A regular meeting of the City Council of the City of Newburgh was held on Monday, October 28, 2024 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Moment of Silence / Momento de Silencio

Pledge of Allegiance / Juramento a la Alianza

Roll Call / Lista de Asistencia

PRESENT: Mayor Torrance Harvey, presiding; Councilmember Giselle Martinez, Councilmember Robert McLymore, Councilmember Ramona Monteverde, Councilmember Omari Shakur, Councilmember Robert Sklarz, Councilmember Patricia Sofokles-7

COMMUNICATIONS

Approval of the minutes from the City Council meeting of October 15, 2024 / Aprovacion del Acta de la Reunion General del Consejal del 15 de octubre de 2024

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

City Manager Todd Venning highlighted key points in city business.

CITY OF

NEWBURGH

NEW YORK

City Manager’s Update

Newburgh City Council Meeting

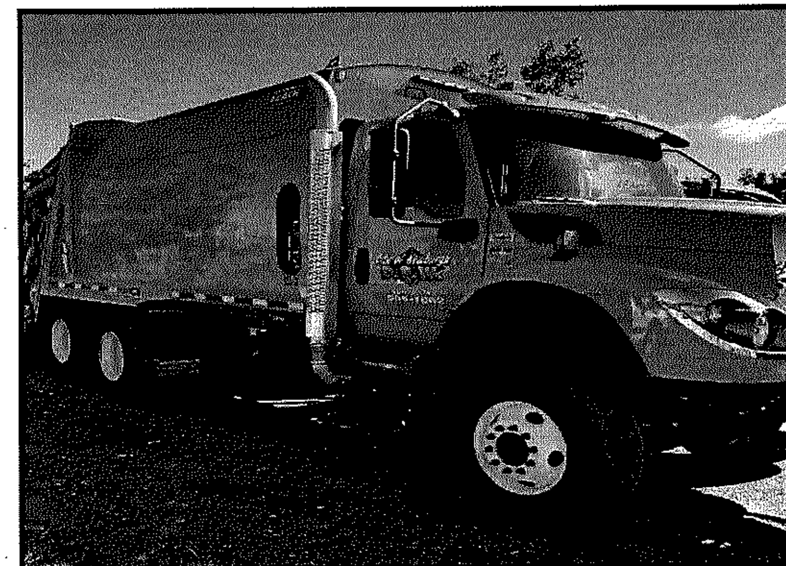
Monday, October 28, 2024

CITY OF NEWBURGH DPW UPDATE

Sanitation and Enforcement Totals

SANITATION TOTALS FOR THE MONTH OF SEPTEMBER

- 883 tons of solid waste
- 79 tons of recyclable material



SANITATION ENFORCEMENT TOTALS FOR MONTH OF SEPTEMBER

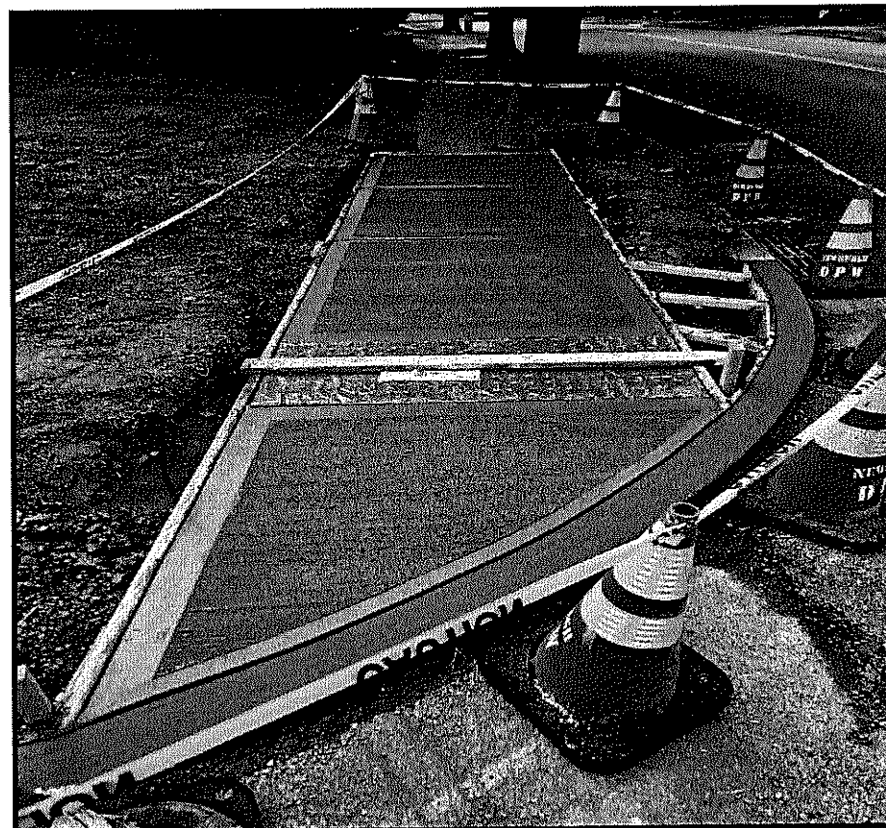
- 114 Warning letters issued

City of Newburgh D.P.W.

CITY OF NEWBURGH DPW UPDATE

Completion of 2024 Paving Program & Installation of ADA Curb Ramps

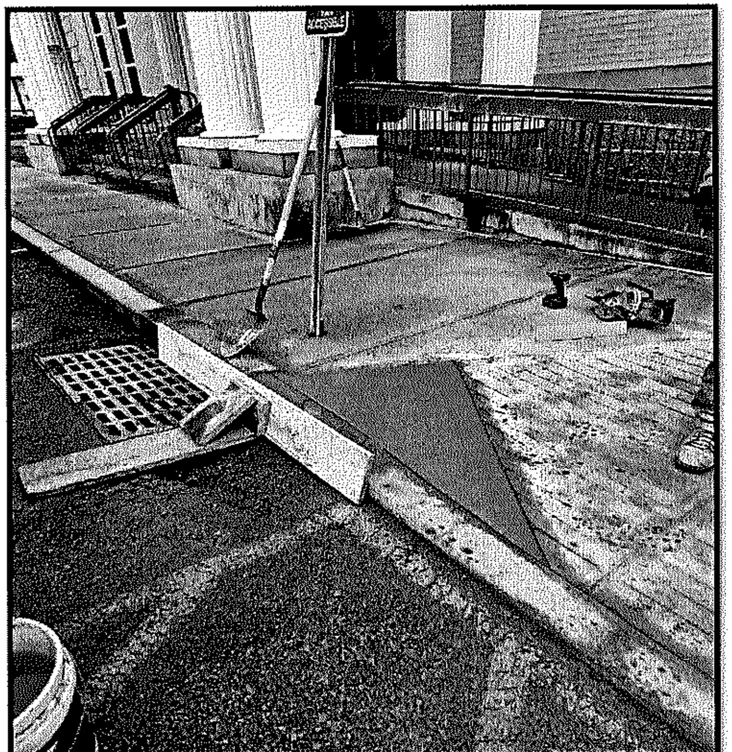
Repaved Powell Avenue



ADA Compliant Curb Ramp

CITY OF NEWBURGH DPW UPDATE

Courthouse Sidewalk Repairs



Repaired Sidewalk

Repair Work on Sidewalk

City of Newburgh D.P.W.

CITY OF NEWBURGH DPW UPDATE

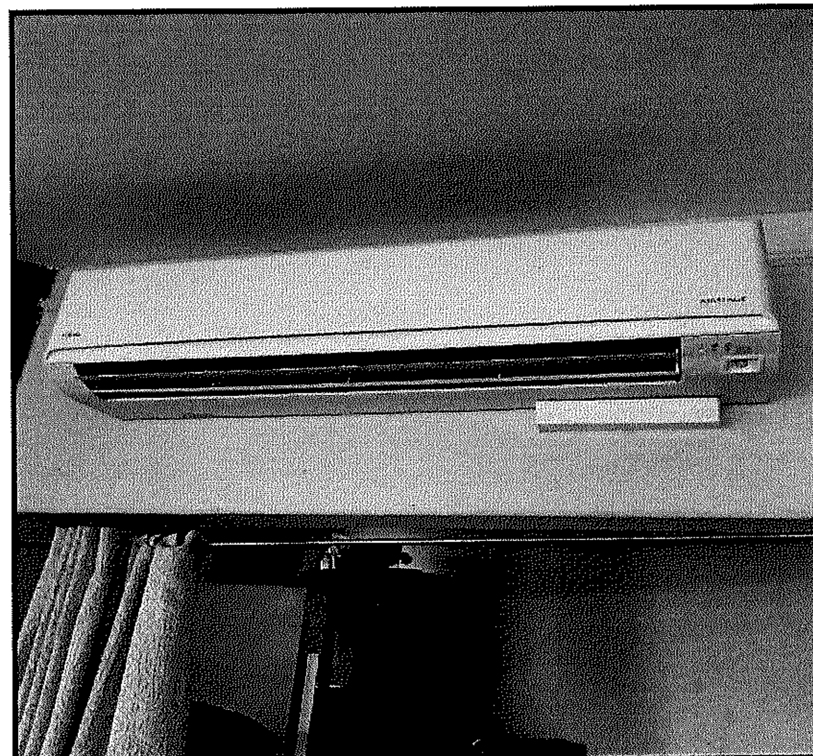
Newly Painted Restrooms at the Police Department

City of Newburgh D.P.W.

CITY OF NEWBURGH DPW UPDATE

New Heat Pump at the Downing Park Shelter House

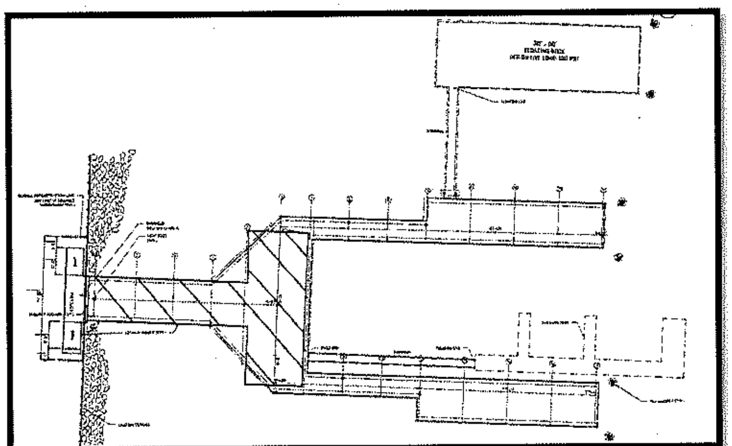
Exterior



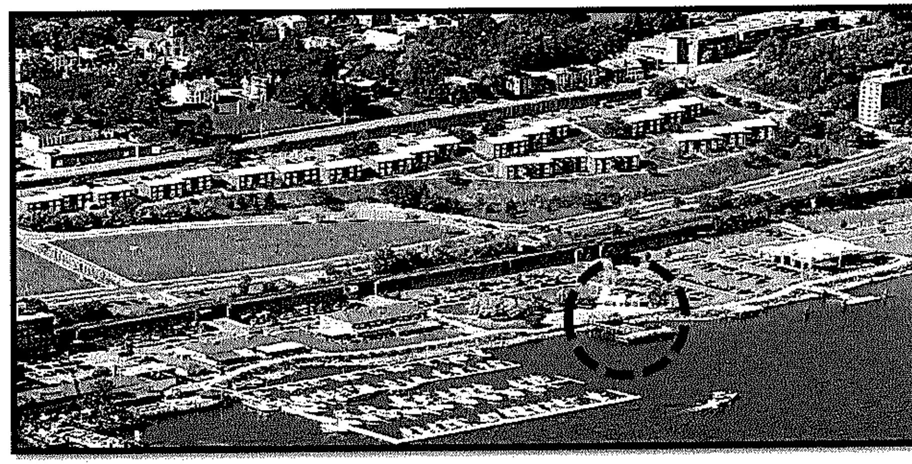
Interior

ENGINEERING DEPARTMENT UPDATE

Newburgh Landing Pier 90% Design Update



Old Pier Footprint vs. New Pier Footprint



Aerial Photograph of Current Pier

Have comments on the project? Email them to
cwade@cityofnewburgh-ny.gov

ENGINEERING DEPARTMENT UPDATE

Bids for Wastewater Treatment Plant Renovation Now Open

ADVERTISEMENT FOR BIDS

Bid No. 7.24
for
Wastewater Treatment Plant (WWTP) Admin Building Renovation

Sealed Bids for the construction of the Wastewater Treatment Plant (WWTP) Admin Building Renovation will be received by the City of Newburgh Comptroller's Office until **11:00 a.m.** (local time) **Thursday, November 7, 2024** at City Hall, City of Newburgh, 83 Broadway – Office of the Comptroller – 4th floor, Newburgh, New York 12550, at which time the Bids received will be opened and read aloud. All Bids must be submitted in a sealed envelope *clearly marked* "BID 7.24 for Wastewater Treatment Plant (WWTP) Admin Building Renovation".

The project consists of general, electrical, heating and ventilation and plumbing Work to completely rehabilitate the administrative offices, laboratory and miscellaneous spaces of the City of Newburgh's WWTP Admin Building, including exterior improvements.

Complete sets of the drawings, specifications, and bid forms, becoming available to the public on Thursday, October 3, 2024, may be viewed and downloaded at no charge by visiting the Empire State Purchasing Group website at: www.BidNetDirect.com/new-york/city-of-newburgh, selecting the "Open Solicitations" tab and title of solicitation. Vendors may have to register if visiting this site for the first time.

Bidders must obtain and download all Bidding Documents, including any Addenda and other Bid correspondence, from the Empire State Purchasing Group (Issuing Office) website in order to be considered as, and placed on, the official Plan Holders list, receive Addenda and other Bid correspondence. Bids received from Bidders other than those on the official Plan Holders list will not be accepted.

All Bids must be made on the official Bid Form or an exact copy by reproduction thereof and enclosed in a sealed envelope. All Bids must be in original form and signed in *blue ink, except for a Notary Public.* Photocopies will not be accepted and will result in a rejection of the Bid.

All Bids must meet the requirements of the General Municipal Law of the State of New York and all other applicable federal, state and local statues. Bidders are required to comply with the prevailing wage rates as prescribed by the laws of the State of New York. Bidders shall confirm the rates prior to the Bid and assemble Bid prices accordingly. Whenever State and Federal wage rate determinations list different minimum rate of pay for the same class of workers, the contractor and all subcontractors shall pay the higher of the two rates.

The City of Newburgh is exempt from sales and compensating use taxes of the State of New York and of cities and counties on all materials to be incorporated into the Work.

Bid security shall be furnished in accordance with Article 8 of the Instructions to Bidders.

Bidders shall furnish proof of qualifications to perform the Work as described in Article 3 the Instructions to Bidders.

Bidders shall comply with all statutory requirements in accordance with Article 24 of the Instructions to Bidders.

Time of commencement of the Work and Contract Times for completion shall be in accordance with Article 4 of the Agreement.

The successful Bidder will be required to furnish construction performance and payment bonds in the full amount of the contract price. The successful Bidder will be required to comply with all provisions of the Federal Government Equal Employment Opportunity clauses issued by the Secretary of Labor on May 21, 1968 and

30183827 00 11 13-1

Interested in Bidding?

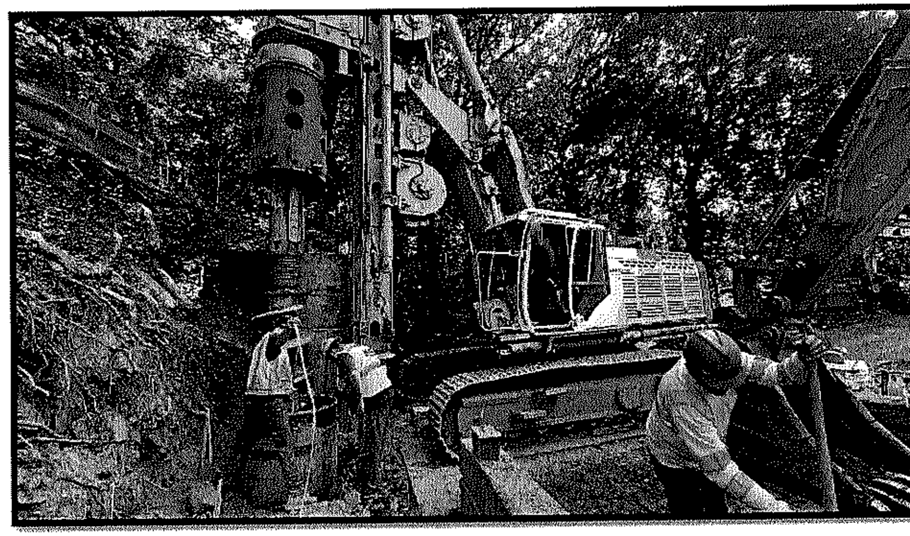
- Visit **bidnetdirect.com** and search "Newburgh" to download the plans and specifications of the project

- All bids are due back to the City by November 7th

ENGINEERING DEPARTMENT UPDATE

Walsh Road Bridge Replacement Project

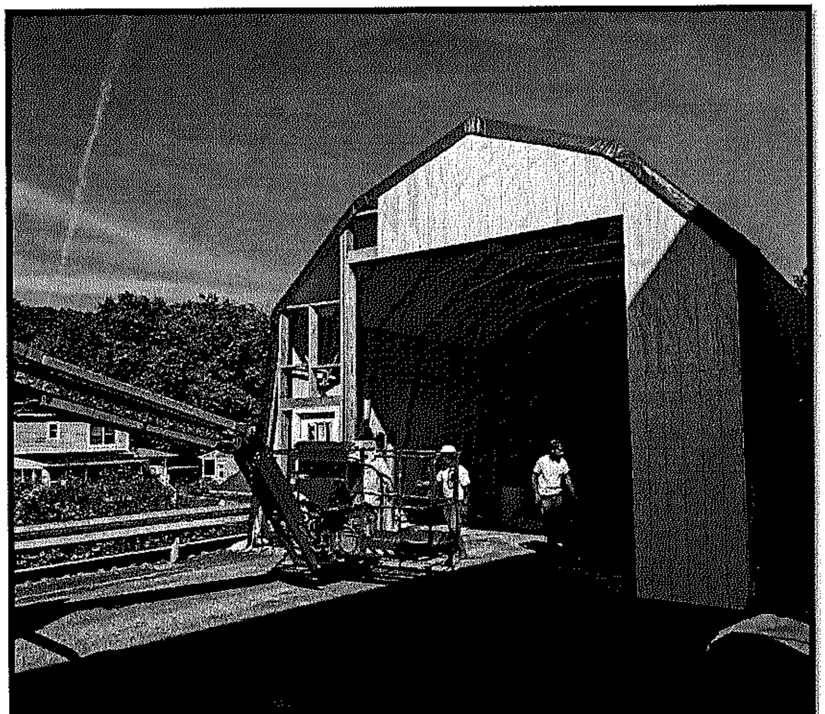
Welding Soldier Pile



Installing Soldier Pile

WATER DEPARTMENT UPDATE

Distribution Division

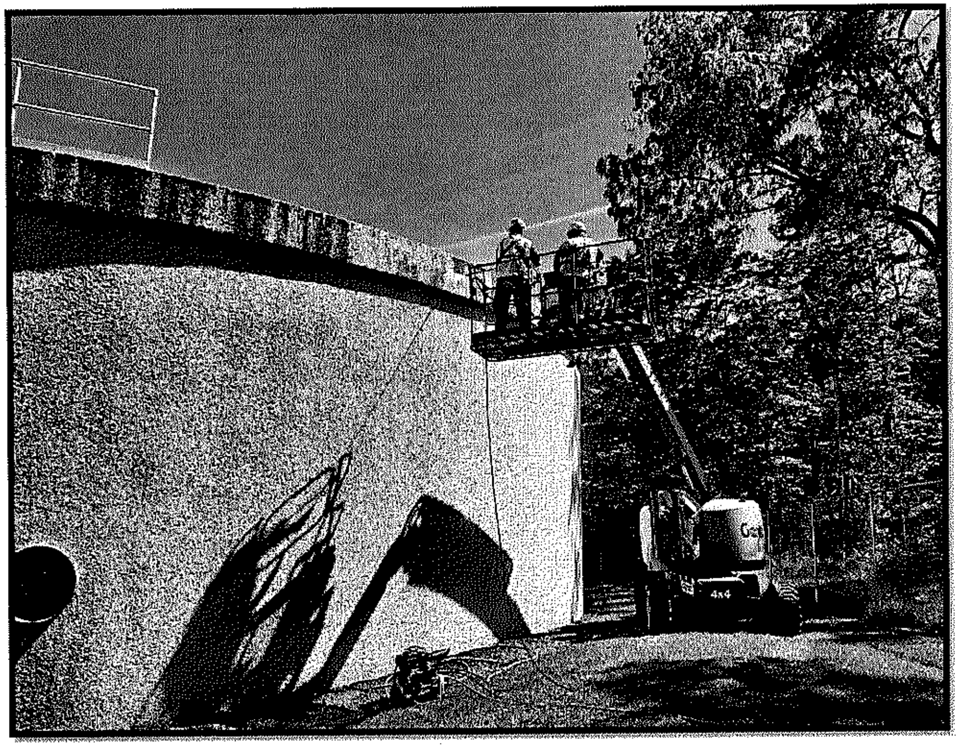


Renovated Hydro Vac Garage

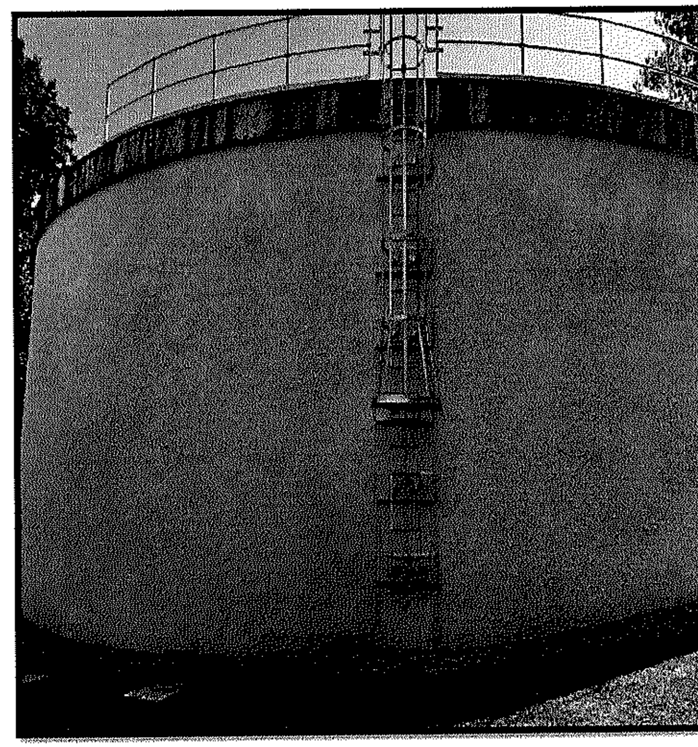
Painting Fire Hydrant

WATER DEPARTMENT UPDATE

Filtration Division



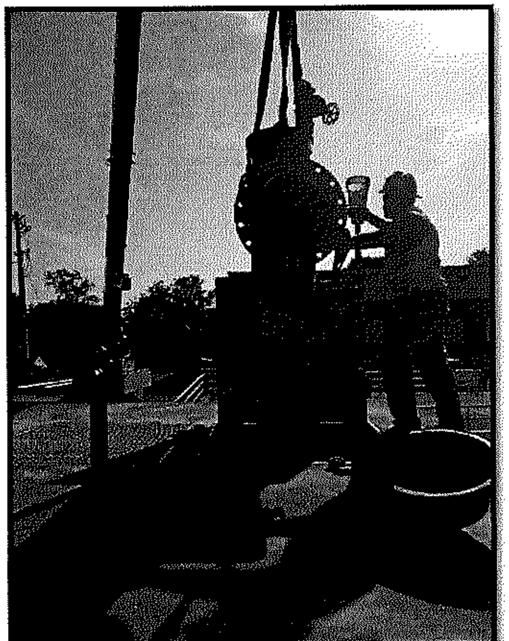
Power Washing Storage Tanks

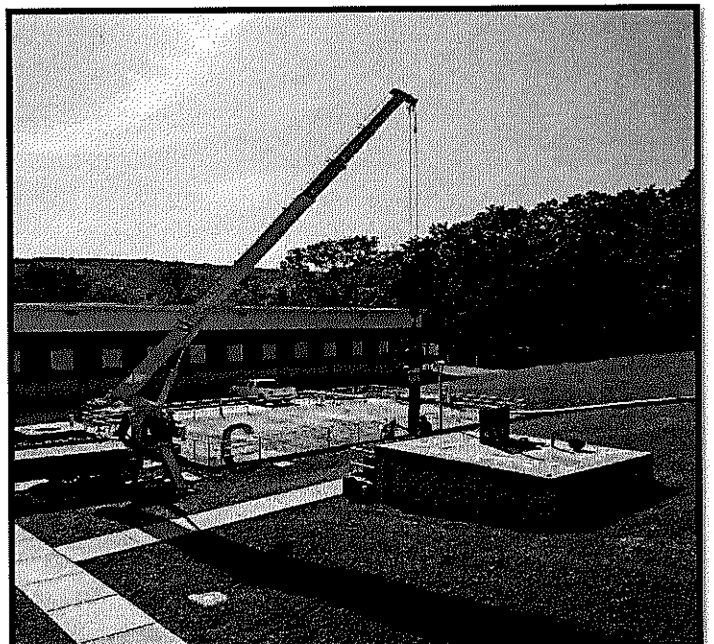


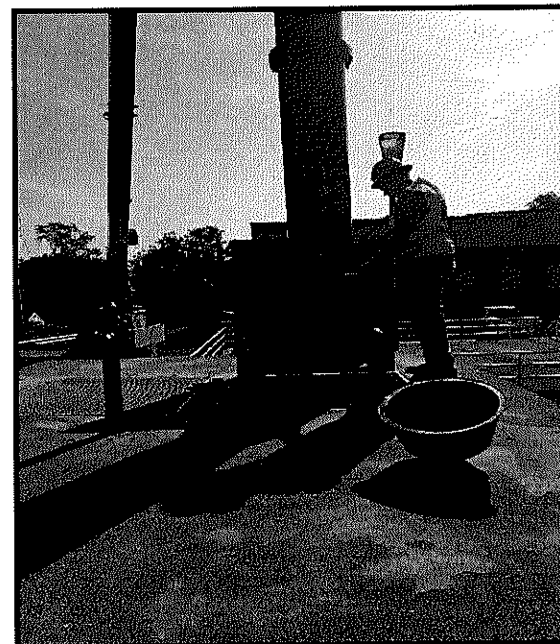
Above Ground Storage Tank

WATER DEPARTMENT UPDATE

Back Wash Pump Replacement







Removing and Installing Back Wash Pump

City of Newburgh Police Department

Police Monthly Operations Report

Table 1.

Part One Crime

Jan 1 - Sept 30	2023	2024	Raw Change	% Change
Murder	4	2	-2	-50%
Rape	16	21	5	31%
Robbery	40	37	-3	-8%
Agg. Assault	179	152	-27	-15%
Res. Burglary	48	49	1	2%
Comm. Burglary	36	24	-12	-33%
Larceny - Theft	413	295	-118	-29%
Auto Theft	47	45	-2	-4%
Total	**783**	**625**	**-158**	**-20%**
Violent Crime	*239*	*212*	*-27*	*-11%*
Property Crime	*544*	*413*	*-131*	*-24%*

Table 2.

Arrests

Number of Arrests	**124**
Gender	
Female	34
Male	90
Cause of Arrest	
Arrest Warrant	40
Bench Warrant	17
Complaint	16
Court Summons	4
Crime in Progress	47

FOR NON-EMERGENCY CALLS, PLEASE DIAL: 845-569-7405 !

PLANNING AND DEVELOPMENT UPDATE

Pizza Shop/Hudson Taco Expansion Project Receives Area Variances

Rendering of the Proposed Expansion Project

PLANNING AND DEVELOPMENT UPDATE

Land Use Board Approvals

Planning Board
- 1 approval
- 4 applications

Zoning Board of Appeals
- 2 approvals
- 3 applications

Architectural Review Board
- 6 approvals
- 16 applications

FORM: LDA01
Land Development Application
City of Newburgh, New York, Planning Board
83 Broadway, Newburgh, New York 12550
Phone: (845) 569-7386
www.cityofnewburgh-ny.gov

GENERAL INFORMATION:

Project Name/ Address: ______________________

Project Descriptions (Brief): ______________________

Application for:
Check all that apply
- ☐ **Site Plan:** Answer all parts of Form PB01
- ☐ **Subdivision:** Answer all parts of Form PB02
- ☐ **Special Use Permit:** Answer all parts of Form PB01 and PB03
- ☐ **Special Parking Permit:** Answer all parts of Form PB04
- ☐ **Area Variance:** Answer all parts of Form ZBA01
- ☐ **Use Variance:** Answer all parts of Form ZBA02

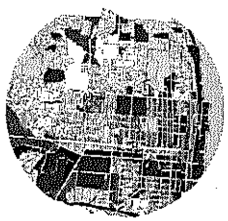
Applicant:

Name:					
Address:					
City:		State:		Zip:	
Phone:					
Fax:					
Email:					

Property Information:

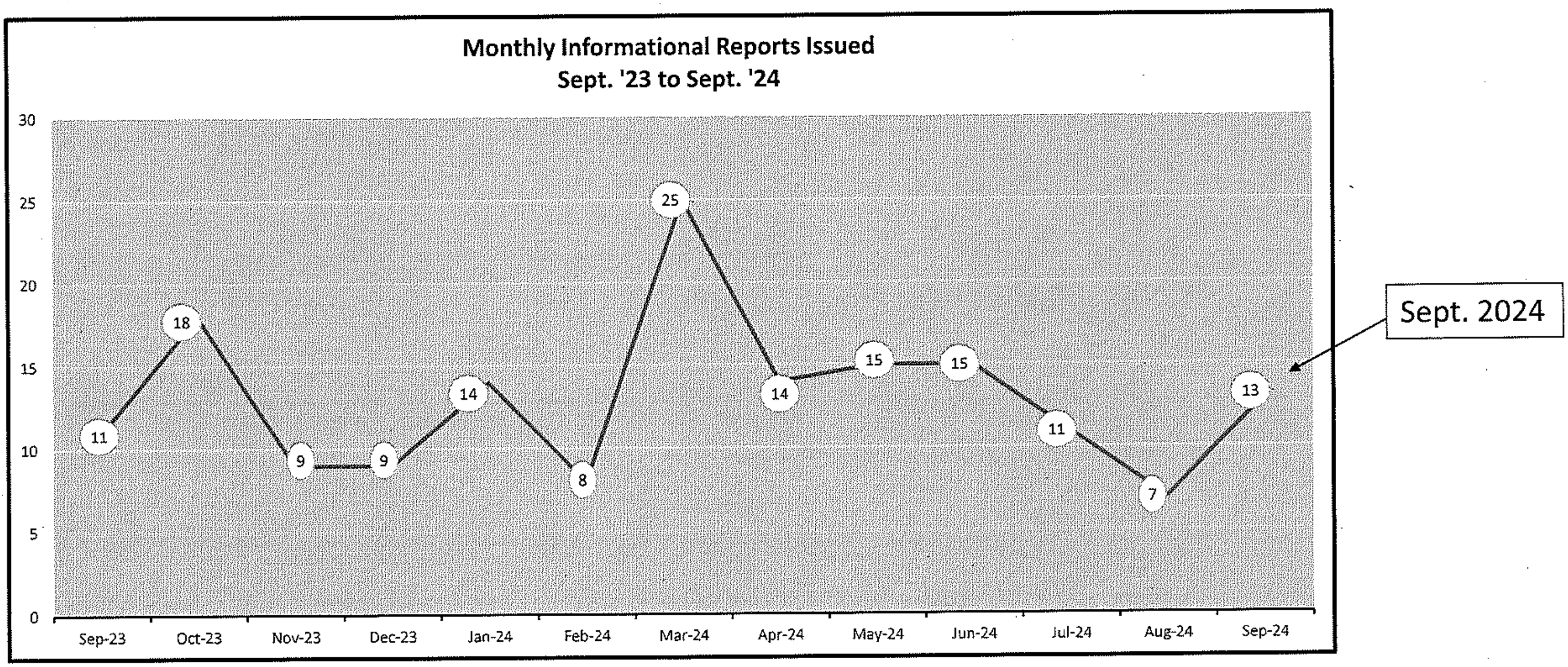
Street Address:							
City:	Newburgh		State:	NY	Zip:	12550	
Tax Map Designation:	Section:		Block:		Lot(s):		
	Section:		Block:		Lot(s):		
	Section:		Block:		Lot(s):		
Zoning District:							

FOR INTERNAL USE ONLY	
Application Receipt Date:	Index/Appeal Number:
	Meeting Date:
	Public Hearing:
	Fee Paid:
	Completed LDA:
	Informational:
	Part 1 EAF from mapper:



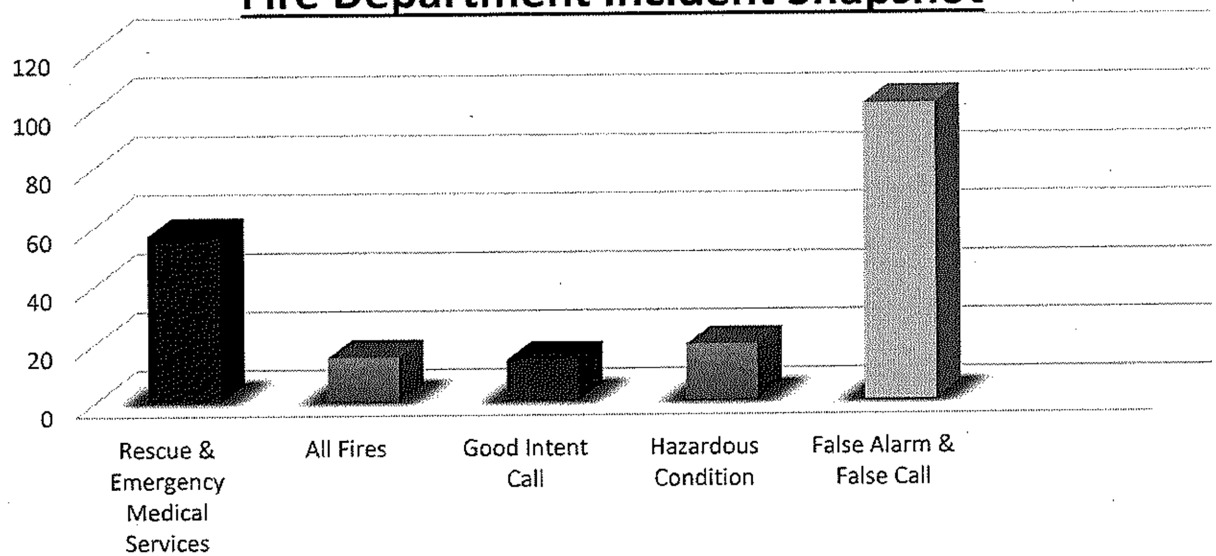
PLANNING AND DEVELOPMENT UPDATE

Request for Informational Reports



CITY OF NEWBURGH FIRE DEPARTMENT UPDATES

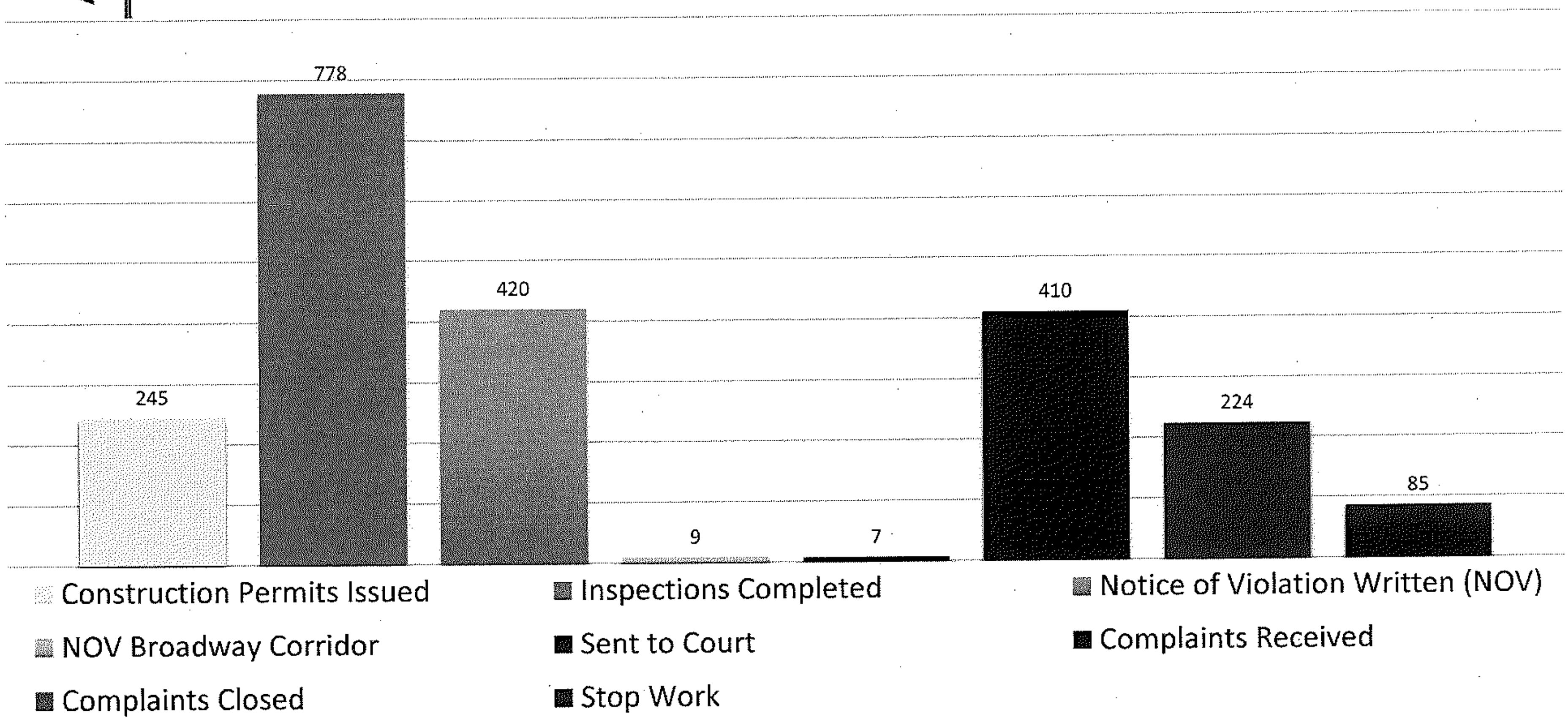
September 2024
Fire Department Incident Snapshot



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	15	5.24%
Overpressure rupture, explosion, overheat - no fire	1	0.35%
Rescue & Emergency Medical Service	79	27.62%
Hazardous Condition (No Fire)	19	6.64%
Service Call	57	19.93%
Good Intent Call	14	4.9%
False Alarm & False Call	101	35.31%
TOTAL	286	100%

CODE COMPLIANCE UPDATE

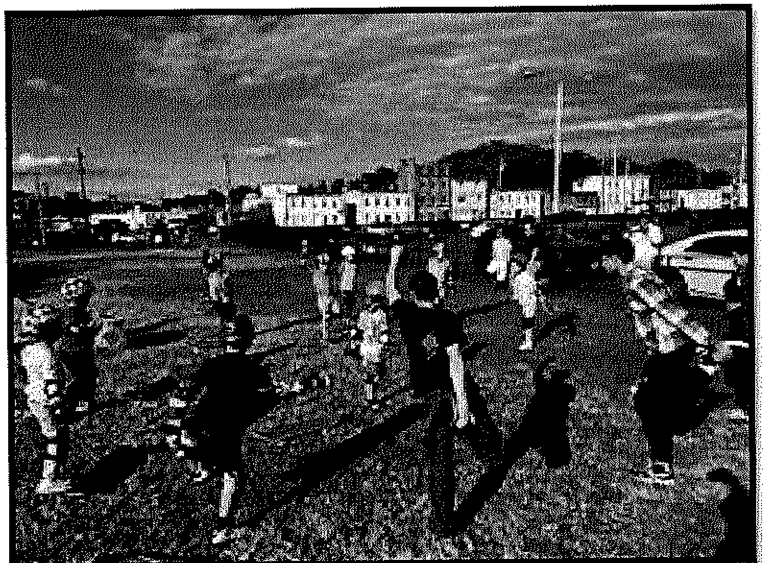
Month of September 2024



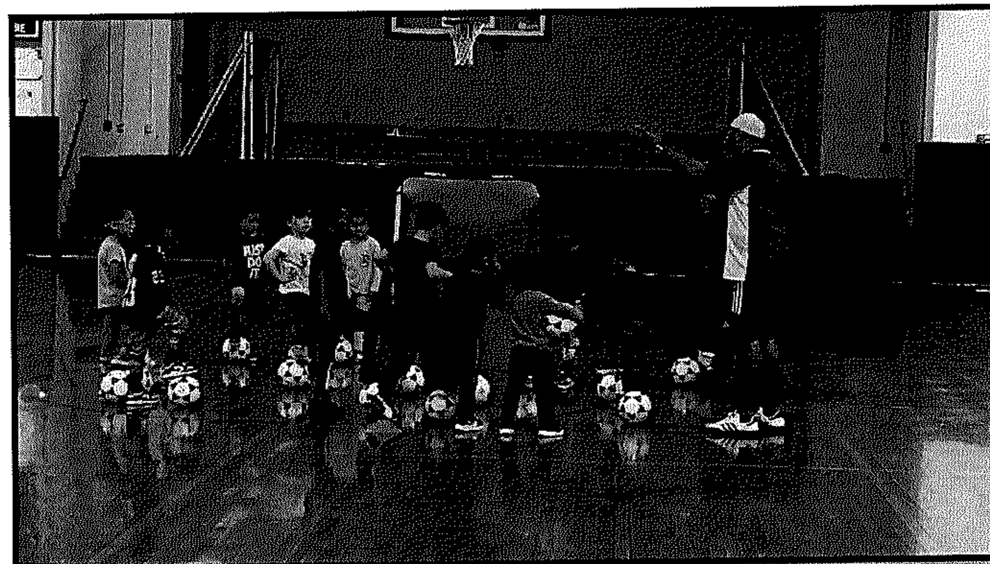
CITY OF NEWBURGH RECREATION

RECREATION UPDATE

Fall Programs are Underway



Skateboard Lessons



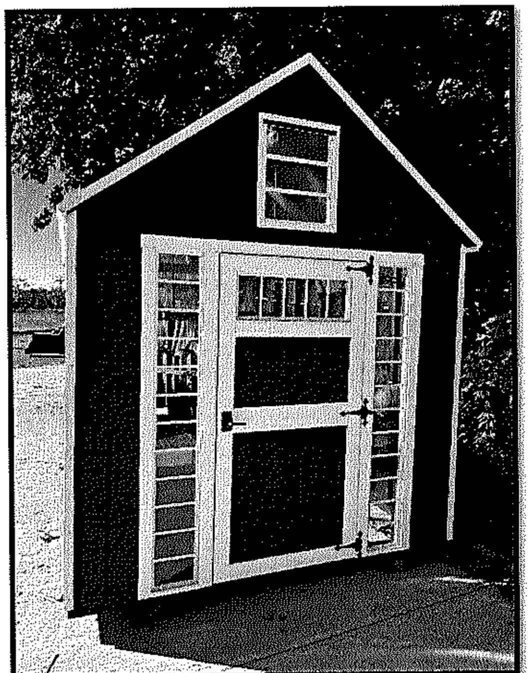
Youth Soccer

Interested in joining a program? Visit cityofnewburgh.recdesk.com or call 845-565-3230

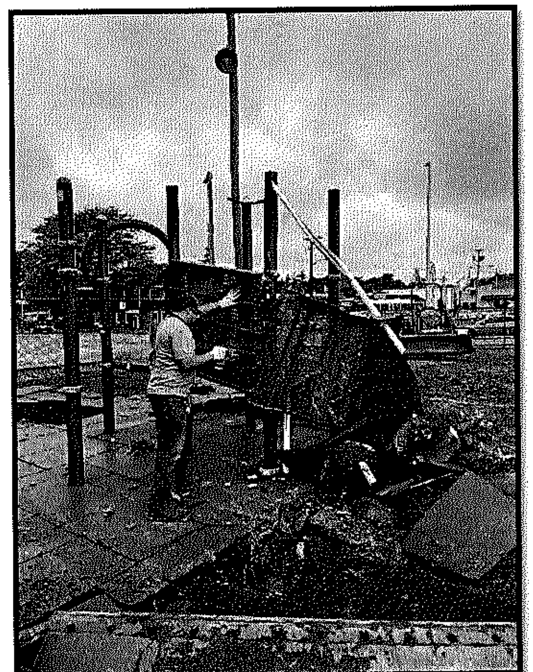
CITY OF NEWBURGH RECREATION

RECREATION UPDATE

Delano Hitch Park Revitalization Project Continues



New Greenhouse

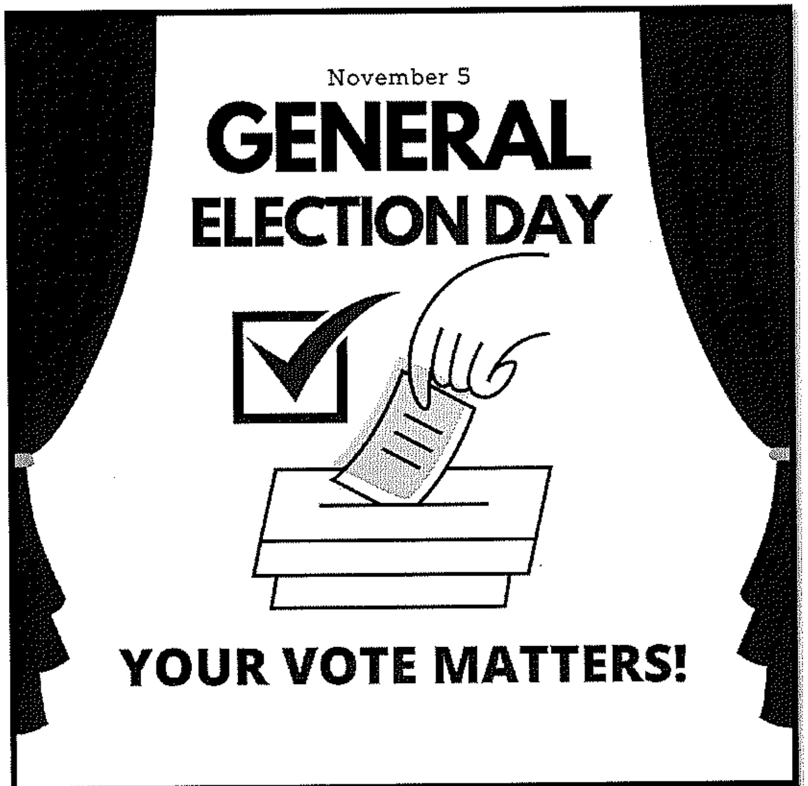


Playground Removal

New Storage Closet

UPCOMING CITY SPONSORED EVENTS

ELECTION DAY REMINDER



Early Voting

- October 26 – November 3rd
- The Activity Center at 401 Washington Avenue is an early voting site

General Election:

- November 5

QUESTIONS REGARDING YOUR VOTER REGISTRATION STATUS?

CALL THE COUNTY BOARD OF ELECTIONS AT:
845-360-6500

PICKUP DATE CHANGES:

- Tuesday, November 5th pickup will now take place on Wednesday, November 6th

PICKUP DATE CANCELLATION:

- No bulk or yard waste pickup on Wednesday, November 6th

CITY OF NEWBURGH SEEKS

MEMBERS FOR THE BOARD OF ASSESSMENT REVIEW

BOARD & COMMISSION VACANCIES REMINDER

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

City of Newburgh residency is a requirement to join

NEWS FLASH

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1. Type your email address in the box and select **Sign In**.
2. If you want to receive text messages enter your phone number and select **Save**.
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

Home › Notify Me

Notify Me®

▾ Available Lists

1. Type your email address in the box and select Sign In.
2. If you want to receive text messages enter your phone number and select Save.
3. To subscribe or unsubscribe click and/or next to the lists to which you wish to subscribe/unsubscribe.

Please sign in to subscribe, unsubscribe, or manage your subscriptions

Email Address

YOUR EMAIL HERE

Notify Me Sign In

▾ Agenda Center

METHOD	LIST NAME	DESCRIPTION
	Architectural Review Commission	Subscribe to be notified when agendas for the Architectural Review Commission are posted
	Arts & Cultural Commission	Subscribe to be notified when agendas for the Arts & Cultural Commission are posted
	City Council	Subscribe to be notified when agendas for the City Council Work Sessions and Meetings are posted
	Civil Service Commission	Subscribe to be notified when agendas for the Civil Service Commission are posted
	Conservation Advisory Council	Subscribe to be notified when agendas for the Conservation Advisory Council are posted
	Industrial Development Agency (IDA)	Subscribe to be notified when agendas for the IDA are posted
	Planning Board	Subscribe to be notified when agendas for the Planning Board are posted.
	Transportation Advisory Committee	Subscribe to be notified when agendas for the Transportation Advisory Committee are posted.
	Zoning Board of Appeals	Subscribe to be notified when agendas for the Zoning Board of Appeals are posted.

▾ Government Jobs

METHOD	LIST NAME	DESCRIPTION
	Current Vacancies	Subscribe to be notified when new job vacancy announcements are posted.
	Open-Competitive Exams	Subscribe to be notified when new Open-Competitive Exams are posted.
	Promotional Exams	Subscribe to be notified when new Promotional Exams are posted.

▾ News Flash

METHOD	LIST NAME	DESCRIPTION
	City News	Subscribe to receive the latest news & announcements from the City of Newburgh.

Please remember to set your spam blocker to allow mail from listserv@civicplus.com.

▲ Back to top

CITY OF
NEWBURGH
NEW YORK

CONTACT US

Members of the news media are asked to direct all press inquiries to:

press@cityofnewburgh-ny.gov

PRESENTATIONS

Public Hearing - Local Law amending City Charter Section C4.00 to increase the annual salary of the Mayor and Council Members

Mayor Harvey opened a public hearing to receive comments regarding a local law amending City Charter Section C4.00 to increase the annual salary of the mayor and council members.

Jesse Flaitz, City of Newburgh resident, commented. He is not necessarily opposed to the pay increase, and he feels the council is doing a great job doing the work it does to support the community. He would like some aspects of it clarified though, such as whether it will be increased gradually, and for how long the current pay has been in effect. A newspaper employee told him about the proposed raises, and he wanted more information.

Mike Lebron, Grant Street, commented. He opposes the amendment. He thinks it should be a full-time position that earns a full-time salary.

Dennis Grant, City of Newburgh resident in Ward 1, commented. He would like to see an amendment to the pay raise on the table. He would like for an amendment to state that when the council is doing their respective duties, they should smile and engage with the community instead of with each other and their families and friends. He has seen the council do it before, but he would like them to do it outside of election times.

Kippy Boyle, Grand Street resident, commented. She is not opposed to a salary increase, per se; but she is concerned that constituents are constantly limited in things they can do, such as raising rents for their apartments. The cost-of-living adjustment set by Social Security is 2.5%. The increase the council is seeking is excessive. She would be amenable to a 10% increase. She is not convinced when the city manager says the salaries are standard pay for the Hudson Valley region. She feels that we should not be comparing ourselves to other municipalities in the region. Boyle said it is important the council tells the public what its past accomplishments have been, as well as areas they failed the mark. Boyle said the IT event was a disaster. The public already knows the system was in bad shape from the start. There are good things the council has done; but the raises are excessive. She wants the council to reconsider it and think about their constituents.

Gabrielle Hill, City of Newburgh resident, commented. She likes to look at it in terms of the numbers. $15K divided by twelve months per year; divided by four weeks per month equals $312.50 per week. When you divide that by twenty hours per week (for part-time work), that equals $15.65 per hour.
Michelle Basch, business owner and resident of City of Newburgh, commented. She is not opposed to a raise, but it is excessive. She does not feel that the council is putting in eight hours per day on the job. When she worked in the corporate setting, a raise was never more than 4%. Her profit is not more than 5% either. She would like the council

to look at the percentages, think about what is considered normal, and stick closer to that number. She would be amenable to an increase if it is over the course of five years.

Pastor Rosey, City of Newburgh resident in Ward 1 and Ward 2, commented. She investigated the salaries of Poughkeepsie. While she is not opposed to a raise, but the City of Poughkeepsie is run entirely different than the City of Newburgh; so, we can't compare Newburgh to Poughkeepsie. She said Mayor Harvey is elected as a part-time mayor, and he does not manage the day-to-day affairs of the city, like the mayor of Poughkeepsie does. She also feels that Newburgh has the largest number of residents on social services. The proposed raises do not include additional dollars granted to the council, in the form of medical benefits, even though some of the council does not take the medical benefits. She pointed out the Mayor Harvey has no more vote than the rest of the city council. She suggested the following salary schedule: $15K for the ward councilmembers, $20K for councilmember-at-large, and $22.5K for the mayor. She implored the council to consider the times that we are living, and reserve money wherever we can. She also feels that the council has done some really big things in the city too.

There being no one else wishing to speak for or against, the public hearing was closed.

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

Gabrielle Hill commented. She receives a lot of complaints about the Newburgh Ministry's new housing development project. Residents should have a timeline of housing they are expecting to receive. Who holds them accountable for the timeline? She would like the city to invite Mr. Jarvis to provide an update for the public. The Newburgh Human Rights Commission is seeking nominations for its Human Rights Heroes event. If you know anybody who does human rights work in the community, please submit the nominations by Friday, November 1, 2024. She requested an update on the development of 120 Grand Street, as well as the three other Grand Street properties. She would like everyone to join their circle of social justice advocates, for an event hosted by the Newburgh Clean Water Project, for an event on Saturday, November 23, 2024. The purpose of the event is to pause and restore, through self-care, as we continue to do the community work together. The event will be held at the River Room at the Newburgh Free Library from 1 Pm – 3 Pm.

Jesse Flaitz, Colden Street resident, commented. He passed out books to the council, entitled *Flowers for Our Grandmothers*, published by The Collectiv. The project was spearheaded by Gabrielle Hill. Flaitz did the audio recording of the oral histories of each grandmother. It will be shown at various venues throughout the City of Newburgh. Unlike photos that can be restored, voice often gets lost, especially in the modern day of cellphones. He shared the project with the council, because of the activism they do in the community. He requested an update on the Brownfield project on the hillside's greenspace. He is excited that there will be a new pathway created to connect the waterfront with Downtown Newburgh.

Dennis Grant commented about agenda item #10. He thought that the council wasn't going to be voting to increase the tax levy this evening. Where are the enterprise fund revenues coming from? The water and sewer and sanitation funds are being increased, which tells us a different story. If we are not going to be increasing the tax levy, then why are we still increasing other fees for city services? He feels we are circumventing and increasing fees for city services, which is essentially a hidden tax.

Mayor Harvey explained that the water and sewer and sanitation are enterprise funds that have to pay for themselves. They are separate from the general fund and the tax levy, unless a taxpayer fails to pay them. If that happens, then those fees get re-levied onto the next year's taxes. The enterprise funds have to remain solvent.

Michael Lebron commented. First, he mentioned that he is a proud Puerto Rican. He attended his first IDA meeting last week. He was dismayed when he witnessed a recently resigned committee member comment at the meeting, only to be shunned by a current IDA member, who is also a city employee. The former member was told that her comments were not worthy of the meeting's time. Lebron stated that the chair should've gaveled him, so she could finish her comments. Once the chair opens the floor for public

comment, a speaker has a right to express his or her opinions; otherwise, this would be considered viewpoint discrimination within the constraints of the First Amendment. No one wants to offer transparency. Transparency is not something that you claim, it is something that is demonstrated by a person's behavior. His comments are the subject of the emails he sent to the council previously. He looks forward to meeting with those individuals that responded to his emails.

Tamika Stewart, resident at Sunset Ridge, commented. She went on record to say that the residents in Sunset Ridge, did, in fact, meet with the mayor and council and the city manager. She thanked them for meeting with the residents. She looks forward to hearing a follow up about the property. She said we have to be mindful of language that we use. The use of the term 'Wards' in municipal government sounds institutional. They are not inmates, they are residents of the City of Newburgh; so, the language should be changed. She said that Sunset Ridge is represented by Councilmember Sklarz. She is disappointed that he has not yet reached out to meet with the residents in the area.

Tyler Harris, resident at Sunset Ridge, commented. He thanked the council and city staff for meeting with the residents on October 2, 2024, to address their concerns. He is patiently waiting for a follow up to that discussion. Also, he is patiently waiting for a reply from either Mr. Venning or Chief Spinelli regarding his issue with the retaining wall and the building permit.

Michelle Basch commented. There is garbage all over the place. One reason is because the lids fly off the plastic trash cans. The large cans with lids attached are $160 plus tax, and it becomes very expensive for either the small landlord, or the businesses that have to buy several trash cans. She implored the city to provide them, either at a reduced cost or at no cost to residents, like they do in the Town of Newburgh. While she appreciates the roadwork improvements, she feels the city should notify the businesses and homes in the area beforehand, whenever roadwork is going to occur in the area. Critters enter the restaurants, stores and homes whenever the ground is dig up, and it is a natural thing that occurs. People should be notified so they can prepare for pest control a head of time.

Pastor Rosey commented. She said that informed voting is an important thing. She spoke about Proposal One on the back of the election ballot this year. She feels there are things that are hidden and disguised. She believes that it targets transgender minors and unborn babies, and it is weighing heavy on her. She stated that Proposal One should be separated from the general vote. (See Comments Attached)

Kippy Boyle commented. She mentioned the IDA appointments and feels that discussions had to happen along the way, since some of the members are also employees of the city. She wondered if these discussions took place in meetings or in executive sessions, or did they occur in open places where members of the public could be informed. While it is not illegal to have city employees on the board, it is not recommended. She believes that the level of independent voting gets compromised. The good side to it is that everyone can move in the same direction when talking about growth for the city. Boyle said a

particular person from the IDA should be removed, so that the position is opened up to a person who is not directly affiliated with City of Newburgh employment.

This section of the meeting was closed.

Comments submitted by Pastor Rosey at the Council Meeting of October 28, 2024

CITY COUNCIL MEETING
OCT 28, 2024
RESIDENT OF WARD 1 PASTOR ROSEY
UNITED WE STAND DIVIDED WE FALL

MAYOR HARVEY, IN THE LAST CITY COUNCIL MEETING OF OCT.15th YOU BROUGHT UP THE SALARY OF THE MAYOR OF THE CITY OF POUGHKEEPSIE. I DECIDED TO CONTACT THE CITY OF POUGHKEESPIE, KINGSTON AND MIDDLETOWN FOR THEIR COUNCIL AND MAYOR SALARIES TO COMPARE THEM WITH OURS.

THE CITY OF POUGHKEEPSIE IS RUN ENTIRELY DIFFERENT THAT THE CITY OF NEWBURGH. ALTHOUGH THE MAYOR IS AN ELECTED OFFICIAL, HE HAS NO VOTE. HIS POSITITION IS FULL TIME AND HE ALONG WITH A CITY ADMINISTRATOR, MANAGE THE DAY TO DAY AFFIARS OF THE CITY. WE CAN NOT COMPARIED HIS SALARY WITH YOURS. YOUR JOB DISCRIPTIONS ARE ENTIRLY DIFFERENT. YOU ARE AN ELECTED PART TIME MAYOR AND DO NOT TEND TO THE DAY TO DAY AFFIARS OF OUR CITY. AS YOU CAN SHEET THE BUDGET SHEET, I PROVIDED FOR THE CITY OF POUGHKEESPIE, EACH COUNCIL PERSON RECEIVES $15000.00 YEARLY AND THE COUNCIL PERSON AT LARGE $22,500.00.

IN ADDITION, I HAVE ENCLUDED THE BUDGET FOR THE CITY OF KINGSTON. THE MAYOR THERE IS ALSO A FULL TIME MAYOR THAT MANAGES TO DAY AFFIARS OF THE CITY. HE IS ALSO AN ELECTED OFFICIAL BUT HAS NO VOTE. HIS SALARY CAN NOT BE COMPARED TO YOURS EITHER.

IF I AM READING THE BUDGETFOR KINGSTON CORRECTLY, THE ALDERMAN AT LARGE IS PAID $14,840.00 YEARLY AND A WARD ALDERMAN IS PAID $10,050.00 YEARLY.

FOR THE CITY OF MIDDLETOWN, THE BUDGET IS NOT INCLUDED BECAUSE IT WILL NOT BE POSTED UNTIL NEXT WEEK. I SPOKE TO THEIR FINANCE DEPARTMENT. THE MAYOR IS FULL TIME ELECTED OFFICIAL WITH NO VOTE. HIS SALARY CAN NOT COMPARED TO YOURS BECAUSE HE ALSO HAS DIFFERENT DAY TO DAY RESPONDSIBILITY. A COUNCILPERSON AT LARGE IN MIDDLETOWN MAKES $20,000.00 YEARLY AND A COUNCIL PERSON FOR A WARD $15,000.00 YEARLY.

AS WAS TOLD TO US THROUGH THE PRESITATION LAST COUNCIL MEETING, WE HAVE THE LARGEST NUMBER OF RESIDENTS IN THE REGION ON SOCIAL SERVICES. THE COUNCIL'S RAISE PROPOSAL OF $20,000.00 FOR A WARD COUNCIIL PERSON WOULD BE THE LARGEST RAISE OF THREE OTHER CITIES. THE PREPOSED RAISEFOR A COUNCIL PERSON AT LARGE OF $22,500.00 WOULD BE THE SAME AS POUGHKEEPSIE, $7660.00 MORE THAN KINGSTON AND $2500.00 MORE PER YEAR THAN MIDDLETOWN.

THE RAISES YOU ARE PROPOSING DO NOT INCLUDE DOLLARS GRANTED TO YOU IN MEDICAL BENEFITS GIVEN TO YOU WHICH SOME OF YOU DO NOT TAKE BECAUSE YOU HAVE MEDICAL FROM OTHER JOBS.

AS FAR AS THE MAYORS HERE IN NEWBURGH, THE MAYOR HAS NO MORE VOTE THAN ANY OF THE COUNCIL MEMBERS AND THE SAME RESPONSIBILITIES AS A COUNCIL PERSON AT LARGE. CORRET ME IF I AM WRONG. I HAVE NEVER READ YOUR JOB DISCRIPTION.

MY SUGGESTIONWOULD BE $15000.00 FOR WARD COUNCIL PERSON YEARLY, $20,000.00 FOR COUNCIL PERSON AT LARGE AND $22,500.00 FOR THE MAYOR.

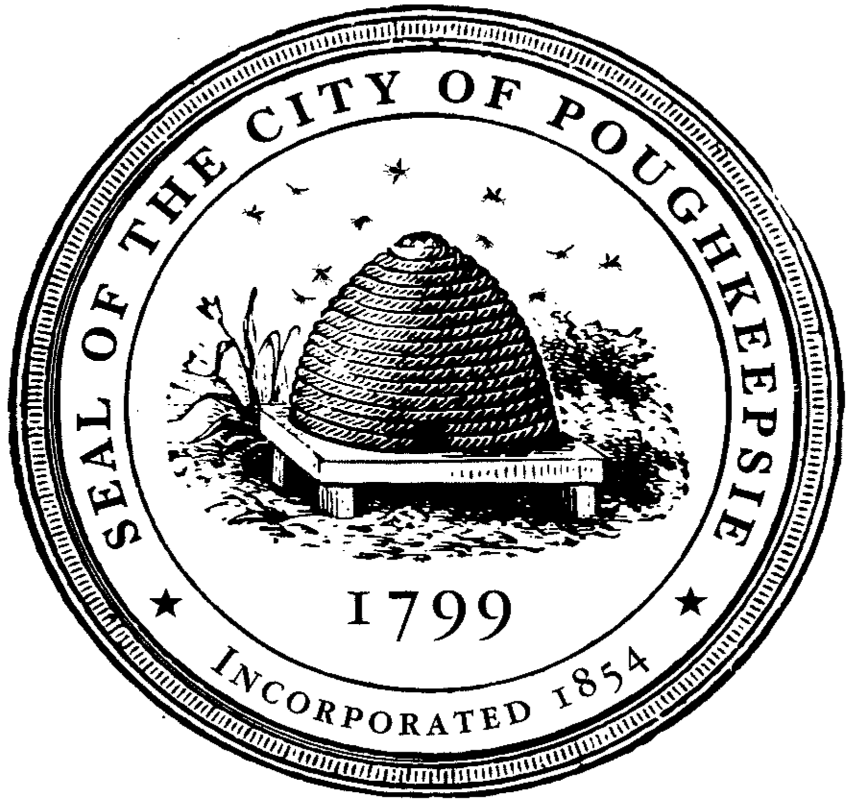
I APPECIATE THE WISDOM OF COUNCILMAN SKLARZ WANTING TO WAIT AND SEE WHERE THE RAISE MONEY IS GOING TO COME FROM AND WHAT THE BUDGET LOOKS LIKE?

CONSIDER THE TIME WE ARE LIVING IN AND RESERVE MONEY FOR THE TIMES AHEAD.

THANK YOU FOR LISTENING AND RECONSIDERING YOUR NUMBERS FOR PAY RAISES.

GOD BLESS YOU ALL.

CITY OF POUGHKEEPSIE



PRELIMINARY BUDGET
2025

Expense Budget Transaction Report

Report by Positions
Budget Year of 2025
Budget Level at Mayor's Preliminary

G/L Account	Position	Type	Code		Total Amount
EXPENSES					
Fund 01 - General Fund					
Department 01 - Common Council					
Cost Center 1010 - Common Council					
Account 7101.E - Salary Elected Officials					
01-01-1010 7101.E	4100001 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100002 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100003 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100004 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100005 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100006 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100007 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100008 - ELECTED OFFICIALS	Hours			15,000.00
01-01-1010 7101.E	4100011 - ELECTED OFFICIAL AT LARGE	Hours			22,500.00
		Account 7101.E - Salary Elected Officials Totals	Transactions	9	$142,500.00
		Cost Center 1010 - Common Council Totals	Transactions	9	$142,500.00
		Department 01 - Common Council Totals	Transactions	9	$142,500.00

Expense Budget Transaction Report

Report by Positions
Budget Year of 2025
Budget Level at Mayor's Preliminary

G/L Account	Position	Type	Code			Total Amount
EXPENSES						
Fund 01 - General Fund						
Department 02 - Mayor						
Cost Center 1210 - Mayor						
	Account 7101.E - Salary Elected Officials					
01-02-1210 7101.E	4250001 - MAYOR	Hours				90,001.00
		Account 7101.E - Salary Elected Officials Totals		Transactions	1	$90,001.00
	Account 7102 - Salaries-Management					
01-02-1210 7102	4010002 - Admin. Asst. to the City Mayor	Hours				63,482.00
		Account 7102 - Salaries-Management Totals		Transactions	1	$63,482.00
		Cost Center 1210 - Mayor Totals		Transactions	2	$153,483.00
		Department 02 - Mayor Totals		Transactions	2	$153,483.00

City of Kingston

2025 Recommended Budget

Steven T. Noble, Mayor

CITY OF KINGSTON
PERSONNEL SUMMARY
2025 BUDGET

POSITION TITLE	# OF POSITIONS 2024/2025	BUDGET 2024	REQUESTED 2025	RECOMMENDED 2025	ADOPTED 2025
1210-Mayor					
Mayor	0.80/0.80	80,000	82,000	82,000	
Secretary	1.00/1.00	60,724	62,697	62,697	
Total-1210	1.80/1.80	140,724	144,697	144,697	0

CITY OF KINGSTON
PERSONNEL DETAIL
2025 BUDGET

EMPLOYEE NAME	TITLE	REG. PAY .101	LONGEVITY .102	OTHER PAY .1XX	FICA .811	RETIREMENT .812	MEDICAL .821	DENTAL .822	OPTICAL .828	TOTAL
1210-Mayor										
Noble, S.	Mayor*	82,000			6,273	12,710	2,400	585	0	103,968
Verspoor, R.	Secretary	62,697	1,500		4,911	9,951	34,000	731	247	114,037
Total-1210		144,697	1,500	0	11,184	22,661	36,400	1,316	247	218,004

Part 1210/G8110

CITY OF KINGSTON
PERSONNEL SUMMARY
2025 BUDGET

POSITION TITLE	# OF POSITIONS 2024/2025	BUDGET 2024	REQUESTED 2025	RECOMMENDED 2025	ADOPTED 2025
1010-Com.Council					
Alderman at Large	1.00/1.00	12,050	12,050	12,050	
Majority Leader	1.00/1.00	10,550	10,550	10,550	
Alderman	8.00/8.00	80,400	80,400	80,400	
Page	1.00/1.00	500	500	500	
Total-1010	11.00/11.00	103,500	103,500	103,500	0

CITY OF KINGSTON
PERSONNEL DETAIL
2025 BUDGET

EMPLOYEE NAME	TITLE	REG. PAY .101	LONGEVITY .102	OTHER PAY .1XX	FICA .811	RETIREMENT .812	MEDICAL .821	DENTAL .822	OPTICAL .826	TOTAL
1010-Com.Council										
	Alderman at Large	12,050			922	1,868				14,840
	Majority Leader	10,550			807	1,635				12,992
8	Alderman	80,400			6,151	12,462				99,013
	Page	500			38					538
Total-1010		103,500	0	0	7,918	15,965	0	0	0	127,383

CITY OF KINGSTON
PERSONNEL SUMMARY
2025 BUDGET

POSITION TITLE	# OF POSITIONS 2024/2025	BUDGET 2024	REQUESTED 2025	RECOMMENDED 2025	ADOPTED 2025
1410-City Clerk					
City Clerk	0.90/0.90	67,313	69,500	69,500	
Deputy Clerk	1.00/1.00	62,417	64,446	64,446	
Administrative Aide	1.00/1.00	53,459	55,196	55,196	
Clerk (Spanish Speaking)	1.00/1.00	50,645	52,291	52,291	
Total-1410	3.90/3.90	233,834	241,433	241,433	0

CITY OF KINGSTON
PERSONNEL DETAIL
2025 BUDGET

EMPLOYEE NAME	TITLE	REG. PAY .101	LONGEVITY .102	OTHER PAY .1XX	FICA .811	RETIREMENT .812	MEDICAL .821	DENTAL .822	OPTICAL .826	TOTAL
1410-City Clerk										
Tinti, E.	City Clerk*	69,500	1,350		5,420	10,982	30,600	658	222	118,732
WiafeAikenten, K.	Deputy Clerk	64,446			4,930	9,989	40,500	731	247	120,843
Huppert, C.	Administrative Aide	55,196	3,000		4,452	9,020	17,500	731	114	90,013
Juarez, A.	Clerk (Spanish Speaking)	52,291			4,000	8,105	40,500	731	247	105,874
Total-1410		241,433	4,350	0	18,802	38,096	129,100	2,851	830	435,463

*Part 1410/4020

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

Councilmember Martinez commented briefly. She reminded everyone that early voting began on Saturday October 26, 2024. The schedule can be found on the Orange County Board of Election's website. She reminded everyone that General Election Day is Tuesday November 5, 2024.

Councilmember McLymore deferred his comments at this time.

Councilmember Monteverde commented. She does not support a big increase at this time. She could see a raise of 5%; but this seems excessive. It is important that the community knows where she stands on the issue. Fiscally, the city is doing fantastic. She thanked the city manager for his hard work and leadership to bring us to the point where we are recognized by the State for being a well-run and fiscally sound municipality. We still have a long way to go with our budgets though, and we have to increase the water and sewer this year. Previous administrations didn't increase the enterprise funds for many years, so we are still playing catch up. She would like to get updates on the BOA. Monteverde said she attended an early voting rally on Saturday. This is an important election, and our democracy is on the line. No one should sit this one out, because it affects our granddaughters, daughters, sisters and aunts. This is going to affect the women in our families and communities. She mentioned she voted 'Yes' on Proposition One.

Councilmember Shakur commented. He opposed any council raise his second year on the council; but now, in his fifth year on council, he feels the city council needs more money than what is being proposed. He is trying to show young people that they can make a viable wage in city government representing their community. $20K is not any type of real money when it comes down to the work they do on council. He encouraged people to switch sides with him and do his job, because it is extremely demanding. On any given day either he is either city hall for a few hours, and then he is out and about in the community for the rest of the day. The only thing, on paper, that the council is supposed to do is attend a couple of meetings each month. Our city council goes above and beyond. He visited Sunset Ridge the very next day after residents spoke about the issues. He has lived in the City of Newburgh for sixty-nine years, and didn't even realize the area existed. Subliminally, he feels that they put all the Black People up there in those conditions. He asked who sold it to them in the present conditions. We are on top of our city, and we continue to work with our department heads on issues. Really, the city council is underpaid for the work it does. We have established something that has never been done by previous city councils. Shakur said they are changing the game and they are changing the notion of what the mayor and council are supposed to be doing.

Councilmember Sklarz commented. He briefly skimmed the book *Flowers for our Grandmothers*, and said it is a wonderful publication. He is sure that the recordings of the oral histories will be great too. He attended the Newburgh Once a Park event at Crystal Lake. It was a beautiful day and there were lots of activities and good food. He looks forward to the day when they can dedicate Crystal Lake as park land. He is pleased that we are lowering the budget this year. He heard public comments about the raises, and he does not support council raises at this time. Under the City Charter, the city manager is the lead administrator for the city. The city manager is responsible for the day-to-day operations of the city. The council of seven members hires the city manager and provides oversight and advocacy for constituents. The mayor has the additional responsibility to provide ceremonious duties for the city.

Sklarz said he did a lot of behind-the-scenes work for residents at Sunset Ridge. During the summer he advocated for residents and suggested that city staff get together with residents to discuss the difficulties they face. He also advocated that residents receive a letter outlining options available to them. He is disappointed about not being included in the meeting between the residents of Sunset Ridge and city staff and some members of city council. He doesn't know why he wasn't notified about it; but he will continue to advocate on residents' behalf, in hopes that everyone can come to a satisfactory conclusion. He encouraged everyone to Google Newburgh Brownfield. The Newburgh Brownfield committee meets on a regular basis, and the meetings are extremely informative. Residents should try to attend a meeting for more information.

Councilmember Sofokles commented. She said she did not receive Michael Lebron's email and asked him if he sent it to the correct email address. She told him to resend it, because she wants to read what he has to say. She agrees with Sklarz's comments, so she doesn't want to repeat everything. She thanked everyone for coming out this evening.

Mayor Harvey commented. When he became Mayor in 2018, this city government was in a receivership. The New York State Comptroller was going to take over the city because of neglectful financial reporting and an unbalanced budget. We were in a very grim circumstance. At that time the Mayor of Poughkeepsie was a part-time position that earned a salary of $25K, until they changed their charter in 2021. You have to know that when Mr. Venning came onboard, he created a multi-year financial plan that proposed to bring up all of the salaries in our city government. The city council was one of the last groups to have a salary increase. Several city departments had millions of dollars in overtime, and Mr. Venning addressed those issues. This city reached an A-1 Rating. We have never had that in the history of our City Charter. Venning came onboard in 2019, and he completed all of the missing annual reports. You don't raise salaries if you are not fiscally sound.

Newburgh received the highest American Rescue Act funds in the amount of $22 Million. If it were not for his own lobbying efforts, we would not have received those funds during a global pandemic. On paper, the mayoral position is part-time, but anytime there is an emergency in this city, he is front and center. He had to call Governor Hochul to bring in the National Guard when there were protests in Newburgh during the murder of George

Floyd. When the I.T. crisis occurred, it was taken care of in record time. Harvey has been to the White House four times in two years. He has been invited to various water summits because of how fast and safely we are moving on our water upgrades. Governor Hochul gave Newburgh $8 Million for our State-of-the-Art Aquatic Center, at no cost to our taxpayers. This is from the consistent lobbying efforts he and this council perform. He receives calls day and night, so that we can have a seat at the table, and so we can continue to bring in millions of dollars into our city to restore it back to its heyday. The proposed raises total $63K, which is only a fraction of 1% of the budget. The council works every day, especially when there is an emergency in this city. If he doesn't show up to a festival, store opening, ribbon cutting, wedding, pastoral anniversary or some other event out of a myriad of events that occur in the city, then people take it personal. Just ask his wife; he has not had a vacation since 2016. He could go on and on about the things that he and his fellow colleagues do for this city.

This section of the meeting was closed.

CITY MANAGER'S REPORT

Resolution No. 221 - 2024 - Orange County Exemption for City Reservoir and Filter Plant Properties for 2026

Councilman Shakur moved and Councilwoman Sofokles seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 222 - 2024 - Contract with Quest Environmental Services

Councilwoman Sofokles moved and Councilman Mclymore seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 223 - 2024 - Purchase of 317 Dupont Avenue

Councilman Shakur moved and Councilwoman Sofokles seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Local Law - D - 2024 - Local Law authorizing a Property Tax Levy in Excess of the GML Section 3-c Limit

Michelle Kelson explained that this is protocol. It is a recurring best practice to adopt a local law that allows for an exceeding of the tax cap. As far as she understands it, there are no proposed changes to the 2025 budget that would exceed the limit. The council adopts this local law every year.

Councilmember Monteverde thanked Kelson for clarifying this for everyone.

Councilmember McLymore said it was a great question presented by Mr Grant, and he is glad that is has been explained publicly.

Mayor Harvey said we do this every year, as a safeguard. He has never seen anyone that works numbers like Mr. Venning. He is one the best in his field of expertise to come to this city. Venning is not going to do a budget that is not balanced, or one that is not, in good faith. There is actually a decrease in the homestead tax rate for the sixth year in a row, which is something that is not easy to do. Harvey stated that all employees' salaries of the City of Newburgh are taxed; so, the numbers you see before us, as far as the increases are concerned, will certainly be taxed by both the Federal and State governments.

Councilmember Shakur stated that this is part of the job that the council does. When we sit down at the work sessions, we discuss everything that comes before us in order to be able to make decisions.

Councilwoman Sofokles moved and Councilman Shakur seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Enacted

Resolution No. 224 - 2024 - Resolution to Approve a Consent Judgement Involving Vails Gate Realty LLC

Councilman Shakur moved and Councilman Mclymore seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 225 - 2024 - Resolution to Approve a Consent Judgement Involving 250 Lake Street Properties LLC

Councilwoman Sofokles moved and Councilman Mclymore seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 226 - 2024 - Resolution to Approve a Consent Judgement Involving Mid Hudson Film LLC (21 Liberty Street)

Councilman Shakur moved and Councilwoman Sofokles seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 227 - 2024 - Resolution to Approve a Consent Judgement Involving Mid Hudson Film LLC (106 Pierces Roadd)

Councilwoman Sofokles moved and Councilman Shakur seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 228 - 2024 - Resolution to Approve a Consent Judgement Involving Mid Hudson Film LLC (108 S. Water Street)

Councilman Shakur moved and Councilwoman Sofokles seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 229 - 2024 - Resolution to Approve a Consent Judgement Involving 250 Lake Street Properties LLC

Councilman Shakur moved and Councilwoman Sofokles seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

Resolution No. 230 - 2024 - Resolution to Approve a Consent Judgement Involving Vails Gate Realty LLC, 250 Lake Street Properties LLC, and Mid-Hudson Film LLC

Councilwoman Sofokles moved and Councilman Shakur seconded.
Ayes: Martinez, Mclymore, Monteverde, Shakur, Sklarz, Sofokles, Harvey - 7
Adopted

The City Manager concluded his report.

RESOLUTION NO.: 221 - 2024

OF

OCTOBER 28, 2024

A RESOLUTION REQUESTING AN EXEMPTION FROM COUNTY TAXES FOR THE CITY'S RESERVOIR AND FILTER PLANT PROPERTIES FOR THE YEAR 2026

BE IT RESOLVED, by the Council of The City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to request a real property tax exemption from real property taxes to be levied by the County of Orange on all of the City's reservoir and filter plant properties, and the buildings and improvements thereon, and to be constructed thereon in the Town of Newburgh and the Town of New Windsor, pursuant to the provisions of Section 406, subdivision 3, of the Real Property Tax Law of the State of New York.

The requested exemption would include exemption from all taxation, special ad valorum levies and special assessments through December 31, 2026, so long as the subject premises are used for the aforesaid purposes.

The specific properties involved are as follows:

OWNER	MUNICIPALITY	TAX PARCEL NO.
CITY OF NEWBURGH	TOWN OF NEW WINDSOR	4 - 1 - 38
		4 - 1 - 35
		4 - 3 - 1.1
		4 - 1 - 12.2
		4 - 1 - 9.21
		4 - 1 - 10
		32 - 2 - 53
	TOWN OF NEWBURGH	75 - 1 - 17
		97 - 3 - 17
		97 - 2 - 22.1
		97 - 3 - 10
		97 - 1 - 44; and

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized to execute an Agreement, a copy of which is annexed hereto, with the County of Orange to effectuate such exemption.

#221-24

AGREEMENT, made this ____ day of _______________, 20____ by and between

THE CITY OF NEWBURGH, a municipal corporation duly organized and existing under the laws of the State of New York and having its principal place of business at City Hall, 83 Broadway, in the City of Newburgh, County of Orange, State of New York; and

THE COUNTY OF ORANGE, a municipal corporation duly organized and existing under the laws of the State of New York and having its principal place of business at the Orange County Government Center, Main Street in the Village of Goshen, County of Orange and State of New York,

WHEREAS, the City of Newburgh is the owner of several parcels of real property located in the Towns of Newburgh and New Windsor, Orange County, New York and designated on the official tax map of said towns as set forth in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, The City of Newburgh uses said property for the operation of a water filtration plant and reservoirs exclusively; and

WHEREAS, The County of Orange has in the past, imposed taxes against said parcels of real property; and

WHEREAS, Section 406(3) of the Real Property Tax Law of the State of New York in essence, inter alia, provides that real property owned by a municipality with a population of less than 100,000 people, which property is located without its corporate limits and is used as a reservoir or water filtration plant may be wholly or partially exempt from taxation, special ad valorum levies, and special assessments, provided that the governing board of the taxing authorities so agree in writing; and

WHEREAS, the aforesaid relief from County taxes was requested by said municipality by Resolution Number _____-2024 of October 28, 2024 of The City of Newburgh, New York; and

WHEREAS, the County of Orange was authorized to enter into this agreement by Resolution Number __________ of ______________, dated ______________, 20___, of the Orange County Legislature, it appearing that such agreement would be in the best interests of the citizens of Orange County,

NOW, THEREFORE, in consideration of the premises and pursuant to Real Property Tax Law, Section 406 (3), it is agreed as follows:

1. The County of Orange, by action of the Legislature thereof, shall wholly exempt the parcels of real property, listed in Schedule "A" annexed hereto, together with the buildings and improvements now existing thereon or hereinafter installed, owned by The City of Newburgh and exclusively used as a water filtration plant and reservoir properties, which properties are located in the Town of Newburgh and Town of New Windsor, County of Orange, State of New York, and which properties are designated by section, block and lot in Schedule "A", annexed hereto on the official tax map of said towns, from all taxation, special ad valorum levies, and special assessments levied by Orange County for the County tax year, January 1, 2026 to December 31, 2026 so long as the subject premises are used for the aforesaid purposes.

2. This agreement shall not be self-renewing and shall not be extended to any County tax year after December 31, 2026, unless the Orange County Legislature specifically renews or extends the same before the applicable taxable status date for any such year.

3. The County of Orange expressly reserves its right to impose, levy and collect with respect to the subject premises, any financial obligation not specifically excluded by the provisions of Real Property Tax Law, Section 406 (3).

IN WITNESS THEREOF, the parties hereto have executed this Agreement as of the date set forth above.

[SEAL]

THE CITY OF NEWBURGH

By:______________________________
Todd Venning, City Manager
Pursuant to Res. No.: _____-2024

[SEAL]

THE COUNTY OF ORANGE

By:______________________________
Stefan ("Steven") M. Neuhaus,
County Executive

APPROVED AS TO FORM:

____
MICHELLE KELSON
Corporation Counsel

____
JANICE GASTON
City Comptroller

SCHEDULE "A"

OWNER	MUNICIPALITY	TAX PARCEL NO.
CITY OF NEWBURGH	TOWN OF NEW WINDSOR	4 - 1 - 38
		4 - 1 - 35
		4 - 3 - 1.1
		4 - 1 - 12.2
		4 - 1 - 9.21
		4 - 1 - 10
		32 - 2 - 53
	TOWN OF NEWBURGH	75 - 1 - 17
		97 - 3 - 17
		97 - 2 - 22.1
		97 - 3 - 10
		97 - 1 - 44

County Legislature

Katherine E. Bonelli, Chairwoman
Jean M. Ramppen, Clerk

255 Main Street – 2nd Fl
Goshen, NY 10924

Tel: (845) 291-4800 ☎ Fax: (845) 378-2375

October 1, 2024

Hon. Torrance Harvey
City of Newburgh
83 Broadway, City Hall
Newburgh, New York 12550

Dear Mayor Harvey:

Your agreement with the County of Orange providing for the exemption from county taxation on certain real property located in the Towns of New Windsor and Newburgh for use of your city water system will expire on December 31, 2025.

If you wish the County Legislature to exempt these properties for the year 2026, please notify this office with a copy of a resolution (which states the exemption year) adopted by your city council by December 16, 2024.

A schedule of the properties that were exempt for 2025 is enclosed for your information. Please compare it to the resolution you will be adopting this year.

Very truly yours,

Jean M. Ramppen

Jean M. Ramppen, Clerk
Orange County Legislature

cc: City Clerk

SCHEDULE A

MUNICIPALITY	LOCATION	TAX PARCEL NO.
City of Middletown	Town of Wallkill	999-1-21
		999-1-22
		999-1-23
		999-1-24
		999-1-25
		999-1-26
		999-1-27
		999-1-28
		999-1-29
		999-1-19
		999-1-20
		48-1-5.12
		48-1-5.112
		48-1-5.2
		48-1-6.1
		64-1-2
		69-1-15
		999 -1-20.1
		49-1-32
		49-1-62.2
		64 -1-4.1
		69-1-1.2
		64-1-47.322
		49-1-85.41
City of Middletown	Town of Mount Hope	12-1-23
		14-1-44.1
		14-1-76
		14-1-5
		14-1-127
		17-1-19
		16-1-32.22
		16-1-74
		16-1-35
		16-1-37.2
		16-1-36.211
		16-1-71.1
City of Newburgh	Town of New Windsor	4-1-38
		4-1-35
		4-3-1.1
		4-1-12.2
		4-1-9.21
		4-1-10
		32-2-53
City of Newburgh	Town of Newburgh	75-1-17
		97-3-17
		97-2-22.1
		97-3-10
		97-1-44

City of Port Jervis	Town of Deerpark	54-1-35.1 52-1-2 52-1-54.1 35-1-8.2 57-1-40
Village of Chester	Town of Monroe	18-5-11 18-5-4 19-1-3.2 10-3-9 13-1-28 8-1-78 8-1-35 8-1-77 8-1-24 8-1-23 8-1-22 8-1-21 8-1-16 8-1-14 8-1-13 8-1-12 8-1-11 8-1-10 8-1-9 8-1-8 8-1-39 8-1-40 8-1-54 8-1-53 8-1-42 8-1-44 8-1-45 8-1-46
Village of Cornwall-on-Hudson	Town of Cornwall	31-1-15 29-1-54 29-1-50 4-2-56 32-1-17
Village of Cornwall-on-Hudson	Town of New Windsor	65-1-20
Village of Goshen	Town of Goshen	13-1-32.61 15-1-8 15-1-48 15-1-50
	Town of Wallkill	61-1-43
Village of Highland Falls	Town of Highlands	1-1-2

Village of Kiryas Joel	Town & Village of Woodbury	213-1-64.1
	Town & Village of Woodbury	213-1-49
	Town & Village of Woodbury	202-1-19
	Town & Village of Woodbury	205-4-8
	Town & Village of Woodbury	999-7-2
	Town & Village of Woodbury	999-7-1
	Town & Village of Woodbury	247-4-16
	Town & Village of Woodbury	207-1-10.2
	Town of Monroe	2-1-20
	Town of Monroe	2-1-22
	Town of Monroe	2-1-23
	Village of Monroe	216-1-46.21
	Town of Cornwall	36-1-56
	Town of Cornwall	34-1-83
	Town of Cornwall	5-3-4.2
	Town of Cornwall	4-2-55
	Town of Cornwall	4-2-54
	Town of Cornwall	7-5-1
	Town of Cornwall	12-1-1.22
	Town of Cornwall	12-1-1.32
	Town of Cornwall	9-1-1.1
	Town of Cornwall	10-1-3
	Town of Cornwall	10-1-4
	Town of Cornwall	10-1-5
	Town of New Windsor	35-1-79.22
	Town of New Windsor	35-1-86.1
	Town of New Windsor	36-1-30
	Town of New Windsor	36-1-14
	Town of New Windsor	65-1-22.2
	Town of New Windsor	36-1-11
	Town of New Windsor	67-5-15
	Town of New Windsor	67-5-16
	Town of New Windsor	67-4-10
	Town of New Windsor	67-4-13.1
	Town of New Windsor	999-1-186
	Town of New Windsor	999-1-187
Village of Maybrook	Town of Hamptonburgh	3-1-6
Village of Montgomery	Town of Montgomery	28-1-63
Village of Tuxedo Park	Town of Tuxedo	213-3-12
Village of Walden	Town of Montgomery	10-1-4.21
		2-1-24.1
		2-1-24.21
		2-1-25.11

RESOLUTION NO.: 222 - 2024

OF

OCTOBER 28, 2024

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ACCEPT A PROPOSAL AND EXECUTE AN AGREEMENT WITH
QUALITY ENVIRONMENTAL SOLUTIONS & TECHNOLOGIES, INC. (QUES&T)
FOR PRE-RENOVATION ENVIRONMENTAL TESTING FOR
THE WATER FILTRATION PLANT IMPROVEMENTS PROJECT
AT A COST OF $4,510.00

WHEREAS, the City of Newburgh wishes to accept a proposal and execute an agreement with Quality Environmental Solutions & Technologies, Inc. (QUES&T) for pre-renovation environmental testing in connection with renovations at the Water Filtration Plant; and

WHEREAS, the proposal includes evaluation and sampling for lead, asbestos and PCBs; and

WHEREAS, the cost for these services will be $4,510.00 and funding shall be derived from F.8310.0448; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute an agreement with Quality Environmental Solutions & Technologies, Inc. for pre-renovation environmental testing for the Water Filtration Plant Improvements Project at 493 Little Britain Road at a cost of $4,510.00.

222-24

QuES&T

Quality Environmental Solutions & Technologies, Inc.

October 10, 2024

City of Newburgh
83 Broadway
Newburgh, NY 12550

ATTN: Jason C. Morris

Via E-mail: JMorris@cityofnewburgh-ny.gov

Re: City of Newburgh Water Treatment Plant
Request for Proposal – Pre-Renovation Environmental Testing Services

Dear Mr. Morris,

Thank you for the opportunity to discuss the needs of the City of Newburgh in the environmental consulting and remediation services area. **Q**uality **E**nvironmental **S**olutions **&** **T**echnologies, Inc. **(QuES&T)** is pleased to submit the attached proposal to provide Pre-Renovation Environmental Testing Services in support of future renovations to the City of Newburgh Water Treatment Plant, located at 493 Little Britain Road, Newburgh, NY 12550.

QuES&T is a NYS Certified Minority Business Enterprise committed to remaining a leader in the environmental training and technical consulting industry. **QuES&T**'s extensive Nuclear Power Industry experience makes us uniquely qualified to provide technical support in state-of-the-art techniques for engineering and contamination control. Additionally, this experience enables us to integrate the essential concepts of "critical path" schedules and minimizing personnel exposures while maintaining a high level of attention to the specific details of each project. **QuES&T** personnel satisfy numerous ANSI and NUREG experience requirements of the Nuclear Regulatory Commission. Our staff has served in various capacities in the Health Physics and Nuclear Engineering disciplines in operational power reactors, nuclear powered vessels, radio-pharmaceuticals and government prototypes.

We are confident you recognize that selection of a qualified technical consultant for professional services, such as pre-construction inspection, project design, project management and air monitoring, represents a step as critical as selecting a reputable environmental remediation contractor. **QuES&T** feels strongly that the success of any remediation project is defined primarily in the planning and design phase. A technically sound project design combined with proper oversight provides the most cost-effective solution and ensures the gains recognized are not at the expense of future liability to the City of Newburgh.

In this regard, **QuES&T** has successfully completed remediation projects, for our client companies, in support of Nuclear and Fossil commercial power plant maintenance outages, facility renovation and demolition, cGMP facility upgrades, recovery from contamination following catastrophic events (e.g. steam line explosions, fires), school building renovations, Corporate asbestos management programs, facility Operations & Maintenance (O&M) programs, UST removals, sub-surface investigations, contaminated soil remediation, LBP stabilization and commercial/residential asbestos & lead abatements.

Technical consulting services are available in the area of regulatory compliance audits, OSHA safety, air monitoring, respiratory protection, laboratory services, building hazard assessments (EPA, HUD, commercial), LBP Risk Assessments, management plans, NYS/NESHAP pre-demolition inspections and full scope project management; including development of remediation response actions and management of all required project and personnel records. Our staff of experienced environmental professionals can prepare all required specifications and procedures to ensure your programs comply with federal, state and municipal regulatory requirements.

QuES&T offers a wide range of OSHA and environmental safety training. Our full range of asbestos safety certification training ensures that our client's employees receive the appropriate training to maximize their safety and minimize your liability. **QuES&T** offers accredited initial and refresher training programs for Operations & Maintenance (O&M), Asbestos Abatement Workers and Supervisors, Project Monitors, Asbestos Project Sampling Technicians (RH-II), Asbestos Project Designers, Asbestos Inspectors (RH-III) and Management Planners. Our accredited training facility (EPA, NYS) contains the most modern equipment to support the hands-on portion of each training program. On-site training services are available for groups of at least twenty-five students and can be tailored to meet the specific needs of the City of Newburgh.

QuES&T provides a full range of services in the area of Respiratory Protection. Our technical staff has extensive experience in the development of regulatory compliance programs for NUREG 0041 and OSHA 1910.134 Respiratory Protection Programs. Quantitative or qualitative respirator fit services can be provided at **QuES&T**'s facility or yours.

For additional information concerning this submittal, please contact us at (845) 298-6031. We look forward to working with the City of Newburgh in the environmental consulting and remediation services area.

Sincerely,

Rudy Lipinski - LEED®AP
Director of Field Operations
NYS/AHERA Inspector/Project Designer
Cert. #AH 05-09049

PRE-RENOVATION ENVIRONMENTAL TESTING SERVICES
for
CITY OF NEWBURGH
83 Broadway
Newburgh, NY 12550
at
CITY OF NEWBURGH WATER TREATMENT PLANT
493 Little Britain Road
Newburgh, NY 12550

QuES&T agrees to provide the following services:

- ***Pre-Renovation Asbestos Survey***
    - Provide licensed NYS/AHERA Asbestos Inspector(s) to perform a Pre-Renovation Asbestos Survey throughout accessible interiors and/or exteriors of the above-referenced location.
    - Perform collection and analysis of suspect friable Asbestos-containing Materials (ACM) using Polarized Light Microscopy (PLM) 198.1 analytical protocol and as required, approved method 198.8 for Vermiculite.
    - Perform collection and analysis of suspect non-friable organically bound Asbestos-containing Materials (ACM) using both Polarized Light Microscopy-NOB (PLM-NOB) and Quantitative Transmission Electron Microscopy (QTEM) analytical protocols.
    - Discussion of laboratory results for all bulk samples (PLM 198.1, 198.8 & QTEM/PLM).
    - Documentation of all analytical laboratory certifications.
    - Identify estimated quantities, locations, types and conditions of Asbestos-containing Materials (ACM) for inclusion in the pre-construction environmental survey report.

Pre-Renovation XRF Lead-Based Paint Survey

- Provide Niton-certified IH Technician(s) to perform representative In-Situ measurements using a Niton XLp Model 300A XRF Meter on accessible, representative painted surfaces & immovable objects throughout accessible interiors and/or exteriors of the above-referenced locations.
- Locations and quantity of representative In-situ measurements will be based on the observed homogeneity of painted surfaces.
- Sequential and summary reports will be provided of all surfaces tested.
- Summarize lead-based paint identified for inclusion in the environmental survey report.

Pre-Renovation PCB Caulk Survey

- Provide IH Technician(s) to identify the presence of PCB's.
- Perform collection and analysis of suspect PCB-containing caulks throughout accessible interiors and/or exteriors of the above-referenced locations.
- Stored chemicals, solvents, concealed tanks, and historical chemical spills are not included.
- Identify estimated quantities and locations of identified PCB-containing caulks for inclusion in the environmental survey report.

QuES&T Services Cont'd…

Pre-Renovation Universal/Hazardous Waste Inventory

- The intent of this survey is limited to visual identification and limited visual inspection to identify the potential presence of Universal/Hazardous Wastes.
- Concealed tanks and historical chemical spills are not included.
- No sampling or laboratory analysis will be included as part of this limited visual inspection and survey.
- Identify estimated quantities, locations and types universal/hazardous wastes for inclusion in the environmental survey report.

PRE-RENOVATION ENVIRONMENTAL TESTING SERVICES
for
CITY OF NEWBURGH
83 Broadway
Newburgh, NY 12550
at
CITY OF NEWBURGH WATER TREATMENT PLANT
493 Little Britain Road
Newburgh, NY 12550

COST ESTIMATE

➢ *PRE-CONSTRUCTION ENVIRONMENTAL TESTING SERVICES*

Inspection Labor/Travel	$ 1,220.00
PLM Bulk Sample Analysis (40 samples @ $19/layer)	$ 760.00[A]
PLM-NOB/QTEM Bulk Sample Analysis (30 @ $49/layer)	$ 1,470.00
PCM Bulk Sample Analysis (3 samples @ $100/sample)	$ 300.00[A]
XRF Equipment Rental (1 day @ $175/day)	$ 175.00
Pre-Renovation Environmental Testing Report	$ 585.00
Estimated Inspection Total	**$4,510.00**

A. *As per the testing requirements, for surfacing materials, set forth in the NYSDOH communication, dated May 6, 2016, if vermiculite is present (regardless of the amount), one of the two approved methods must be used for the detection and quantitation of asbestos content.*

If Vermiculite is detected, within surfacing materials sampled (NYS ELAP 198.1), as per the NYSDOH guidelines, samples will be analyzed in conformance with NYS ELAP 198.8. Sample analysis is $300/sample analyzed on a two-week turnaround time.
Prior to sample analysis, the lab will notify **QuES&T** the number of samples containing vermiculite, who in turn will review associated costs with ***City of Newburgh*** for approval to move forward with analysis.

*__NOTES:__

1. Estimated number of samples to be collected/analyzed. Client shall be charged for actual services rendered and samples analyzed.
2. Sample analysis turnaround (TAT) commences upon laboratory receipt of samples and excludes Weekends & Holidays.

This proposal is based on the following assumptions:

- **QuES&T** shall perform all inspections visually; using reasonable care and judgment. Localized demolition will be performed to access representative concealed surfaces, as practicable. ***Client/ Representatives*** recognize & agree that ACM/LBP/PCB/Universal/Hazardous Wastes concealed within structural components & accessible only through extensive mechanical or structural demolition may not be identified as part of this survey.

- **QuES&T** shall not be responsible for damage caused to building finishes, surfaces or equipment by sampling. Responsibility and cost for repair of damaged building finishes, surfaces and equipment shall be by ***Client / Representatives.***

- **QuES&T** will exercise reasonable caution to minimize disturbance of ACM/LBP/PCB/Universal/Hazardous Wastes during the inspection process. However, clean-up of ACM/LBP/PCB/Universal/Hazardous Wastes disturbed or dislodged during the inspection process shall be the responsibility of ***Client / Representatives***.

- ***Client / Representatives*** shall be responsible for providing immediate access into all inspection areas and securing same upon completion of inspection activities.

- Inspection work to be conducted upon receipt of written Notice to Proceed and/or associated Purchase Order Number.

- Inspection work to be conducted during normal weekday business hours (Mon–Fri, 8am–5pm). ***Client / Representatives*** will provide access to all respective buildings concurrently.

ACCEPTANCE OF PROPOSAL #P24-9146

To Execute This Agreement, Please Review, Sign, Date & Return to QuES&T.
Payment Terms: Payment Shall Be Net 30 Days; Following Delivery Of Final Report; Late Payments Shall Be Assessed a Penalty of 1.5% per Month.

City of Newburgh – Authorized Representative:

By ____________________ ____________________ __________
Signature *Print Name & Title* *Date*

RESOLUTION NO.: 223 - 2024

OF

OCTOBER 28, 2024

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN AS 317 DUPONT AVENUE (SECTION 13, BLOCK 10, LOT 4) AT PRIVATE SALE TO GEORGE DUNLOP, JR. FOR THE AMOUNT OF $10,000.00

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

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

WHEREAS, the City of Newburgh desires to sell a parcel of real property identified as 317 Dupont Avenue, being more accurately described as Section 13, Block 10, Lot 4 on the official tax map of the City of Newburgh; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH,** such sums are to be paid on or before Friday, January 31, 2025, being approximately ninety (90) days from the date of this resolution; and

Property address	Section, Block, Lot	Purchaser	Purchase Price
317 Dupont Avenue	13 - 10 - 4	George Dunlop, Jr.	$10,000.00

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

IF 223-24

Terms and Conditions of Sale
317 Dupont Avenue, City of Newburgh (SBL: 13-10-4)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number on the City of Newburgh Tax Map.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid City/County taxes for the year 2024, school taxes for the tax year **2024-2025**, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any City/County taxes for the year 2024, school taxes paid by the City for the tax year **2024-2025**, and subsequent levies up to the date of the closing. Upon closing of title, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE. The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: (i) obtain a Certificate of Occupancy for all buildings on the property; (ii) make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or (iii) demolish any buildings deemed structurally unsound by a New York State-licensed engineer and by the Building Inspector. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of $250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for its consideration.**
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.

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

Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City Engineer.

17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts. This provision shall survive closing.
18. The property is sold subject to an owner-occupancy restriction. Purchaser has agreed to purchase the property subject to a ten (10) year owner occupancy restriction. Purchaser shall, within 18 months of the delivery of the deed, establish domicile and principal residence at said premises and maintain domicile and principal residence at said premises for a period of at least ten (10) years thereafter, provided that within said ten (10) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms and Conditions of Sale.
19. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.

ACKNOWLEDGED AND AGREED

Date: ______________________________

____

George Dunlop, Jr.

LOCAL LAW NO.: D - 2024

OF

OCTOBER 28, 2024

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, 2025 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, 2025 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.: 224 -2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDINGS AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NOS. EF005060-2023 AND EF005061-2023 INVOLVING SECTION 1, BLOCK 1, LOTS 4.32 AND 5 (VAILS GATE REALTY, LLC)

WHEREAS, Vails Gate Realty LLC has commenced tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index Nos. EF005060-2023 and EF005061-2023; and

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

WHEREAS, Vails Gate Realty LLC is willing to settle these proceedings without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 1-1-4.32 be reduced to a market value of $1,500,000.00.
2. That the proceeding brought in connection with the property described on the City of Newburgh tax roll for the 2023 tax year as tax map number 1-1-5 be discontinued with prejudice.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

11224-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

VAILS GATE REALTY LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005060-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, VAILS GATE REALTY LLC, located at 9 Scobie Drive, Newburgh, NY 12550 (SBL No.: 1-1-4.32) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
1-1-4.32 (SBL No.:)	$1,540,000	$1,500,000	$40,000

; and it is further,

2. **ORDERED, ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ______________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: _________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: _________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: _________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: 225 -2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF005114-2023 INVOLVING SECTION 3, BLOCK 4, LOT 2.2 (250 LAKE STREET PROPERTIES, LLC)

WHEREAS, 250 Lake Street Properties LLC has commenced a tax certiorari proceeding against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index No. EF005114-2023; and

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

WHEREAS, 250 Lake Street Properties LLC is willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 3-4-2.2 be reduced to a market value of $1,500,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

#225-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

250 LAKE STREET PROPERTIES LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005114-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, 250 LAKE STREET PROPERTIES LLC, located at 17 North Plank Rd, Newburgh, NY 12550 (SBL No.: 3-4-2.2) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
3-4-2.2 (SBL No.:)	$1,605,000	$1,500,000	$105,000

; and it is further,

2. **ORDERED, ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ____________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: ___226___-2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF005080-2023 INVOLVING SECTION 45, BLOCK 4, LOT 6 (MID HUDSON FILM LLC)

WHEREAS, Mid Hudson Film LLC has commenced a tax certiorari proceeding against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index No. EF005080-2023; and

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

WHEREAS, Mid Hudson Film LLC is willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 45-4-6 be reduced to a market value of $1,425,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

#226

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

MID HUDSON FILM LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005080-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, MID HUDSON FILM LLC, located at 21 Liberty Street, Newburgh, NY 12550 (SBL No.: 45-4-6) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
45-4-6 (SBL No.:)	$1,877,000	$1,425,000	$452,000

; and it is further,

2. **ORDERED, ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ________________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: ___227___-2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF005062-2023 INVOLVING SECTION 5, BLOCK 1, LOT 5 (MID HUDSON FILM LLC)

WHEREAS, Mid Hudson Film LLC has commenced a tax certiorari proceeding against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index No. EF005062-2023; and

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

WHEREAS, Mid Hudson Film LLC is willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 5-1-5 be reduced to a market value of $1,850,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

227-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

MID HUDSON FILM LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005062-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, MID HUDSON FILM LLC, located at 106 Pierces Rd, Newburgh, NY 12550 (SBL No.: 5-1-5) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
5-1-5 (SBL No.:)	$2,193,000	$1,850,000	$343,000

; and it is further,

2. **ORDERED**, **ADJUDGED** and **DECREED**, that the City of Newburgh (the "City")

and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED**, **ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED**, **ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED**, **ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED**, **ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ________________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ___________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ___________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ___________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: 228 -2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF005078-2023 INVOLVING SECTION 40, BLOCK 2, LOT 1.11 (MID HUDSON FILM LLC)

WHEREAS, Mid Hudson Film LLC has commenced a tax certiorari proceeding against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index No. EF005078-2023; and

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

WHEREAS, Mid Hudson Film LLC is willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 40-2-1.11 be reduced to a market value of $1,400,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

IF 228-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

MID HUDSON FILM LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005078-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, MID HUDSON FILM LLC, located at 108 S Water Street, Newburgh, NY 12550 (SBL No.: 40-2-1.11) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
40-2-1.11 (SBL No.:)	$1,910,000	$1,400,000	$510,000

; and it is further,

2. **ORDERED, ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ______________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: ___229___-2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDING AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF005076-2023 INVOLVING SECTION 34, BLOCK 2, LOT 2.12 (250 LAKE STREET PROPERTIES, LLC)

WHEREAS, 250 Lake Street Properties LLC has commenced a tax certiorari proceeding against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2023 tax year bearing Orange County Index No. EF005076-2023; and

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

WHEREAS, 250 Lake Street Properties LLC is willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2023 tax year as tax map number 34-2-2.12 be reduced to a market value of $1,140,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

#229-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF ORANGE

In the Matter of

250 LAKE STREET PROPERTIES LLC

Petitioner,

-against-

THE CITY OF NEWBURGH ASSESSOR'S OFFICE,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2023/24	EF005076-2023

The above named Petitioner having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the tax assessment made against premises owned by the Petitioner, 250 LAKE STREET PROPERTIES LLC, located at 385 Broadway, Newburgh, NY 12550 (SBL No.: 34-2-2.12) in the City of Newburgh, County of Orange, State of New York (the "Settled Parcel") for 2023, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioner having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and Respondent, the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioner, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2023 assessment of the Settled Parcel at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll of the City of Newburgh for the year 2023, be reduced and corrected as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
34-2-2.12 (SBL No.:)	$1,203,000	$1,140,000	$63,000

; and it is further,

2. **ORDERED, ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel for the 2023 assessment roll used to generate the 2023/24 City, City Highway, water, sewer and all special district taxes on the Settled Parcel; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, and all special district taxes paid on account of the reduction set forth to the 2023 assessment of the Settled Parcel on account of the 2023 assessment roll used to generate the 2024 County, County Highway, and all special district taxes on the Settled Parcel herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, that the Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2023 of the Settled Parcel herein on account of the 2023 assessment roll used to generate the 2023/2024 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2023 assessment for the 2024, 2025, and 2026 assessment rolls for the settled parcel; and it is further,

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioner, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof; and it is further,

Dated: ______________________, 2024
Goshen, New York

____
Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ___________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

____

Rogendy Toussaint, Esq.
Attorney for Petitioner
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ___________________, 2024

NAUGHTON & TORRE LLP,

____

Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ___________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

RESOLUTION NO.: ___230___-2024

OF

OCTOBER 28, 2024

A RESOLUTION APPROVING THE CONSENT JUDGMENT AND AUTHORIZING THE CITY MANAGER TO SIGN SUCH CONSENT JUDGMENT IN CONNECTION WITH THE TAX CERTIORARI PROCEEDINGS AGAINST THE CITY OF NEWBURGH IN THE ORANGE COUNTY SUPREME COURT BEARING ORANGE COUNTY INDEX NO. EF006326-2024 INVOLVING SECTION 1, BLOCK 1, LOTS 4.32 AND 5 (VAILS GATE REALTY, LLC); SECTION 3, BLOCK 4 LOT 2.2 (250 LAKE STREET PROPERTIES LLC); SECTION 5, BLOCK 1, LOT 5 (MID HUDSON FILM LLC); SECTION 34, BLOCK 2, LOT 2.12 (250 LAKE STREET PROPERTIES LLC); SECTION 40, BLOCK 2, LOT 1.11 (MID HUDSON FILM LLC); AND SECTION 45, BLOCK 4, LOT 6 (MID HUDSON FILM LLC)

WHEREAS, Vails Gate Realty LLC, 250 Lake Street Properties LLC and Mid Hudson Film LLC have commenced tax certiorari proceedings against the City of Newburgh in the Supreme Court of the State of New York, County of Orange for the 2024-2025 tax year bearing Orange County Index No. EF006326-2024; and

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

WHEREAS, Vails Gate Realty LLC, 250 Lake Street Properties LLC and Mid Hudson Film LLC are willing to settle this proceeding without interest, costs or disbursements in the following manner:

1. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 1-1-4.32 be reduced to a market value of $1,500,000.00.
2. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 1-1-5 remain at a market value of $2,205,000.00.
3. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 3-4-2.2 be reduced to a market value of $1,500,000.00.
4. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 5-1-5 be reduced to a market value of $1,850,000.00.
5. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 45-4-6 be reduced to a market value of $1,425,000.00.

6. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 40-2-1.11 be reduced to a market value of $1,400,000.00.
7. That the real property of Petitioner described on the City of Newburgh tax roll for the 2024 tax year as tax map number 34-2-2.12 be reduced to a market value of $1,140,000.00.

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

BE IT FURTHER RESOLVED, that Todd Venning, City Manager of the City of Newburgh; Joanne Majewski, Assessor of the City of Newburgh; Kelly M. Naughton, Esq. on behalf of Naughton & Torre, LLP, as Special Counsel, be and they hereby are designated as the persons for the City who shall apply for such approval pursuant to the aforesaid laws.

#230-24

SUPREME COURT STATE OF NEW YORK
COUNTY OF GREENE

In the Matter of

VAILS GATE REALTY LLC and
ALL OF THE PETITIONERS
ON THE ATTACHED SCHEDULE

Petitioner,

-against-

THE ASSESSOR OF CITY OF NEWBURGH,

Respondent.

STIPULATION & ORDER OF SETTLEMENT

Assigned Judge:
Hon., E. Loren Williams

Tax Year	Index No.
2024/25	EF006326-2024

The above named Petitioners having duly brought this Real Property Tax Law ("RPTL") Article 7 proceeding to review the 2024 tax assessments made against their respective premises located in the City of Newburgh, County of Orange, State of New York, as more fully described in the petition made and filed herein, and issue having been duly joined herein, and Petitioners having appeared by the Law Office of Rogendy Toussaint, Esq., PLLC, Rogendy Toussaint, Esq., and the City of Newburgh Assessor's Office, having appeared by Naughton & Torre LLP., Kelly M. Naughton, Esq., and the parties having entered into and consented to this Stipulation & Order of Settlement;

NOW, on motion of Rogendy Toussaint, Esq., attorney for Petitioners, it is hereby,

1. **ORDERED**, **ADJUDGED** and **DECREED**, that the 2024 assessments of the subject parcels at issue herein, in the City of Newburgh, County of Orange, State of New York, on the assessment roll for the City of Newburgh for the year 2024, be reduced and corrected as detailed on the enclosed Settlement Schedule; and it is further,

2. **ORDERED**, **ADJUDGED** and **DECREED**, that the City of Newburgh (the "City") and/or the County of Orange (the "County") shall refund any excess City, City Highway, other City taxes and special district charges paid on account of the reductions set forth in the enclosed Settlement Schedule to the 2024 assessment of the Settled Parcel for the 2024 assessment roll used to generate the

2024/2025 City, City Highway, water, sewer and all special district taxes on the settled parcels herein; and it is further

3. **ORDERED, ADJUDGED** and **DECREED**, that the County and/or City shall refund any excess County, County Highway, water, sewer and all special district taxes paid on account of the reductions set forth in the enclosed Settlement Schedule to the 2024 assessment of the settled parcels on account of the 2024 assessment roll used to generate the 2024/2025 County, County Highway, water, sewer and all special district taxes on the settled parcels herein; and it is further

4. **ORDERED, ADJUDGED** and **DECREED**, Newburgh Enlarged City School District (the "School District") shall refund any excess school district taxes (including library taxes) paid on account of the reduction set forth for 2024 of the Settled Parcel herein on account of the 2024 assessment roll used to generate the 2024/2025 school district taxes (including library taxes) on the Settled Parcel; and it is further,

5. **ORDERED, ADJUDGED** and **DECREED**, subject to the terms, covenants and conditions set forth herein, the provisions of RPTL §727 shall be applicable to the corrected 2024 assessment for the 2025, 2026, and 2027 assessment rolls for each of the settled parcels.

6. **ORDERED, ADJUDGED** and **DECREED**, that the refunds, set forth above, shall be paid to the Law Office of Rogendy Toussaint, Esq., PLLC, attorney for the aforementioned Petitioners, without interest or costs, provided any such refunds are made within ninety (90) days of the service of this Stipulation & Order of Settlement with notice of entry thereof.

7. **ORDERED, ADJUDGED**, and **DECREED**, that the contents of the enclosed Settlement Schedule referred to are made a part of this Stipulation & Order of Settlement as though fully set forth herein.

Dated: ____________________, 2024
Catskill, New York

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Hon. E. Loren Williams
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: ____________________, 2024

LAW OFFICE OF ROGENDY TOUSSAINT, ESQ., PLLC

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Rogendy Toussaint, Esq.
Attorney for Petitioner(s)
33 Walt Whitman Road, Suite 200B
Huntington Station, New York 11746
(631) 673-6738
rtoussaint@aventineproperties.com

Dated: ____________________, 2024

NAUGHTON & TORRE LLP,

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Kelly M. Naughton, Esq.
Attorney for Respondent
City of Newburgh Assessor's Office
40 Matthews Street, Suite 209
P.O. Box 216
Goshen, New York 10924
(845) 294-4080
knaughton@naughtontorrelaw.com

Dated: ____________________, 2024

SHAW, PERELSON, MAY & LAMBERT, LLP,

____

Ira S. Levy, Esq.
Attorney for Intervenor-Respondent School District
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870
ilevy@shawperelson.com

OLD BUSINESS

Councilmember McLymore requested an update on a timeline for Crystal Lake to be dedicated as a park.

Michelle Kelson remarked that it is a legislative priority. She met with council members individually to see what the next steps should be. The conditions are varied, and some are complex. It is our recommendation that we address each of those conditions prior to making any dedication of parkland.

Mayor Harvey requested an update on the Comprehensive Surveillance Program with the police department, since we recently received grant money for new cameras.

Councilmember Monteverde requested a BOA update.

Todd Venning said that a BOA update was just provided to the council two weeks ago. Also, it is the same update for the I.T. stuff; but he can provide additional information for the council.

There was no other old business to discuss.

NEW BUSINESS

There was no new business to discuss at this time.

FURTHER COMMENTS FROM THE COUNCIL

Councilmember Martinez deferred her comments at this time.

Councilmember McLymore commended the recreation department staff for the great activities they are doing for children. He said the children are really enjoying themselves. He attended Habitat for Humanity's annual fundraiser, as well as the awesome event at Crystal Lake this past weekend. He announced that Soul Saving Station's congregation celebrated their pastor for providing thirty years of service to this community. He is aware of the new changes in the presidency and vice presidency of the fire department union, and he wanted to recognize their presence in the room this evening. He is looking forward to having a discussion with them soon. He thanked Jesse Flaitz and The Collectiv for the book they wrote. This council works extremely hard, and he doesn't think they get a break. He believes the council deserves whatever is being proposed. He sees it, lives it, and he is called to do the work for this city. McLymore does not think the city manager is presenting something egregious.

Councilmember Monteverde commented. She agrees with the notion that the council works hard. They have done a tremendous amount of work since she came onboard the council in 2018. They have worked through challenging times too, not to mention the time of the pandemic. A typical day for her includes the return of all calls and emails that she receives throughout the day. She also has a very demanding fulltime job that she is fortunate to be able to pay her bills and mortgage.

Councilmember Shakur commented. He thanked everyone for coming out. It makes them work hard. He attended his first council meeting over fifty years ago. He has seen a lot of things done by previous administrations, and no one ever questioned the things that they did. Now you have a city council that reflects the community it serves, and now there seems to be a problem about this council does and how it does it. We are just trying to fix a lot of the things that were done to keep residents of this community at a certain level. We are leveling the playing field for everybody in this city. Shakur wants young people to understand what a council person does, so they can be a part of their city. If we come for your vote during election times, then the council should be coming to the people afterward too. He is here to serve the people and ensure the community is in a better place. We may have intense differences, but in the end we work together.

Councilmember Sklarz commented. It is great to see the vast improvements that are being made at Delano-Hitch Park. He commended Matt and staff for their hard work. The sidewalk on William Street, which was virtually non-existent, is currently being installed. The result of the sidewalk work will be a mile-long walking path along the perimeter of the park for people to enjoy. He wished everyone a good evening.

Councilmember Sofokles commented. She is glad to see all the faces present in the room this evening. She attended school here all her life. The way the city is right now reminds her of her childhood. We have a great group of people here. The city is in pretty good shape, and now we have a balanced budget, which we hadn't had for many years. We

have new department heads and new businesses, and Sofokles has watched the city grow into something we can all be proud of. She acknowledged members of the fire department present in the audience tonight. She thanked everyone for voicing their concerns.

Mayor Harvey commented. He thanked everyone for speaking up. It takes a lot of courage for people to speak up and participate in our democracy. The council had to make some tough decisions about the City IDA. There were resignations, and we have roughly seven housing projects that have already passed through city council. We are still in a housing crisis, and there was some critical work that had to continue through the IDA. The council had to get through an emergency meeting, after getting several phone calls from developers, who have worked diligently on projects, and get some momentum on the grants, worth millions of dollars, that the City of Newburgh received. A lot of things don't happen if this council doesn't lobby and have a seat at the table with our Governor, Senators, and State Representatives. We had to fill the vacancies so that these projects could continue to move without a hiccup. The dock is at 90% design. We received $4M from Pat Ryan previously. Once the dock becomes 100% design, we're talking about tourism. This is going to stimulate the businesses on Liberty Street, as well as the entire downtown business corridor. Harvey pointed out that we are the only river city in the Hudson Valley that has a deepwater port. The cruise ship industry already wants to be here. If we get the dock fixed, it will be historic. The dock is going to be a major game changer for Newburgh.

This section of the meeting was closed.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 8:56 Pm.

Submitted,

KATRINA COTTEN
CITY CLERK