

A regular meeting of the City Council of the City of Newburgh was held on Monday, February 27, 2023 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Moment of Silence / Momento de Silencio

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

Pledge of Allegiance / Juramento a la Alianza

Roll Call / Lista de Asistencia

Present: Mayor Harvey presiding: Councilmember Grice, Councilmember Martinez, Councilmember- Monteverde, Councilmember Shakur, Councilmember Sklarz, Councilmember Sofokles - 7

COMMUNICATIONS

Approval of the minutes from the City Council meeting of February 13, 2023 / Aprobacion del Acta de la Reunion General del Consejo del 13 de febrero de 2023

Councilman Grice moved and Councilman Sklarz seconded.

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

Carried



City Manager's Update

Newburgh City Council Meeting

Monday, February 27, 2023

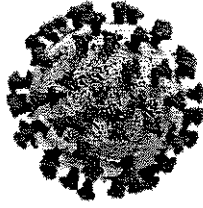


Novel Coronavirus (COVID-19)

For more information

Hotline: 1-888-364-3065

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



New York State Department of Health COVID-19 Tracker

Testing data as of: 2/23/2023 2 PM
Testing data last updated on: 2/24/2023

Statewide

Tested Positive (2/23)

1,737

Total Results Received
(2/23)

46,915

Tested Positive
(Cumulative)

6,615,688

Total Results Received
(Cumulative)

127,944,877

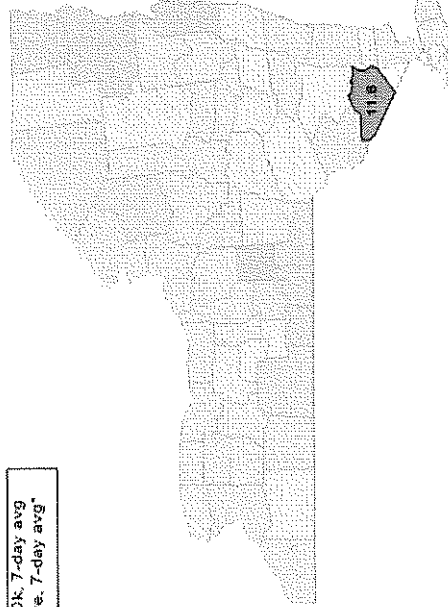
Tested Positive by Sex
(Cumulative)

Female 52.8% Male 45.6% Unknown 1.6%

Positive Tests by County

● Cases per 100k, 7-day avg.
○ Test % Positive, 7-day avg.

6.5 23.6



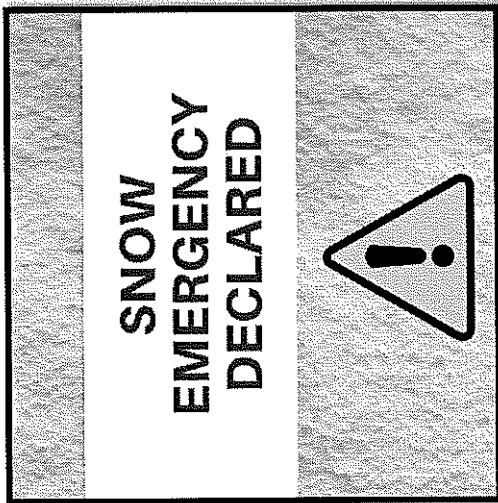
Medium
In Orange County, New York,
Community level is Medium

Click County to
See Detail
Click Again for
Statewide

- Onondaga
- Ontario
- Orange
- Orleans
- Oswego
- Otsego
- Putnam
- Queens
- Rensselaer
- Richmond
- Rockland
- Saratoga
- Schenectady
- Schoharie
- Schuyler
- Seneca
- St. Lawrence
- Steuben
- Suffolk
- Sullivan
- Tioga
- Tompkins
- Ulster
- Warren
- Washington
- Wayne
- Westchester
- Wyoming
- Yates

County Testing Details: Orange (2/23)

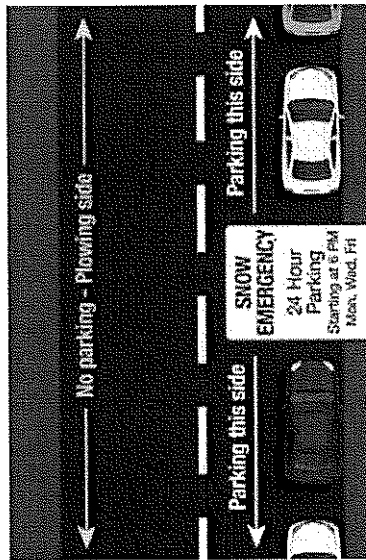
Tested Positive (Prior Day)	35	Total Results Received (Prior Day)	1,041	Cases per 100k (Prior day)	9.2	Test % Positive (Prior Day)*	3.1%	Tested Positive (Cumulative)	140,374	Total Results Received (Cumulative)	2,097,337
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Updates

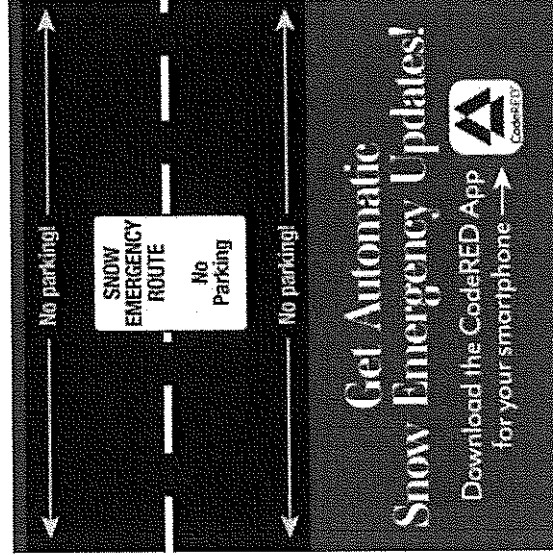
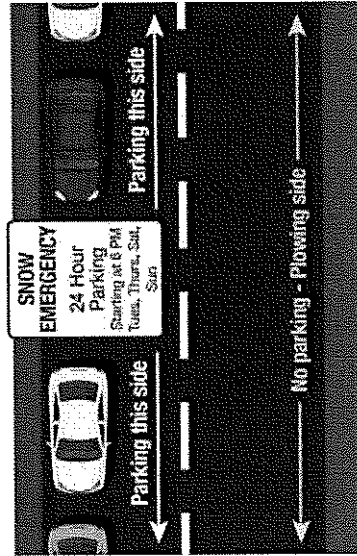
The public can find Snow Emergency updates in the following places:

- City Hall Hotline - Call 845-569-7398 to hear a message in English and Spanish.
- City Website - An Urgent Alert will appear in red on the [City website homepage](#). Users can sign up for E-Alerts to be notified immediately.
- Radio - Pamal Broadcasting (WHUD 100.7FM, WSPK 104.7FM, WBNR 1260 am, WLNA 1420 am, WXPX 107.1FM), Fox Radio (Fox Radio: Fox 103.1, Oldies 98.9/1220/105.3, Fox Country 94.5), Townsquare Media (94.3/97.3 The Wolf, 92.7/96.9 WRRV, 101.5 WPDH, JUAN 95.7, 97.7 NOW)
- Social Media - Posts will appear on the [City of Newburgh Facebook page](#).



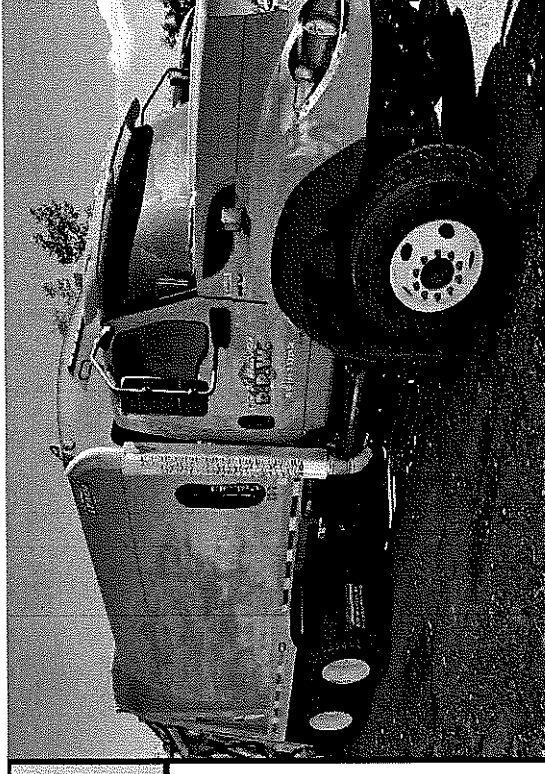
Park on this side:
6 P.M. Monday to 6 P.M. Tuesday
6 P.M. Wednesday to 6 P.M. Thursday
6 P.M. Friday to 6 P.M. Saturday

Park on this side:
6 P.M. Tuesday to 6 P.M. Wednesday
6 P.M. Thursday to 6 P.M. Friday
6 P.M. Saturday to 6 P.M. Monday



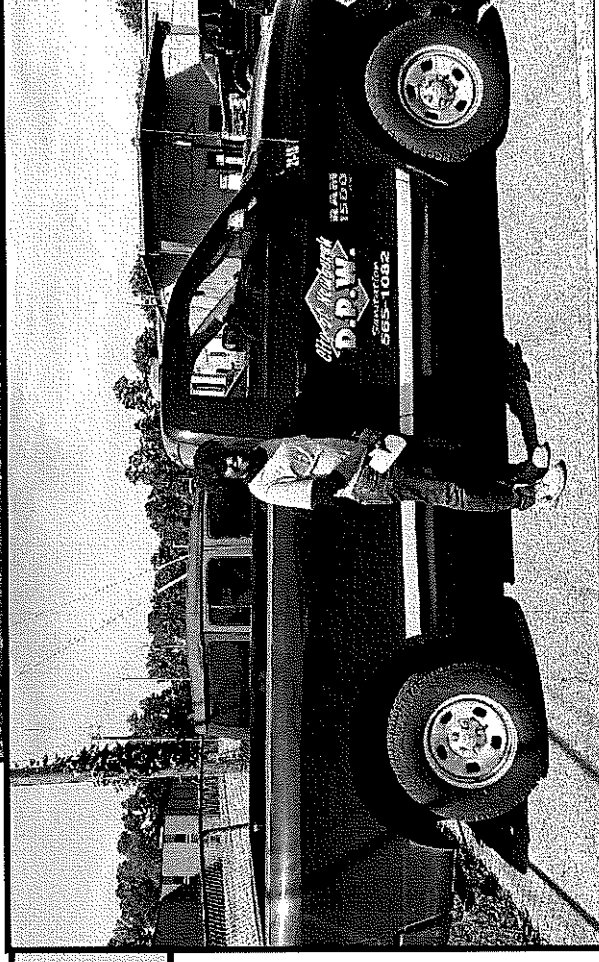
SANITATION TOTALS FOR THE MONTH OF JANUARY

- 939 tons of solid waste
- 89 tons of recyclable material

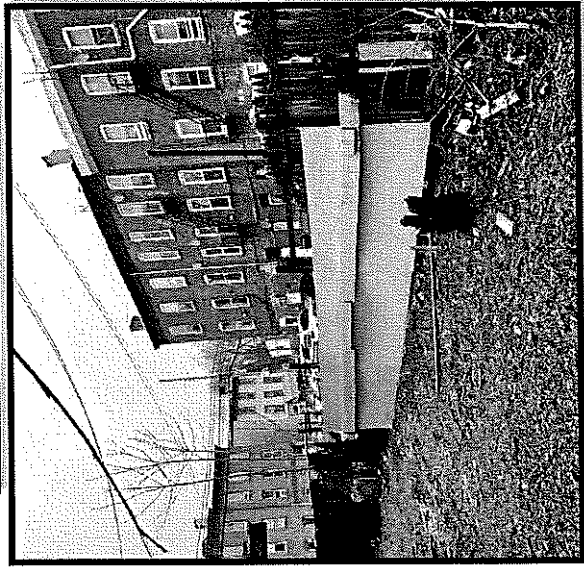


SANITATION ENFORCEMENT TOTALS FOR JANUARY

- 114 Warning letters issued



OVER 150 HYPODERMIC NEEDLES WERE REMOVED FROM THIS PROPERTY

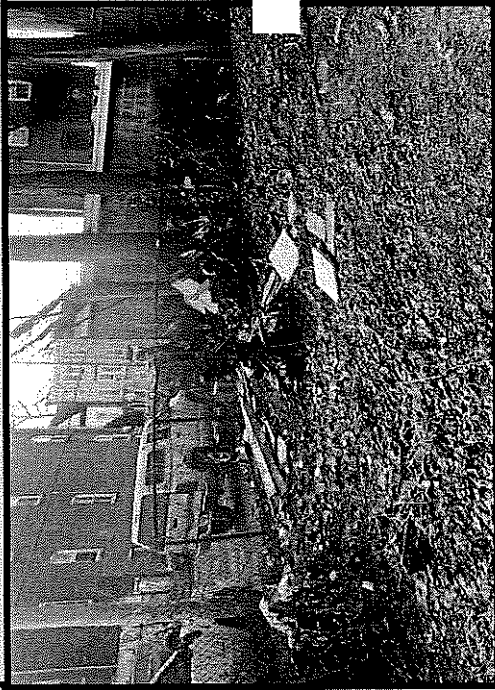


273 FIRST STREET CLEAN-UP





CLEAN UP AT 123 RENWICK STREET



26 HAZARDOUS TREES REMOVED



30 TREES TRIMMED

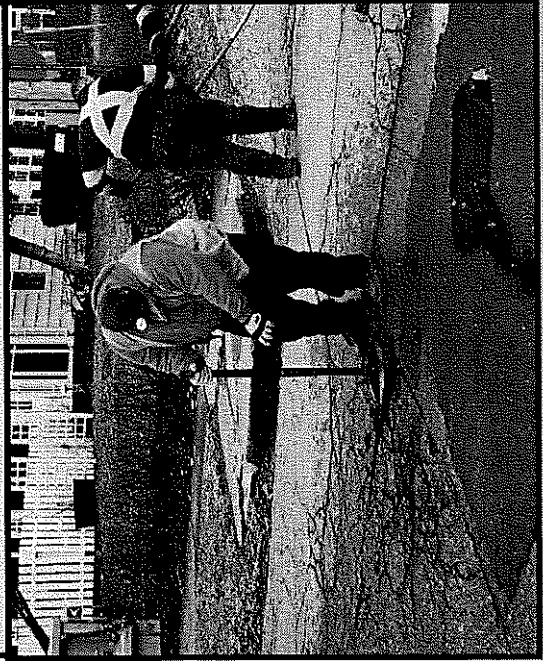




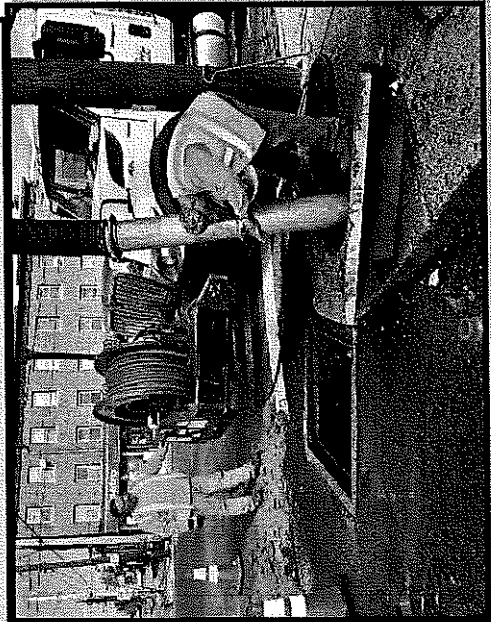
LIGHTING REPAIRS IN DOWNING PARK



FILLED 170 POTHOLES



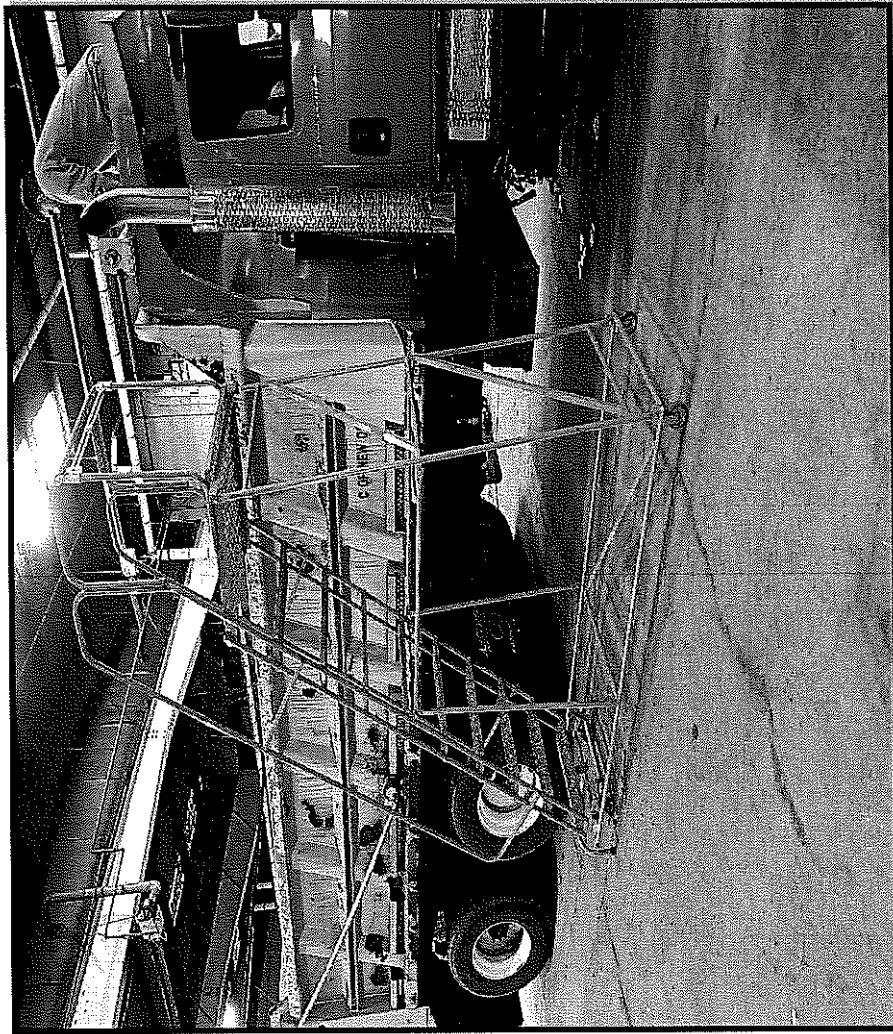
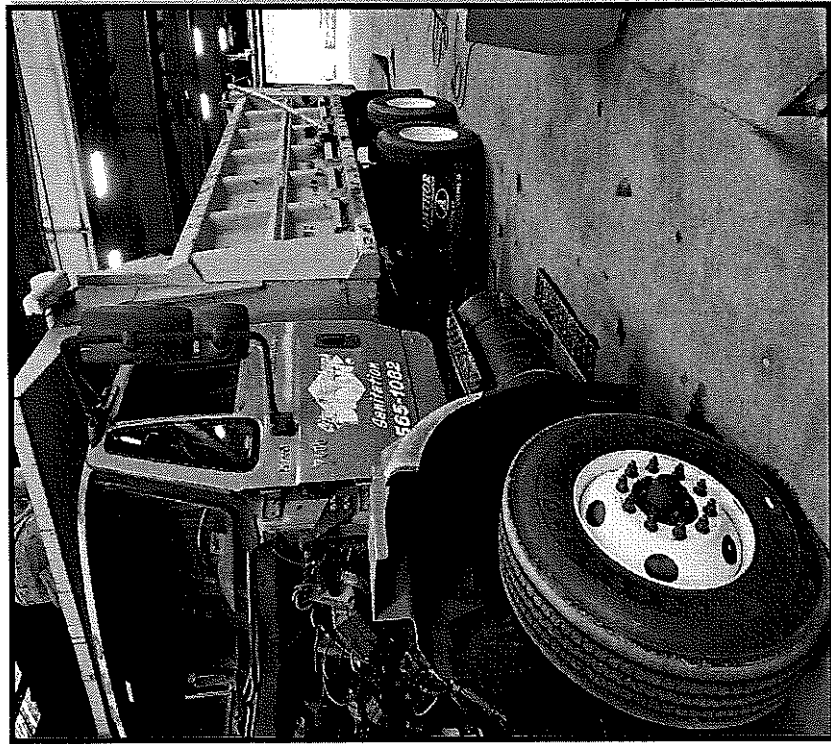
CLEANED 77 CATCH BASINS





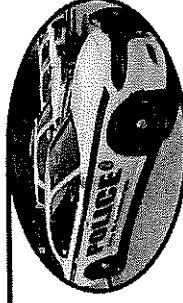
DUMP BOX REMOVAL OF 1989 TRUCK

\$200,000 SAVED



City of Newburgh Police Department

Police Monthly Operations Report



Date: February 21, 2023

Table 1.

CALL TYPE	PLATOON ONE	PLATOON TWO	PLATOON THREE	TOTAL
ALARM - AUDIBLE/SILENT	37	42	31	110
DOMESTIC DISPUTE	30	19	38	87
DISORDERLY ADULT	13	43	26	82
WELFARE CHECK	13	25	42	80
MVA - PROPERTY DAMAGE	9	30	29	68
DISTURBANCE	13	13	32	58
THEFT/LARCENY	5	37	16	58
NOISE COMPLAINT	25	3	22	50
SICK/INJURED PERSON	17	16	17	50
LOST PROPERTY	1	27	6	34

Table 2.

	Part One Crime			
	Jan 1 - 31	2022	2023	% Change
Murder		0	0	0
Rape		2	2	0
Robbery		8	9	13%
Agg. Assault		11	14	27%
Res. Burglary		8	6	-25%
Comm. Burglary		7	4	-43%
Larceny - Theft		36	36	0%
Auto Theft		12	4	-67%
Total		84	75	-11%
Violent Crime		21	25	19%
Property Crime		63	50	-21%

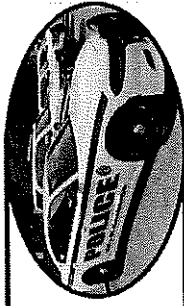
Table 3.

Arrests	
Number of Arrests	149
Gender	
Female	45
Male	104
Cause of Arrest	
Arrest Warrant	42
Bench Warrant	16
Complaint	22
Court Summons	6
Crime in Progress	61
Order of Protection	2

3,034 call for service entries in January 2023

City of Newburgh Police Department

Highlight



Commissioner Gomez honored in Dominican Republic for leadership and excellence in public safety

AYUNTAMIENTO MUNICIPAL DE SAN FRANCISCO DE MACORIS

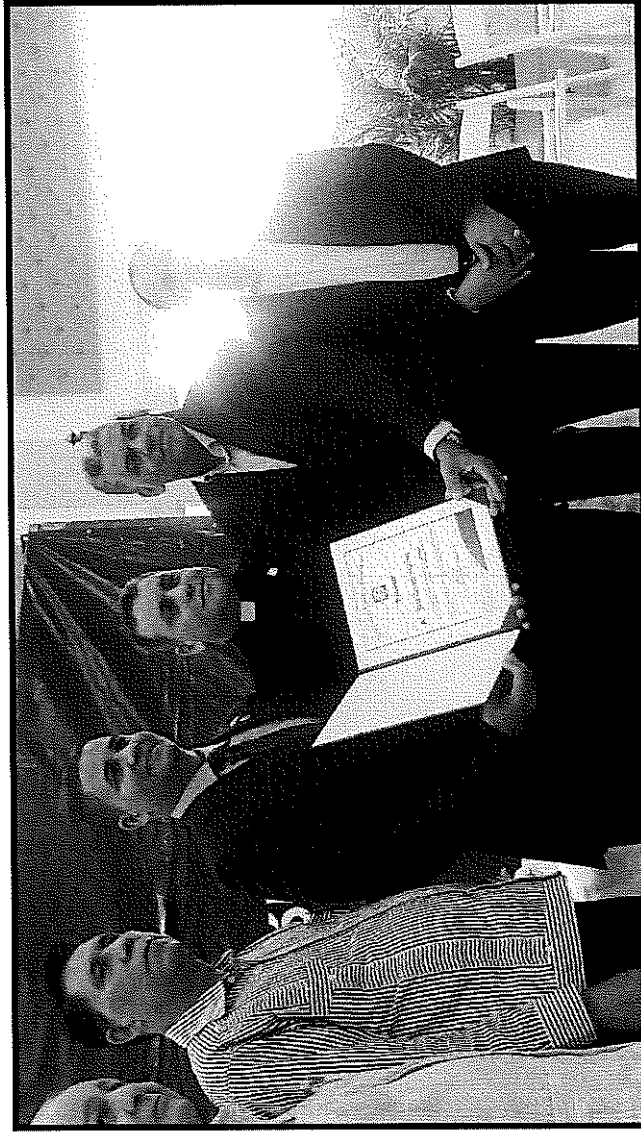
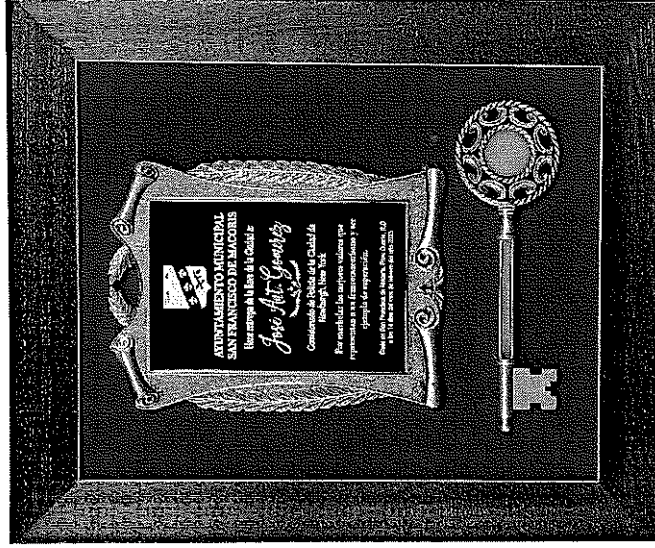
INVITAN A LA ENTREGA DE LAS LLAVES DE LA CIUDAD AL FRANCOMACORISANO JOSE ANTONIO GOMEZ

COMISIONADO DE POLICIA DE LA CIUDAD DE NEWBURGH, NEW YORK

MARTES 14 DE FEBRERO, 2:00 PM
SALON DE ACTOS WILLIAM GARCIA, AYUNTAMIENTO MUNICIPAL

Ramon Emilio Goris
Presidente del PHD

Siglo NG de la Rosa
Alcalde

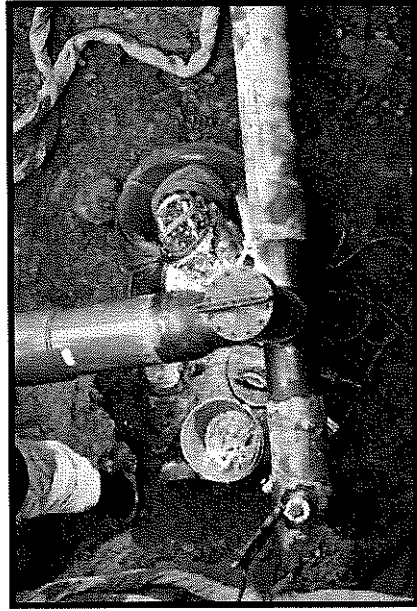




Natural Gas Main & Service Replacement Program

Precision Pipeline Solutions will begin installing replacement main lines in the street and service lines that connect to homes and businesses.

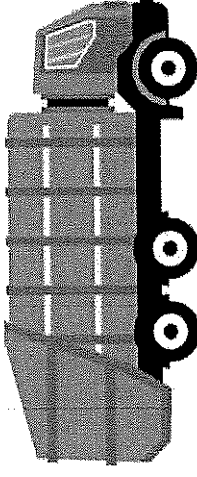
- 3,700 feet in the City of Newburgh
- To begin in March and will take 4 months to complete



Construction trenching will occur along:

- North St, at the intersection of N Plank Rd
- North St, between Powell Ave and Liberty St
- Stern Dr, at the intersection of North St
- Central Ave, between North St and Elmwood Pl
- Balmville Rd, between North St and Interstate 84
- Liberty St, at the intersection of North St
- Leroy Pl, at the intersection of Liberty St
- Park Pl, at the intersection of Grand Ave
- Elmwood Pl, between Powell Ave and Liberty St

If your service line is affected, Precision Pipeline Solutions will contact you to schedule an appointment for its replacement.



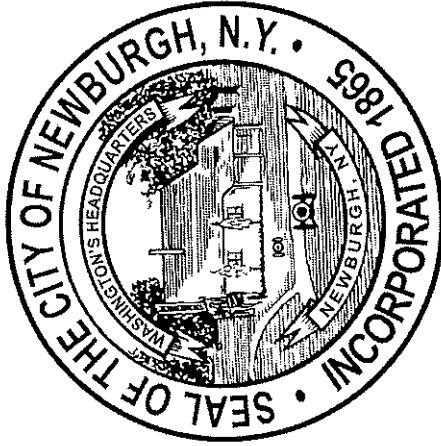
NEXT PICKUP IS ON MARCH 29, 2023

The bulk item pickup program will continue on a quarterly basis for the remainder of the year and is free of charge to all residents.

Residents are required to schedule their bulk item pickup with the Department of Public Works Sanitation Division at (845) 565-1082 or the Department of Public Works at (845) 565-3297 by 3:00 p.m. the **Tuesday** before the collection date to schedule a pickup.



Bulk Item Pickup Program

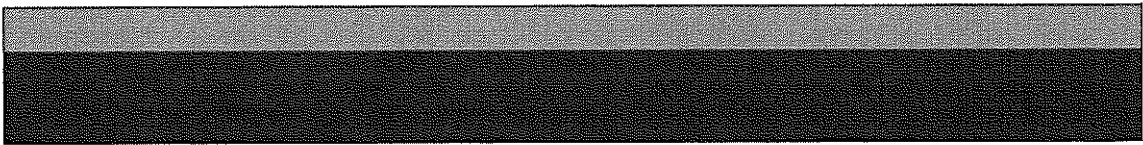


BOARD & COMMISSION VACANCIES

- BOARD OF ETHICS
- BOARD OF ELECTRICAL EXAMINERS
- CITIZENS ADVISORY COMMITTEE
- DISTRICTING COMMISSION
- PLANNING BOARD

- APPLY ONLINE ON THE CITY WEBSITE
- SEND COMPLETED APPLICATION VIA EMAIL:
BOARDS@CITYOFNEWBURGH-NY.GOV
- MAIL OR HAND-DELIVER APPLICATION:
CITY HALL – 83 BROADWAY

Residency requirements may apply



PRESENTATIONS

Black History Month Presentation from Mayor Harvey

Public Hearing - City of Newburgh Community Development Block Grant (CDBG) FY2022 Consolidated Annual Performance and Evaluation Report (CAPER)

Mayor Harvey called for a Public Hearing that was advertised for this meeting to receive public comment concerning the City of Newburgh Community Development Block Grant (CDBG) FY2022. He also referred to the Consolidated Annual Performance and Evaluation Report (CAPER).

Alexandra Church, Director of Planning and Development gave a quick update on the Public Hearing.

Ray Harvey, resident at Carpenter Avenue. States the only question he has is, why do things like this and not do Town halls to let people know what is going on since a lot of people don't have access to the websites. Mr. Harvey said he works for the Government, and they do town halls to let people know why they are there and what they do, and he feels that the City of Newburgh should do the same.

Being there were No Further Comments this Public Hearing was Closed.

Public Hearing - Local Law Amending Exemption Term of Chapter 270 "Taxation" Article V "Exemption for First-Time Homebuyers of Newly Constructed Homes"

Mayor Harvey called for a Public Hearing that was advertised for this meeting to receive public comment concerning Local Law Amending Exemption Term of Chapter 270 "Taxation" Article V "Exemption for First -Time Homebuyers of Newly Constructed Homes".

Kippy Boyle, residing at 400 Grand Street. She wanted to point out following Mayor Harvey's comments, she said the reason the people are not stampeding to the microphone is because there is no point to talk about it if you already do your voting at your work session. She feels that the system is shot.

Mayor Harvey wants to defer to Corporation Council on that comment. He stated this is not a Town hall meeting, it is a City Council Meeting and the reason for a Public Hearing is to listen to the public before the Council takes up a vote on amending local laws, creating ordinances etc. This vote will not happen for a couple weeks.

Michelle Kelson, Corporation Counsel stated that this particular Local Law was introduced at the City Council work session on February 09, 2023 with the proposed resolution to schedule for a public hearing this evening. She said that there was an explanation with the Assessor and with the Attorney that the purpose of this Local Law

was to extend the time to allow First-Time Homebuyers to apply for the Tax Exemption. She stated the state law has changed, and this law was to sunset in December 2022. The State Legislator extended the Local Law until 2028. Kelson also said that all local jurisdictions who have this exemption in their code needed to pass their Local Law to adopt that amendment. She stated that there was a City Council meeting on February 13, 2023 at which time the resolution scheduling the public hearing was an agenda item and there is a public comment period at every Council meeting during agenda items and any concerns can be addressed at that time. Kelson stated that at the work session on February 23, 2023, we discussed putting this particular Local Law to be put on a vote in tonight's meeting for a very specific purpose if there were no objections. We wanted to have the Local Law adopted prior to taxable status for the next year tax rolls which is March 01, 2023. Kelson stated, she recommends the Local Law to be voted on tonight.

Mayor Harvey said that this Local Law would be adopted tonight with no objections from the public or City Council.

Ray Harvey, resident of Carpenter Avenue Stated "when you speak of Town Hall, I don't come to City Council to debate about this, I am sorry that I get upset but I am very passionate. I have folks coming up to me to ask how they can purchase a home from the City of Newburgh, but they don't know how". Harvey said when you have Town meetings it should be about a specific item so that people know why we are there and what we are doing.

Being there are no further comments this Public Hearing was closed.

Public Hearing - Local Law Amending Article XII Department of Fire

Mayor Harvey called for a Public Hearing that was advertised for this meeting to receive public comment concerning the proposed Local Law Amending Article XII, entitled "Fire Department" of the Code of Ordinances of the City of Newburgh.

Mayor Harvey asked Michelle Kelson, Corporation Counsel or City Manager, Todd Venning to explain before any comments.

Michelle Kelson, Corporation Counsel explained that this Local Law was also introduced to the City Council at the work session on February 09, 2023. A resolution scheduled for this evening was voted on and approved by the City Council at the Council Meeting on February 13, 2023. Kelson, stated that the purpose for this particular Law the City of Newburgh adopted in its budget is for a Fire Commissioner and Civil Service Commission fully adopted the job title. She said it is necessary for the job title to be incorporated into the organizational structure of the City of Newburgh, which first and foremost is in the City Charter. Article XII of the City Charter is the Fire Department. The proposed revisions here are to introduce the title of Fire Commissioner as the appointed Department head of the Fire Department to reorganize the hierarchy of the Department from Fire Commissioner to Fire Chief and then other ranks created from time to time by the City Budget and Civil Service Commission. Kelson said This is the primary purpose for this

Local Law.

Danny Camacho, resident from the Town of Newburgh. Who has been a firefighter for 16 plus years and LT. over 3 years. He said that for the members of the Fire Dept. safety is there number one priority. Camacho stated that our daily goal is to provide protection to the citizens of Newburgh and this preparation is to designed to provide a margin of safety for the citizens and provide members the best chance where they are unharmed when called beyond those margins. The reduction of Firefighters going into those buildings or areas immediately dangerous to life and health greatly reduced that margin as safety as citizens and employees should rightfully expect and deserve. Camacho continued saying up until January 20, 2022, the fire department had 10 Firefighters on shift.

Mayor Harvey asked Mr. Camacho respectfully to make a public comment particularly on this particular item not on the grievances from the Fire Department. If not, he would have to ask him to have a seat.

Danney Camacho continued saying We've got to the point we reduced the amount of people on the street where they are actually doing the work getting into buildings, so we find it hard to understand value of a Fire Commissioner. With respect to those who professional careers have taken them to administration of role of fire commissioner or Fire Chief is our opinion adding another administrative position does not add to that margin of safety, instead, they should fund more firefighters to respond to emergencies. The Fire Commissioner and Fire Chief do not go into a building and are not doing work that needs to done. There are 2 deputy positions that have not been funded. He wants to know what the purpose of a Fire Commissioner and what are the plans to getting it back like it used to be?

Michelle Basch resident and Business Owner in the City of Newburgh asked if the Fire Commissioner would be a salaried position and what the duties of this person would be.

Resident 130 Third Street. He said that he does not know much of this law but the City does not need another administrative position, it needs another Fire Department house because last year there was a fire on Lutheran Street and other departments from other places came to help. He feels city needs to avoid future fires.

Mayor Harvey asked City Manager or Michelle Kelson to explain the role of Fire Commissioner.

City Manager, Todd Venning explained that this was approved and funded by the City Council last November. He said that local Civil service Commission created it. The main role is to add some additional leadership positions and responsibilities to the Fire department, to address specific areas that the City Council brought up last year before the budgetary process. I will remind everyone that everyone is a union member except the Fire Chief. Venning said there is nothing wrong with being a union member but there is only one management, non-confidential staff member and that is currently the Fire Chief, This will basically replicate the successful situation we have at the Police department, that will give us two members and it should be something that allows us to address things like training, oversight and several of the areas that came up last year during the Council review of the Fire Department that we found to be deficient. He also said he can provide the job

description that was created last year.

Being no further Comments, this portion of the meeting is closed.

Public Hearing - Local Law Amending Chapter 42 Fire Department

Mayor Harvey called for a Public Hearing that was advertised for this meeting to receive public comment concerning the proposed Local Law Amending, Chapter 42 entitled "Fire Department. " Of the Code of Ordinances of the City of Newburgh.

Mayor Harvey asked if we could get a brief explanation before any comments from the public.

Michelle Kelson, Corporation Counsel. Stated this proposed Local Law is to introduce the position of the title of Fire Commissioner into the administrative code of the city of Newburgh so the charter has the provision of the department of fire It's an administrative position in Chapter 42 that talks about the composition of the department and the duties of specific titles in the departments and most of the provisions of the current version of the charter has been superseded by other State Law rules and regulations particularly in adoption of civil service job titles and job descriptions. Also with implementation and adoption of the Taylor Law that provides collective bargaining for the labor organize employees of the city of Newburgh many of the provisions of this chapter are now govern by the local civil service commission or terms of collective bargaining agreement, public employees relations board of the state of New York. The purpose of this Local Law is to streamline the code chapter so that it will be consistent with charter provision so we are starting with composition and organization so section 42.1 will now have the Fire Department composed and organize as provided in the charter instead of having it amended every time there is a change in ranks and new positions are created or eliminated. Duties and responsibilities that are in section 42.2, 42.3, 42.4, and 42.5 those job duties have been adopted into the job descriptions and classified by the Civil Service commission and have been superseded. Now have taken those provisions that are no longer applicable, we held those sections in reserve if needed in the future, and added the Fire Commissioner to be the head of the Department so all the rules and regulations are consistent with rules and law of the State of New York.

Danny Camacho Town of Newburgh. Asked why the word "paid" was removed in Chapter 42 and wanted some clarification if it meant having a volunteer Fire Department because he feels volunteerism is a dying industry.

Michelle Kelson, Corporation Counsel. Kelson said she is happy to address that because she thinks much more is being made of this than it was intended, it appears to her in reviewing the history of this provision that at sometime in the last century, there was perhaps a combination of paid firefighters and "Callmen" which she believes were the volunteers. The subsection 42-7 Compensation implies to her as "payment". And it seems redundant to talk about payment to the paid firefighters that are paid and professional. The city of Newburgh Fire Department cannot be changed to a volunteer or partial volunteer

because it would be violating the "Taylor Law ". The new revised proposed provision all members of the Fire Department shall receive compensation and shall be fixed by the local law or by the City Council meaning the City Council budget and that City Council should not said any compensation lower than any local or state ordinance It means Firefighters who are paid will continue to be paid and Kelson said she is sorry for causing so much controversy.

Mayor Harvey stated for the record no none will ever change to a volunteer or partial volunteer fire house without the union being part of that conversation because they would be violating the "TAYLOR LAW".

Councilmember Shakur said for the record "Don't they know that if there working for the union".

Being no further Comments this Public Hearing was closed.

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

Grace lives on Henry Avenue. She is here to support the City Council in moving towards designating Crystal Lake as a Park and just wants to encourage everyone to accomplish this goal. She thinks it would do wonders for the community and there already been a lot of community members in restoring this park. She also wanted to thank the Council in hopes of designating this as a park.

Anisha Mahar resident in Ward #2. She can attest from her research that Crystal Lake was where folks would go fish, swim and gathered. Mahar said that they have seen an increased in the recreational use through steward ship even before us of many Council Members such as Councilmember Sklarz and Councilmember Grice who has partnershiped with Scenic Hudson. She wants to thank the City Council for taking this first step towards designating Crystal Lake as a park. She said that 43 percent of our youth in the City of Newburgh are overweight according to a pattern of progress study and ask the City Council to vote positively on this.

Mark Sanchez Potter City of Newburgh resident and member of the Conservation Advisory Council. He wants to thank the Council for designating Crystal Lake as park. He feels public parks are public good and they belong to everyone and this parcel of land is wonderful. He is hopeful in creating this park at Crystal Lake.

Shem resident of New Windsor. He is currently a Co-Founder of a Community and Health wellness program located on First and Johnston Street. Shem represents a lot of the kids living in shelters and foster homes. He feels this is a no brainer because you don't need any money to go to the parks and children can be free and be themselves.

Dino Pete wants to speak about the Municipal parking lot on Ann Street because in the last 3 days he has received several parking tickets. Mr. Pete said for the last five years he has parked there with no issues. He wants to know what is going on.

Michelle Kelson, is not aware what particular spots are restricted she will look in to it and get back to Mr. Dino Pete.

Councilmember Shakur said he was aware of this situation because Dino Pete spoke to him about it. Shakur wanted to know what changes have been made that they are ticketing now and not five years ago. He feels that the black and brown people are the ones being ticketed and always getting bad results from these new rules that are put in place. Shakur said that the food trucks did not get 30 day notices to remove their trucks off Broadway. Mayor Harvey said he made sure that Commissioner and Police Chief gave a grace period for the food trucks. Harvey said that city was understaffed in certain areas and now that the city has increased staff the enforcement is happening.

Kippy Boyle resident 400 Grand Street. On RESOLUTION # 30-2023, she is very pleased to hear from the audience that the purpose of the survey is to create a park and she feels it should have specified that on the agenda. Boyle said there is no reference anywhere saying it was for a park unless you're at the City Council meeting. She is concerned that the zoning map only includes Crystal Lake and not Snake Hill. She thinks the project is wonderful.

Jason Angel residing in Phillips Town. He is the Code Director of the Ecological Citizens Project which is a non-profit Organization that have supported Newburgh Community Members Anisha Mahar, Katie Collins and now Bettie Bastidas as they served as community farmers. We deeply believe in food gardens and public spaces where people who need food can come and get it. Angel is here supporting the agenda item around the survey. he knows it is the first step in the discussion to designate the 110 acres as a public park which is the largest green space in the Hudson Valley, and he feels it is a great thing.

Ray Harvey resident has been getting a lot of complaints about the Police Department. Harvey said he supports the Police Department, but something is wrong. He thought we made progress with the police Department and the community coming together. He spoke to a gentleman that wants to sue the City of Newburgh and I told him to hold off. He feels everyone should sit down and have a meeting

Michelle Basch, resident and Business Owner. wants to know if the city has any recourse with Central Hudson because she paid \$21,000 more in 2022 than 2021. She upgraded the freezers, fridge and lights. Basch said something is wrong as her friend on Benkard Avenue had two lightbulbs and one outside resulting in a bill for \$227.00 dollars in one month. She has a girl that works for her and is a single mother in a small apartment on Liberty Street and she got a bill for \$450 dollars. There must be some kind of recourse. Basch also said that her taxes include the Fire Department and Police Department services and that non-profits call these departments when in need and they do their job, so would it be possible for non-profits to pay a fee when they call for these services. She said on Sunday morning a guy ran into her husband's car and to her knowledge he is in jail but would like for the council to consider putting speed cameras.

Setaira Boyd resident. Is here speaking on behalf of PCRRB. She said she does not want to put any rumors out there but she has noticed there is a disconnect and is bothered because she witnessed an Officer pushing a gentleman and the same officer pushed one of

the PCRRB members that same night. Boyd said I am not hushing up; people want to do behind closed doors, and I am not doing that. I am the chairperson and people were put on this board for a reason I am not sure why this happened, maybe because the commissioner was away. There is a problem with our board and orders are given not to provide me with information unless I go through Sgt. Chris Lahar and that should not be. I went to the Executive Office and spoke to Omar to setup an appointment to have a meeting with Todd Venning and Michelle Kelson and the NAACP will also be there. Enough is Enough. I was livid and had to speak to that Officer and that gentleman that night on Chambers Street. This has to stop and you have to involve the PCCRB, because you can't pick and choose. We support you with letters don't use us when it's convenient for you.

Mayor Harvey said he will also be present at the meeting.

Resident of 130 Third Street. He said there are new neighbors that are selling drugs and he sees the activity going on daily. He said he saw a police car and stopped the officer's and told them and their answer was to call when he sees the activity so they can get arrested. The resident asked the Council what they would do if this happened in there neighborhood. He stated "What do I have to do call the FBI? Because I have a family, children and my street is not safe any longer".

Mayor Harvey responded, "You call the Police department and if they don't respond you are supposed to file a complaint against the officers, get their names and badge numbers and then we can identify them for not doing their job and will get handled internally".

Daniel Atona, resident of Poughkeepsie and works at 471 Broadway. He wants to say thanks for the presentation on Black History Month. He wanted to highlight that there is a state bill called the "NO SLAVERY NY ACT" which would close a loop hole in the 13TH Amendment. He stated the other reason he's here is to discuss housing It was great to see Chief of Staff, Mayor and City Manager, I know your fighting hard for funding for Newburgh. Atona also said he is happy that the City Manager and Council committed on the vacant study and is a great supporter for Crystal Lake.

Santiago, Ward #1 and 7 th Grader. He said his mom has worked very hard on Crystal Lake and have seen many people get together. And to hear that if it's not protected anyone can purchase that property. A few months ago, Santiago played with other kids and did not see a single person unhappy. He also named a few of his favorite top five African Americans like Michael Jordan, Alice ball, Mae Carol Jemison, Rosa Parks and Emma Kaye.

Mayor Harvey said Santiago is our future Mayor and invited him to his office for a meeting.

Johanna resides in Ward #3. She said that she is here with her children, and She is a single mother she has home schooled her kids for the last for 4 years. Johanna stated for her to go to nature, she must cross the bridge over to Beacon. She feels its important to turn Crystal Lake into a park.

Maryann from Ward # 1. She said the views she is sharing tonight are hers and not the CAC or TAC. When she moved to Newburgh in 2008 she was excited about her home in

the city for many reasons. Due to the Scenic Hudson refers to as a River City, she expected green space, and it was not so. Maryann feels Newburgh is lacking in public green spaces and parks. She was on a CAC, TAC site visit on Snake hill and saw the developer Fidelity Real-Estate along with their Engineer. We spoke to them being part of a conservation development district zone and what that means is to protect certain trees, install Solar Panels and Car Charging stations and the list goes on. Maryann said just protect and respect that special land because she feels it was all falling on deaf ears. Now she is here to support the greenspace that will be a public park.

Andre Herring, Resident on Orchard Street. He said he lives in a Development called "Sunset Ridge" and when they moved there, they were under the impression Morris and Orchard Street were going to be paved. Herring said he was told they would be paved once the developer completed the job. It has been completed and both streets have not been paved. He stated there are manholes 6 to 10 inches deep and very hard to maneuver. Herring is also concerned that the streets have not been technically turned over to the City so they can't get the service to which he is asking the City Council to please look into it.

Betty Bastidas resident. She is here speaking as mom to her 12-year-old that spoke earlier. Bastidas said she is thankful because the City Council is taking the first step to designate this as a Public Park which is one of the largest green spaces that we have. She feels that we need more public spaces for our mental health. Bastidas said this upcoming spring, they will have several workshops for the community to benefit from.

Mayor Harvey asked Alexandra Church to speak about the meeting they had with Rose Harvey about several upgrades to our parks.

Alexandra Church said she will speak about the Organization. She said the organization works with communities to develop and redevelop parks and understanding the process. They have done some work in Poughkeepsie. Church also said before anything an Engineer must look at the design. There are steps and this Organization will help with the process.

Being there are no further comments this portion of the meeting is closed.

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

Councilman Grice: He said wanted to thank the people that stayed. Grice said when it comes to Crystal Lake, allocating the money did not just happen suddenly. He said for several years, he put tremendous work to clean it up. He invited Scenic Hudson there to clean it up, having Global to Local for those Ptech students and even at the winter fest helping them planning and having his wife's business there. He also stated Getting Wayne Vradenburgh to install the water for the healing garden. He said there are over 1,000 followers on social media for Crystal Lake and has turned that over to City Government as he transitions out. He agrees having Town Meetings would be helpful, but they could

only have 4 people there or it would become a quorum. Grice felt offended because he feels his integrity was being questioned. He doesn't do back deals.

Councilmember Martinez: She said she wanted to thank everyone for supporting Crystal Lake. Martinez said she remembers speaking to folks when door knocking their number one concerns were jobs and housing. They were also concerned about expanding green spaces in Newburgh. She feels we are an urban city whom already lack some of the resources that other neighboring City and Towns have, and expanding our green sources will preserve land as public good and people can go enjoy. She is a huge supporter on expanding green spaces. Martinez also said Central Hudson needs to be held accountable and if anyone is having any issues, please contact Assemblyman Jacobsen 845-562-0888.

Councilmember Monteverde: She said she has heard for many years that some people in the community do not have access to the City Website. Monteverde agrees having Town Hall Meetings and will schedule it at the Ritz for the month of April. She said it is a lot of work to continue these meetings for some of the Council members, but she will make an effort to schedule it. She doesn't know what the best way to do this because we have a city website and there is a lot of information on the website. She said sometimes it's hard for her to navigate looking for specific information but there is a lot of information and she feels that the City does a good job trying to post and get the message out. Coming to the meetings and spreading the word like Martinez said is very important. She supports the Fire Commissioner Position, despite being a little hesitant with the police Department Commissioner but, she sees it works. The police Officers are walking the beat and engaging with the businesses and she feels it's a good thing.

Councilmember Shakur: He wants to thank the Community for their comments and especially the young man that spoke. He likes to hear young people because they have no agenda. Shakur also states there is a disconnect because no one gets up to speak in the Town Hall forums or ask questions. He would like to know how we can educate through the City of Newburgh website. He also said that Robinson Avenue residence have no parking garages or driveways and it is an issue so he feels that some adjustments have to be made. Shakur said the police Department has recruited a lot of young men that are building relationships with the community, though, there are problems, and we must look at the leadership of the Police Department. When there are problems at home with kids, he looks at the parents not the children. He feels they have to sit with the leadership and see what is going on. He said "The cops have to look at Central Hudson cause there is a robbery going on in our community the bills are also to high".

Councilmember Sklarz: He said "Team Crystal Lake in the house tonight" and thanked everyone for all the feedback and the hard work the volunteers have done over the years with transitioning Crystal Lake into the sanctuary that it is currently. The city staff and volunteers have worked very hard together to make this a green space. He remembers back in the 1940's & 1950's, Crystal Lake was the hotspot and hopes it will become what it was. He said 842 Broadway was full of metal and it's mostly empty now and it looks like we are moving forward. Sklarz had one request, he would like an update on Orchard Street and wanted to know the relationship between the City and Developer. He also wanted to know when they are going to turn it over to the city.

Councilmember Sofokles: She is glad that Dennis from "SUNOCO" at 842 Broadway is

going full throttle. Sofokles is glad someone came out and spoke on Orchard Street and said they will look into it. Adding to the Central Hudson issue, she said a lady called complaining about her large bill. Sofokles stated she had a large bill as well as the mayor. She really wants to address Crystal Lake because that was her parents and grandparent's hotspot in the 1940's and 1950's. She said she was going through some postcards of Crystal Lake. and it wasn't a crystal palace., but you could go there and swim. She said in 1985 she started the Downing Park Planning Committee. and it has taken many years to get the park to what it is. She is in support of Crystal Lake and will do anything she can to make it happen.

Mayor Harvey wants to thank everyone for coming out tonight. He said as the weather gets warmer he will be having more coffee talks in all four wards. He said he wanted to thank Anusha and she will never hear him complain about Crystal Lake. He said he traveled to different counties to take his children to green spaces. He thanked everyone that came out. He feels the young man that spoke has a future in leadership. Harvey said you will never ever hear an argument from Mayor about green spaces or nature. Harvey said that he fought vigorously behind the scenes with Congressman Pat Ryan along with the City Council to demand the CEO of Central Hudson to resign. The new CEO is Christopher M. Capone as of February 13th. He also stated that they're going to change Central Hudson estimating the bills because it is not fair and will continue to fight central Hudson with this utility monopoly. Harvey said we also have a new fight with CSX having contamination running through Newburgh without covering it.

Being no further Comments this portion of the meeting is closed.

CITY MANAGER'S REPORT

Resolution No. 30 - 2023 - Contract with Control Point Associates for Professional Land Surveying Services

Councilman Sklarz moved and Councilwoman Sofokles seconded.

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

Adopted

Local Law No. B - 2023 - Local Law Amending Exemption Term of Chapter 270 "Taxation" Article V "Exemption for First-Time Homebuyers of Newly Constructed Homes"

Mayor Harvey said He is going to support this he does not know what the rest of the City Council is going to do. Harvey said anytime you have an exemption with your representation that is a plus that will help someone stabilize their finances. He stated NYS taxes us too much, so this tax exemption for someone buying a new home, new construction or renovation to a new home he fully supports.

Councilmember Shakur stated that in 2014 this was spread out among the City but after 2014 Orchard Street and Morris Street were the only ones that received the exemption.

Michelle Kelson, Corporation Counsel explained that the exemption was for the newly constructed and that the major renovations were happening on the east end. Kelson stated Joanne Majewski, City Assessor, informed the City Council on February 9th at the work session that the city also has an exemption for renovations to start properties. which is more favorable and it's a longer exemption it is a 10 year instead of 5 years and it starts out with a higher exemption amount than this one, this one starts at 50 percent and historic at 80 percent. Kelson said if you can only choose one you will choose the one that is more beneficial to you.

Councilmember Shakur, wanted to know if there was a Section 8 Homeownership Program would they be eligible as first-time homeowners.

Michelle Kelson, Corporation Counsel stated that she does not think that the source of income would determine eligibility, but that Council member Shakur should speak with Joanne Majewski, Assessor and she can explain how these exemptions work.

Councilman Shakur moved and Councilman Grice seconded.

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

NEW BUSINESS

No Comments this Portion of meeting is closed.

OLD BUSINESS

Councilmember Shakur: He said there has been issues in the last several weeks with people trying to get the Municipal Id's in the City of Newburgh. Shakur said he spoke to Ignacio and he was going to reach out to Kingston to see what changes they have made and also speak to Michelle Kelson.

Michelle Kelson, Corporation Council, said you have to prove who you are and have to be tied to the Community and providing documentation that you are living in the City of Newburgh. She said In our Local law there are a number of items that help you establish those proofs. Kelson stated that Ignacio from "ACLU" and Councilmember Shakur did come to see her. She said that some municipalities are accepting other items that are not in our local law and she is working on an amendment to bring to City Council to see if you are willing to broaden the Municipal ID requirements.

No further Comments this portion of the meeting is closed.

FURTHER COMMENTS FROM THE COUNCIL

Councilmember Grice: He said he wanted to speak on the Fire Department situation, but he will talk about it at later date due to the weather.

ADJOURNMENT

**Being there was no further business to come before the Council the Meeting Adjourned:
9:17 PM**

**LISETTE ACOSTA-RAMIREZ
DEPUTY CITY CLERK**

RESOLUTION NO.: 30 - 2023

OF

FEBRUARY 27, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
AND EXECUTE A CONTRACT WITH CONTROL POINT ASSOCIATES, INC., P.C.
FOR PROFESSIONAL LAND SURVEYING SERVICES
OF PARCELS SURROUNDING CRYSTAL LAKE IN THE AMOUNT OF \$120,000.00**

WHEREAS, the City of Newburgh intends to undertake a review of the area around Crystal Lake to plan for the potential for future use an open space for public use and recreation; and

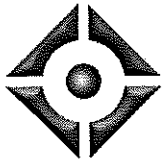
WHEREAS, the City has solicited and received proposals to provide professional land surveying services as an important first step in the Crystal Lake planning process; and

WHEREAS, the City received a proposal from Control Point Associates, Inc., P.C. to provide a boundary and location survey, topographic survey, and hydrographic services; and

WHEREAS, the funding for the land surveying services shall be derived from A.1440.0455; and

WHEREAS, the City Council has reviewed the annexed proposal and has determined that accepting the proposal and entering into a contract for such work as proposed 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 is hereby authorized to accept a proposal and execute a contract for professional land surveying services with Control Point Associates, Inc., P.C. in the amount of \$120,000.00 in connection with future use planning for Crystal Lake and the surrounding area.



**CONTROL POINT
ASSOCIATES INC P C**
traditional methods | modern approaches

11 Main Street
Highland, NY 12528
Tel: 845.691.7339
cpasurvey.com

CONTRACT

February 1, 2023

VIA ELECTRONIC MAIL
cwade@cutyofnewburgh-ny.gov

The City of Newburgh
83 Broadway
Newburgh, New York 12550

ATTENTION: Chad Wade

RE: Various Section, Block & Lots; See Exhibit A
City of Newburgh
Orange County & State of New York
CPA Project #12-230046-00

Dear Chad:

It is a pleasure to present our Contract for Professional Land Surveying Services to be rendered in connection with the above referenced project. Our understanding of the work scope at the present time is to prepare a Boundary Survey with Topography and provide Hydrographic Services for the above referenced property.

More specifically identified within the work scope is the following:

PHASE TS-0071: Boundary & Location Survey +/- 110 ACRES – MULTIPLE SBLs, SEE EXHIBIT A

This task will include our office obtaining owners' names, tax maps, deeds and filed maps. Upon review of same, our office will then conduct a perimeter field survey which will include the location of property corner evidence along the subject and adjacent property lines. This information will be collectively analyzed to form the boundary lines for the subject parcels. Additionally, substantial site features located on the same will be located and identified on the survey. Visible underground utilities will be located within the project area and a design NYS Dig Safe Ticket will be placed for all roadways within the project area. All located utilities will be identified on the base mapping and Subsurface Utility Engineering (SUE) Quality Level C will be used. Additionally, detailed survey data of the exposed surfaces of the two dams will be collected to allow for future repair or reconstruction design drawings. This information will be collectively compiled into an appropriately scaled AutoCAD drawing document.

Fee for TS-0071: \$ 70,800.00 () Approved

PHASE UA-0120: UAV LiDAR - Topographic Survey

This phase will include our office utilizing a GPS receiver(s) to establish a control network throughout the project area on the New York State Plane Coordinate System NAD83 East Zone and referenced to vertical system NAVD88 datum. Our office will utilize an Unmanned Aerial Vehicle (UAV) with laser imaging, detection and ranging (LiDAR) to perform a flight for the subject property referenced above and shown on the attached Exhibit 'A'. The LiDAR information gathered will be registered to create a 3D point cloud to be used to generate elevations and a 3D surface. This information will be collectively compiled into an AutoCAD drawing. Airspace authorization/waivers in restricted areas will be applied for but cannot be guaranteed. In this event, the client will be informed immediately to discuss possible remedies. **This fee is based upon this section being performed in conjunction with Phase TS-0071 of this Contract.**

Fee for Phase UA-0120: \$ 20,000.00 () Approved

**Control Point Associates, Inc. P.C. is pleased to announce the acquisition
of Brooks & Brooks Land Surveyors, P.C.**

BROOKS & BROOKS
LAND SURVEYORS, P.C.
SURVEYING • PLANNING • GIS

PHASE HS-9999: Hydrographic Services – Misc.

This task will include our office performing a hydrographic survey of the area identified on attached Exhibit A utilizing a Seafloor Systems HydroLite DXF dual-beam sonar unit affixed to a jon boat with an electric motor. Water depth readings will be obtained along grid lines that will be run parallel and perpendicular to the shore at 25 foot intervals throughout the project limits (obtained as close as possible to the shore, based on sonar unit minimum water depth (3' +/-) requirements). Bathymetric survey data will be reduced and points with elevations will be generated for the ponds datum for elevations will be based upon NAVD88. This information will be collectively compiled into the AutoCAD drawing document. **This fee is based upon this section being performed in conjunction with Phase TS-0071 of this Contract.**

Fee for PHASE HS-9999:

\$ 9,200.00

() Approved

PHASE TS-0740: Set Property Corners

If requested, this task will include the stakeout in the field of property corners. Each previously unmarked property corner will be set with a permanent marker such as a ½ inch rebar for soft surfaces, an XCUT for hard surfaces, or other permanent marker. If a corner is inaccessible or the location is not suitable the permanent marker maybe set on an appropriate offset to the corner. Additional points on line may be set at the client's request.

Temporary markers such as wooden stakes, paint marks, etc. may be done in place of permanent markers but Control Point Associates Inc. cannot guarantee their durability or accuracy after installation.

Fee for PHASE TS-0740:

\$200.00 Per Permanent Marker

\$150.00 Per Temporary Marker

() Approved

Please note our ability to perform this Phase is based on the completion of Phase TS-0071 in its entirety.

If during the course of field survey, boundary analysis or deed review, an issue arises concerning the overall property boundary, your office will be notified immediately to discuss resolution. If this issue requires additional field work or research time to clarify, an estimate to identify same will be provided to you at that time. Furthermore, it is assumed that access to the site in question will be coordinated directly by your office. This will be required to fulfill our surveying requirements and must be established 48 hours prior to scheduling of field crews.

Professional Land Surveying Services can be initiated immediately upon acceptance of this Contract and receipt of retainer, with our office anticipating completion approximately 12-14 weeks thereafter. If adverse weather conditions encumber the performance of field activities, the time frame will be adjusted accordingly.

Please note the accessibility of site features may be impacted by the presence of snow. If the survey is performed during a period when the ground is snow covered, only site features and utility structures visible on the date of field survey will be located. The survey plan will include a note that snow was present and a statement describing this limitation. Removing this note from the survey will require a later site visit after the snow has melted which will be subject to a separate Contract.

Please note that due to freedom of information and manpower restrictions, mapping information, when available, from the required agencies may not be received for up to eight (8) weeks from the date of request. We will revise the survey, if necessary, if said information is received after the survey has been provided.

Depending on the release of this contract, the survey may be produced during a time of statewide emergency. Research sources may be closed or unavailable due to safety concerns. Online resources will be accessed to the extent possible, but some documents may be unavailable. When previously unavailable research is received, it might uncover additional information needing to be located at the site, and therefore may require additional research and field survey.

**Control Point Associates, Inc. P.C. is pleased to announce the acquisition
of Brooks & Brooks Land Surveyors, P.C.**

Invoices will be submitted as specific portions of the work scope identified have been completed or progress, with payment due and payable within Sixty (60) days of receipt of invoice.

Additionally, attached to this Contract are the standard "Terms and Conditions" of all agreements between our firm and its clients. The attached standard "Terms and Conditions" shall form a part of this Contract and are incorporated herein by reference.

Items **NOT** included in this Contract are: private underground utility markout, individual tree locations and identifications, wetland locations, detail stream/ditch/road cross sections, lot consolidation/subdivision plans, certified property owners list, zoning analysis, filing fees, meeting attendance, title review, flood elevation certificates, surveyor's reports and certificates, return trips to the site to areas where access was previously denied, procuring police details and traffic safety equipment and/or personnel, snow removal, reimbursable expenses or any other items not specifically outlined above.

This document will be valid for forty-five (45) days from the date of execution by Control Point Associates, Inc PC. If not accepted by the Client within this time period, this document shall become null and void. Additionally, the Contract aspect will expire twelve (12) months from the date of Acceptance by the Client. Any work not completed within this time period will be the subject of a new Contract.

This Contract contains proprietary and confidential bid information of Control Point Associates, Inc PC and shall not be used, disclosed or reproduced, in whole or in part, for any purpose other than to evaluate this Contract, without the prior written consent of Control Point Associates, Inc PC

If the terms and conditions of this Contract are acceptable to you, kindly indicate your acceptance by signing below and returning this document as soon as possible.

Should you have any questions pertaining to this matter or if I can provide any further assistance, please do not hesitate to contact me at your earliest convenience.

We at Control Point Associates, Inc PC would like to thank you for this opportunity to present our Contract for Professional Land Surveying Services and look forward to establishing a successful relationship with you.

Very truly yours,

CONTROL POINT ASSOCIATES, INC PC

Patricia P. Brooks

Patricia Pauli Brooks, L.S.
Branch Manager

TERMS & CONDITIONS
ACCEPTED BY:
THE CITY OF NEWBURGH

By: _____
City Manager, Todd Venning
Per Resolution _____ - 2023

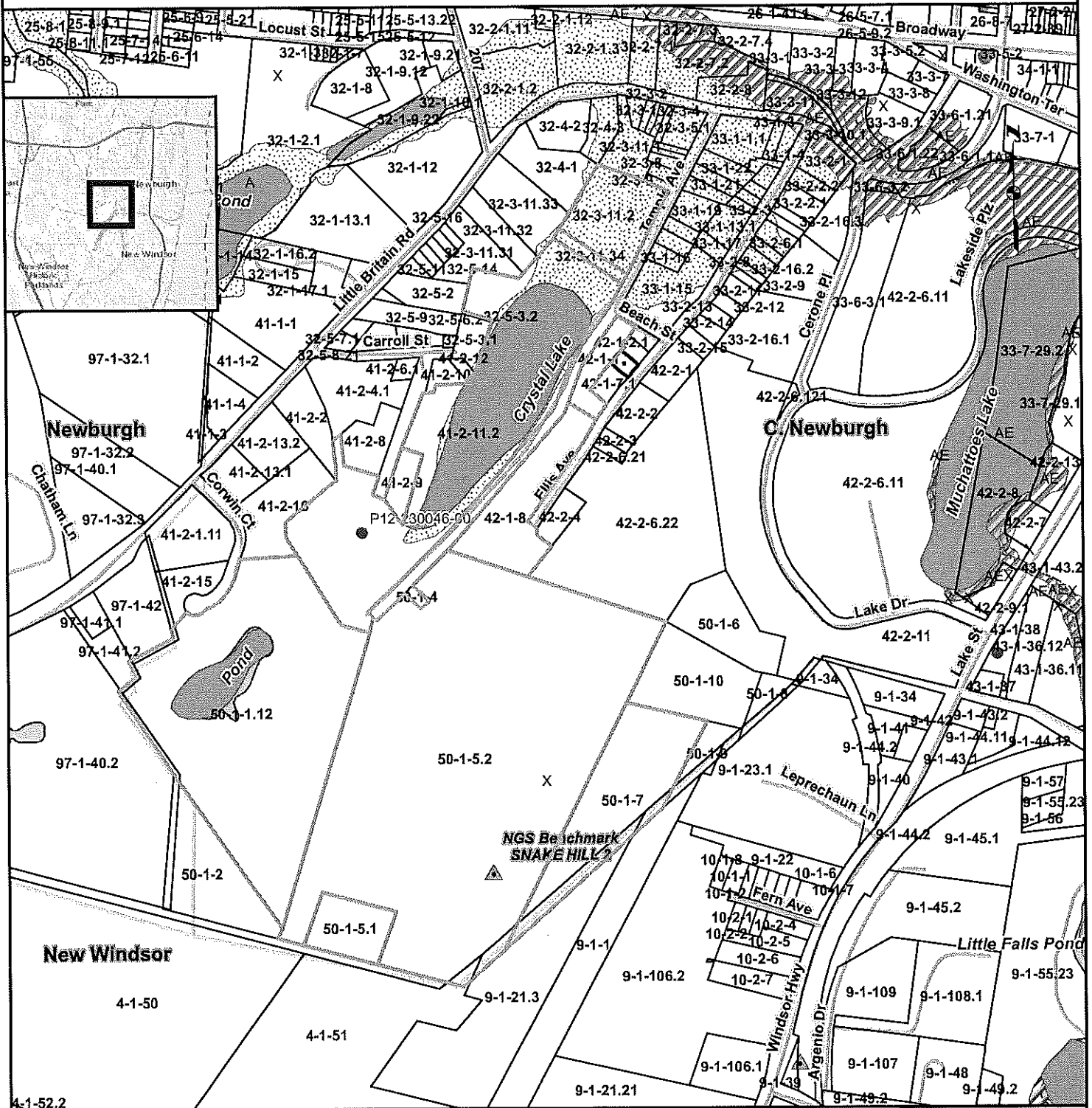
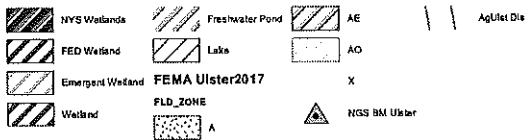
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Reviewed By: CG
Approved By: PPB

**Control Point Associates, Inc. P.C. is pleased to announce the acquisition
of Brooks & Brooks Land Surveyors, P.C.**

Legend



CPA GIS Report

Exhibit A

Job: 12-230046-

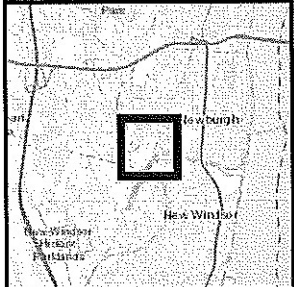
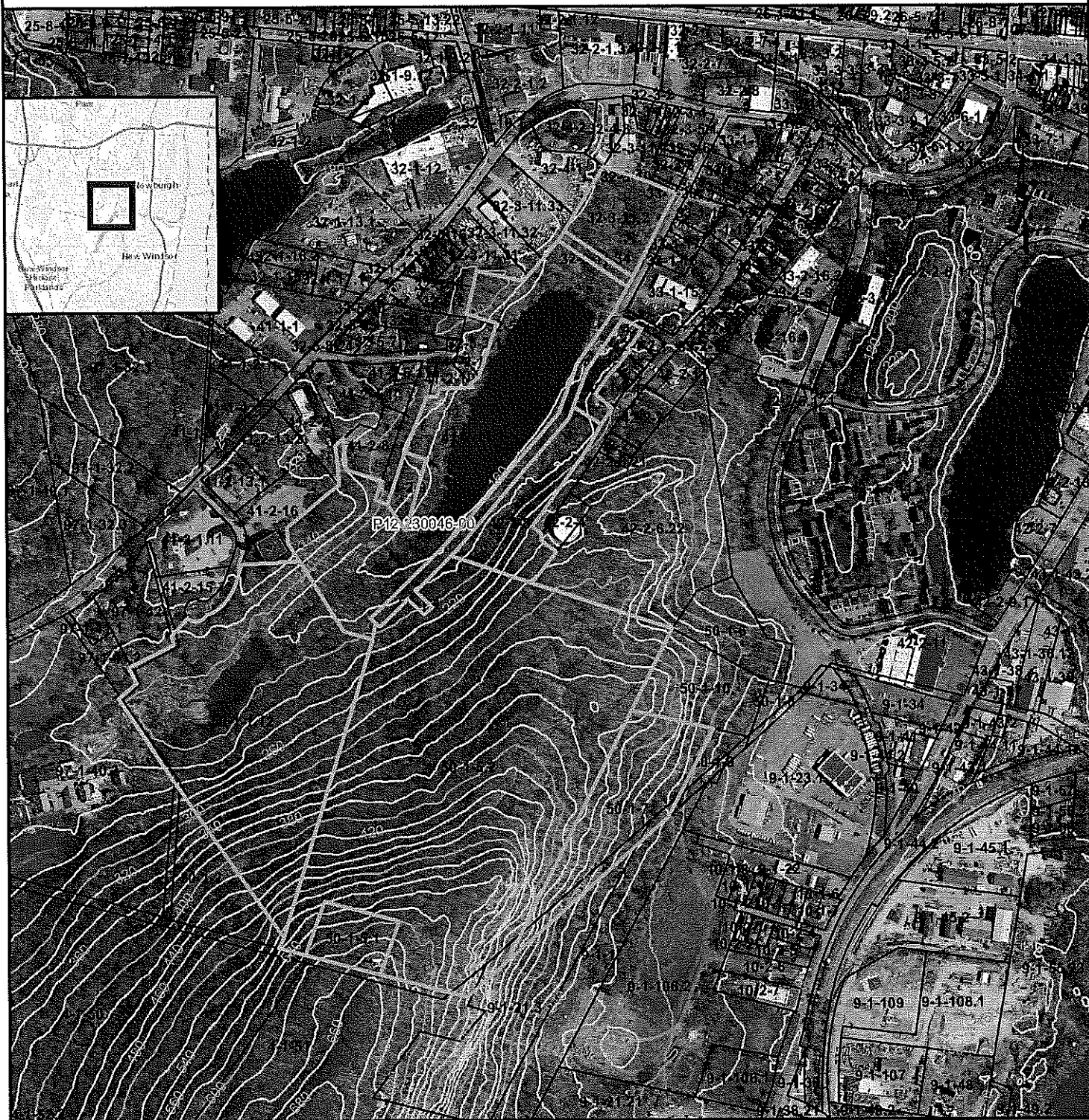
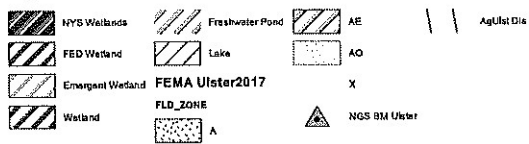
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This map was prepared for illustrative purposes only and is not suitable for surveying, engineering, or legal purposes.

Legend



CPA GIS Report Exhibit A

Job: 12-230046-

Date: 2/9/2023

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This map was prepared for illustrative purposes only and is not suitable for surveying, engineering, or legal purposes.

LOCAL LAW NO.: B - 2023

OF

FEBRUARY 27, 2023

A LOCAL LAW AMENDING ARTICLE V "EXEMPTION FOR FIRST-TIME
HOMEBUYERS OF NEWLY CONSTRUCTED HOMES" OF CHAPTER 270 "TAXATION"
OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH

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

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law amending Article V 'Exemption for First-Time Homebuyers of Newly Constructed Homes' of Chapter 270 'Taxation', of the Code of Ordinances of the City of Newburgh".

SECTION 2 - PURPOSE AND INTENT

The purpose of this local law is to amend the Code of the City of Newburgh to afford first-time homebuyers of newly constructed homes a partial exemption from real property taxes levied by the City as permitted under New York State Real Property Tax Law Section 457 as same has been amended by the New York State Legislature and to lengthen the exemption term as allowed by law.

SECTION 3 - AMENDMENT

Article V entitled "Exemption for First-Time Homebuyers of Newly Constructed Homes" of Chapter 270 entitled "Taxation" of the Code of Ordinances of the City of Newburgh is hereby amended to read as follows:

§ 270-26. Purpose.

The purpose of this article is to provide partial exemption from taxation and special ad valorem levies for owner-occupied, primary residential property that is newly constructed or reconstructed under certain conditions set forth below.

~~Strikethrough~~ denotes deletions

Underlining denotes additions

§ 270-27. Definitions.

As used in this article, the following terms, phrases, words and their derivations shall have the following meanings:

FIRST-TIME HOMEBUYER ~ An individual or individuals who have not owned, and are not married to a person who has owned, a primary residential property during the three-year period prior to their purchase of the primary residential property for which this exemption is sought, and do not own a vacation or investment home.

INCOME ~ The adjusted gross income for federal income tax purposes as reported on the applicant's latest available federal or state income tax return, subject to any subsequent amendments or revisions, reduced by distributions, to the extent included in federal adjusted gross income, received from an individual retirement account or an individual retirement annuity; provided that if no such return was filed within the one-year period preceding taxable status date, "income" means the adjusted gross income that would have been so reported if such a return had been filed.

LATEST AVAILABLE RETURN ~ The federal or state income tax return for the tax year immediately preceding the date of making application for the exemption; provided however, that if the tax return for such year has not been filed, then the income tax return for the tax year two years preceding the date of making application will be considered the latest available return.

NEWLY CONSTRUCTED ~ An improvement to real property which was constructed as a one- or two-family house, townhouse or condominium, which has never been occupied and was constructed after November 28, 2001, but on or before December 31, 2028 ~~2022~~. "Newly constructed" shall also mean that portion of a one- or two-family house, townhouse or condominium that is altered, improved or reconstructed.

PRIMARY RESIDENTIAL PROPERTY ~ Any one- or two-family house, townhouse, or condominium located in this state which is owner-occupied by such homeowner.

§ 270-28. Ownership eligibility requirements.

The following ownership eligibility requirements must be met in order to qualify for the first-time homebuyer exemption:

A. The property must be owned by a first-time homebuyer or homebuyers and used as their primary residence. If title to the property is transferred to someone other than the heirs or distributees of the homebuyer(s) during the term of the exemption, the exemption will be discontinued.

~~Strikethrough~~ denotes deletions

Underlining denotes additions

B. The combined income of all the owners, and of any of the owners' spouses residing on the property, for the income tax year immediately preceding the date of application for exemption may not exceed the income limits defined by the state of New York mortgage agency low interest rate mortgage program in the non-target, one and two person household category for the county where such property is located and in effect on the contract date for the purchase and sale of such property.

§ 270-29. Property use requirements.

The following property use requirements must be met in order to qualify for the first-time homebuyer exemption:

A. The property must be a newly constructed or reconstructed one- or two-family house, townhouse or condominium that is owner-occupied.

B. Other than for reconstruction projects, the home must never have been occupied previously.

C. No portion of an otherwise eligible single-family home may be leased for any purpose, or used primarily for nonresidential purposes, during the time the exemption applies. In either case, the exemption shall be discontinued.

§ 270-30. Sales price and exemption limits.

The maximum sales price of an eligible newly constructed residence must not exceed the purchase price limits defined by the state of New York mortgage agency low interest rate mortgage program in the non-target, one family new category for the county where such property is located and in effect on the contract date for the purchase and sale of such property to qualify for exemption. Newly constructed residences purchased by first-time homebuyers at a sales price greater than the maximum eligible sales price shall qualify for exemption for that portion of the sales price equal to the maximum eligible sales price; provided, however, that any newly constructed residence purchased at a sales price greater than fifteen percent above the maximum eligible sales price shall not be allowed any exemption.

§ 270-31. Reconstruction exemption.

The exemption for reconstructed, altered or improved residential property is limited solely to the increase in assessed value attributable to such reconstruction, alteration or improvement, provided that the total market value of the property after the project completion does not exceed fifteen percent above the maximum eligible sales price. To be eligible for this exemption on existing homes, the first-time homebuyer must have provided for such reconstruction, alteration or improvement as part of the sale contract of the home or entered into a written contract for such work within 90 days of the purchase of the property. The value of such reconstruction, alteration

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or improvement must be greater than \$3,000.00 and cannot include the value of ordinary maintenance and repairs.

§ 270-32. Required construction start date and other time requirements.

Property must be constructed or reconstructed by a first-time homebuyer on or before December 31, ~~2028~~ 2022, unless such purchase is made pursuant to a binding written contract entered into on or before such date, and after November 28, 2001. First-time homebuyers who first received this exemption prior to December 31, ~~2028~~ 2022, will continue to receive the exemption according to the established schedule below. First-time homebuyers of existing homes seeking the exemption on the basis of reconstruction, alteration or improvement of the property must either have provided for such work in their purchase contract or enter into a written contract for such work within 90 days after the purchase of the home.

§ 270-33. Calculation of exemption.

A. City of Newburgh taxes and special ad valorem levies. The following is the exemption schedule:

Years of Exemption	Percentage of Assessed Valuation Exempt From Taxation
1	50%
2	40%
3	30%
4	20%
5	10%
6 or more	0%

B. City of Newburgh special assessments. No exemption allowed.

§ 270-34. Applications for exemption.

Such exemption shall be granted only upon application by the owner on a form prescribed by the State Board of the Office of Real Property Services to the City of Newburgh Assessor, submitted on or before the appropriate taxable status date and approval of such application by the Assessor.

SECTION 4 – SEVERABILITY

The provisions of this Local Law are separable and if any provision, clause, sentence, section, subsection, word or part thereof is held to be illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability

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

SECTION 5 - CODIFICATION

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Local Law shall be included in the Charter of the City of Newburgh; that the sections and subsections of this Local Law may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Local Law" shall be changed to "Charter", "Article", or other appropriate word as required for codification; and that any such rearranging of the numbering and/or lettering and editing shall not affect the validity of this Local Law or the provisions of the City Charter affected thereby.

SECTION 6 - VALIDITY

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

SECTION 7 - EFFECTIVE DATE

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

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