

A regular meeting of the City Council of the City of Newburgh was held on Monday, November 8, 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 Allegiance.

Pledge of Allegiance / Juramento a la Alianza

Roll Call / Lista de Asistencia

Present: Mayor Harvey, presiding; Councilman Grice, Councilwoman Mejia (arrived at 7:02 after roll call), Councilwoman Monteverde, Councilman Shakur, Councilman Sklarz, Councilwoman Sofokles - 7

COMMUNICATIONS

Executive Session/ Sesion Ejecutiva

Councilwoman Monteverde moved and Councilwoman Sofokles seconded to enter Executive Session.

Ayes: Mejia, Monteverde, Sofokles, Harvey - 4

Nays: Grice, Shakur - 2

The Council entered Executive Session at 7:04 p.m.

Councilman Shakur moved and Councilman Grice seconded to exit Executive Session.

All in favor the Council exited Executive session at 7:57 p.m.

Approval of the minutes from the City Council meeting of October 25, 2021 / Aprobacion del Acta de la Reunion General del Consejo del 25 de Octubre de 2021

Councilman Shakur moved and Councilman Grice seconded.

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

Carried

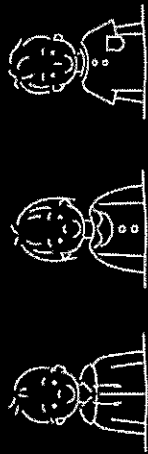
City Manager Update / Gerente de la Ciudad Pone al Dia a la Audiencia de los Planes de Cada Departamento



City Manager's Update

Newburgh City Council Meeting

Monday, November 8, 2021

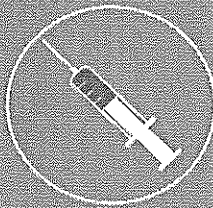


**Everyone ages 5 and up
is now eligible for a free
COVID-19 vaccine!**

CDC recommends that children ages
5-11 receive a COVID-19 vaccine.



FIND A VACCINE TODAY AT [VACCINES.GOV](https://www.vaccines.gov)



**COMPLIMENTARY RIDES
TO VACCINE SITES**

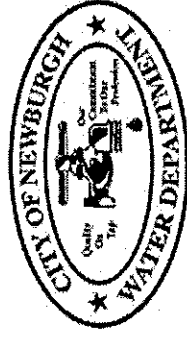
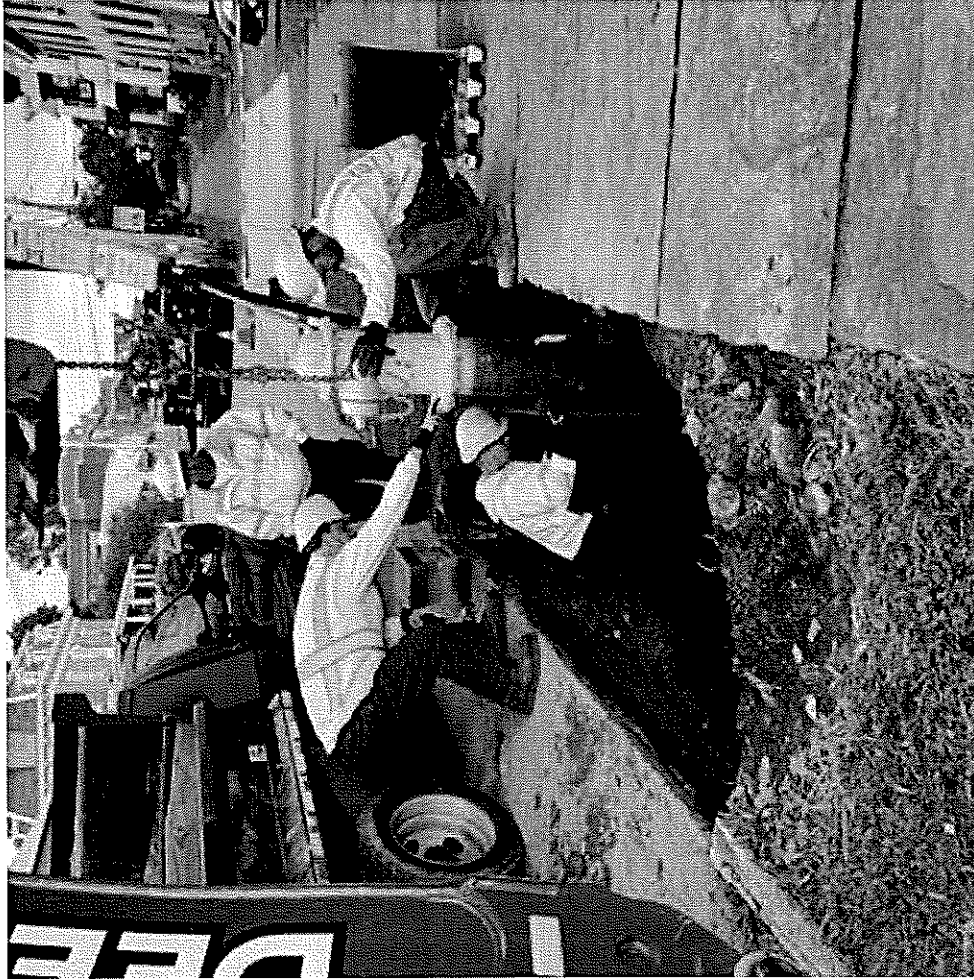
**City of Newburgh Residents
get FREE RIDES to your
COVID-19 Vaccination
Appointment**

CALL: 845-569-7420

- Must be City of Newburgh Resident
- Must have proof of confirmed vaccination appointment
- Appointment must be <30 miles from Newburgh (SUNY Orange Middletown & Ulster Fairgrounds in New Paltz)
- 24 hours notice required
- Pick-up/ Drop-off Newburgh only, no stops allowed
- Ambulette service available



Funded by City of Newburgh COVID-19 Community Development Block Grant, Cares Act Funding

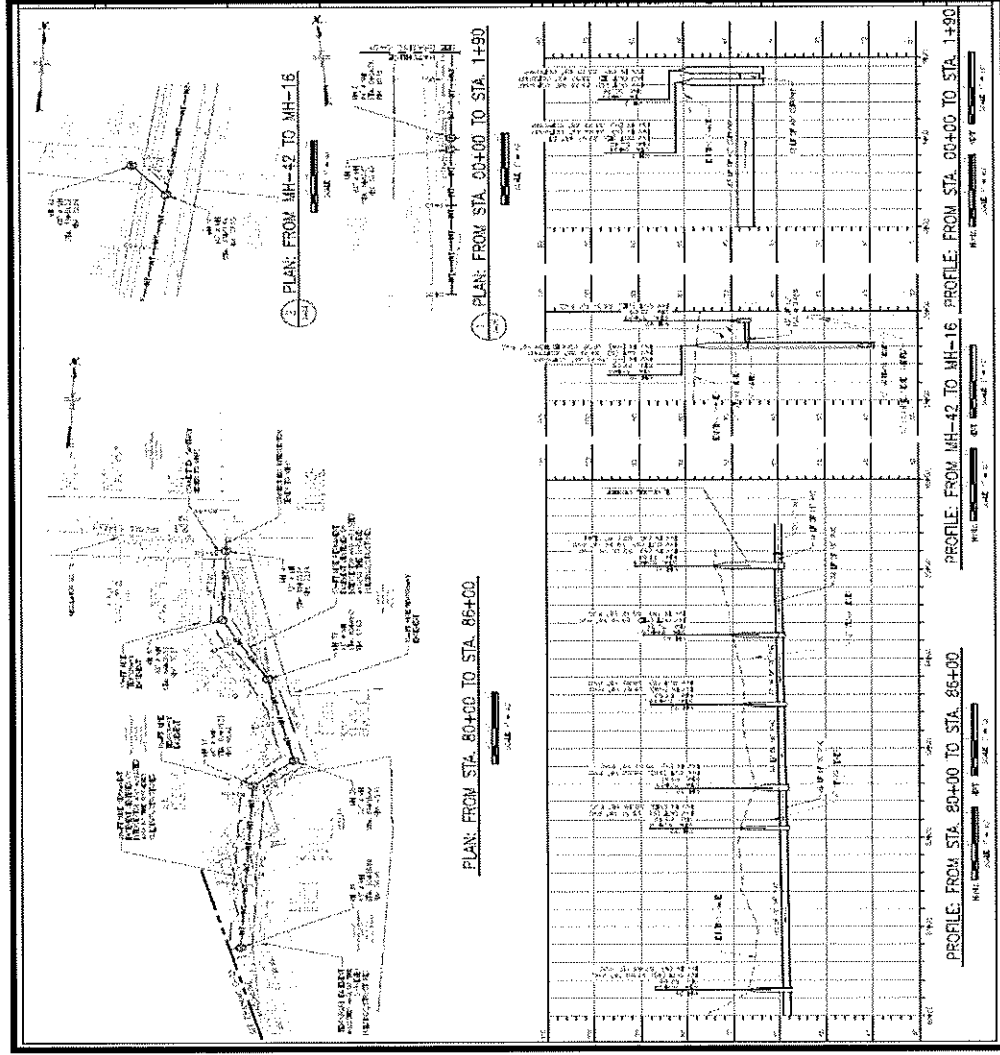
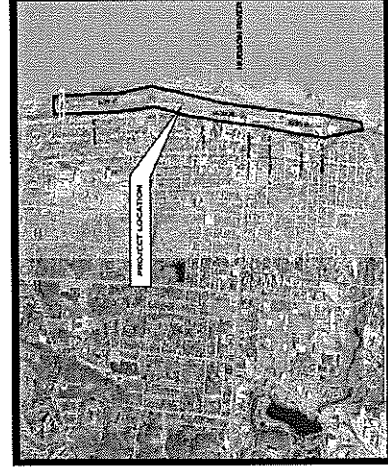


Distribution Division

- 3 Hydrants Replaced
- 5,540 Water Meters Read
- Washington Lake Watershed Cleaned
- Brown's Pond Watershed Cleaned

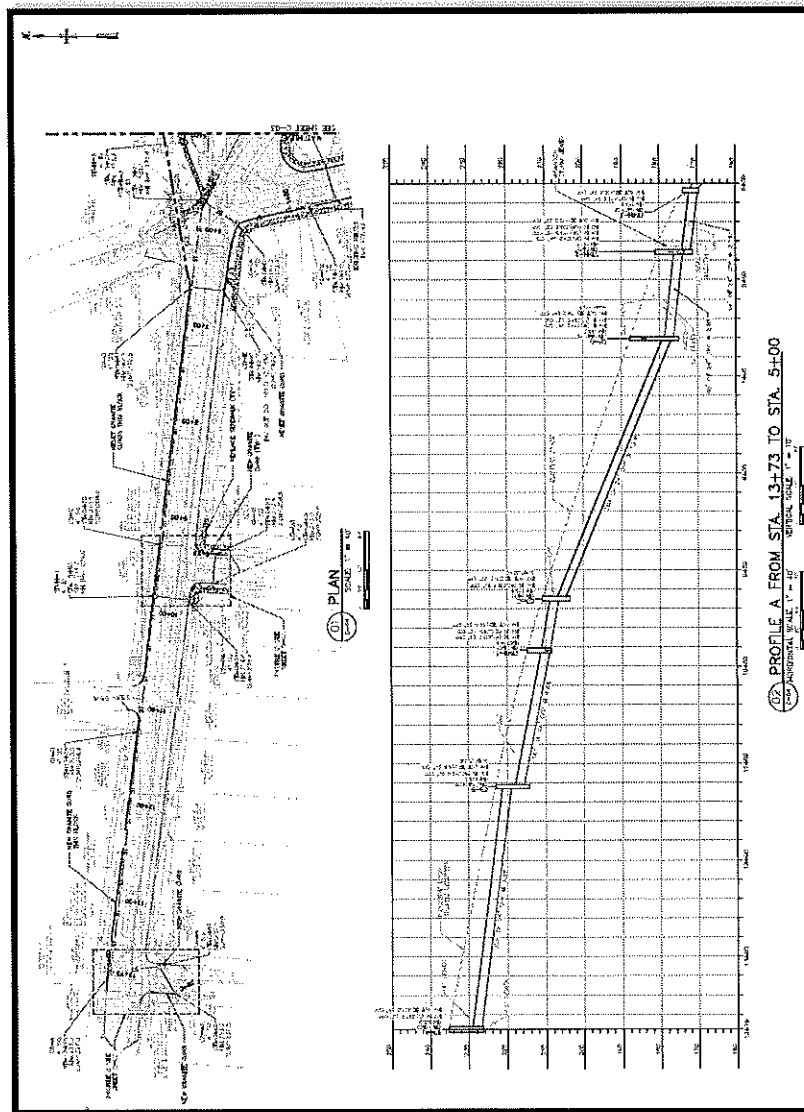
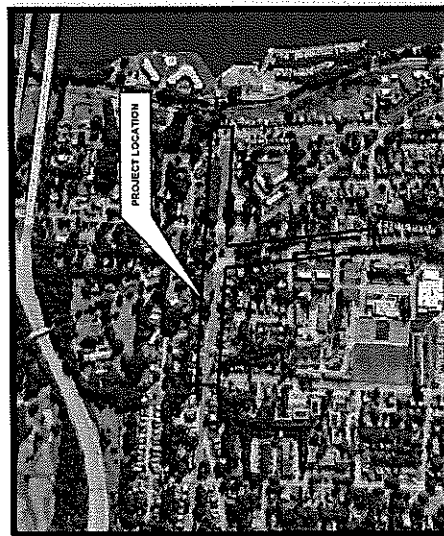


North Interceptor Sewer Replacement Project





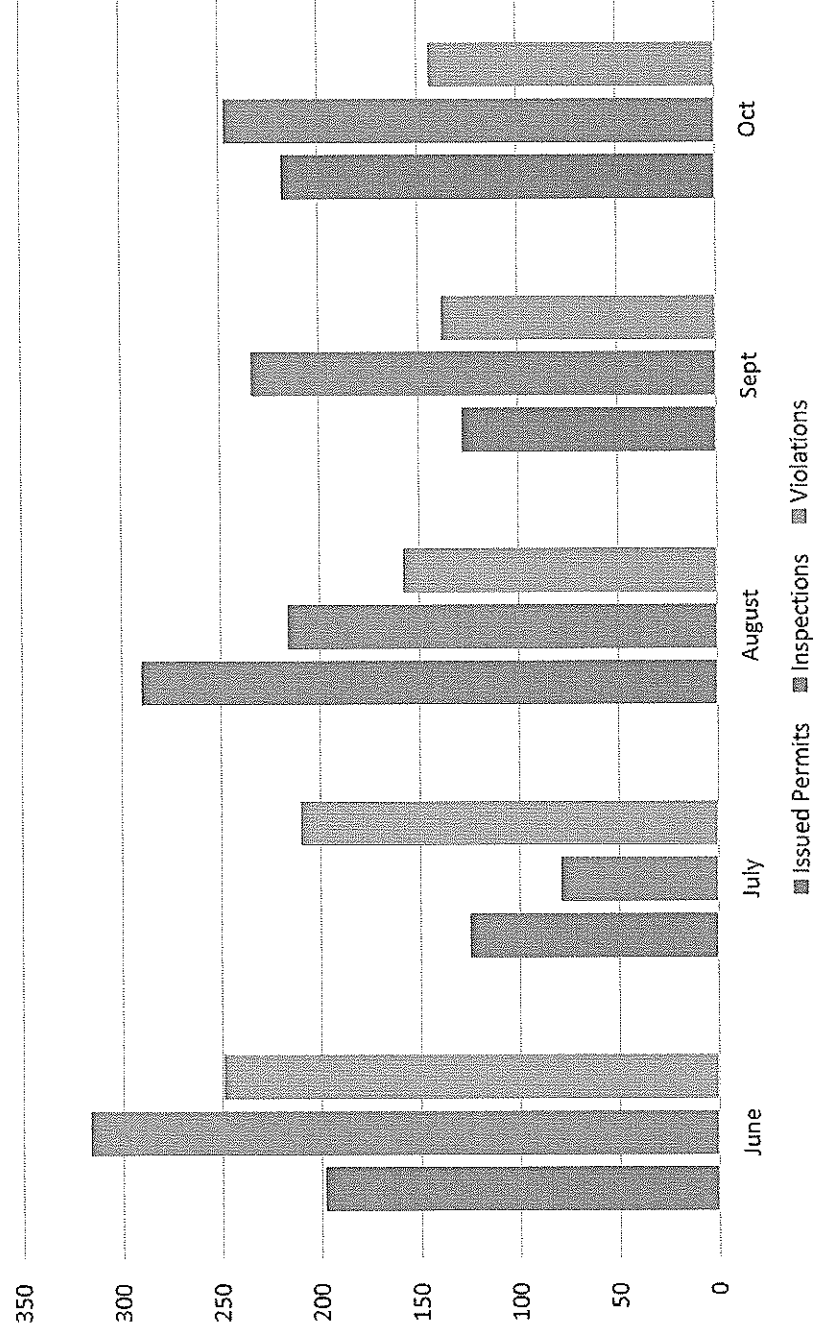
North Water Street Sewer Separation Project



Quantitative Progress on Codes: Permits, Inspections & Violations



Permits, Inspections, Violations

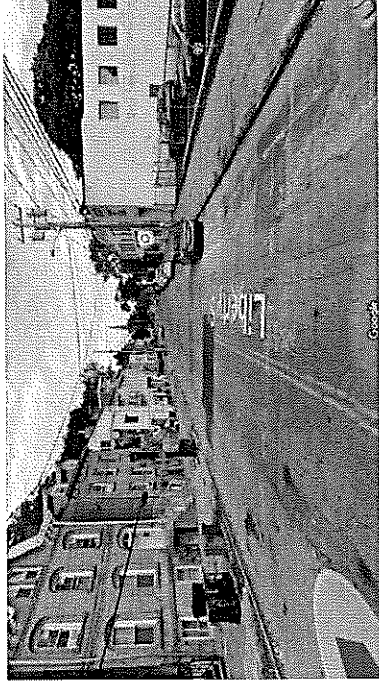


- 218 Permits
- 247 Inspections
- 144 Violations

Code Patrols

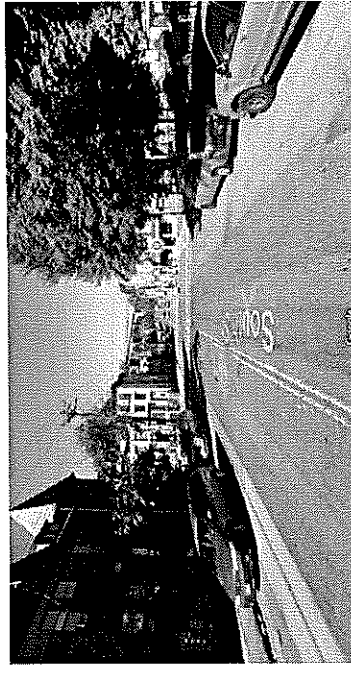
Primary Focus

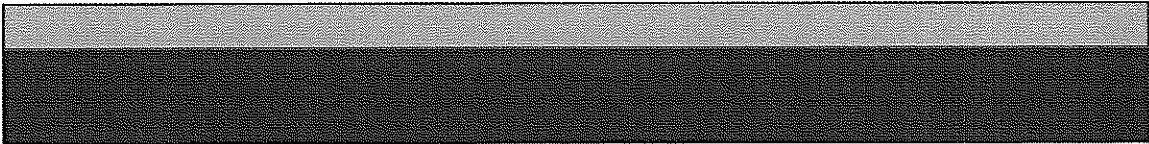
- Broadway
- South Street
- Liberty Street



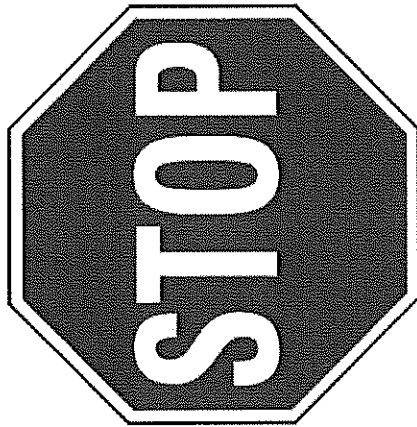
Time of Patrols

- Twice a Day
- Morning
- Afternoon

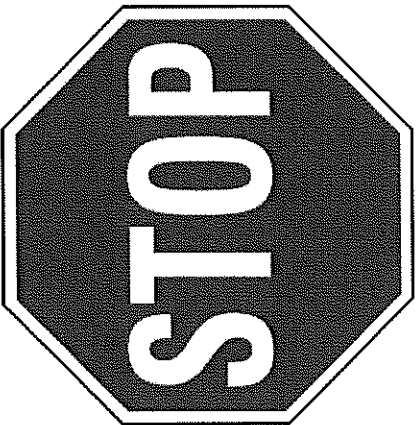
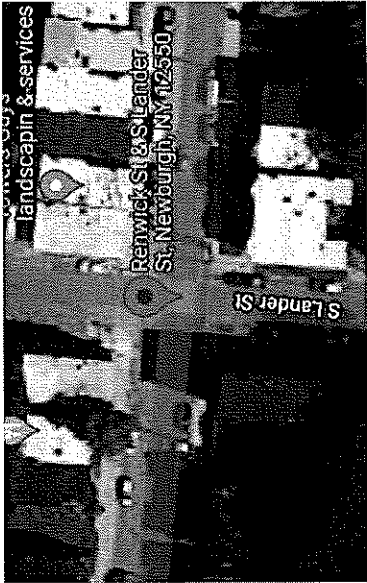




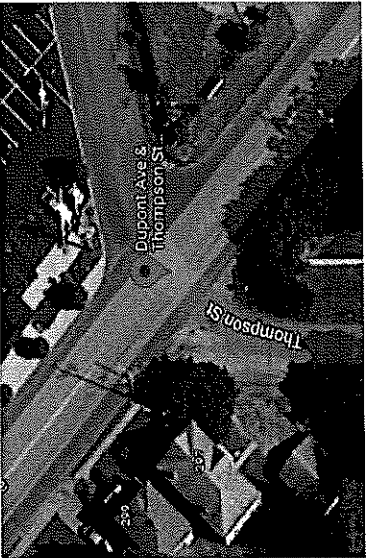
4-Way STOP Signs



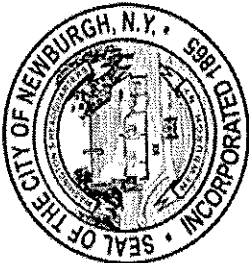
Renwick & South Lander



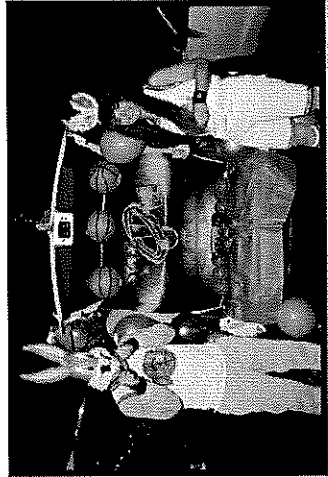
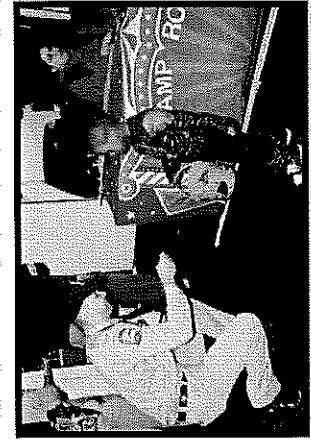
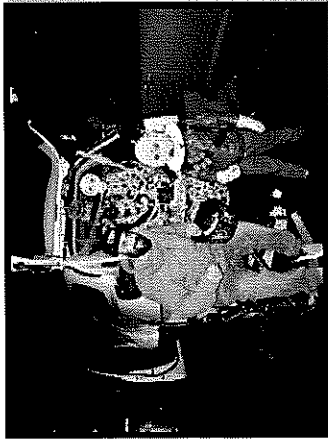
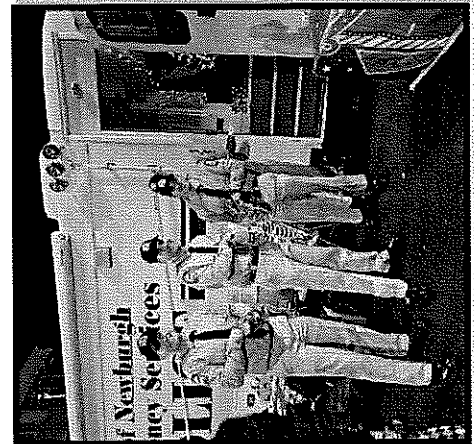
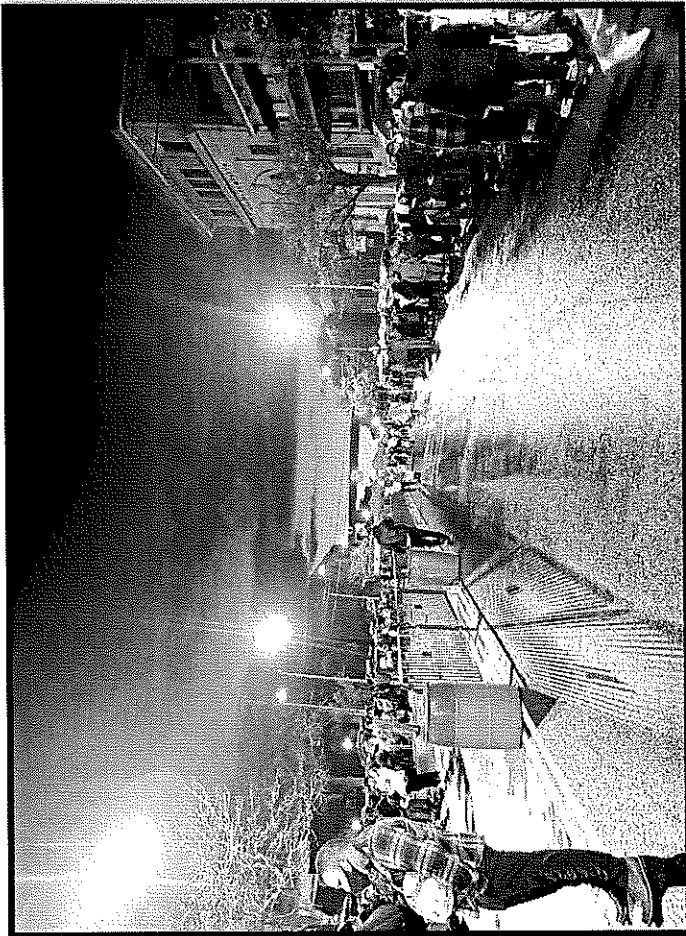
Dupont & Thompson



First & Liberty



Trunk or Treat





Save the Date Annual Holiday Parade

Join Santa and his friends
as they parade through the

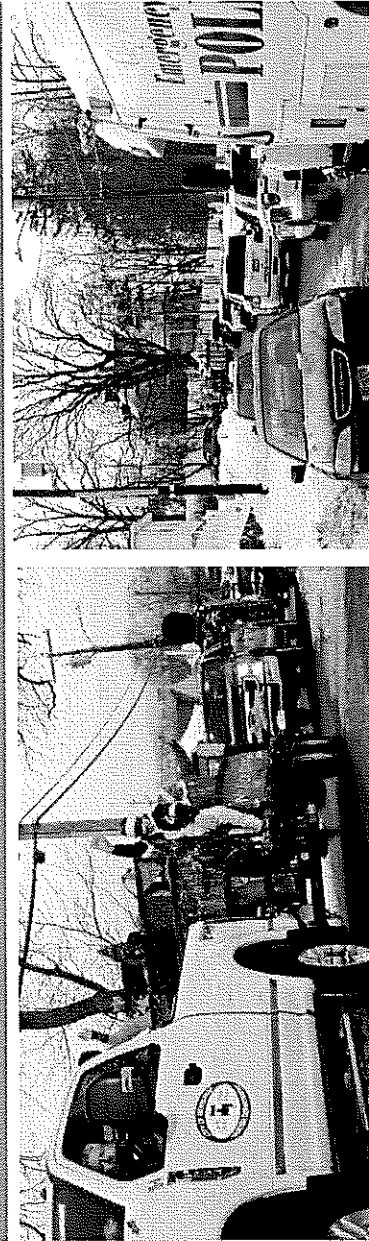
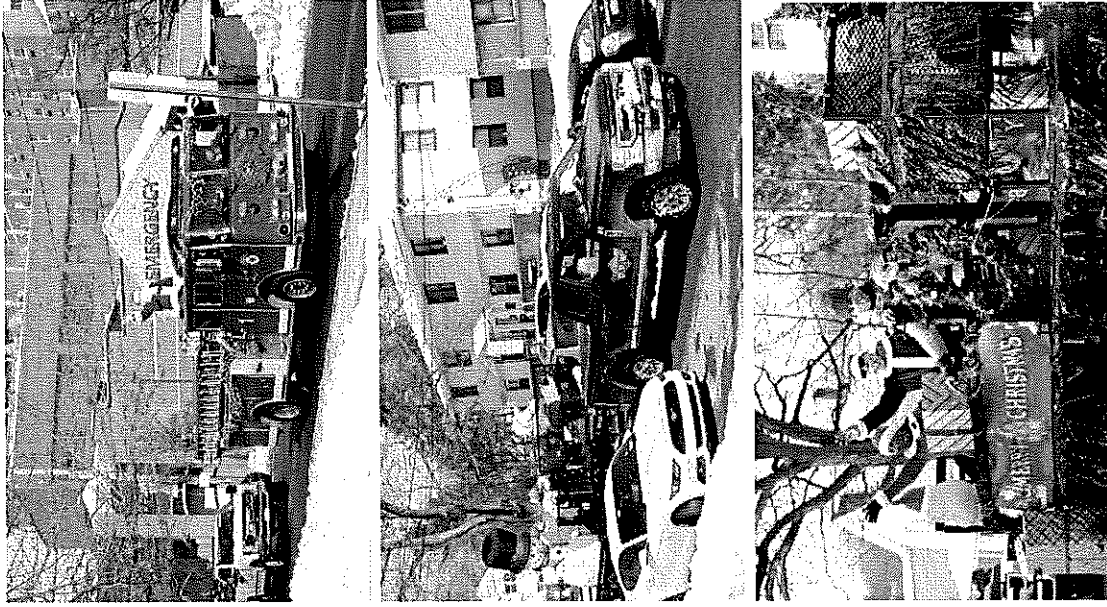
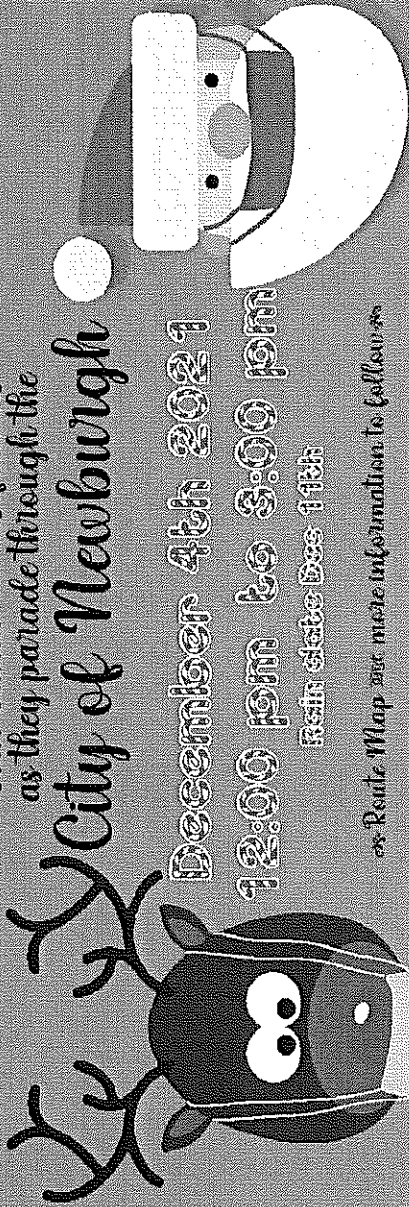
City of Newburgh

December 4th 2021

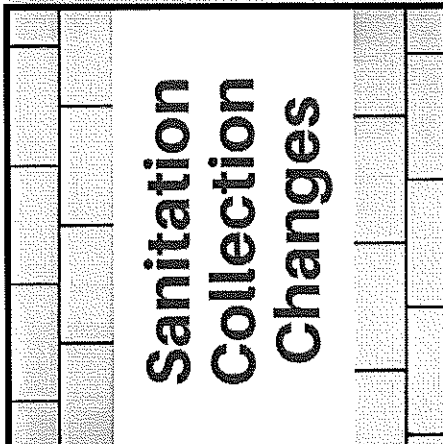
12:00 pm to 3:00 pm

Rain date Dec 11th

as Route Map and more information to follow



Community Updates



Sanitation Collection Changes

CITY OF NEWBURGH

POLICE CHAPLAINCY UNIT ACCEPTING APPLICATIONS




CITIZENS ADVISORY COMMITTEE

Apply to
Serve on the

SEVEN MEMBERS
- 1 from each Ward
- 3 residents At-Large

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CHANGE RELUCTANT CARES ABOUT
YOUTH AND YOUNG ADULTS

PAID UP TO \$1700 WHILE YOU
LEARN AND GAIN EMPLOYMENT

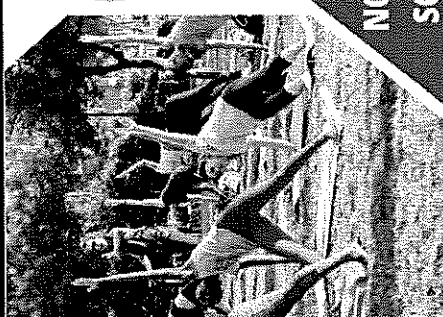
YOU CAN GET A LOT OF HELP FROM US
- We'll help you find a job
- We'll help you with your resume
- We'll help you with your interview
- We'll help you with your job training
- We'll help you with your job placement
- We'll help you with your job retention

FOR MORE INFORMATION
CALL 845-569-9400
OR VISIT US AT
100 N. STATE ST. 3RD FLOOR
NEWBURGH, NY 10974



FISCAL YEAR 2022

AMERICAN RESCUE PLAN ACT BUDGET WORK SESSION


NOVEMBER SCHEDULE

OUTDOOR FITNESS CLASSES

GROUP EXERCISE CLASSES WITH LICENSED FITNESS INSTRUCTORS	DOWNING PARK AMPHITHEATER
Yoga November 4 4:00 P.M. - 5:00 P.M. Jennifer Dwyer November 5 8:00 A.M. - 9:00 A.M. John Newsome November 6, 13 & 20 8:30 A.M. - 9:30 A.M. Carol Scott	Pilates November 6, 13 & 20 10:30 A.M. - 11:30 A.M. Angela Paul-Gatto Zumba November 7 & 14 9:00 A.M. - 10:00 A.M. Maritza Calderon

Come out and experience the City of Newburgh's program for guided outdoor fitness classes FREE OF CHARGE. Donations are accepted.

More info
845-569-9400
mcheyard@cityofnewburgh-ny.gov

PRESENTATIONS

Public Hearing - 2022 Budget

Mayor Harvey called a public hearing that was advertised for this meeting to receive comments from the public concerning the City's Annual Budget for 2022.

Jewell Martin, homeless, said she noticed that the police and fire departments are not a subject on the Budget and she doesn't understand why because if a police officer is doing his or her job they should have a right to do that. When it comes to housing and this DuBois street housing type of thing, she still doesn't understand that and why they are not allowing the City Manager and the City Comptroller to do their jobs. We have the Budget to do everything so stop making it personal because we are known as the sixth borough which is disgusting to her. As a homeless person on the streets, she would like to see more cops but you are tying their hands. We need safety on the streets and we don't need to increase the violence. Why do we encourage the wrong behaviors? She is tired of it. We can be better together in Newburgh so stop making things personal. We are a community of different races and backgrounds and we have the interest of each other so let everyone do their jobs.

Thomas Dodd, City of Newburgh said congratulations. It sound like a lot of good news for the City and he knows everyone has been working very hard. He said thank you for the efforts of the City Manager, Comptroller and the Council because it's nice to hear all of this good news.

There being no one else wishing to speak this public hearing was closed.

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

Jewell Martin, homeless, asked Mayor Harvey and the Council members to stop saying that they will help her. She hasn't received help in the two months that she has been here and she was asked to be patient.

Mayor Harvey said that since she has called him and the Councilmembers out he noted that he has spoken with her several times and gave her options but she denied those requests. *"Please be respectful and don't call anyone out just give us your comment"*.

Ms. Martin continued that now she is riled up but she will be respectful and she does not change her position. She said she is asking them nicely to not help her anymore. *"Do not volunteer to help me, lose my number and don't say that you will help me"*. For two months she has been coming here housing herself and she was thinking about bringing bank statements to prove her point. She has been homeless since 2019 and when she writes complaints they go unheard of so she is still here in the same condition. *"If you want to call me out Mayor then call me out"*.

Mayor Harvey asked Ms. Martin to leave the Council Chambers.

Ms. Boyd, Prospect Street said in regard to resolution #260-2021 that they are putting parking meters on Water Street but what else are we doing for tourism? She announced she and her partners from Middletown are feeding two hundred families with twenty five of those families being from the City of Newburgh. If anyone knows of a family, please let her know by next Monday as we will be dropping off packages with turkeys and all of the fixings on November 20th. FEMA came to her block along with the Fire Chief to see who had damages from the letter that she drafted and they are still encouraging everyone to fill out a SBA loan until they can come to aid. They said if you do anything to your basement please save the receipts and submit an SBA loan until they come through.

Tom, City of Newburgh, asked if we have discontinued street cleaning in the City because his street has not been cleaned in months. He also asked about the building at 110-112 Broadway. Two years ago everyone made a big deal about what they were going to do with it then they foreclosed. Now they have a picture out again so can anyone tell him if anything is going to be done with that? He sees the street cleaning truck on Broadway going around parked vehicles trying to clean the street so why can't we have one side done one day and the other side done the next day to get it clean. The way it's done now when the cars pull out of the parking spaces the garbage is still there. There has to be a better way to clean Broadway so it doesn't look like crap.

A City of Newburgh resident said she spoke at the last meeting two weeks ago when she showed everyone that she was assaulted on Broadway. She was asked at that time to leave her name and number to see about filing a complaint but has yet to hear from someone. She also wondered if anything was done about finding funding for the taxi drivers for security in their vehicles. She contacted Senator Skoufis's Office and was told that they did not have State funding for that so she doesn't know where else to go and would appreciate some assistance with that.

Ann Sullivan, Ellenville said she was disappointed that she couldn't watch the meeting live on the website tonight.

Ray Harvey, Carpenter Avenue, said he was at a function yesterday with the Urban Farm which was a great event. He thanked the City Council for doing what they had to do to get the Grant from the USDA. We need to get people up there to that Urban Farm because it's a good program and kids can grow and learn from that. He is going to team up with someone to try and do some programs together so kids in the City of Newburgh see that they don't have to go to College to get a good job with the Federal Government. There are a lot of good things to teach our kids how to eat healthy and how to grow their own food. He feels that the City is in the best financial health that he has seen in a long time but we still have to keep working and get jobs in the City. He is having someone speak at the next NAACP meeting on recruiting Black and Brown people in the State Trooper's Department.

Mark Sanchez Potter, City of Newburgh, thanked the Council for working with Ronald Zorrilla and Outdoor Promise for the Environmental Justice Fellowship Program. He was at one of their tree planting workshops and community celebrations on Saturday which was really great. He is curious to know how we continue to push for more trees to be planted and the budgetary process to fund this amazing program.

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

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

Councilman Grice thanked everyone for coming out tonight. He reminded everyone that Veterans Day is coming up on Thursday the 11th so for the veterans that are here and listening tonight he thanked them for their service. A person spoke about help that was offered to her and we try to do all that we can but it's important to note that there are other agencies out there as well. He was at the Environmental Justice Program, which he supports, as we are a tree City and he also volunteered at the Urban Farm and Food Event, which also has his full support. A meeting was held here in the Council Chambers the other day and some people made some comments that were not appropriate so he needs to have a conversation with those people. He said that we are not a crumbling city. We are a great city and we look forward to the Sims Foster Project coming. We just need to be careful about when they are asking for a PILOT, how much they are asking for and for how long.

Councilwoman Mejia noted the very a different Budget we have this year being proposed by the City Manager by the type of process we have gone through it. You can always tell the tension based on the number of public hearing participants who sign up for the Budget. She thanked the City Manager for a budget hearing that has gone so smoothly. That also speaks to the City of Newburgh's financial stability and the kind of market and situation we have here. She commended everyone who is working towards making sure that continues to be put forward and the conversations we are going to have until this Budget is adopted at the end of the month. The input that the Council has put into it in collaboration with the Executive Office is something that has definitely changed in the last year or so and she welcomes that change. In reference to questions asked around the Budget process and the Environmental Justice Fellowship she said that this is one of the times when we can impact the numbers of who is participating going forward and there will also be other opportunities for funding from the Federal Government. A major infrastructure bill got passed and this is the social component of that infrastructure which our City will be having a conversation on this Wednesday. She thanked Ms. Boyd because she was very vocal about making sure we tracked the damages from the storm that occurred. Someone mentioned street cleaning and it is being done especially on Broadway so we have not received any notification that speaks to the contrary.

Councilwoman Monteverde said she was at the Saturday Event also which was wonderful and she made a commitment that wherever we have extra funding we have to make sure we can support this project and plant more trees. There is a goal to plant four thousand trees in the City of Newburgh but she believes we need to plant more. It's a wonderful program and the survey they did asking the community where to plant the trees is really great. She is a big supporter of the NUFFI Farm and always looks forward to getting her bag of fresh vegetables on Saturday and to see what is going on at the farm. It's a wonderful gem that we have the farm here in the City of Newburgh as they are growing a lot of food and now that they have this new greenhouse they will be able to grow food year round which is wonderful. Tom mentioned 110 Broadway and she doesn't know what is going on with that

either. She knows that the developer recently took it over so they might be in the process of getting their approvals and permits which can sometimes take almost a year but she will look into that.

Councilman Sklarz said that a Budget is about choices we can make about spending funds that are available and he hopes we can allocate funding to provide services to our growing homeless population, especially mental health services but it's difficult for any city to add new programs without raising taxes. As a City, we need to work closer with the Orange County Department of Mental Health to ensure that this population gets the services that they need. This is his third Budget and they have gotten better every year. It has been our goal to hold the line on tax increases and we once again have stabilized the tax rate so we look forward to our progress continuing in the upcoming years. He thanked everyone for their hard work to finalize this Budget. He also thanked the Recreation Department, Police Department and Fire Department for the Trunk or Treat Event. It was a wonderful event and it seems to get better every year. He also thanked DPW for the Four Way Stop at Dupont and Thompson which has been installed along with striping at the intersection. It has been long requested by the neighborhood so he asked that those traveling in the areas where all of the new Stop Signs were installed to be more careful until they get used to it.

Councilwoman Sofokles said she is very proud of the Budget we are going to vote on this year. She has read the Budget for many years and people who don't understand it don't know what the City Manager and his staff accomplished. This is by far the best Budget. We had to make some tough decisions in 2019 but there is a plan that will revitalize this City and she wouldn't steer anyone wrong. She can see NUFFI from her window and it's so nice to go up there. It's amazing what they have done and the kids are learning which is great to see. She told Ms. Boyd that they are going to work on Prospect Street. It has been a thorn in her side for years so they are going to work on a solution for that corner. She also thanked Mark Sanchez Potter for being part of the community. Ron Zorrilla is one of her favorite people and she agrees that we need to plant more trees in the City.

Mayor Harvey thanked everyone for coming out tonight. A special thank you to the Governor's Office on a gun violence prevention initiative that he was part of before the former Governor resigned. The Governor's Office followed through with that funding which is why the Orange County Employment and Training Administration has done a great job with giving our young people up to \$1700.00 in gift cards. It's great when people do what they say they are going to do and they follow through with the money. To Mark Sanchez Potter he said that they support the Environmental Justice Fellowship and he will continue to support the planting of trees. He noted that he missed the Event on Saturday because he was doing a father's event trying get a father in unity organized so we can continue to work with our young teens and tweens on getting violence down in our City. To change the narrative as we have done and continue to change the narrative even though the naysayers are saying what they say on the outside. He told Ms. Velasquez to connect with Ms. Boyd and he spoke with the Commissioner so he knows the details of her incident and will follow up with that. As far as funding for the taxi drivers, he has been in meetings and noted that there are certain things required for taxi drivers and cabs to be registered and licensed. We are trying to work with those fee schedules so we can make that happen as a preliminary to considering how and where to get the funds for that. It is the ultimate responsibility of the taxi companies to make sure their employees are safe.

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

CITY MANAGER'S REPORT

Resolution No. 256 - 2021 - to Apply for the 2021 WIIA (NYS Water Infrastructure Improvement Act) Grant

Mayor Harvey said he is excited about this resolution and thanked DPW, the Water Department, Engineering, the City Manager and everyone else involved in this plan. He found out that the House of Representatives passed the 1.6 trillion dollar infrastructure bill at the Federal level which was already passed by the Senate so now we are waiting for the President of the United States to sign off. Once that happens that 1.6 trillion dollar infrastructure bill goes into law which will help us with these types of projects.

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 257 - 2021 - Bond Resolution for LTCP Phase-III and Phase-IV Projects

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 258 - 2021 - PIN No. 8761.40 Walsh Road Bridge Replacement Supplemental Agreement No. 1 with WSP USA Inc.

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 259 - 2021 - Commercial Insurance Proposal for Workers Compensation Renewal

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 260 - 2021 - Transfer of CDBG Program Income Funds to Other Services to cover Tourism and Economic Development Related Activities.

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 261 - 2021 - Release of Restrictive Covenants for 411 Liberty Street (f/k/a 385 Liberty Street)

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 262 - 2021 - Partial Release of Restrictive Covenants 82 Clinton Street

Councilman Shakur moved and Councilwoman Mejia seconded.

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

Adopted

Resolution No. 263 - 2021 - Partial Release of Restrictive Covenants 382 Liberty Street

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 264 - 2021 - Access Agreement for 123 Renwick Street

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 265 - 2021 - Accept FY2022 Community Development Block Grant (CDBG)
Annual Action Plan (AAP)

Councilman Shakur moved and Councilman Grice seconded.

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

Adopted

Resolution No. 266 - 2021 - Tax Foreclosed Property Liability Insurance

Councilwoman Sofokles moved and Councilman Shakur seconded.

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

Adopted

Resolution No. 267 - 2021 - Amend 2021 Personnel Book - delete account clerk and add bi-lingual
account clerk

Councilman Shakur moved and Councilwoman Sofokles seconded.

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

Adopted

Local Law 7 - 2021 - authorizing a property tax levy in excess of the GML section 3-c Limit

Councilwoman Monteverde moved and Councilwoman Sofokles seconded.

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

Adopted

Resolution No. 268 - 2021 - Purchase Proposal for Water Street, Parcel B

Councilman Shakur said that this is close to urban renewal land so he wanted to have a discussion about it but after talking with Mr. Garrison and going down there to look at it himself we need to go forward with it. He wants to make sure that when we do anything down there that we have a good discussion on it and that we have community input.

Councilwoman Monteverde said this is in her Ward and she would actually like to table this because she would like to go down there with City staff to walk her through it so she can understand exactly what they want to build and where they want to build it for clarification.

Councilman Grice said he needs to go down there to take a walk through also. It's a business that he supports, however, that doesn't necessarily mean that this move should happen. He has some hesitancy on this project and also questions the process. He understands we follow the steps but wishes it would have been handled a little differently. He is in favor of tabling this also to get some more clarity.

Councilman Sklarz said this is such a small parcel that if we don't improve it and the proposed purchaser decides to redo their property plan without this parcel it will be worthless to us. It cannot be built on by anyone other than someone who has an adjacent property and the requestor is the one who owns the property. It would support the business but if you want to table it that is fine.

Councilwoman Mejia said that she supports the representative of the Ward on this. Councilwoman Sofokles said she agrees with Councilman Sklarz because she did go look at the property and its twenty five hundred square feet. They have a very successful business down there and no one has done anything on that property in sixty years. If we want to table it that's fine but she was just going to vote yes. She doesn't know what else we could do there. It would butt right up to their business and it's an empty piece of property that would be put on to the tax rolls.

Mayor Harvey asked Michelle Kelson, Corporation Counsel what month did this first come up for a resolution.

Ms. Kelson said she believes it was originally brought to Council in July.

Mayor Harvey said it was brought to the Council in July and Council members felt they needed more time to get more information about the property and the process.

Alexandra Church, Director of Planning & Development said that after that meeting they listed the parcel for sale on our website and there is a flyer and timeline included in their packets. They listed the property for sale for the competitive process and whenever we list one of those it goes out to a list of interested developers. We reviewed any inquires and only had one full inquiry which is what we presented tonight. They provided all of the packets required in the disposition policy and we went back and forth with them to make sure the Council had a complete package of documents especially with the questions that came up during that July meeting. We did have one other person interested but they didn't follow through so when we had all of the information together we presented it to the Council at this meeting.

Mayor Harvey said this was first brought to our attention in July and then they took the criticism of the Council and went back to the drawing board because they wanted transparency and they wanted the process to be done the proper way. Respectfully there is a potential motion to table but he agrees with Councilmembers Shakur, Sklarz and Sofokles that this is a piece of land that can't really be developed by anyone other than the property owner of the adjacent property. This property owner owns the two restaurants which are very successful and he brings a lot of tourism to our City. This will also increase the property value and revenue of these two existing restaurants. There is no tax abatement or tax PILOT being requested so we are wrestling over this twenty five hundred square foot parcel. Councilmembers were invited to go down and meet with the restaurant

owners who are interested in buying this parcel. He and some of the Councilmembers did their due diligence to meet with them but some haven't so that's where we are. In his opinion it's a no brainier.

Councilman Sklarz asked Allie Church if she could talk about the sidewalk and the code implications of the construction.

Ms. Church said that the portion of the sidewalk they are talking about, which they can see from the aerial photos, has a brick border to it. It is a standard width sidewalk and that width will be maintained so there is no proposal to sell any portion of that. It will remain public right of way for the full width of the sidewalk. What they are asking for is an additional width which is outlined by that brick border.

Councilwoman Monteverde said she just couldn't see it.

Ms. Church added that the building will not be on that sidewalk portion. It will actually be behind the retaining wall up to the train tracks. The building will be there and they will be building this on the sidewalk portion for their external fire staircase.

Councilwoman Mejia said that there was a motion to table this so where are we with that?

Mayor Harvey said that we were doing the discussion and he is waiting for that to conclude. He knows that she is ready to table but let us finish our discussion. When everyone is done then we will move to the potential table.

Councilwoman Sofokles added that she also found out recently it could interfere with future work for the railway.

Mayor Harvey asked Ms. Church if that is correct.

Ms. Church said she doesn't believe so. They have talked to CSX and they have to maintain the full rail right of way. There is road right of way and a rail right of way and they are in between the two of them.

Councilwoman Monteverde moved and Councilman Grice seconded to table the resolution.

Ayes - Grice, Mejia, Monteverde, Sklarz - 4

Nays - Shakur, Sofokles, Harvey - 3

TABLED

NEW BUSINESS

There was no new business to discuss.

OLD BUSINESS

Councilman Grice wants to follow up on the Community Choice Aggregation. He knows that we have had some internal conversations about it but is not sure if the RFP went out for that or where we are in the process. He wants to get the ball rolling and he understands this is our Budget time and there might be some personnel situations going on so he would like an update on that.

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

2022 Budget Discussion

Councilman Grice said that one of the things we consistently hear from homeowners, landlords and property owners is about our property taxes. In 2019 he made one of the toughest decisions he ever had to make with our Budget making cuts in public safety. He asked Mr. Venning if our taxes are stable and have they been increasing. When he looks at this Budget he thinks it's a great Budget so are our taxes stable?

Todd Venning, City Manager said, "Yes". The City's tax rate has decreased for the last three years in a row. The levy that has been proposed for 2022 in the City Manager's Proposed Budget does not exceed the tax cap. Last year's levy was not increased at all to help people suffering with the COVID19 Pandemic and the year before in 2019 the Council made those decisions which set us on that path. For the last three years the tax rate in the City has been decreasing and the tax levy has not been exceeding the tax cap. He thinks we need to get a few more years under our belt for Banks and financial institutions to view that as stability but for the last three years, yes, we have been on that trajectory.

Mayor Harvey thanked Councilman Grice for that question because we understand it but the public may not. As Councilmember Mejia mentioned earlier they have seen a difference in the amount of people signing up for the public hearings for the Budget. In past years we have had to move to the Recreation Center so that speaks to the precision and order that the City Manager and the Comptroller's Office has done. It's evident which is why we don't have as many people here tonight for the public hearing. He is happy with it and has made a few suggestions to the City Manager around the Video Surveillance Program and some other minor items. By the time the Budget is officially offered to the City Council on November 22nd he is confident it will be tight. He has never seen as good a Budget in previous years so things are fiscally sound in the City of Newburgh.

FURTHER COMMENTS FROM THE COUNCIL

Councilman Grice thanked everyone for coming and staying. He appreciates when people make comments and then wait for an answer. He tries not to campaign from this seat and he is super happy to be here with his colleagues. As we deliberate on things we are unified although we might disagree and have debates on how to move this City forward, when you look at our reports from the State we are doing a great job. He urged anyone who thinks they are not doing a good job to have a meeting with any of the elected officials or the City Manager to be better informed about what we are doing and what our plans are. It is definitely our plan to fix our Dock and other things people have mentioned so please get the right information so you can be informed. We do have room for improvement and we are not where we want to be yet but we are getting there.

Councilwoman Mejia thanked everyone who hung around tonight. She noted that the Newburgh Preservation Association will be having an event this Thursday as they just finished renovating the Mausoleum at the Old Town Cemetery. She thanked the Chair for his explanation of Roberts Rules but noted that we have never used old business properly and the replay will show that she was merely asking a question for clarification. On the tabling matter, she wanted to make it clear that she is not the lightning for separation. If anything she has strived to be a consensus builder on this Council and she thinks this project is great but some Council members are asking for additional clarification. We just finished critiquing another Board for not bringing everyone along. As Councilman Grice stated, we do have healthy debates and disagreements but going forward she encourages everyone who continues to sit on this Board to bring the rest of the Council members along. Development in the City of Newburgh shouldn't be the way it has been and she is hopeful that going forward it will change because development should be about the entire community and not just a few.

Councilwoman Monteverde said that the Pizza Shop and Hudson Taco are in her Ward and she has been going back and forth looking at this and wondering how they are going to do this so she has some questions. She supports them and feels they do a wonderful business so they must be doing something right because they are always busy. She is just trying to get it in her head how they are going to build that building and just needs a little more time so she will make a point to reach out to the business owners and then will be ready to move on it. We did talk about it in July but with everything going on she forgot about it and now here it is on the agenda again. She added that she will be here for another four years so she thanked the people in her Ward for having confidence in her.

Councilman Shakur thanked everyone for being here tonight. He is listening to everyone and feels we all want the same thing which is a better Newburgh. It's not going to happen overnight though because it's an everyday process. He want us to be better and the only way to do that is by going through what we are right now which is called a process. He gets impatient because he likes to see results but you can see what we do every day so he would like everyone to stop complaining and join the process. Whether you are on the City Council or sitting on the corner you are part of this process.

Councilman Sklarz said that at the beginning of the meeting his audio was not working properly so he was not able to participate in the Moment of Silence where he would have

asked everyone to remember Celeste Bloomer who passed away last week. She was a dear friend to him and the City of Newburgh as an active volunteer with Habitat for Humanity for the past twenty years. She was instrumental in the implementation of the Women's Build Program and oversaw many of the projects that benefitted Newburgh through the years. He asked that everyone remember her and keep her and her family in their thoughts.

Councilwoman Sofokles thanked Pastor Jose for the beautiful Trunk or Treat we had and the Downing Park Planning Committee for putting a booth together. She also thanked the Police Commissioner and Chief because it was a great event and we had a lot of people there.

Mayor Harvey thanked everyone for coming tonight. He thanked the Council and executive staff for their service as we still make our way out of the COVID19 Pandemic. He thanked the residents for their due diligence because at one point the City of Newburgh was in the top two in terms of infection rates but today we are not in the top ten highest anymore. He thanked everyone for their support and confidence in this City government, the Orange County Department of Health and our County Executive for believing in us during the most difficult Pandemic we have seen in over one hundred years. People got vaccinated and we all chipped in with vaccine sites so he wanted to say thanks to everyone and to not forget what we have come through. Even though we are not over the Pandemic we are seeing a light at the end of the tunnel and it took a strong effort from everyone to come together.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 9:36 p.m.

**LORENE VITEK
CITY CLERK**

LOCAL LAW NO.: 7 - 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.: 256 - 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.

RESOLUTION NO. 257 - 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.

RESOLUTION NO.: 258 - 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.: 259 - 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.: 260 - 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 & DEVELOPMENT
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:

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

RESOLUTION NO.: 261-2021

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.: 262-2021

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.: 263-2021

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.: 264 - 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.

RESOLUTION NO.: 265 - 2021

OF

NOVEMBER 8, 2021

**A RESOLUTION ADOPTING THE CITY OF NEWBURGH'S CONSOLIDATED
HOUSING AND COMMUNITY DEVELOPMENT STRATEGY AND ACTION PLAN FOR
FISCAL YEAR 2022**

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

WHEREAS, this Consolidated Plan was prepared in accordance with all statutory requirements, including those related to citizen participation; and

WHEREAS, the City has now prepared a one-year Action Plan in order to implement various elements of the strategies identified in its Consolidated Plan during the third year it is in effect; and

WHEREAS, the City must also submit a Citizens Participation Plan, a Language Access Plan, due to the high percentage of non-native English, and also submit a draft of the 2022 Annual Action Plan and Budget, which may be revised;

WHEREAS, this one-year Action Plan contains the following proposed activities and budget for the City's 2022 Community Development Block Grant Entitlement Program;

Expenditures 2022	
Housing (In-Rem Property Program)	\$190,000
Housing (Home Repair Assistance Program)	\$50,000
Infrastructure Improvements (curb ramps & sidewalk improvements)	\$305,000
Infrastructure Improvements (public accessibility to City buildings)	\$40,000
Economic Development	\$75,000
Quality of Life Improvements/Neighborhood Services	\$25,000
Administration	\$170,000
TOTAL BUDGET	\$855,000

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York does hereby approve and adopt the attached one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements; and

BE IT FURTHER RESOLVED, that the City Council of the City of Newburgh, New York does hereby accept a grant allocation under the Community Development Block Grant Program in the amount of \$855,000.00, and in the event that award funding is greater than \$855,000.00, as presented in the FY 2022 CDBG Annual Action Plan, the additional funding will be applied in the established, corresponding projects of the existing FY 2022 CDBG Annual Action Plan; and

BE IT FURTHER RESOLVED, that the City Manager be and is hereby designated the official representative of the City of Newburgh and he is hereby authorized to submit the one-year Action Plan and execute the appropriate forms and certifications; that the City Manager be and is hereby further directed and authorized to act in connection with the submission of a one-year Action Plan and to provide such additional information as may be required; and that the City Manager be and is hereby 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 programs funded thereby; and

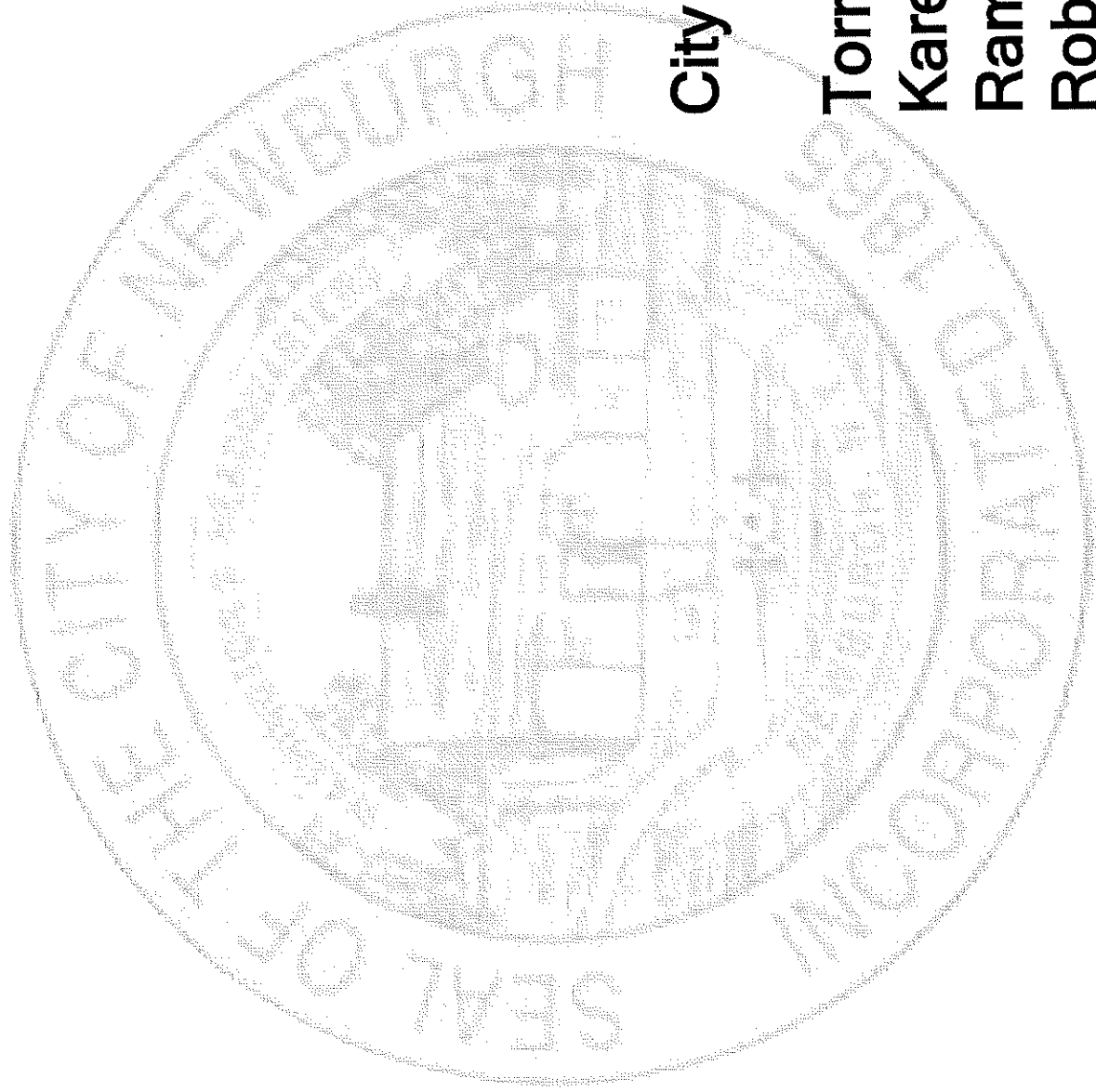
BE IT FURTHER RESOLVED, that the Secretary of Housing and Urban Development be and hereby is assured full compliance by the City of Newburgh with said certifications.



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

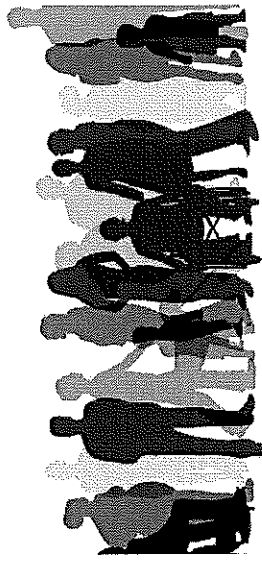
Omari Shakur, At-Large



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 Funding	% Project increase, if HUD allocation greater than proposed (approx.)		% Project decrease, if HUD allocation less than proposed (approx.)
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$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 Development Activities: Business Façade and signage, Workforce Training.	\$75,000.00	15%		10%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	\$25,000.00	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			

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 Funding	% Project Increase, if HUD allocation greater than proposed (approx.)
Housing	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$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	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	Economic Development	Examples of Economic Development 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	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	

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 Funding	% Project decrease, if HUD allocation less than proposed (approx.)
Housing	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$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	Economic Development	Examples of Economic Development 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	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	

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: \$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.

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: \$305,000.00

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.

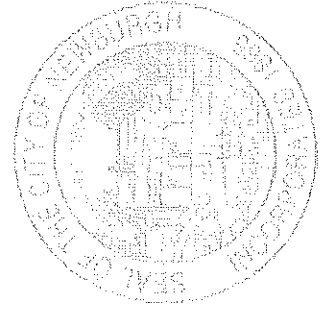
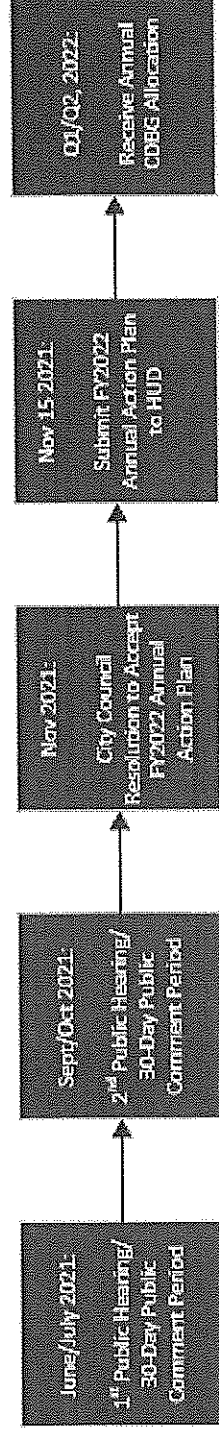
Proposed Activity: Administration

Budget: \$170,000.00

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

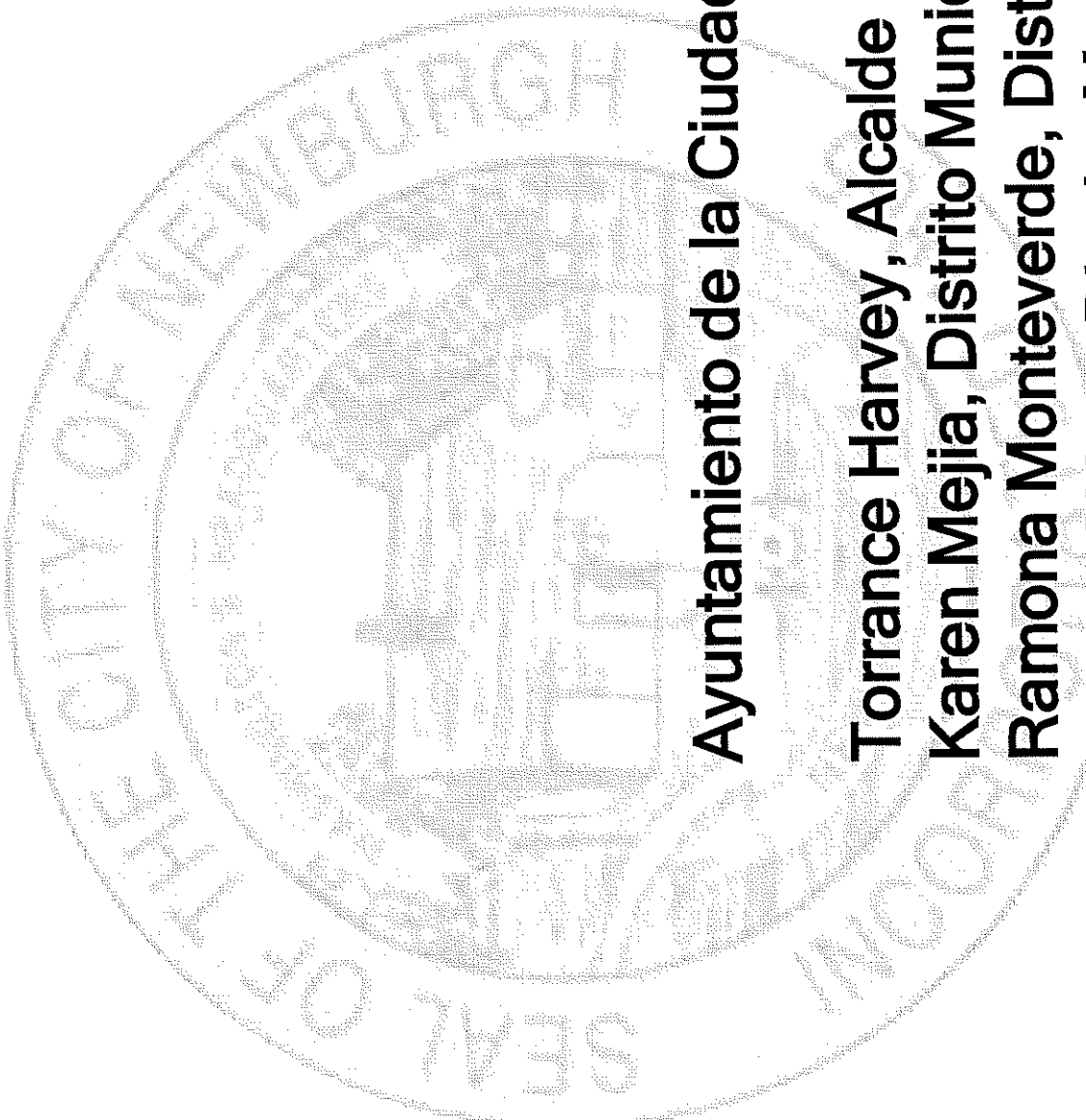


Subvención en Bloque para el Desarrollo de la Comunidad ("CDBG")

Año Fiscal-2022 Plan Anual de Acción

Departamento de Planeamiento y Desarrollo Junio de 2021



The seal of the City of Newburgh is a large, circular, light-gray watermark in the background. It features a central shield with a plow and a sheaf of wheat, surrounded by the text "SEAL OF THE CITY OF NEWBURGH" and "FOUNDED 1784".

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

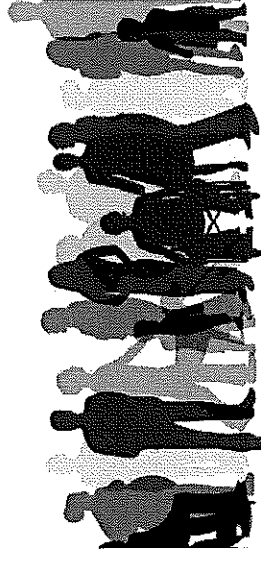
Anthony Grice, Representante Independiente

Omari Shakur, Representante Independiente

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 valore 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.



“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.

Propuesta: Año Fiscal-2022 CDBG

Proyectos/Financiación

Proyectos Financiados a través de una Adjudicación de Subvención por Derecho (<i>Entitlement</i>)	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.)	
					Proyecto	Propuesta	Proyecto	Propuesta
	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				

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	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, recortadores de hierba, cerraduras/llaves.	\$190,000.00	Sin Incremento
	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	Para continuar la financiación del proyecto de Mejoramiento de Aceras y Rampas en Bordillos.	\$305,000.00	25%
	Mejoramientos de Infraestructura	Mejoramientos del Acceso Público a Edificios de la Ciudad de Newburgh	\$40,000.00	25%
	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	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	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	

Financiación de Contingencia

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

Proyectos Financiados a través de una Adjudicación de Subvención por Derecho (<i>Entitlement</i>)	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.)
Vivienda	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	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 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	Actividad de Servicio Público, Sujeta a un Límite de 15% de Adjudicación Anual. Ejemplos de Actividades: Festival de Cine de Varano, 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	

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)

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.

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.



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.

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.

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.

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.



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.

Línea del Tiempo del Año Fiscal-2022

CDBG - Plan Anual de Acción (AAP)

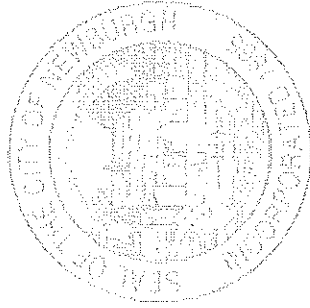
Junio/Julio
2021:
1.^a
Audiencia
Pública/Perí-
odo de 30-
Días de
Comentario
Público

Sept./Oct
2021:
2.^a
Audiencia
Pública/Perí-
odo 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**



FY2022 Annual Action Plan
Community Development Block Grant (CDBG)

Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding (approx.)	% Project Increase, if HUD allocation greater than proposed (approx.)		% Project decrease, if HUD allocation less than proposed (approx.)	
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$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 Development Activities: Business Façade and signage, Workforce Training	\$75,000.00	15%		10%	
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap. Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	\$25,000.00	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	\$655,000.00				

RESOLUTION NO.: 266 - 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.: 267-2021

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.

TABLED

RESOLUTION NO.: 268-2021

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.

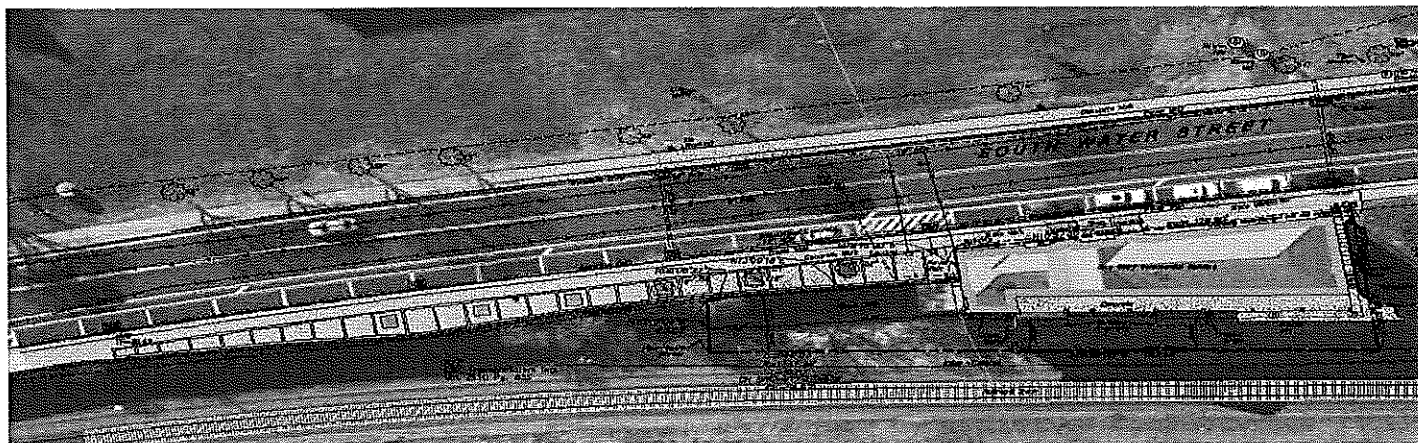
Terms and Conditions Sale Vacant Real Property Adjacent to 27 South Water Street (No SBL)

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. S08°06'22"W 92.12 feet and S10°37'36"W 100.48 feet to a point;

Thence running westerly, northerly and easterly the following five (5) courses and distances through South Water Street N79°22'24"W 9.45, N06°42'47"E 36.86 feet, N08°35'18"E 73.50 feet, and N09°45'35"E 83.56, and S73°13'03"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.