City of Newburgh Council Work Session
Sesion de trabajo del Concejal de la Ciudad de Newburgh
November 4, 2021
6:00 PM

Council Meeting Presentations

1. Public Hearing - 2022 Budget

   There will be a public hearing on Monday, November 8, 2021 to receive comments from the public concerning the City's annual budget for 2022.

   Habrá una audiencia pública el lunes 8 de noviembre de 2021 para recibir comentarios del público sobre el presupuesto anual de la Ciudad para 2022.

Work Session Presentations

2. Housing in the City of Newburgh - Presentation by Kris Diaz of Hudson United Mortgage

   Viviendas en la Ciudad de Newburgh – Presentacion por Kris Diaz de Hudson United Mortgage

3. Comptroller Update

   Presentation to discuss third quarter financial activity and the results of the Office of State Comptroller's fiscal and environmental stress scores.

   Presentación para discutir la actividad financiera del tercer trimestre y los resultados de los puntajes de estrés fiscal y ambiental de la Oficina del Contralor del Estado.

Engineering/Ingeniería

4. Resolution to Apply for the 2021 WIIA (NYS Water Infrastructure Improvement Act) Grant

   Resolution authorizing the City Manager to apply for and accept if awarded a New York State Environmental Facilities Corporation Water Infrastructure Improvement Act grant for construction of the Long Term Control Plan Phase III North Interceptor Sewer Improvement Project and Phase IV High Rate Disinfection Facility Project at a total cost of $32,310,000.00.

   Resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si se le otorga una subvención de la Ley de Mejoramiento de Infraestructura de Agua de la Corporación de Instalaciones Ambientales del Estado de

Nueva York para la construcción del Plan de Control a Largo Plazo Fase III del Proyecto de Mejoramiento de Alcantarillado Interceptor Norte y Fase IV del Proyecto de Instalación de Desinfección de Alta Tarifa en un total costo de $32.310.000,00.

5. Bond Resolution for LTCP Phase-III and Phase-IV Projects

   Bond Resolution of the City of Newburgh, New York, adopted November 8, 2021, authorizing financing for the Long Term Control Plan Phase III North Interceptor Improvements Project and Phase IV Wastewater Treatment Plant Disinfection Project in the City, stating the estimated total cost thereof is $32,310,000, appropriating said amount therefor and authorizing the issuance of $32,310,000 bonds to finance of said appropriation and the application of any grant funds received or expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the City's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds

   Resolución de Bonos de la Ciudad de Newburgh, Nueva York, adoptada el 8 de noviembre de 2021, autorizando el financiamiento para el Proyecto de Mejoras de Interceptores Norte del Plan de Control a Largo Plazo Fase III y Fase IV del Proyecto de Desinfección de Planta de Tratamiento de Aguas Residuales en la Ciudad, indicando que el costo total estimado es de $32.310.000, apropiandose de dicha cantidad y autorizando la emisión de $32.310.000 en bonos para financiar dicha consignación y la aplicación de cualquier fondo de subvención recibido o que se espera que sea recibido del Estado de Nueva York para ser gastado hacia el costo de dicho objeto o propósito o el reembolso de las obligaciones de la Ciudad emitidas por el mismo, o para ser presupuestado como compensación a los impuestos para el pago del principal e intereses de dichos bonos.

6. PIN No. 8761.40 Walsh Road Bridge Replacement Supplemental Agreement No. 1 with WSP USA Inc.

   Resolution authorizing the City Manager to execute Supplemental Agreement No. 1 with WSP USA Inc. for design, right-of-way incidentals and acquisition and construction support in the amount of $23,073.00 for the replacement of the Walsh Road Bridge.

   Resolución que autoriza al Gerente de la Ciudad a ejecutar el Acuerdo Suplementario No. 1 con WSP USA Inc. para el diseño, los imprevistos del derecho de paso y el apoyo a la adquisición y construcción por un monto de $23,073.00 para el reemplazo del Puente Walsh Road.

Finance/Finanza

7. Commercial Insurance Proposal for Workers Compensation Renewal

   Resolution authorizing an agreement between the City of Newburgh and the New York State Municipal Workers' Compensation Alliance for workers'

compensation insurance.

Resolución que autoriza un acuerdo entre la Ciudad de Newburgh y la Alianza de Compensación de Trabajadores Municipales del Estado de Nueva York para el seguro de compensación de trabajadores.

8. Transfer of CDBG Program Income Funds to Other Services to cover Tourism and Economic Development Related Activities.

   Resolution amending Resolution No: 282-2020, the 2021 Budget for the City of Newburgh, New York to transfer $24,919.84 from CD1.0200 – Cash to General Fund Case A.000.5032 and add to Planning & Development A.8684.0448 Other Services to cover tourism and economic development related activities.

   Resolución que modifica la Resolución No: 282-2020, el Presupuesto 2021 para la Ciudad de Newburgh, Nueva York para transferir $ 24,919.84 de CD1.0200 – Efectivo al Fondo General Caso A.000.5032 y agregar a Planificación y Desarrollo A.8684.0448 Otros Servicios para cubrir actividades relacionadas con el turismo y el desarrollo económico

Planning and Economic Development/Planificación y Desarrollo Económico

9. 411 Liberty Street (f/k/a 385 Liberty Street) - Release of Restrictive Covenants

   Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a replacement deed issued to Angelo Beninati to the premises known as 411 Liberty Street (f/k/a 385 Liberty Street) (Section 11, Block 4, Lot 3).

   Resolución que autoriza la ejecución de una liberación de clausulas restrictivas y derecho de reingreso de una escritura de reemplazo emitida a Angelo Beninati a las instalaciones conocidas como 411 Liberty Street (f / k / a 385 Liberty Street) (Sección 11, Bloque 4, Lote 3).

10. 82 Clinton Street - Partial Release of Restrictive Covenants

    Resolution authorizing the execution of a partial release of restrictive covenants and right of re-entry from a deed issued to Anthony White to the Premises known as 82 Clinton Street (Section 10, Block 1, Lot 20)

    Resolución que autoriza la ejecución de una liberación parcial de clausulas restrictivas y derecho de reingreso de una escritura emitida a Anthony White a las instalaciones conocidas como 82 Clinton Street (Sección 10, Bloque 1, Lote 20).

11. 382 Liberty Street - Partial Release of Restrictive Covenants

    Resolution authorizing the execution of a partial release of restrictive covenants and right of re-entry from a deed issued to Alejandro Perez to the

Premises known as 382 Liberty Street (Section 10, Block 1, Lot 37).

Resolución que autoriza la ejecución de una liberación parcial de clausulas restrictivas y derecho de reingreso de una escritura emitida a Alejandro Pérez al Local conocido como Calle Libertad 382 (Sección 10, Bloque 1, Lote 37).

12. Access Agreement for 123 Renwick Street

    Resolution authorizing the City Manager to execute a license agreement with Dubois Street Associates LLC to access property located at 123 Renwick Street for a pre-development site investigation.

    Resolución que autoriza al Administrador de la Ciudad a ejecutar un acuerdo de licencia con Dubois Street Associates LLC para acceder a la propiedad ubicada en 123 Renwick Street para una investigación previa al desarrollo del sitio.

Grants/Contracts/Agreements / Becas /Contratos/Convenios

13. Accept FY2022 Community Development Block Grant (CDBG) Annual Action Plan (AAP)

    Resolution adopting the City of Newburgh's Consolidated Housing and Community Development Strategy and Action Plan for Fiscal Year 2022.

    Resolución que adopta la Estrategia Consolidada de Vivienda y Desarrollo Comunitario de la Ciudad de Newburgh y el Plan de Acción para el Año Fiscal 2022.

14. Tax Foreclosed Property Liability Insurance

    Resolution authorizing approval of a general liability insurance policy for City-owned tax foreclosed properties for the period of November 27, 2021 to November 26, 2022.

    Resolución por la que se autoriza la aprobación de una póliza de seguro de responsabilidad civil general para inmuebles embargadas por impuestos municipales para el período del 27 de noviembre de 2021 al 26 de noviembre de 2022.

Employment and Human Resource Issues

15. Amend 2021 Personnel Book - delete account clerk and add bi-lingual account clerk

    Resolution amending the 2021 Personnel Analysis Book to delete one Account Clerk and add one Bilingual Account Clerk in the Code Compliance Bureau.

    Resolución que modifica el Libro de Análisis de Personal 2021 para

eliminar un puesto de Empleado de Cuentas y agregar un puesto de Empleado de Cuentas Bilingüe en la Oficina de Cumplimiento del Código

Boards and Commissions/Juntas y Comisiones

16. Conservation Advisory Council Re-appointments

    Resolution re-appointing Chuck Thomas, Andrew Murphy, Robert Sanchez, and Ronald Zorrilla to the Conservation Advisory Council for two year terms.

    Resolución que vuelve a nombrar a Chuck Thomas, Andrew Murphy, Robert Sánchez y Ronald Zorrilla para el Consejo Asesor de Conservación por un mandato de dos años.

Local Laws/Leys Locales

17. Local Law authorizing a property tax levy in excess of the GML section 3-c Limit

    Local law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

    Ley local que autoriza un gravamen del impuesto predial que exceda el límite establecido en la Sección 3-c de la Ley Municipal General.

Discussion Items/Temas de Discusión

18. Purchase Proposal for Water Street, Parcel B

    Resolution to authorize the conveyance of vacant real property at private sale to West Shore Hudson LLC for the amount of $21,500.00.

    Resolución para autorizar la transmisión de bienes raices vacantes en venta privada a West Shore Hudson LLC por la cantidad de $21,500.00.

19. 2022 Budget Discussion

    Discusion del Presupuesto del 2022

Executive Session/ Sesión Ejecutiva

20. Proposed, pending or current litigation

    Litigacion propuesta, pendiente o actual

RESOLUTION NO.: 238 - 2021

OF

OCTOBER 12, 2021

A RESOLUTION SCHEDULING A PUBLIC HEARING FOR NOVEMBER 8, 2021 TO RECEIVE COMMENTS CONCERNING THE ADOPTION OF THE 2022 BUDGET FOR THE CITY OF NEWBURGH

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that pursuant to Charter Section C8.15 a public hearing will be held to receive comments concerning the adoption of the 2022 Budget for the City of Newburgh; and that such public hearing be and hereby is duly set for a City Council meeting of the Council to be held at 7:00 p.m. on the 8th day of November, 2021; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the capacity of the City Council Chambers will be limited due to the space available to maintain six (6) feet of social distancing and in-person attendance will be on a first-come, first-serve basis, and therefore, in accordance with Part E of the Chapter 417 of the Laws of 2021, the November 8, 2021 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://us06web.zoom.us/webinar/register/WN_MmmmTqFoQiCrMwE2bhuAGg. (Please note that there is an underscore between the "N" and "M").

To register in advance for this webinar in order to provide comments during the hearing: https://us06web.zoom.us/webinar/register/WN_MmmmTqFoQiCrMwE2bhuAGg. (Please note that there is an underscore between the "N" and "M"). 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, November 8, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated in

I, Lorene Vitek, City Clerk of the City of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held 10/12/21 and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this 13 day of OCT, 2021

City Clerk

RESOLUTION NO.: _____ - 2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED A NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT FOR CONSTRUCTION OF THE LONG TERM CONTROL PLAN PHASE III NORTH INTERCEPTOR SEWER IMPROVEMENT PROJECT AND PHASE IV HIGH RATE DISINFECTION FACILITY PROJECT AT A TOTAL COST OF $32,310,000.00

WHEREAS, The New York State Clean Water Infrastructure Act (CWIA) of 2017 invests $3 billion in clean and drinking water infrastructure projects and water quality protection across the state and as part of CWIA, the New York State Environmental Facilities Corporation (EFC) is offering $400 million in grants for clean and drinking water projects during the 2021-2022 state fiscal year to selected municipalities with infrastructure projects that protect public health and/or improve water quality, including projects that address combined and/or sanitary sewer overflow impacts from sustained rain events; and

WHEREAS, by Resolution No. 189-2019 of August 12, 2019 and Resolution No. 113-2020 of May 28, 2020, the City Council authorized the City Manager to enter into agreements with Arcadis of New York, Inc. for professional engineering services related to the planning, the preparation of preliminary engineering reports, and design and bid documents for Long Term Control Plan Phase II, Phase III and Phase IV projects, including the North Interceptor Sewer Improvement Project (the "Phase III Project") and the High Rate Disinfection Facility Project (the "Phase IV Project"), and collectively referred to as the "Phase III and Phase IV Projects"; and

WHEREAS, by Resolution No. 189-2021 of August 9, 2021, the City Council designated the Phase III and Phase IV Projects "Type II" Actions, as the quoted term is defined in the State Environmental Quality Review Act ("SEQRA") regulations and determining that no further review for SEQRA purposes is required; and

WHEREAS, the City intends to undertake the Phase III and Phase IV Projects at a total project cost of $32,310,000.00 with EFC providing funding awards in the amount of the lesser of $25 million or 25% of net eligible project costs or if there is more than one project award, the grant(s) will be allocated over multiple years in increments not to exceed $5 million; and

WHEREAS, the source of City funding for the Projects shall be derived from a 2021 bond authorization; and

WHEREAS, this Council has determined that undertaking the Phase III and Phase IV Projects and applying for and accepting if awarded EFC New York State Water Infrastructure Improvement Act grants 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 North Interceptor Sewer Improvement Project and the High Rate Disinfection Facility Project are hereby approved at the maximum total project cost in the amount of $32,310,000.00; and

BE IT FURTHER RESOLVED, by the Newburgh City Council that the City Manager be and he hereby is authorized to apply for and accept if awarded New York State Environmental Facilities Corporation New York State Water Infrastructure Improvement Act grants for the North Interceptor Sewer Improvement Project and the High Rate Disinfection Facility Project in an amount not to exceed $32,310,000.00; and

BE IT FURTHER RESOLVED, by the Newburgh City Council that the City Manager be and he is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of the City of Newburgh 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 program funded thereby; and

BE IT FURTHER RESOLVED, by the Newburgh City Council that the sum of $32,310,000.00 is hereby appropriated from a 2021 Bond authorization.

EXTRACT OF MINUTES

Meeting of the City Council of the

City of Newburgh, in the

County of Orange, New York

November 8, 2021

* * *

A regular meeting of the City Council of the City of Newburgh, in the County of Orange, New York, was held at the City Hall, Newburgh, New York, on November 8, 2021, at _____ o'clock P.M. (Prevailing Time).

There were present: Hon. Torrance Harvey, Mayor; and

Councilpersons:

There were absent:

Also present: Lorene Vitek, City Clerk

* * *

_____ offered the following resolution and moved its adoption:

RESOLUTION NO. ___ - 2021

OF

NOVEMBER 8, 2021

BOND RESOLUTION OF THE CITY OF NEWBURGH, NEW YORK, ADOPTED NOVEMBER 8, 2021, AUTHORIZING FINANCING FOR THE LONG TERM CONTROL PLAN PHASE III NORTH INTERCEPTOR IMPROVEMENTS PROJECT AND PHASE IV WASTEWATER TREATMENT PLANT DISINFECTION PROJECT IN THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS $32,310,000, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF $32,310,000 BONDS TO FINANCE OF SAID APPROPRIATION AND THE APPLICATION OF ANY GRANT FUNDS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS

Recitals

WHEREAS, the City of Newburgh is subject to 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, pursuant to a Modification Order on Consent approving a Schedule of Compliance for Phases I through V of the LTCP, the City is undertaking Phases III and IV of the LTCP consisting of the North Interceptor Improvements Project, as described in the "Preliminary Engineering Report Addendum" prepared by Arcadis of New York, Inc. dated May, 2021 and on file in the office of the City Clerk (the "Phase III Project") and the Floatables Control and Disinfection Facility Engineering Report prepared by Arcadis of New York, Inc. dated May 2021, revised July 23, 2021 and on file in the office of the City Clerk (the "Phase IV Project" and collectively referred to hereinafter as the "Phase III and Phase IV Projects");

WHEREAS, by resolution No. 189-2021 adopted on August 9, 2021, the City Council determined that the Phase III and Phase IV Projects constitute "Type II" actions pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder and contained within 6 NYCRR Part 617 (collectively, "SEQRA") and that no further review for SEQRA purposes is required;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF NEWBURGH, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said City Council) AS FOLLOWS:

Section 1. The City of Newburgh, in the County of Orange, New York (herein called the "City"), is hereby authorized to finance the cost of (i) the Phase III Project at the estimated cost of $15,600,000, and (ii) the Phase IV Project at the estimated cost of $16,710,000 The total estimated maximum cost of said projects or purposes, including preliminary costs and

costs incidental thereto and to the financing thereof, is $32,310,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $32,310,000 bonds of the City and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the City to pay the principal of and interest on said bonds and notes, and application of any grant monies received or expected to be received by the City from the State of New York Environmental Facilities Corporation ("EFC") to be expended towards the cost of the project thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes to be levied and collected for the payment of such principal and interest.

Section 2. Bonds of the City in the aggregate principal amount of $32,310,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the specific objects or purposes for which said $32,310,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, the chief fiscal officer of the City. Further, in connection with bonds and bond anticipation notes issued under the authority of Section 2 hereof, the power to contract with and sell bonds and bond anticipation notes to EFC pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law,

is hereby delegated to the Director of Finance. The Director of Finance is hereby further authorized to execute, on behalf of the City, a project financing and loan agreement, and any other agreements with EFC, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to EFC.

Section 7. Pursuant to the provisions of section 16 of Chapter 223 of the New York Laws of 2010, the City is authorized to include in this resolution the following pledge and agreement of the State of New York (herein called the "State") contained in said Section 16:

"The state does hereby pledge to and agree with the holders of any bonds, notes or other obligations issued by the city during the effective period of this act and secured by such a pledge that the state will not limit, alter or impair the rights hereby vested in the city to fulfill the terms of any agreements made with such holders pursuant to this act, or in any way impair the rights and remedies of such holders or the security for such bonds, notes or other obligations until such bonds, notes or other obligations together with the interest thereon and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully paid and discharged."

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. This Bond Resolution shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in *"The Sentinel," "The Mid Hudson Times,"* and *"The Hudson Valley Press,"* three newspapers each having a general circulation in the City and hereby designated the official newspapers of said City for such publication.

The resolution was declared adopted.

The adoption of the foregoing resolution was seconded by _____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

CERTIFICATE

I, LORENE VITEK, City Clerk of the City of Newburgh, in the County of Orange, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the City Council of said City of Newburgh duly called and held on November 8, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said City Council and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Newburgh this _____ day of November, 2021.

(SEAL)

_____
City Clerk

(THE FOLLOWING NOTICE IS TO BE ATTACHED TO AND
TO BE PUBLISHED
WITH SUMMARY OF RESOLUTION AFTER ADOPTION)

NOTICE

The bond resolution, a summary of which is published herewith, has been adopted on November 8, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the CITY OF NEWBURGH, in the County of Orange, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

LORENE VITEK
City Clerk

RESOLUTION NO. _____ OF 2021

BOND RESOLUTION DATED NOVEMBER 8, 2021

BOND RESOLUTION OF THE CITY OF NEWBURGH, NEW YORK, ADOPTED NOVEMBER 8, 2021, AUTHORIZING FINANCING FOR THE LONG TERM CONTROL PLAN PHASE III NORTH INTERCEPTOR IMPROVEMENTS PROJECT AND PHASE IV WASTEWATER TREATMENT PLANT DISINFECTION PROJECT IN THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS $32,310,000, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF $32,310,000 BONDS TO FINANCE OF SAID APPROPRIATION AND THE APPLICATION OF ANY GRANT FUNDS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE CITY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS

object or purpose: to finance the cost of Phases III and IV of the Long Term Control Plan consisting of the North Interceptor Improvements Project, as described in the "Preliminary Engineering Report Addendum" prepared by Arcadis of New York, Inc. dated May, 2021 and on file in the office of the City Clerk (the "Phase III Project") and the Floatables Control and Disinfection Facility Engineering Report prepared by Arcadis of New York, Inc. dated May 2021, revised July 23, 2021 and on file in the office of the City Clerk (the "Phase IV Project"), at the total estimated maximum cost of $32,310,000

period of probable usefulness: forty (40) years

amount of obligations to be issued: $32,310,000

A complete copy of the Bond Resolution summarized above and such engineering reports shall be available for public inspection during normal business hours at the office of the City Clerk, in Newburgh, New York.

Dated: November 8, 2021
Newburgh, New York

RESOLUTION NO.: _____ - 2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH WSP USA INC. FOR DESIGN, RIGHT-OF-WAY INCIDENTALS AND ACQUISITION AND CONSTRUCTION SUPPORT IN THE AMOUNT OF $23,073.00 FOR THE REPLACEMENT OF THE WALSH ROAD BRIDGE

WHEREAS, a Project for the Bridge Replacement of Walsh Road over Quassaick Creek (BIN 2223620) in the City of Newburgh, Orange County, PIN 8761.40 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. 143-2017 adopted by the City of Newburgh on June 12, 2017 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of costs of preliminary engineering and right-of-way incidental work by authorizing the City Manager to execute a Master Federal Aid Local Project Agreement with the New York State Department of Transportation ("NYSDOT"); and

WHEREAS, by Resolution No. 212-2017 of August 14, 2017, the City Council authorized the City Manager to execute an Agreement with WSP USA, Inc. in an amount not to exceed $400,000.00 for design, preliminary engineering, right-of-way and construction management; and

WHEREAS, WSP USA Inc. has submitted a letter proposal for Supplemental Agreement No. 1 for additional professional engineering services that exceeded the anticipated the original project scope and were expended due to unforeseen circumstances related to right-of-way activities and related utility coordination; and

WHEREAS, the cost of the additional engineering and right-of-way work in the amount of $23,073.00 shall be derived through the Federal Aid Project PIN#8761.40 up to 80% and the remaining 20% local match from the 2016 BAN and the OCTC TIP Reserve Fund Budget; and

WHEREAS, the City of Newburgh finds that authorizing the City Manager to execute Supplemental Agreement No. 1 with WSP USA Inc. is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that the City Manager be and he is hereby authorized to execute Supplemental Agreement No. 1 with WSP USA, Inc. in the amount of $23,073.00 for additional design, preliminary engineering, right-of-way and construction management services for the Bridge Replacement of Walsh Road over Quassaick Creek (BIN 2223620) in the City of Newburgh, Orange County, PIN 8761.40.

RESOLUTION NO.: _____ - 2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF NEWBURGH AND THE NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE FOR WORKERS' COMPENSATION INSURANCE

WHEREAS, the City of Newburgh wishes to enter into the annexed agreement with the New York State Municipal Workers' Compensation Alliance; and

WHEREAS, the agreement provides workers' compensation insurance claims management and related services for the period of January 1, 2022 to December 31, 2023; and

WHEREAS, this Council has determined that entering into this 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 he is hereby authorized to enter into the agreement with the New York State Municipal Workers' Compensation Alliance, in substantially the same form as annexed hereto with any other provision that Counsel may require, for providing workers' compensation insurance claims management and related services.

RESOLUTION NO.: _____ - 2021

OF

NOVEMBER 8, 2021

RESOLUTION AMENDING RESOLUTION NO: 282-2020, THE 2021 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK TO TRANSFER $24,919.84 FROM CD1.0200 – CASH TO GENERAL FUND CASH A.0000.5032 AND ADD TO PLANNING & DEVLOPMENT A.8684.0448 OTHER SERVICES TO COVER TOURISM AND ECONOMIC DEVELOPMENT RELATED ACTIVITIES

WHEREAS, it is necessary amend the 2021 Budget to transfer Community Development Block Grant ("CDBG") loan repayment income in the amount of $24,919.84 to the General Fund and to the Department of Planning and Development to cover costs of tourism and economic development related activities; and

WHEREAS, the budget transfer is in the best interests of the City of Newburgh because the CDBG program considers loan repayment income to be Program Income and unrestricted funds;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No.: 282-2020, the 2021 Budget of the City of Newburgh, is hereby amended as follows:

		Decrease	Increase
Revenue			
CD1.0200	Cash	$24,919.84	
A.0000.5032	General Fund Cash		$24,919.84
Expense			
A.0000.0200.0018	General Fund Cash	$24,919.84	
A.8684.0448	Planning & Development Other Services		$24,919.84

RESOLUTION NO.: _____-2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO ANGELO BENINATI TO THE PREMISES KNOWN AS 411 LIBERTY STREET (F/K/A 385 LIBERTY STREET) (SECTION 11, BLOCK 4, LOT 3)

WHEREAS, on December 23, 2003, the City of Newburgh issued a replacement deed to replace an original deed dated January 5, 1993 for property located at 411 Liberty Street (f/k/a 385 Liberty Street), being more accurately described on the official Tax Map of the City of Newburgh as Section 11, Block 4, Lot 3, to Angelo Beninati; 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 replacement 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, and 4 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 411 Liberty Street (f/k/a 385 Liberty Street), Section 11, Block 4, Lot 3 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, and 4 in a replacement deed dated December 23, 2003, from THE CITY OF NEWBURGH to ANGELO BENINATI, recorded in the Orange County Clerk's Office on February 4, 2004, in Liber 11374 of Deeds at Page 911 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.: _____-2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO ANTHONY WHITE TO THE PREMISES KNOWN AS 82 CLINTON STREET (SECTION 10, BLOCK 1, LOT 20)

WHEREAS, on June 15, 2020, the City of Newburgh conveyed property located at 82 Clinton Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 10, Block 1, Lot 20, to Anthony White; and

WHEREAS, Mr. White has requested a partial 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.

PARTIAL 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 82 Clinton Street, (Section 10, Block 1, Lot 20) 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 15, 2020 from THE CITY OF NEWBURGH to ANTHONY WHITE, recorded in the Orange County Clerk's Office on October 9, 2020, in Liber 14819 of Deeds at Page 1447 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. The restrictive covenant numbered 6 in said deed remains in effect as of the within date.

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.: _____-2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO ALEJANDRO PEREZ TO THE PREMISES KNOWN AS 382 LIBERTY STREET (SECTION 10, BLOCK 1, LOT 38)

WHEREAS, on July 12, 2017, the City of Newburgh conveyed property located at 382 Liberty Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 10, Block 1, Lot 37, to Alejandro Perez; and

WHEREAS, Mr. Perez has requested a partial 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.

PARTIAL 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 382 Liberty Street, (Section 10, Block 1, Lot 37) 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 July 12, 2017 from THE CITY OF NEWBURGH to ALEJANDRO PEREZ, recorded in the Orange County Clerk's Office on August 4, 2017, in Liber 14269 of Deeds at Page 269 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. The restrictive covenant numbered 6 in said deed remains in effect as of the within date.

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.: _____ - 2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH DUBOIS STREET ASSOCIATES LLC TO ACCESS PROPERTY LOCATED AT 123 RENWICK STREET FOR A PRE-DEVELOPMENT SITE INVESTIGATION

WHEREAS, by Request for Proposals No. 4.21, the City of Newburgh sought proposals for the purchase and rehabilitation of the property at 123 Renwick Street (the "Property"); and

WHEREAS, the Strategic Economic Development Advisory Committee ("SEDAC") has reviewed the proposals and recommended to the City Council of the City of Newburgh that Dubois Street Associates LLC be allowed access to the Property to perform pre-development site investigation activities; and

WHEREAS, such access to the Property requires execution of a license agreement, a copy of which is attached hereto and made a part of this resolution; and

WHEREAS, this Council has reviewed such license and has determined that entering into the same would be 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 enter into the attached license agreement with Dubois Street Associates LLC to allow access to 123 Renwick Street for the purposes of performing pre-development site investigation activities.

FY2022 Annual Action Plan
Community Development Block Grant (CDBG)

	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.)
Projects Funded through Entitlement Grant						
	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.	$190,000.00	No Increase	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	$50,000.00	25%	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	$305,000.00	25%	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	$40,000.00	25%	20%
	Economic Development	Economic Development	Examples of Economic Develoment Activities: Business Façade and signage, Workforce Training.	$75,000.00	15%	10%
	Quality of Life Improvements	Neighborhood Services	**Public Service Activity, Subject to 15% Annual Allocation Cap,** Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	$25,000.00	No Increase	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	$170,000.00	10%	5%
			Proposed Total FY2022 Allocation	$855,000.00		

Community Development Block Grant ("CDBG")

FY2022 Annual Action Plan

Department of Planning & Development

June, 2021

EQUAL HOUSING OPPORTUNITY

City of Newburgh City Council:

Torrance Harvey, Mayor
Karen Mejia, Ward 1
Ramona Monteverde, Ward 2
Robert Sklarz, Ward 3
Patty Sofokles, Ward 4
Anthony Grice, At-Large
Omari Shakur, At-Large

EQUAL HOUSING OPPORTUNITY

City of Newburgh Community Development Goals - Refresher

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

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

EQUAL HOUSING OPPORTUNITY

“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.

EQUAL HOUSING OPPORTUNITY

Proposed FY2022 CDBG Projects/Funding

	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.)
Projects Funded through Entitlement Grant						
	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.	$190,000.00	No Increase	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	$50,000.00	25%	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	$305,000.00	25%	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	$40,000.00	25%	20%
	Economic Development	Economic Development	Examples of Economic Develoment Activities: Business Façade and signage, Workforce Training.	$75,000.00	15%	10%
	Quality of Life Improvements	Neighborhood Services	**Public Service Activity, Subject to 15% Annual Allocation Cap,** Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval)**.**	$25,000.00	No Increase	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	$170,000.00	10%	5%
			Proposed Total FY2022 Allocation	$855,000.00		

EQUAL HOUSING OPPORTUNITY

Contingency Funding

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

	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)
Projects Funded through Entitlement Grant					
	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.	$190,000.00	No Increase
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	$50,000.00	25%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	$305,000.00	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	$40,000.00	25%
	Economic Development	Economic Development	Examples of Economic Develoment Activities: Business Façade and signage, Workforce Training.	$75,000.00	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)**.**	$25,000.00	No Increase
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	$170,000.00	10%
			Proposed Total FY2022 Allocation	$855,000.00	

EQUAL HOUSING OPPORTUNITY

Contingency Funding

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

	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project decrease, if HUD allocation less than proposed (approx.)
Projects Funded through Entitlement Grant					
	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.	$190,000.00	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	$50,000.00	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	$305,000.00	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	$40,000.00	20%
	Economic Development	Economic Development	Examples of Economic Develoment Activities: Business Façade and signage, Workforce Training.	$75,000.00	10%
	Quality of Life Improvements	Neighborhood Services	**Public Service Activity, Subject to 15% Annual Allocation Cap,** Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval)**.**	$25,000.00	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	$170,000.00	5%
			Proposed Total FY2022 Allocation	$855,000.00	

EQUAL HOUSING OPPORTUNITY

Project: Housing

Proposed Activities:

- In Rem Property Program

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

EQUAL HOUSING OPPORTUNITY

Proposed Housing Activity: In Rem Property Program
Budget: $190,000.00
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.

EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

Proposed Infrastructure Improvements
Activity: Curb Ramp and Sidewalk Upgrades
Budget: $305,000.00
Description:

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

EQUAL HOUSING OPPORTUNITY

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

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

EQUAL HOUSING OPPORTUNITY

Proposed Economic Development Activity:
Business Assistance
Budget: $75,000.00
Description:

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

EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

Proposed Activity: Administration

Budget: $170,000.00

Description:

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

EQUAL HOUSING OPPORTUNITY

FY2022 CDBG AAP Timeline

FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS TIMELINE

EQUAL HOUSING OPPORTUNITY

Subvención en Bloque para el Desarrollo de la Comunidad ("CDBG")

Año Fiscal-2022 Plan Anual de Acción

Departamento de Planeamiento y Desarrollo

Junio de 2021

EQUAL HOUSING OPPORTUNITY

Ayuntamiento de la Ciudad de Newburgh:

Torrance Harvey, Alcalde
Karen Mejia, Distrito Municipal 1
Ramona Monteverde, Distrito Municipal 2
Robert Sklarz, Distrito Municipal 3
Patty Sofokles, Distrito Municipal 4
Anthony Grice, Representante Independiente
Omari Shakur, Representante Independiente

EQUAL HOUSING OPPORTUNITY

Metas para el Desarrollo Comunitario de la Ciudad de Newburgh - Actualización

- Desarrollo Económico sin Desplazamiento.
- Mejorar el alcance y comunicaciones con la comunidad.
- Apoyar un ambiente que valorice la diversidad, recompense la independencia, alimente la creatividad, y nos reúna a todos.

El éxito de la construcción de una comunidad requiere reestablecer la confianza; lo que lleva tiempo, paciencia, comunicación y la inclusión de todos.

EQUAL HOUSING OPPORTUNITY

“CDBG” – Breve Introducción

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Subvención en Bloque para el Desarrollo de la Comunidad (CDBG) - Administrado por el Departamento de Vivienda y Desarrollo Urbano de Estados Unidos (HUD).
- Adjudicado a los gobiernos locales y estatales sobre la base de una fórmula.
- La Ciudad de Newburgh está bajo el Consorcio del Condado de Orange (Condado de Orange, Ciudad de Newburgh, Ciudad de Middletown).
- Se requiere que la Ciudad de Newburgh prepare y presente un Plan General que establezca metas para el uso de los fondos CDBG. El nuevo Plan General de la Ciudad de Newburgh: Año Fiscal-2020 - Año Fiscal-2024.
- Los proyectos DEBEN ser consistentes con las prioridades nacionales del CDBG:
  - Actividades que beneficien a las personas de bajos-o-moderados ingresos;
  - La prevención o eliminación de barriadas precarias o barrios arruinados; o
  - Las actividades de desarrollo de la comunidad que abarquen las amenazas urgentes a la salud o seguridad.

EQUAL HOUSING OPPORTUNITY

Propuesta: Año Fiscal-2022 CDBG Proyectos/Financiación

	Necesidad Prioritaria Abordada	Nombre del Proyecto	Actividades Propuestas (Ejemplos)	Fondos del Proyecto	% de Incremento del Proyecto, si la adjudicación de HUD es mayor a la propuesta (aprox.)	% de Disminución del Proyecto, si la adjudicación de HUD es menor a la propuesta (aprox.)
Proyectos Financiados a través de una Adjudicación de Subvención por Derecho *(Entitlement*)						
	Vivienda	Vivienda	En-Efecto Programa de Propiedades: Para continuar financiando los salarios/beneficios de 3 Empleados de la Ciudad de Newburgh. Además financiar los materiales necesarios para mantener las propiedades en ejecución hipotecaria, como ser, palas quitanieve, recortadoras de hierba, cerraduras/llaves.	$190,000.00	Sin Incremento	10%
	Vivienda	Vivienda	Programa de Asistencia a Reparaciones en los Hogares, desempeñado a través de una Organización para la Vivienda Asociada con la Ciudad de Newburgh.	$50,000.00	25%	10%
	Mejoramientos de Infraestructura	Mejoramientos de Infraestructura	Para continuar la financiación del proyecto de Mejoramiento de Aceras y Rampas en Bordillos.	$305,000.00	25%	25%
	Mejoramientos de Infraestructura	Mejoramientos de Instalaciones Públicas	Mejoramientos del Acceso Público a Edificios de la Ciudad de Newburgh	$40,000.00	25%	20%
	Desarrollo Económico	Desarrollo Económico	Ejemplos de Actividades para Desarrollo Económico: Fachadas y Carteles de Negocios, Entrenamiento del Personal.	$75,000.00	15%	10%
	Mejoramientos de Calidad de Vida	Servicios a los Barrios	**Actividad de Servicio Público, Sujeta a un Límite de 15% de Adjudicación Anual.** Ejemplos de Actividades: Festival de Cine de Verano, Iniciativas de Extensión Comunitaria para la Salud, Noche Nacional de Salida (Sujeta a la aprobación de las operaciones de la Ciudad de Newburgh)**.**	$25,000.00	Sin Incremento	20%
	Administración	Administración	Programa de Administración, Salario y Beneficios del Personal, servicios de traducción, costes de operación del programa (incluyendo correos), entrenamientos del programa/conferencias.	$170,000.00	10%	5%
			Adjudicación Total Propuesta para el Año Fiscal - 2022	$855,000.00		

EQUAL HOUSING OPPORTUNITY

Financiación de Contingencia

Si el monto de la actual adjudicación anual excede el estimado propuesto, el presupuesto del proyecto se incrementará en:

	Necesidad Prioritaria Abordada	Nombre del Proyecto	Actividades Propuestas (Ejemplos)	Fondos del Proyecto	% de Incremento del Proyecto, si la adjudicación de HUD es mayor a la propuesta (aprox.)
Proyectos Financiados a través de una Adjudicación de Subvención por Derecho *(Entitlement)*					
	Vivienda	Vivienda	En-Efecto Programa de Propiedades: Para continuar financiando los salarios/beneficios de 3 Empleados de la Ciudad de Newburgh. Además financiar los materiales necesarios para mantener las propiedades en ejecución hipotecaria, como ser, palas quitanieve, recortadoras de hierba, cerraduras/llaves.	$190,000.00	Sin Incremento
	Vivienda	Vivienda	Programa de Asistencia a Reparaciones en los Hogares, desempeñado a través de una Organización para la Vivienda Asociada con la Ciudad de Newburgh.	$50,000.00	25%
	Mejoramientos de Infraestructura	Mejoramientos de Infraestructura	Para continuar la financiación del proyecto de Mejoramiento de Aceras y Rampas en Bordillos.	$305,000.00	25%
	Mejoramientos de Infraestructura	Mejoramientos de Instalaciones Públicas	Mejoramientos del Acceso Público a Edificios de la Ciudad de Newburgh	$40,000.00	25%
	Desarrollo Económico	Desarrollo Económico	Ejemplos de Actividades para Desarrollo Económico: Fachadas y Carteles de Negocios, Entrenamiento del Personal.	$75,000.00	15%
	Mejoramientos de Calidad de Vida	Servicios a los Barrios	**Actividad de Servicio Público, Sujeta a un Límite de 15% de Adjudicación Anual.** Ejemplos de Actividades: Festival de Cine de Verano, Iniciativas de Extensión Comunitaria para la Salud, Noche Nacional de Salida (Sujeta a la aprobación de las operaciones de la Ciudad de Newburgh)**.**	$25,000.00	Sin Incremento
	Administración	Administración	Programa de Administración, Salario y Beneficios del Personal, servicios de traducción, costes de operación del programa (incluyendo correos), entrenamientos del programa/conferencias.	$170,000.00	10%
			Adjudicación Total Propuesta para el Año Fiscal - 2022	$855,000.00	

EQUAL HOUSING OPPORTUNITY

Financiación de Contingencia

Si el monto de la actual adjudicación anual es menor al estimado propuesto, el presupuesto del proyecto se disminuirá en:

	Necesidad Prioritaria Abordada	Nombre del Proyecto	Actividades Propuestas (Ejemplos)	Fondos del Proyecto	% de Disminución del Proyecto, si la adjudicación de HUD es menor a la propuesta (aprox.)
Proyectos Financiados a través de una Adjudicación de Subvención por Derecho *(Entitlement*)					
	Vivienda	Vivienda	En-Efecto Programa de Propiedades: Para continuar financiando los salarios/beneficios de 3 Empleados de la Ciudad de Newburgh. Además financiar los materiales necesarios para mantener las propiedades en ejecución hipotecaria, como ser, palas quitanieve, recortadoras de hierba, cerraduras/llaves.	$190,000.00	10%
	Vivienda	Vivienda	Programa de Asistencia a Reparaciones en los Hogares, desempeñado a través de una Organización para la Vivienda Asociada con la Ciudad de Newburgh.	$50,000.00	10%
	Mejoramientos de Infraestructura	Mejoramientos de Infraestructura	Para continuar la financiación del proyecto de Mejoramiento de Aceras y Rampas en Bordillos.	$305,000.00	25%
	Mejoramientos de Infraestructura	Mejoramientos de Instalaciones Públicas	Mejoramientos del Acceso Público a Edificios de la Ciudad de Newburgh	$40,000.00	20%
	Desarrollo Económico	Desarrollo Económico	Ejemplos de Actividades para Desarrollo Económico: Fachadas y Carteles de Negocios, Entrenamiento del Personal.	$75,000.00	10%
	Mejoramientos de Calidad de Vida	Servicios a los Barrios	**Actividad de Servicio Público, Sujeta a un Límite de 15% de Adjudicación Anual.** Ejemplos de Actividades: Festival de Cine de Verano, Iniciativas de Extensión Comunitaria para la Salud, Noche Nacional de Salida (Sujeta a la aprobación de las operaciones de la Ciudad de Newburgh)**.**	$25,000.00	20%
	Administración	Administración	Programa de Administración, Salario y Beneficios del Personal, servicios de traducción, costes de operación del programa (incluyendo correos), entrenamientos del programa/conferencias.	$170,000.00	5%
			Adjudicación Total Propuesta para el Año Fiscal - 2022	$855,000.00	

EQUAL HOUSING OPPORTUNITY

Proyecto: Vivienda
Actividades Propuestas:

- En-Efecto Programa de Propiedades
- Programa de Asistencia al Propietario para la Reparación de su Hogar (Implementado por una Organización para la Vivienda Asociada con la Ciudad de Newburgh)

EQUAL HOUSING OPPORTUNITY

Actividad de Vivienda Propuesta: En-Efecto Programa de Propiedades
Presupuesto: $190,000.00
Descripción:

- Actividad desempeñada por 2 empleados a tiempo completo del Departamento de Obras Públicas y 1 empleado de Planeamiento y Desarrollo dedicado al programa en-efecto.
- Provee mantenimiento y seguridad a las propiedades vacantes. Mantiene las propiedades habitables, el buen aspecto de los barrios, mantiene/incrementa el valor de las propiedades.

EQUAL HOUSING OPPORTUNITY

Actividad de Vivienda Propuesta: Programa de Asistencia para la Reparación de Hogares
Presupuesto: $50,000.00
Descripción:

- Financiación del Programa de Asistencia para Reparaciones Menores del Hogar para propietarios de Bajos/Moderados Ingresos de la Ciudad de Newburgh.* Implementado a través de una Organización para la Vivienda Asociada con la Ciudad de Newburgh.

* Reparaciones menores, como ser, pasamanos, escalones, etc.

EQUAL HOUSING OPPORTUNITY

Actividad Propuesta para Mejoramiento de Infraestructura: Mejoramiento de Aceras y Rampas en Bordillos.
Presupuesto: $305,000.00
Descripción:

- Fondos para continuar la financiación del proyecto de Mejoramiento de Aceras y Rampas en Bordillos.

EQUAL HOUSING OPPORTUNITY

Actividad Propuesta de Mejoramientos de Infraestructura: Mejoramientos de Instalaciones Públicas

Presupuesto: $40,000.00

Descripción:

- Mejoramiento del Acceso Público a los Edificios de la Ciudad de Newburgh.

EQUAL HOUSING OPPORTUNITY

Actividad de Desarrollo Económico
Propuesta: Asistencia a Negocios
Presupuesto: $75,000.00
Descripción:

- Financiación para la asistencia a negocios, como ser, subvenciones para Fachadas y Carteles, Entrenamiento a Fuerzas de Trabajo.

EQUAL HOUSING OPPORTUNITY

Actividad Propuesta para Calidad de Vida:
Servicios en los Barrios
Presupuesto: $25,000.00
Descripción (Servicios Anticipados):

- 2022 Festival de Cine de Verano
- Iniciativa de Extensión Comunitaria de Salud
- Noche Nacional de Salida

Importante: La Actividad de Servicio Público, está sujeta al 15% de límite de Adjudicación Anual.

EQUAL HOUSING OPPORTUNITY

Actividad Propuesta: Administración

Presupuesto: $170,000.00

Descripción:

- Financiamiento del programa de administración, salario y beneficios del personal, servicios de traducción de lenguaje, costes operativos del programa (incluyendo correo), programa de entrenamientos/conferencia.

EQUAL HOUSING OPPORTUNITY

Línea del Tiempo del Año Fiscal-2022 CDBG - Plan Anual de Acción (AAP)

Junio/Julio 2021: 1.º Audiencia Pública/Período de 30-Días de Comentario Público

Sept./Oct. 2021: 2.º Audiencia Pública/Período de 30-Días de Comentario Público

Noviembre 2021: Ayuntamiento de la Ciudad – Resolución para aceptar el Plan Anual de Acción del Año Fiscal 2022

Noviembre 15 de 2022: Presentación ante el HUD del Plan Anual de Acción del Año Fiscal 2022

1.º Bimestre / 2.º Bimestre de 2022: Recepción de la Adjudicación Anual de CDBG

Año Fiscal-2022 - SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO DE LA COMUNIDAD (CDBG)
LÍNEA DEL TIEMPO DE LOS PROYECTOS

EQUAL HOUSING OPPORTUNITY

FY2022 Annual Action Plan
Community Development Block Grant (CDBG)

	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.)
Projects Funded through Entitlement Grant						
	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.	$190,000.00	No Increase	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	$50,000.00	25%	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	$305,000.00	25%	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	$40,000.00	25%	20%
	Economic Development	Economic Development	Examples of Economic Develoment Activities: Business Façade and signage, Workforce Training.	$75,000.00	15%	10%
	Quality of Life Improvements	Neighborhood Services	**Public Service Activity, Subject to 15% Annual Allocation Cap,** Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	$25,000.00	No Increase	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	$170,000.00	10%	5%
			Proposed Total FY2022 Allocation	$855,000.00		

RESOLUTION NO.: _____ - 2021

OF

NOVEMBER 8, 2021

A RESOLUTION AUTHORIZING APPROVAL OF A GENERAL LIABILITY INSURANCE POLICY FOR CITY-OWNED TAX FORECLOSED PROPERTIES FOR THE PERIOD OF NOVEMBER 27, 2021 TO NOVEMBER 26, 2022

WHEREAS, the City of Newburgh has maintained general liability insurance coverage for City-owned tax-foreclosed properties since 2010; and

WHEREAS, Arthur J. Gallagher of New York, Inc. has recommended a renewal of liability insurance coverage for Fiscal Year 2021-2022;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Newburgh, New York hereby approves the insurance coverage for the term beginning November 27, 2021 through November 26, 2022 with all liability insurance to be provided by Scottsdale Insurance Company; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to execute agreements with Arthur J. Gallagher of New York, Inc. to provide for insurance coverage for the City-owned tax foreclosed properties for the period of November 27, 2021 to November 26, 2022.

RESOLUTION NO.: _____-2021

OF

NOVEMBER 8, 2021

A RESOLUTION AMENDING THE 2021 PERSONNEL ANALYSIS BOOK TO DELETE ONE ACCOUNT CLERK AND ADD ONE BILINGUAL ACCOUNT CLERK IN THE CODE COMPLIANCE BUREAU

WHEREAS, the 2021 Personnel Analysis Book included two Account Clerk positions and one Bilingual Account Clerk in the Code Compliance Bureau; and

WHEREAS, the Code Compliance Supervisor proposes to delete one Account Clerk position which is vacant and add one Bilingual Account Clerk to improve the efficiency of the Code Compliance Bureau; and

WHEREAS, the addition and deletion of job titles in the Code Compliance Bureau requires the amendment of the City of Newburgh Adopted Personnel Analysis Book for 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2021 be amended to delete one Account Clerk position and add one Bilingual Account Clerk in the Code Compliance Bureau.

RESOLUTION NO.: _____-2021

OF

NOVEMBER 8, 2021

A RESOLUTION RE-APPOINTING CHUCK THOMAS, ANDREW MURPHY, ROBERT SANCHEZ, AND RONALD ZORRILLA TO THE CONSERVATION ADVISORY COUNCIL FOR TWO YEAR TERMS

WHEREAS, the City Council of the City of Newburgh adopted Local Law No. 1-2013 of August 19, 2013 which added new Chapter 159 of the City Code of Ordinances entitled "Conservation Advisory Council"; and

WHEREAS, Chapter 159 provides for a seven-member Conservation Advisory Council, the members of which are appointed for terms of two years; and

WHEREAS, the terms of Chuck Thomas, Andrew Murphy, Robert Sanchez, and Ronald Zorrilla will expire on November 30, 2021 and Mr. Thomas, Mr. Murphy, Mr. Sanchez, and Mr. Zorrilla wish to continue to serve new two-year terms; the same being in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Chuck Thomas, Andrew Murphy, Robert Sanchez, and Ronald Zorrilla are hereby re-appointed to the Conservation Advisory Council each for a two (2) year term commencing December 1, 2021 and ending on November 30, 2023.

LOCAL LAW NO.: _____ - 2021

OF

NOVEMBER 8, 2021

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c

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

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to allow the City of Newburgh to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

SECTION 2. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The City Council of the City of Newburgh, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

SECTION 4. SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO.: _____- 2021

OF

NOVMEBER 8, 2021

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF VACANT REAL PROPERTY AT PRIVATE SALE TO WEST SHORE HUDSON LLC FOR THE AMOUNT OF $21,500.00

WHEREAS, the City of Newburgh desires to sell a parcel of vacant real property unidentified on the official tax map of the City of Newburgh, said parcel being adjacent to a parcel of real property known as 27 South Water Street, being more accurately described as Section 31, Block 5, Lot 8.1 on the official tax map of the City of Newburgh; and

WHEREAS, the owners of 27 South Water Street, West Shore Hudson LLC (by Nicolas DiBrizzi and Nick Citera), have offered to purchase the vacant real property adjacent to 27 South Water Street; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the West Shore Hudson LLC be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchasers upon receipt of the amount of $21,500.00 in money order, good certified or bank check, made payable to the City of Newburgh, such sum to be paid on or before February 7, 2022, being approximately ninety (90) days from the date of this resolution; and

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

Terms and Conditions Sale
Vacant Real Property Adjacent
to 27 South Water Street (No SBL)

STANDARD TERMS:

1. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
2. Not applicable.
3. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE. The deed will contain provisions stating that the purchaser is required to merge the subject property with the property known as 27 South Water Street (Section 31-5-8.1) into one (1) tax lot within six (6) months of taking title to the subject property. The deed shall include this provision as a Restrictive Covenant. If the purchaser has not complied with this provision, then title to the property shall revert to the City of Newburgh.**
4. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
5. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.
6. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
7. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office by the date listed in the approved City Council Resolution, notwithstanding any extensions of time granted pursuant to terms contained herein ("Closing Deadline"). Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their

addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.

8. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days from the Closing Deadline. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of $250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for its consideration.
9. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
10. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
11. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**
12. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.
13. The purchaser shall provide a survey description to the City's Corporation Counsel at least thirty (30) days in advance of closing title and approved by the City's Engineer.

Address: Water Street, Parcel B, Newburgh, NY

Minimum offer price: $21,500 (Value Determined by City of Newburgh Assessor's Office)

Parcel B consists of 2,440 square feet of land, which is primarily improved with a concrete sidewalk/patio and retaining wall. The parcel is located in the Planned Waterfront District.

The legal description of Parcel B: A certain piece or parcel of land depicted as "Parcel B" containing 2440 S.F. shown on a map entitled "Land to be conveyed to West Shore Hudson, LLC by The City of Newburgh, South Water Street, City of Newburgh, Orange County, New York", Scale 1"=20', dated March 03, 2018, prepared by The LRC Group and being further bounded and described as follows;

Beginning at a point in the easterly right of way line of South Water Street said point being the most southerly southwest corner of land now or formerly of West Shore Hudson, LLC and the northeast corner of the herein described area;

Thence running southerly the following two (2) courses and distances along the said easterly right of way line of South Water Street and land now or formerly of CSX Transportation Inc. S08º06'22"W 92.12 feet and S10º37'36"W 100.48 feet to a point;

Thence running westerly, northerly and easterly the following five (5) courses and distances through South Water Street N79º22'24"W 9.45, N06º42'47"E 36.86 feet, N08º35'18"E 73.50 feet, and N09º45'35"E 83.56, and S73º13'03"E 11.86 feet to the point or place of beginning.

Priority is given to a development proposal that would incorporate this lot into a larger project.

Since this lot does not meet minimum lot size, proposals must consolidate and merge this lot with a neighboring parcel.

Any proposal would need to submit a plan, cost estimates and funding sources.

Current deadline to submit offers via a complete PODA (Private Owner Development Application) is Monday, August 30, 2021.

See City of Newburgh's website for more general purchase requirements , current disposition policy , and terms & conditions.