

Councilwoman Sofokles moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 141 - 2021 - 163 Lander Street - Release of Restrictive Covenants

Councilman Shakur moved and Councilman Grice seconded.

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

Adopted

Resolution No. 142 - 2021 - 28 Courtney Avenue - Release of Restrictive Covenants

Councilman Shakur moved and Councilwoman Monteverde seconded.

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

Adopted

Resolution No. 143 - 2021 - 378 Liberty Street - Release of Restrictive Covenants

Councilwoman Sofokles moved and Councilman Grice seconded.

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

Adopted

Resolution No. 144 - 2021 - 28 Ellis Avenue - Release of Restrictive Covenants

Councilman Shakur moved and Councilman Grice seconded.

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

Adopted

Resolution No. 145 - 2021 - License Agreement - Cold Spring Bike Rental & Tours, LLC for Unico Park to provide bicycle rentals & tours

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 146 - 2021 - Newburgh Housing Policy Report

Councilwoman Monteverde said she is proud that they got this done. Moving forward this will be a game changer for the City and it will help us come up with a solution to help some of our residents who are being displaced.

Councilwoman Mejia said that we have talked about this for a long time so she echoed her thanks to everyone. This is the beginning but a lot of work still needs to be done so she will save further comments until she sees it being implemented.

Councilman Grice said that all of the Council members here were behind this legislation one hundred percent. He hopes the community realizes how important this legislation is because it's a real game changer for us in terms of housing and it opens up so many more possibilities so he is looking forward to putting it into action.

Councilman Shakur said that Leviticus gave us a very good plan and now it's up to us to implement it and get it done.

Mayor Harvey echoed the sentiments of his colleagues. We are making history with this City Council and he is very proud to serve with them all. When you are in public office there is legislation you will move on but because of the bureaucratic structure of government you won't see them for years to come and that's what this is. We are trying to change the look of the City and we don't want people to be displaced so this is just the tip

of the iceberg. There is a lot of work we are going to do around housing with this great plan.

Councilwoman Monteverde moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 147 - 2021 - Food Security in the City of Newburgh

Councilman Sklarz moved and Councilwoman Monteverde seconded.

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

Adopted

Resolution No. 148 - 2021 - North Interceptor Sewer Project

Mayor Harvey said that the plan is to relocate the North Interceptor which is part of the DEC Consent Order. We have a water sewer separation process going on and this is important work. There has been some movement at the Federal level on a major, major Infrastructure Bill which President Biden and Senate and House leadership are trying to get bi-partisan support on. There has been some back and forth going on in Washington with this Bill which we hope passes sooner than later as it ties into this North Interceptor replacement. He asked the City Manager what would happen if the Federal Bill passes and we get granted the State Bill.

City Manager, Todd Venning said the American Rescue Plan allows the City an amount of funding for infrastructure purposes and lost revenue from 2020. If there is going to be an Infrastructure Bill from the Federal Government in addition to what has already been provided, he would have to wait to see the details on how that funding is restricted or what's allowed.

Michelle Kelson, Corporation Counsel said that there are a number of funding initiatives coming out of the Federal Government and there really isn't a lot of detail about how each program is going to work so it's a little uncomfortable that we can't provide those details. We have been advised that these three resolutions, #147, #148 and #149 are all federal money. They are being allocated under the auspices of different federal agencies and distributed for specific programs so we have tried to identify projects that we think will meet the funding requirements. We are trying to make those applications to get awarded that funding and if there is approval by the Federal Government for another allocation, the City of Newburgh has a number of infrastructure needs. We have other projects waiting in the wings that are necessary to be completed. There are other bridges we are trying to identify funding for and there are more projects in the Long Term Control Plan. The North Interceptor clearly is one of the more larger projects which will be very transformative in that it will make development of the east end much more attractive to those who are in the development industry. There are certainly other projects that would be eligible and we have a laundry list of needs and wants so once we get our needs checked off we can work on our wants as some of those projects certainly would be eligible for these types of funding. We have tried to prioritize those projects that are absolutely necessary and that we are required to do by law but we all know there is probably something in everyone's neighborhood that they would like to have addressed and as long as we keep those projects in some type of organized fashion and some type of priority we

will get to them and check them off. Over the last five years we have completed one Capital Plan, we've completed a bridge and we are working on the next one so she thinks that however this funding is approved and allocated that we will be able to utilize it to make the City a better and more improved place to live for your residents and businesses.

Mayor Harvey added that Jason and George said that if and when this funding comes through they are going to relocate the North Interceptor. Where would it go?

Ms. Kelson said that she believes where it is currently it kind of bisects the slope so anyone who wants to develop in that area has to work around it which might not be the most efficient way to develop. She is not sure exactly what the design would look like but the idea is to relocate that large sewer main and put it in a location that would allow the commercial center of the City to redevelop. She doesn't know if there is an exact design for it yet but where it is now it is an impediment to any future development

Councilman Grice said we really are fortunate to have someone like Mr. Morris our City Engineer on our staff and he is sure he has a great plan. He reminded the community that the property over there is Urban Renewal Land and what they did was just dump everything down in there so it's pretty yucky. He reminded everyone when we talk about development that we have the Housing Policy that we just passed, we have the Mayor's Strategic Economic and Development Advisory Committee, we have the Complete Streets and some other policies that we will be adhering to as we look to develop that. We have an excellent Councilmember representing that Ward until she moves on so he will be listening to her input as well.

Councilman Sklarz moved and Councilwoman Mejia seconded.

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

Resolution No. 149 - 2021 - Completion of Lake St. Bridge

Councilman Shakur moved and Councilman Sklarz seconded.

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

Resolution No. 150 - 2021 - OC LE18-1048-D03 grant for 10 Mobile Data Terminals

Councilman Shakur moved and Councilwoman Mejia seconded.

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

Resolution No. 151 - 2021 - 2021 Bullet Proof Vest Partnership

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Resolution No. 152 - 2021 - Fire Engine Bid Recommendation

Councilman Shakur moved and Councilman Sklarz seconded.

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

Adopted

Resolution No. 153 - 2021 - Local Law amending City Charter Article XI "Police Department"

Councilman Shakur moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 154 - 2021 - Approving a Consent Judgment

Councilman Grice moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 155 - 2021 - Resolution Authorizing a Payment of Claim

Councilman Sklarz moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 156 - 2021 - Resolution Amending Resolution No. 108-2021 Authorizing a Payment of Claim

Councilwoman Sofokles moved and Councilman Sklarz seconded.

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

Adopted

NEW BUSINESS

Councilwoman Monteverde announced that this Saturday at Safe Harbors Park Cornerstone Clinic will be offering vaccines to the community so anyone in the community who is interested can sign up and get vaccinated from 10 – 2 pm.

Councilman Shakur said that he has a hearing problem and some people have asked if we can get closed caption for the meetings because it's hard to hear sometimes. He added that if this issue is not taken care of with this Police Officer that he would like to put on the agenda for the next meeting discussing holding off on contract negotiations with the PBA until it's resolved.

Mayor Harvey said they will take that into consideration but that is a personnel matter and those things tend to happen internally.

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

OLD BUSINESS

Councilman Grice said that he has brought up wanting the City to take over the fixing of our sidewalks. Right now it's the property owner's responsibility but he hopes the City can take that over because the current system is not working and sidewalks are not being fixed. If we were to have a sidewalk improvement plan like our paving plan he knows that people would support that and they would pay a little if they knew the sidewalks would be

fixed eventually. He knows that Councilman Sklarz and Councilman Shakur have been working on something and he would gladly join them in their efforts.

Councilwoman Mejia said that she would like to revisit the legislative priorities from last year because a lot was added to it. We have to decide what we want to do for 2021 in terms of revising those priorities. She has discussed with Corporation Counsel about getting additional staff for the Legal Department which is necessary. They move so much with limited staff that they need another person to keep legislation moving. She reminded everyone that a study was done throughout the City to prioritize our streets and what that order was for paving. There is perception and there is reality so we need to constantly continue to communicate that the purpose of the paving plan was exactly to de-politicize what happens whenever paving gets done. We all want our blocks to get done so there was a study that dictated that paving plan to make it fair and equitable. On sidewalks, finally for the first time, the City will be able to actually practice what we have been asking property owners to do. She is also happy that we are finally able to move on the Broadway Lot but there is so much more to do.

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

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice said that tonight has been very exciting as this is the first time we are all back here in the Council Chambers. There was a comment made from the public and if anyone says he is not out there it makes him look at them a bit sideways. We get out there and we do care. As Councilwoman Mejia mentioned earlier, this Council has moved the most progressive legislation than any other that he can remember. He is very honored and proud to work with all of the members on this Council because even when we might not all agree we still come together and get a lot of great things done. He is happy that Mayor Harvey had his Press Conference today and it was a good one. They then went to another Press Conference about our homeless population. We get a lot of great things done and he thinks that's where a Communication Strategist would help get that positive message out. He encouraged everyone to come out for the Juneteenth celebration this Saturday.

Councilwoman Mejia agrees it feels very different to have the in-person contact again so as we start to emerge from this Pandemic healthcare crisis she encouraged everyone to please get vaccinated. She offered condolences to our community members who suffered the loss of a family member and even when we are in these settings she has a lot of faith that we are all doing what we can to keep each other healthy and be safe. Continue to do temperature checks and if you are not feeling well it is best to stay home as we will continue to do these hybrid meetings so that everyone can participate. We are able to create one community when we show up and support each other's celebrations so she encouraged everyone here in the City of Newburgh to be aware that language does have an impact. Even in our comments when we talk about certain events to just one segment of our population it does tend to divide us and that is not who we are or how we want to be. She encouraged everyone to be tender, support each other and continue to make the difference we are here to do.

Councilwoman Montverde said it's good to be back in the Council Chambers but also very different so it will take some time getting used to but it's nice to connect with the public again. A lot was said tonight and we are getting a lot of legislation through so she looks forward to continuing that and hearing from the community as to how we should prioritize it.

Councilman Shakur thanked everyone for coming out tonight and for his fellow Council members being here. He wants everyone in this City to understand that they are a team. They might argue and not agree but these are his teammates and they are here for the City. This is how we get things done.

Councilman Sklarz thanked everyone for coming out tonight. This is what getting close to back to normal looks like. It's still not normal with green dots on the chairs as we are still separated and still wearing masks. He strongly encouraged everyone to get vaccinated because it's his greatest fear that once the weather gets cold and we start gathering inside our rates will start spiking again and we don't want to see that happen.

Councilwoman Sofokles encouraged everyone to come to the Urban Farm at the Park as they are working very diligently so go get your produce there. They will be having Downing Day in October where we will be giving out produce so she will be looking for sponsors to sponsor bags to give out to people. There is also going to be an event in Downing Park in conjunction with the Police Community Relations and Review Board she believes on July 24th from 10:00 a.m. to 7:00 p.m. and there will be free food for the kids. Once it's approved and everything is in place it will be put on our website

Mayor Harvey thanked George Garrison for his hard work and said he may have misspoke earlier about the Five Year Master Plan so he thanked Councilwoman Mejia for that clarification. He will, however, continue conversations with the DPW Superintendent, our City Manager and Councilmembers because of the perception. The perception is, and it may be wrong, that certain areas get paved and others don't. In that same conversation he wants to thank Mr. Garrison because he is moving on milling and paving and he and his department have done a lot of hard work throughout this Pandemic. He also gave a shout out to Nick C, head of our Technology Department because between Thursday and today it was amazing what he was able to do with getting the people at home and us to hear each other so he thanked Nick for his hard work during this Pandemic. He gave a shout out to Lt. Lahar who is our Acting Police Chief for his hard work at the Police Department especially during this Pandemic because public safety is important and we want to continue to work on our police and community relationships. He gave a shout out to Michelle Kelson and our Legal Department for all of the legislative work that she and her department do because we are starting to see the light of day through this Pandemic. Lastly and not least, a shout out to Mr. Todd Venning for his hard work as a Comptroller over the last few years and this 2020 Audit. He would see him here in City Hall all hours of the night working on this Audit to get it done. He wanted to thank Mr. Venning and the Finance Department in addition to PKF O'Connor Davies for their hard work as Auditors to continue us on the road of fiscal responsibility because we are solvent and the financial matters of the City are very important. He thanked everyone for coming out tonight and for speaking up and speaking out.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 9:50 p.m.

**LORENE VITEK
CITY CLERK**

RESOLUTION NO.: 136-2021

OF

JUNE 14, 2021

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

WHEREAS, it has become necessary to amend the Street Lighting Authority Order entered into with Central Hudson Gas & Electric Corporation n/k/a CH Energy Group, Inc., providing for the installation of HPS 16000 lamps on poles numbered 82944 and 86145 through 86149, respectively, on Liberty Street; and

WHEREAS, there will be a cost to the City of Newburgh of \$4.47 per period for this change; and

WHEREAS, this Council finds that entering into the amendment to the Street Lighting Authority Order in connection with the Liberty Street Streetscape Project is in the best interests of the City of Newburgh and its further development;

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

RESOLUTION NO.: 137 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
AND EXECUTE A CONTRACT WITH GREENMAN-PEDERSEN, INC.
IN THE AMOUNT OF \$5,000.00 FOR ADDITIONAL PROFESSIONAL ENGINEERING
DESIGN SERVICES FOR THE RECONSTRUCTION OF LIBERTY STREET
BETWEEN BROADWAY AND ANN STREET**

WHEREAS, by Resolution No. 292-2015 of November 9, 2015 and No. 216-2017 of August 14, 2017, the City Council of the City of Newburgh approved professional engineering design services contracts with Greenman-Pedersen, Inc. in connection with the reconstruction of Liberty Street between Broadway and Ann Street; and

WHEREAS, necessary field work and engineering design services to incorporate an ADA compliant sidewalk over two window wells and one basement access with stairs found during construction is required; and

WHEREAS, Greenman-Pedersen, Inc. has submitted a proposal for the additional design services required by the conditions discovered during construction; and

WHEREAS, funding for the additional services in the amount of \$5,000.00 shall be derived from the CDBG program; and

WHEREAS, this Council has reviewed the proposal and determined that entering into a contract with Greenman-Pedersen, Inc. 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 accept a proposal and to execute a contract with Greenman-Pedersen, Inc., in the amount of \$5,000.00 for additional professional engineering design services in connection with the reconstruction of Liberty Street between Broadway and Ann Street.

RESOLUTION NO.: 138 - 2021

OF

JUNE 14, 2021

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

WHEREAS, the City of Newburgh Water Department recommends monitoring the water quality at Washington Lake for potential harmful algal blooms; and

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

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

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

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

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

RESOLUTION NO.: 139 - 2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AGREEMENT WITH UNDERWATER SOLUTIONS, INC.
FOR WATER TANK INSPECTIONS AND CLEANINGS AT A COST OF \$18,450.00

WHEREAS, the City of Newburgh Water Department requires the inspection and cleaning of the Marne Avenue, Ellis Avenue, and Brady Avenue water tanks; and

WHEREAS, Underwater Solutions, Inc. has submitted a proposal for water tank inspection and sediment removal services for the water tanks; and

WHEREAS, the cost for such professional services will be \$18,450.00 and funding shall be derived from F.8330.0448; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute an agreement with Underwater Solutions, Inc. for water tank testing and cleaning services at a cost of \$18,450.00.

RESOLUTION NO.: 140 -2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO 137, 139, 145 LANDER STREET CORPORATION TO THE PREMISES
KNOWN AS 141 LANDER STREET (SECTION 18, BLOCK 4, LOT 38)**

WHEREAS, on September 24, 1991, the City of Newburgh conveyed property located at 141 Lander Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 4, Lot 38, to 137, 139, 145 Lander Street Corporation (by Thomas Amodeo, authorized signer); 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 141 Lander Street, Section 18, Block 4, Lot 38 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated September 24, 1991, from THE CITY OF NEWBURGH to 137, 139, 145 LANDER STREET CORPORATION, recorded in the Orange County Clerk's Office on November 25, 1991, in Liber 3525 of Deeds at Page 28 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: _____
Todd Venning, 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 TODD VENNING, 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.: 141-2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO WILLIAM STEWART TO THE PREMISES KNOWN AS
163 LANDER STREET (SECTION 18, BLOCK 4, LOT 49)

WHEREAS, on September 5, 1984, the City of Newburgh conveyed property located at 163 Lander Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 4, Lot 49, to William Stewart; 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 163 Lander Street, Section 18, Block 4, Lot 49 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated September 5, 1984, from THE CITY OF NEWBURGH to WILLIAM STEWART, recorded in the Orange County Clerk's Office on October 2, 1984, in Liber 2300 of Deeds at Page 170 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: _____
Todd Venning, 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 TODD VENNING, 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.: 142 -2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO ARCHIE LOGAN TO THE PREMISES KNOWN AS
28 COURTNEY AVENUE (SECTION 48, BLOCK 3, LOT 24)

WHEREAS, on August 31, 2016, the City of Newburgh conveyed property located at 28 Courtney Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 48, Block 3, Lot 24, to Archie Logan; and

WHEREAS, Mr. Logan 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 28 Courtney Avenue, Section 48, Block 3, Lot 24 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated August 31, 2016, from THE CITY OF NEWBURGH to ARCHIE LOGAN, recorded in the Orange County Clerk's Office on November 21, 2016, in Liber 14139 of Deeds at Page 976 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: _____
Todd Venning, 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 TODD VENNING, 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.: 143 -2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO RIPRAP LLC TO THE PREMISES KNOWN AS
378 LIBERTY STREET (SECTION 10, BLOCK 1, LOT 35)**

WHEREAS, on June 20, 2016, the City of Newburgh conveyed property located at 378 Liberty Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 10, Block 1, Lot 35, to RipRap LLC; and

WHEREAS, the managing member of RipRap LLC, Thomas Dodd, 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 378 Liberty Street, Section 10, Block 1, Lot 35 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 June 20, 2016, from THE CITY OF NEWBURGH to RIPRAP LLC, recorded in the Orange County Clerk's Office on July 1, 2016, in Liber 14071 of Deeds at Page 128 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: _____
Todd Venning, 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 TODD VENNING, 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.: 144-2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED
ISSUED TO RICARDO SANTOS TO THE PREMISES KNOWN AS
28 ELLIS AVENUE (SECTION 33, BLOCK 1, LOT 7)**

WHEREAS, on March 11, 2005, the City of Newburgh conveyed property located at 28 Ellis Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 33, Block 1, Lot 7, to Ricardo Santos; and

WHEREAS, the attorney representing the purchaser in a contract of sale to acquire the property 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 28 Ellis Avenue, Section 33, Block 1, Lot 7 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 March 11, 2005, from THE CITY OF NEWBURGH to RICARDO SANTOS, recorded in the Orange County Clerk's Office on March 23, 2005, in Liber 11786 of Deeds at Page 1670 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: _____
Todd Venning, 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 TODD VENNING, 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.: 145 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A LICENSE AGREEMENT WITH COLD SPRING BIKE RENTAL & TOURS, LLC
FOR ACCESS TO AND THE USE OF UNICO PARK
TO PROVIDE BICYCLE RENTALS AND TOURS**

WHEREAS, Cold Spring Bike Rental & Tours, LLC proposes to enter into a license agreement with the City of Newburgh for access to and the use of Unico Park to provide bicycle rentals and tours; and

WHEREAS, a copy of such license agreement is annexed hereto and made a part of this resolution; and

WHEREAS, the City Council has examined the license agreement annexed hereto and determined that entering into such license agreement 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 is hereby authorized to execute and enter into the attached license agreement on behalf of the City of Newburgh, with Cold Spring Bike Rental & Tours, LLC for access to and the use of Unico Park for bicycle rentals & tours.

AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 2021, by and between:

THE CITY OF NEWBURGH, a municipal corporation having its principal place of business at 83 Broadway, City Hall, Newburgh, New York 12550, hereinafter called the "City"; and

COLD SPRING BIKE RENTAL & TOURS, LLC, a limited liability company having its principal place of business at 52 North Elm Street, Beacon, New York 12508 hereinafter called "Licensee".

WITNESSETH, that the City and Licensee, for consideration hereinafter named, agree as follows:

ARTICLE 1: Term.

This Agreement shall run from June 18, 2021 to November 14, 2021.

ARTICLE 2: Obligation of the City.

The City shall grant to the licensee a non-exclusive revocable license to access and the use of Unico Park in the City of Newburgh for the purpose of renting bicycles and providing bicycle tours to the general public on a daily basis from 9:00 a.m. to 7:00 p.m., which days and times may be reduced at the Licensee's discretion during the off-season, or when demand is not sufficient to justify a daily presence. Licensee may erect two 7'x7' canopy tents, one for bicycle storage and one for registration and administration, and may attach across both sides of each tent a 7' long banner displaying Licensee's name and logo.

ARTICLE 3: Obligation of Licensee.

A. The Licensee shall ensure that all equipment and supplies, including the tents, are removed and stored off-site each night.

B. The Licensee shall pay the cost of all personnel, supplies and equipment necessary and proper for the kayak rentals and tours as is required by their use thereof.

C. The Licensee agrees that he, she or it shall, at all times, comply with all rules and regulations adopted by the City for the operation of Unico Park which are now in force or which may be hereafter adopted. The Licensee further agrees to comply with all rules, regulations, laws and ordinances promulgated the County of Orange, State of New York including but not limited to the rules and regulations of the Orange County Department of Health. The Licensee further agrees to comply with all laws of the State of New York and the rules and regulations promulgated thereunder.

D. It is expressly understood and agreed by the parties hereto that the Licensee is an independent contractor and not an employee of the City and that any persons employed, retained or engaged by the Licensee to perform the services authorized hereunder shall be employees of the Licensee and not of the City. The Licensee shall inform persons so employed, retained or engaged of these facts.

E. The Licensee assumes all risk in the operation of this service and shall be solely responsible and answerable in damages for all accidents or injuries to persons or property and hereby covenants and agrees to indemnify and keep harmless the City and all Departments of the City of Newburgh and their officers and employees from any and all claims, suits, losses, damage or injury to persons or property of whatsoever kind and nature due to the negligence or improper conduct of the Licensee or any servant, agent or employee, which responsibility shall be limited to the insurance coverage herein provided for.

F. The Licensee shall cooperate with City authorities to provide necessary security and supervision of minors, participating in lessons or present as spectators, during the period of this agreement. The Licensee shall be liable for any damage done to the premises by its officers, agents, servants, employees or invitees during the period of this agreement.

ARTICLE 4: Payment.

A. The Licensee shall pay to the City, as and for a fee for access to and the use of Unico Park during the period of this agreement \$750.00.

ARTICLE 5: Insurance.

The Licensee shall not commence activities nor perform any work under this agreement until it has obtained all insurance required under this paragraph and such insurance has been approved by the City.

A. Compensation Insurance - The Licensee shall take out and maintain during the life of this agreement such Workers' Compensation Insurance for its employees or members to be assigned to the work hereunder as may be required by New York State Law.

B. General Liability and Property Damage Insurance - The Licensee shall take out and maintain during the life of this agreement such general liability and property damage insurance as shall protect it and the City which shall be named as additional insured on all such policies from claims for damages for personal injury including accidental death, as well as from claims for property damage which may arise from operations under this agreement. The amounts of such insurance shall be as follows:

1. General Liability Insurance in an amount not less than \$1,000,000.00 for injuries including wrongful death to any one person and subject to the same limit for each person, in an amount not less than \$3,000,000.00 on account of any one occurrence.

2. Property Damage Insurance in an amount not less than \$50,000.00 for damage on account of all occurrences.

The Licensee shall furnish the above insurance to the City and shall also name the City as an additional named insured in said policies. Such insurance shall be maintained in force during the entire term of this agreement.

C. Any accident shall be reported to the Office of the City Manager as soon as possible and not later than twenty-four hours from the time of such accident. A detailed written report must be submitted to the City as soon thereafter as possible as and not later than three (3) days after the date of such accident.

ARTICLE 6: Representations of Licensee.

The Licensee represents and warrants:

A. That it is financially solvent and that it is experienced and competent to perform the type of work, conduct the activities or to furnish the consideration to be furnished by it; and

B. That it is familiar with and will abide by and enforce all federal, state, municipal and department laws, ordinances and regulations which may in any way affect the work or play or those employed or engaged therein. It is understood and agreed between the parties that the Licensee shall have no right to control the actions of City employees nor any duty to supervise the actions of City employees.

ARTICLE 7: Permits and Regulations.

The Licensee shall procure and pay for all permits and licenses necessary for the services to be rendered hereunder.

ARTICLE 8: Termination of the Agreement.

Each party shall have the right to stop work or terminate this agreement under the following terms and conditions:

1. (a) A party refuses or fails to perform any of its obligations under this agreement; or
- (b) A party fails or refuses to comply with all applicable laws or ordinances; or
- (c) A party is guilty of substantial violation of any provision of this agreement.

2. Each party, at its sole discretion and, with or without cause, may, without prejudice to any other rights or remedy it may have, by fourteen (14) days' notice to the other party, terminate the agreement for the party's convenience.

ARTICLE 9: Damages.

It is hereby mutually covenanted and agreed that the relation of the Licensee to the City as to the work to be performed by it under this agreement shall be that of an independent contractor. As an independent contractor, it will be responsible for all damage, loss or injury to persons or property that may arise in or be incurred during the conduct and progress of said performances arising out of the negligent performance, other than those wholly caused by Acts of God. The Licensee shall make good any damages that may occur in consequence of the performances or any part of it. The Licensee shall assume all blame, loss and responsibility of any nature by reason of the Licensee's neglect or violation of any federal, state, county or local laws, regulations or ordinances applicable to the Licensee and/or the nature of its performance or arising out of its activities licensed hereby.

ARTICLE 10: Indemnity and Save Harmless Agreement.

A. The Licensee agrees to indemnify and save the City, its officers, agents and employees harmless from any liability imposed upon the City, its officers, agents and/or employees arising from the negligence, active or passive, of the Licensee, which responsibility shall be limited to the insurance coverage herein provided and consistent with Article 3(E) of this Agreement.

B. The City agrees to indemnify and save the Licensee, its officers, agents and employees harmless from any liability imposed upon the Licensee, its officers, agents and/or employees arising from the negligence, active or passive, of the City.

ARTICLE 11: No Assignment.

The Licensee is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement or of its right, title or interest in this agreement or its power to execute this agreement to any other person or corporation without the previous consent in writing of the City.

ARTICLE 12: Required Provisions of Law.

Each and every provision of law and clause required by law to be inserted in this agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party, this agreement shall be physically amended forthwith to make such insertion.

ARTICLE 13: Notices and Communication.

A. Any and all notices and payments required hereunder shall be addressed as follows or to such other address as may hereafter be designated in writing by either party hereto:

TO: The City of Newburgh
City Manager
City Hall, 83 Broadway
Newburgh, New York 12550
(845) 569-7301

TO: Mohammad J. Hassan, Licensee
Cold Spring Bike Rental & Tours, LLC
52 North Elm Street
Beacon, New York 12508
(845)

B. All communication concerning the Licensee's activities and programs provided under this Agreement shall be directed to the Licensee. The City shall not direct any official communication to those employed, retained or engaged by the Licensee to perform the services authorized hereunder unless otherwise directed in writing by the Licensee to the City.

ARTICLE 14: Waiver.

No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 15: Modification:

This agreement constitutes the complete understanding of the parties. No modification or any provisions thereof shall be valid unless in writing and signed by both parties.

Remainder of this page intentionally left blank

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on the day and year first above written.

THE CITY OF NEWBURGH

By: _____
TODD VENNING
City Manager
Per Res. No.:

COLD SPRING BIKE RENTAL & TOURS, LLC

By: _____
Mohammad J. Hassan

Approved as to form:

MICHELLE KELSON
Corporation Counsel

MARCIA ESPINOSA
Acting City Comptroller

RESOLUTION NO: 146 - 2021

OF

JUNE 14, 2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
ADOPTING THE NEWBURGH HOUSING POLICY REPORT
AS THE CITY OF NEWBURGH'S LONG-TERM STRATEGY FOR MEETING
THE HOUSING NEEDS OF CITY RESIDENTS**

WHEREAS, the Newburgh Housing Report was undertaken as a year-long initiative by the Leviticus Fund with financial support from the JP Morgan Foundation and technical direction from Kevin Dwarka LLC and Pace Land Use Law Center;

WHEREAS, the year-long engagement process for the Newburgh Housing Report involved extensive outreach to the City of Newburgh staff, the Newburgh City Council, the Newburgh Housing Coalition, a broad cross-section of housing stakeholders including both private and non-profit housing developers, along with direct outreach to the City of Newburgh residents;

WHEREAS, the Newburgh Housing Policy Report was finalized in May 2021 with the completion of two companion documents, the Newburgh Housing Needs Assessment and the Newburgh Housing Policy Framework; and

WHEREAS, the City Council has reviewed the Newburgh Housing Policy Report, along with the Newburgh Housing Needs Assessment and the Newburgh Housing Policy Framework, and as a next step, and finds that adopting the Newburgh Housing Policy Report and its companion documents 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 Council after reviewing the full contents of the Newburgh Housing Report and all associated deliverables, and declares that the Newburgh Housing Report shall serve as the City's long-term strategy for meeting the housing needs of City residents; and

BE IT FURTHER RESOLVED, that the Newburgh Housing Report shall be used as the tool for prioritizing and implementing proposed actions while seeking funding opportunities for implementation through the New York State Consolidated Funding Application.

RESOLUTION NO.: 147 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
IF AWARDED HOUSING AND URBAN DEVELOPMENT
ECONOMIC DEVELOPMENT INITIATIVES FOR ECONOMIC DEVELOPMENT
PROJECTS FUNDING FOR THE REDEVELOPMENT OF
THE DOWNING PARK URBAN FARM BUILDING IN THE AMOUNT OF \$300,000.00**

WHEREAS, the City of Newburgh Department of Planning and Development wishes to apply for THUD - Housing and Urban Development (HUD) Economic Development Initiatives (EDI) For Economic Development Projects Program funding in the amount of \$300,000.00; and

WHEREAS, such federal funding will be used to support the "Food Security in the City of Newburgh" project and will be used specifically to assess, renovate or rebuild the building at the Downing Park Urban Farm to convert the building into an innovative and environmentally sustainable space to support the growth of programming and staff at the Downing Park Urban Farm; and

WHEREAS, any grant match would come from CDBG program funds and

WHEREAS, this Council has determined that applying for and accepting said funding if awarded 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 apply for and accept if awarded for THUD - Housing and Urban Development (HUD) Economic Development Initiatives (EDI) For Economic Development Projects Program funding in the amount of \$300,000.00 with any match to be provided by CDBG program funds; and that the City Manager is authorized to execute all such documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: 148 - 2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
IF AWARDED DEPARTMENT OF THE INTERIOR FUNDING THROUGH
THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION
IN THE AMOUNT OF \$12,800,000.00
FOR THE NORTH INTERCEPTOR SEWER RECONSTRUCTION PROJECT

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

WHEREAS, the North Interceptor Sewer Reconstruction Project is included as part of the CSO LTCP; and

WHEREAS, the Department of the Interior has announced earmark funding potentially administered through the New York State Environmental Facilities Corporation; and

WHEREAS, the City proposes to apply for funding in the amount of \$12,800,000.00, with funding match to be derived from a future bond authorization; and

WHEREAS, this Council has determined that applying for and accepting such funding if awarded 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 apply for and accept if awarded Interior, Environment, and Related Agencies funding through the New York State Environmental Facilities Corporation in the amount of \$12,800,000.00 for the North Interceptor Sewer Reconstruction Project; and that the City Manager is authorized to execute all such documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby, including but not limited to, documents and contracts with the New York State Environmental Facilities Corporation for said purposes and further, to carry out and comply with the terms of project agreement(s).

RESOLUTION NO.: 149 - 2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT
IF AWARDED HIGHWAY INFRASTRUCTURE PROGRAMS FOR HIGHWAY CAPITAL
PROJECTS FUNDING IN THE AMOUNT OF \$1,750,000.00
WITH A \$1,000,000.00 MATCH
FOR THE REHABILITATION OF THE LAKE STREET BRIDGE

WHEREAS, the City of Newburgh Engineering Department has advised that funding is available through the Highway Infrastructure Programs for Highway Capital Projects to support the completion of the Lake Street Bridge Rehabilitation Project; and

WHEREAS, the City of Newburgh wishes to apply for and accept if awarded a funding in the amount of \$1,750,000.00 with a possible match in the amount of \$1,000,000.00 to be derived from A.1918.0400 and the OCTC TIP Reserve Fund; and

WHEREAS, this Council has determined that applying for and accepting the funding if awarded 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 apply for and accept if awarded Highway Infrastructure Programs for Highway Capital Projects funding in the amount of \$1,750,000.00 with a potential match of \$1,000,000.00; and that the City Manager is authorized to execute all such contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the program funded thereby.

RESOLUTION NO.: 150 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE
COUNTY OF ORANGE AS PART OF THE FY 2018 STATE LAW ENFORCEMENT
TERRORISM PREVENTION PROGRAM, DEPARTMENT OF HOMELAND SECURITY
AND EMERGENCY SERVICES TO PROVIDE THE NEWBURGH POLICE
DEPARTMENT WITH TEN (10) MOBILE DATA TERMINALS AND PERIPHERALS**

WHEREAS, the City of Newburgh wishes to enter into an Inter-Municipal Agreement with the County of Orange as part of the FY 2018 State Law Enforcement Terrorism Prevention Program, Department of Homeland Security and Emergency Services (DHSES) Project OC LE18-1048-D03; and

WHEREAS, the County will be purchasing and assigning to the City of Newburgh Police Department ten (10) mobile data terminals and peripherals, with a maximum expenditure of \$40,000.00 and a match of in-kind services; and

WHEREAS, the funding will cover the period of September 1, 2018 and through June 30, 2022; and

WHEREAS, this Council has reviewed the attached Inter-Municipal Agreement and determined it to 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 hereby is authorized to execute the attached Inter-Municipal Agreement between the County of Orange and the City of Newburgh as part of the FY 2018 State Law Enforcement Terrorism Prevention Program, Department of Homeland Security and Emergency Services; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: 151 - 2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR AND ACCEPT IF AWARDED A GRANT FROM
THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE
UNDER THE 2021 BULLETPROOF VEST PARTNERSHIP IN THE AMOUNT OF
\$22,500.00 WITH A FIFTY PERCENT MATCH TO BE PAID OUT OF POLICE FUNDS

WHEREAS, the City of Newburgh Police Department has advised that grant funding is available from the United States Department of Justice Bureau of Justice Assistance under the Bulletproof Vest Partnership FY 2021 covering the period April 1, 2021 through August 31, 2023; and

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

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

WHEREAS, funding is requested for 25 vests at a total cost of \$22,500.00 and a fifty (50%) percent match in the amount of \$11,250.00 is to be paid out of Police funds A.3120.0417; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to apply for and accept if awarded a grant from the Bureau of Justice Assistance under the 2021 Bulletproof Vest Partnership in the amount of \$22,500.00, with a fifty (50%) percent match to be paid out of Police funds; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: 152 - 2021

OF

JUNE 14, 2021

A RESOLUTION AUTHORIZING THE AWARD OF A BID
TO FIREMATIC SUPPLY CO., INC. AS REPRESENTATIVE OF
PIERCE MANUFACTURING, INC. FOR
THE CONSTRUCTION AND DELIVERY OF TWO CUSTOM PUMPER TRUCKS
FOR THE CITY OF NEWBURGH FIRE DEPARTMENT
AT A COST OF \$1,299,800.00

WHEREAS, the City of Newburgh has duly advertised for bids for the construction and delivery of two custom pumper trucks for the Fire Department; and

WHEREAS, three bids were received and opened; and

WHEREAS, it has been determined that such bid should be awarded to Firematic Supply Co., Inc., as representative of Pierce Manufacturing, Inc., as the lowest responsible bidder, at a cost of 1,299,800.00; and

WHEREAS, funding shall be derived from H1.3412.0202.0000.2020; and

WHEREAS, this Council has determined that awarding such bid is in the best interests of the City of Newburgh and the safety of its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Firematic Supply Co., Inc., as representative of Pierce Manufacturing, Inc., be and is hereby awarded the bid for the construction and delivery of two custom pumper trucks for the City of Newburgh Fire Department at a cost of \$1,299,800.00; and that the City Manager be and he is hereby authorized to enter into a contract for such work in this amount.

RESOLUTION NO.: 153 - 2021

OF

JUNE 14, 2021

RESOLUTION SCHEDULING A PUBLIC HEARING FOR JULY 12, 2021
TO HEAR PUBLIC COMMENT CONCERNING "A LOCAL LAW
REPEALING AND REPLACING ARTICLE XI ENTITLED 'POLICE DEPARTMENT'
OF THE CHARTER OF THE CITY OF NEWBURGH

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning "A Local Law repealing and replacing Article XI entitled 'Police Department' of the Charter 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 12th day of July, 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-served basis, and therefore, in accordance with the Governor's Executive Order 202.1, as amended, the July 12, 2021 City Council meeting also will be accessible 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_r0dWGmAkR-CFh-oPR8vfYg. Please note that there is an underscore between the "N" and "r").

To register in advance for this webinar in order to provide comments during the hearing:
https://zoom.us/webinar/register/WN_r0dWGmAkR-CFh-oPR8vfYg. Please note that there is an underscore between the "N" and "r"). 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, July 12, 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 REPEALING AND REPLACING ARTICLE XI ENTITLED "POLICE
DEPARTMENT" OF THE CHARTER OF THE CITY OF NEWBURGH**

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

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Repealing and Replacing Article XI entitled 'Police Department' of the Charter of the City of Newburgh".

SECTION 2 - AMENDMENT

Article XI of the City Charter is hereby repealed and replaced as follows:

Article XI. Department of Police

§ C11.01. Department created.

There is hereby created a Department of Police for the City, which shall consist of a Police Commissioner, Police Chief, and such other ranks and members within the Department as the City Manager, in consultation with the Police Commissioner, may hereafter create with the approval of the Council and consistent with the New York State Civil Service Law.

§ C11.02. Police Commissioner.

The Police Commissioner shall be responsible for the overall operation, supervision, and administration of the Police Department and its officers in accordance with the City Charter. It shall be the duty of the Police Commissioner to ensure that the Police Department preserves peace and good order; enforces the laws, ordinances, rules, regulations of the City of Newburgh, New York State; and performs other duties as the City Council may proscribe by ordinance or local law. The Police Commissioner shall be appointed by the City Manager and shall serve at the pleasure of the City Manager. The Police Commissioner shall be responsible for the City jail, shall have custody of all persons incarcerated therein, and shall keep such records and make such reports concerning the activities of the Department as may be required by statute or by the City Council. She or he shall have authority to administer oaths and take evidence, affidavits and acknowledgments in all matters as proceedings pertaining to the Police Department.

§ C11.03. Police Chief.

The Chief of Police shall be appointed by the City Manager and shall have immediate direction and control of the Police Department, subject to the policies, rules, regulations and orders established by the City Manager and Police Commissioner.

§ C11.04. Appointments, promotions and changes in status of members.

- A. No person shall be appointed to membership in the Police Department or continue to hold membership therein who is not a citizen of good moral character or who has ever been convicted of a felony or who cannot understandingly read and write the English language.
- B. The City Manager shall make all appointments, promotions and changes of status of the officers and members of the Police Department in accordance with the provisions of the New York State Civil Service Law, except as otherwise herein provided. In making promotions, seniority and meritorious service in the Department, as well as superior capacity, as shown by competitive examination or otherwise, shall be taken into account. Individual acts of bravery may be treated as acts of meritorious service, and the relative weight therefor shall be fixed by the Municipal Civil Service Commission.
- C. No member of the Police Department shall hold office or be employed in any other department of the City government.

§ C11.05. Police Officers powers, duties, authority.

- A. Police officers of the City of Newburgh shall have all the powers, authority, and duties conferred on them by the laws of the State of New York. It shall be the duty of the members of the Police Department to see to the enforcement of all of the ordinances of the City, state and federal laws and all statutes applicable therein and to preserve order and prevent infractions of the law and arrest violators thereof.
- B. No member of the Police Department shall serve any process except by order of the Police Commissioner or his designated representative.
- C. Every member of the Police Department shall appear as a witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law. No such member shall retain any witness fee for service as witness in any action or suit to which the City is a party; any fees paid for such services shall be turned over to the Police Chief, who shall deposit the same with the City Comptroller.
- D. The members of the Police Department shall report violations of law and ordinances coming to their knowledge in any way under regulations to be prescribed by the Police Commissioners or his designee. Police officers shall also have in every other part of the state in criminal matters all the powers of constables; and any warrant for search or arrest issued by any magistrate of the state may be executed by them in any part of the state according to the tenor thereof as provided in the Criminal Procedure Law. They shall possess such other powers and perform such other duties as may be provided by law or ordinance of the Council.

§ C11.06. Conduct of members.

It shall be the duty of all members of the Police Department to conduct themselves in a proper and law abiding manner at all times and to avoid the use of unnecessary force. All members of the

Department shall obey the orders and directions of their superior and any rules, regulations and general orders promulgated by the Police Commissioner.

§ C11.07. Organizational structure; rules and regulations.

The organizational structure of the Police Department shall be determined by the City Manager and shall be as promulgated in the rules and regulations of the Police Department. The City Manager may make or prescribe such rules and regulations, including general orders, as he shall deem advisable, and they shall be binding on all members of the Department. Such rules, regulations and general orders may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations and all other similar matters necessary or desirable for the discipline and efficiency of the Department.

§ C11.08. Auxiliary police officers.

- A. Pursuant to the New York State Defense Emergency Act, any person of good character, having duties which require it, may be appointed an auxiliary police officer by the City Manager, provided that, except upon authorization by the Council, no such auxiliary officer shall be entitled to any compensation from the City, nor shall such auxiliary police officer be considered an employee of the City by reason of such appointment.
- B. Auxiliary police officers shall obey all rules of the Police Department applicable to them and may be deprived of their appointment by the City Manager at any time.
- C. The City Manager or his designated representative may authorize said auxiliary police officers to perform duty, including any defense drill or training exercise, while armed with a loaded firearm; provided, however, that all such officers have a valid permit to carry a firearm.
- D. The City Manager has absolute discretion in determining which, if any, auxiliary police officers may perform duty while armed and may withhold permission from any auxiliary police officer at any time. Said auxiliary police officer must undergo and satisfactorily complete a firearms training program under the auspices of the Police Chief or his designated representative prior to performing any duty while armed.
- E. Said auxiliary police officers must obey all laws pertaining to the use of firearms and deadly physical force and all rules, regulations and general orders of the Police Department.
- F. Auxiliary police officers of the City of Newburgh in criminal matters shall have all the powers of peace officers under the general laws of the state and shall also have the power to arrest any person found by them violating any penal ordinances of the City or laws of the state and to take such person before the proper magistrate, where such person shall be dealt with in the same manner as if he had been arrested upon a warrant theretofore duly issued by such magistrate. Auxiliary police officers shall report violations of law and ordinances coming to their knowledge in any way under regulations to be prescribed by the Police Commissioner or his designee and shall have peace officer status and powers only within the Newburgh City limits and only during periods while such members are actually performing duty prescribed or ordered by the Police Chief during an attack or defense drill or training exercise.

§ C11.09. Custody of stolen property.

The Police Commissioner shall have the custody of all lost, abandoned or stolen property recovered in the City, except as otherwise provided in the City Charter or the Code of the City of Newburgh.

§ C11.10. Parking enforcement.

Parking Enforcement Officers are members of the Police Department and as such are public servants. It shall be their duty and they shall have the power to enforce all the laws and ordinances of the City and laws of the state pertaining to parking violations. For this purpose, they are authorized to issue and serve legal process as defined by the laws of the state for violations of parking laws and ordinances, including the authority to issue and serve appearance tickets, as defined by the Criminal Procedure Law.

§ C11.11. Service of criminal process by police.

All criminal process for any offense committed within the City and all process to recover or to enforce any penalty for the violation of any City ordinance issued out of any court or by any magistrate within the a City and every process or subpoena issued by the District Attorney of the county in which the City is situated, relating to any offense committed within the City, and every process, subpoena or warrant issued by any Coroner of such county in any inquest held in the City relative to the death of any person may be served by any member of the Police Department.

SECTION 4 - SEVERABILITY

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

SECTION 5 - CODIFICATION

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Local Law shall be included in the Charter 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 "Charter", "Article", 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 City Charter affected thereby.

SECTION 6 - VALIDITY

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

SECTION 7 – EFFECTIVE DATE

This Local Law shall be effective on _____ and 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.

DRAFT

ARTICLE XI
Department of Police

§ C11.01. Department created. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979; 3-3-1980 by L.L. No. 2-1980]

There is hereby created a Police Department for the City, which shall consist of a Police Chief, Deputy Police Chiefs, Captains, Lieutenants, Sergeants, Police Officers, matrons and such other members as may be provided for by the City Council.

§ C11.02. Appointments, promotions and changes in status of members. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

- A. No person shall be appointed to membership in the Police Department or continue to hold membership therein who is not a citizen of good moral character or who has ever been convicted of a felony or who cannot understandingly read and write the English language.
- B. The City Manager shall make all appointments, promotions and changes of status of the officers and members of the Police Department in accordance with the provisions of the Civil Service Law of the state, except as otherwise herein provided. In making promotions, seniority and meritorious service in the Department, as well as superior capacity, as shown by competitive examination or otherwise, shall be taken into account. Individual acts of bravery may be treated as acts of meritorious service, and the relative weight therefor shall be fixed by the Municipal Civil Service Commission.
- C. No member of the Police Department shall hold office or be employed in any other department of the City government.

§ C11.03. Rank. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979; 3-3-1980 by L.L. No. 2-1980]

The Police Chief shall be the head of the department and its chief executive officer. He shall have supervision over all officers and members thereof. Following him in rank shall be the Deputy Police Chiefs, Captains, Lieutenants, Sergeants and police officers in order of seniority in each group.

§ C11.04. Duties of Police Chief. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979; 3-3-1980 by L.L. No. 2-1980]

- A. The Police Chief shall be responsible for the City jail and shall have custody of all persons incarcerated therein. He shall keep such records and make such reports concerning the activities of his Department as may be required by statute or by the City Council.
- B. The Police Chief shall be responsible for the performance by the Police Department of its functions, and all persons who are members of the Police Department shall serve subject to the orders of the Police Chief.
- C. The Police Chief shall have the power and it shall be his duty to enforce all rules and regulations of the City Manager and ordinances, local laws and statutes relating to the Police Department, and he shall perform such other duties as may be prescribed by law by the City Manager or the City Council.
[Amended 3-23-1992 by L.L. No. 1-1992]

§ C11.05. Duties. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

- A. Deputy Police Chiefs shall perform the duties assigned to them by the Police Chief. Each Deputy Police Chief shall possess the powers and perform the duties of the Police Chief in his absence or during his inability to act or during a vacancy in the office of the Police Chief. The order in which the Deputy Police Chiefs shall so act shall be determined by the City Manager.
- B. It shall be the duty of the members of the Police Department to see to the enforcement of all of the ordinances of the City, state and federal laws and all statutes applicable therein and to preserve order and prevent infractions of the law and arrest violators thereof.

§ C11.06. Service of process. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-14-1987 by L.L. No. 4-1987]

No member of the Police Department shall serve any process except by order of the Police Chief or his designated representative.

§ C11.07. Conduct of members. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-14-1987 by L.L. No. 4-1987]

It shall be the duty of every member of the Police Department to conduct himself in a proper and law abiding manner at all times and to avoid the use of unnecessary force. Each member of the Department shall obey the orders and directions of his superior and any rules, regulations and general orders promulgated by the Police Chief.

§ C11.08. Witness fees. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-14-1987 by L.L. No. 4-1987]

Every member of the Police Department shall appear as a witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law. No such member shall retain any witness fee for service as witness in any action or suit to which the City is a party; any fees paid for such services shall be turned over to the Police Chief, who shall deposit the same with the City Treasurer.

§ C11.09. Rules and regulations. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

The City Manager may make or prescribe such rules and regulations, including general orders, as he shall deem advisable, and they shall be binding on all members of the Department. Such rules, regulations and general orders may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations and all other similar matters necessary or desirable for the discipline and efficiency of the Department.

§ C11.10. Auxiliary police officers. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

- A. Pursuant to the New York State Defense Emergency Act, any person of good character, having duties which require it, may be appointed an auxiliary police officer by the City Manager, provided that, except upon authorization by the Council, no such auxiliary officer shall be entitled to any compensation from the City, nor shall such auxiliary police officer be considered an employee of the City by reason of such appointment.
- B. Auxiliary police officers shall obey all rules of the Police Department applicable to them and may be deprived of their appointment by the City Manager at any time.

- C. The City Manager or his designated representative may authorize said auxiliary police officers to perform duty, including any defense drill or training exercise, while armed with a loaded firearm; provided, however, that all such officers have a valid permit to carry a firearm.
- D. The City Manager has absolute discretion in determining which, if any, auxiliary police officers may perform duty while armed and may withhold permission from any auxiliary police officer at any time. Said auxiliary police officer must undergo and satisfactorily complete a firearms training program under the auspices of the Police Chief or his designated representative prior to performing any duty while armed.
- E. Said auxiliary police officers must obey all laws pertaining to the use of firearms and deadly physical force and all rules, regulations and general orders of the Police Department.

§ C11.11. Custody of stolen property. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

The Police Chief shall have the custody of all lost, abandoned or stolen property recovered in the City, except as provided in Chapter 288 of the Code of the City of Newburgh.

§ C11.12. Organizational structure. [Added 2-24-1975 by L.L. No. 1-1975; amended 9-1-1979 by L.L. No. 1-1979]

The organizational structure of the Police Department shall be determined by the City Manager and shall be as promulgated in the rules and regulations of the Police Department.¹

§ C11.14. Powers of police. [Amended 2-24-1975 by L.L. No. 3-1975; 9-1-1979 by L.L. No. 1-1979]

The members of the Police Department in criminal matters have all the powers of police officers under the general laws of the state. Auxiliary police officers of the City of Newburgh in criminal matters shall have all the powers of peace officers under the general laws of the state. Both categories of officers shall also have the power to arrest any person found by them violating any penal ordinances of the City or laws of the state and to take such person before the proper magistrate, where such person shall be dealt with in the same

1. Editor's Note: Former Sec. 11.13, which immediately followed this section and dealt with the tenure of office of the Police Commissioner, was added 2-24-1975 by L.L. No. 1-1975 and subsequently repealed 9-1-1979 by L.L. No. 1-1979.

manner as if he had been arrested upon a warrant theretofore duly issued by such magistrate. They shall report violations of law and ordinances coming to their knowledge in any way under regulations to be prescribed by the Police Chief. Police officers shall also have in every other part of the state in criminal matters all the powers of constables; and any warrant for search or arrest issued by any magistrate of the state may be executed by them in any part of the state according to the tenor thereof as provided in the Criminal Procedure Law. They shall possess such other powers and perform such other duties as may be provided by law or ordinance of the Council; provided, however, that auxiliary police officers shall have peace officer status and powers only within the Newburgh City limits and only during periods while such members are actually performing duty prescribed or ordered by the Police Chief during an attack or defense drill or training exercise.

§ C11.14a. Meter checkers. [Added 4-28-1975 by L.L. No. 4-1975]

Meter checkers are members of the Police Department and as such re public servants. It shall be their duty and they shall have the power to enforce all the laws and ordinances of the City and laws of the state pertaining to parking violations. For this purpose, they are authorized to issue and serve legal process as defined by the laws of the state for violations of parking laws and ordinances, including the authority to issue and serve appearance tickets, as defined by the Criminal Procedure Law.

§ C11.15. Service of criminal process by police. [Amended 2-24-1975 by L.L. No. 3-1975]

All criminal process for any offense committed within the City and all process to recover or to enforce any penalty for the violation of any City ordinance issued out of any court or by any magistrate within the a City and every process or subpoena issued by the District Attorney of the county in which the City is situated, relating to any offense committed within the City, and every process, subpoena or warrant issued by any Coroner of such county in any inquest held in the City relative to the death of any person may be served by any member of the Police Department.

§ C11.16. Pension funds. [Amended by L. 1948, c. 569; 2-24-1975 by L.L. No. 3-1975]

The provisions of law governing the establishment and maintenance pension funds for the benefit of the members of the Police

Department shall not be affected by this Charter, except that the care, control, management and distribution of such funds shall be vested in the City Judge, City Manager and City Comptroller, who shall hereafter be the trustees thereof.²

2. Editor's Note: Former Sec. 11.17, which immediately followed this section and dealt with appointments, promotions and changes in status of police, as amended 2-24-1975 by L.L. No. 3-1975, was repealed 9-1-1979 by L.L. No. 1-1979.

RESOLUTION NO.: 154 -2021

OF

JUNE 14, 2021

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING SPECIAL COUNSEL TO THE CITY TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDINGS AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NOS. 5701-2017, 7184-2018, 5318-2019 AND 3433-2020 INVOLVING SECTION 16, BLOCK 6, LOT 1 AND ORANGE COUNTY INDEX NOS. 5695-2017, 7183-2018, 5296-2019 AND 3435-2020 INVOLVING SECTION 16, BLOCK 1, LOT 10 (ALEX VURSTA)

WHEREAS, Alex Vursta has commenced tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2017-2018, 2018-2019, 2019-2020, and 2020-2021 tax assessment years bearing Orange County Index Nos. 5701-2017, 5695-2017, 7184-2018, 7183-2018, 5318-2019, 5296-2019, 3433-2020 and 3435-2020; and

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

WHEREAS, Alex Vursta is willing to settle these proceedings without interest, costs or disbursements, in the following manner:

- 1- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2017-2018 as tax map number 16-6-1 be reduced to a market value of \$365,000.
- 2- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2018-2019 as tax map number 16-6-1 be reduced to a market value of \$365,000.
- 3- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2019-2020 as tax map number 16-6-1 be reduced to a market value of \$365,000.
- 4- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2020-2021 as tax map number 16-6-1 be reduced to a market value of \$395,000.
- 5- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2021-2022 as tax map number 16-6-1 be set at an assessed value of \$395,000.
- 6- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2017-2018 as tax map number 16-1-10 be reduced to a market value of \$365,000.

- 7- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2018-2019 as tax map number 16-1-10 be reduced to a market value of \$365,000.
- 8- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2019-2020 as tax map number 16-1-10 be reduced to a market value of \$365,000.
- 9- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2020-2021 as tax map number 16-1-10 be reduced to a market value of \$395,000.
- 10- That the real property of Petitioner described on the City of Newburgh tax roll for the tax year 2021-2022 as tax map number 16-6-1 be set at an assessed value of \$395,000.

NOW, THEREFORE BE IT RESOLVED, that the proposed settlement as set forth and described above, and the attached Consent Judgment is hereby accepted pursuant to the provisions of the General City Law and other related laws.

BE IT FURTHER RESOLVED, that Kelly M. Naughton, Esq. on behalf of Burke, Miele, Golden & Naughton, LLP, as Special Counsel, be and she hereby is designated as the person for the City who shall apply for such approval pursuant to the aforesaid laws.

RESOLUTION NO.: 155 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PAYMENT
OF CLAIM WITH KAREN DANIELS IN THE AMOUNT OF \$7,500.00**

WHEREAS, Karen Daniels 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 Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00) 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 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 claim of Karen Daniels in the total amount of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00) 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.: 156 - 2021

OF

JUNE 14, 2021

**A RESOLUTION AMENDING RESOLUTION NO. 108-2021 OF APRIL 26, 2021
AUTHORIZING THE CITY MANAGER TO EXECUTE A PAYMENT OF CLAIM WITH
TRAVELERS PERSONAL INSURANCE COMPANY
A/S/O CAYLENA CAHILL IN THE AMOUNT OF \$3,707.49**

WHEREAS, by Resolution No. 108-2021 of April 26, 2021, the City Council of the City of Newburgh authorized the settlement of a claim brought by Travelers Personal Insurance Company a/s/o Caylena Cahill the amount of Three Thousand Five Hundred Twenty-Eight and 48/100 Dollars (\$3,528.48) in exchange for a release to resolve all claims among them; and

WHEREAS, the claimant has submitted an additional expense claim in the amount of One Hundred Seventy-Nine and 01/100 Dollars (\$179.01) for a total settlement amount of Three Thousand Seven Hundred Seven and 49/100 Dollars (\$3,707.49); and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to amend the settlement authorization to include the additional expense to resolve the matter;

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 Travelers Personal Insurance Company a/s/o Caylena Cahill in the total amount of Three Thousand Seven Hundred Seven and 49/100 Dollars (\$3,707.49) 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.