



City of Newburgh Council Work Session
*Sesion de trabajo del Concejal de la
Ciudad de Newburgh*

June 10, 2021
6:00 PM

Council Meeting Presentations

1. Passion Project Presentation by Leonardo Guzman Perez
2. 2020 Audit Presentation
3. Community Development Block Grant (CDBG) FY2022 1st Pubic Hearing
There will be a public hearing on Monday, June 14, 2021, to receive public comment on the City of Newburgh Community Development Block Grant (CDBG) FY 2022 Annual Action Plan.

Engineering/Ingeniería

4. Street Lighting Authority Order with Central Hudson for New Street Lights on the Liberty Street Streetscape Project
Resolution authorizing the City Manager to execute an amendment to the Street Lighting Authority Order with CH Energy Group, Inc.
5. PIN#8761.91 Proposal with GPI for Professional Engineering Services in Connection with the Liberty Street Streetscape Project
Resolution authorizing the City Manager to accept a proposal and execute a contract with Greenman-Pedersen, Inc. in the amount of \$5,000.00 for additional professional engineering design services for the reconstruction of Liberty Street between Broadway and Ann Street

Water Department/ Departamento de Aqueductos

6. Solitude Lake Management Water Quality Sampling contract for Washington Lake
Resolution authorizing the City Manager to accept a proposal and execute an agreement with Solitude Lake Management for professional services for water quality sampling and analysis of Washington Lake at a cost of \$8,975.00
7. Distribution Tank Inspection Contract with Under Water Solutions
Resolution authorizing the City Manager to execute an agreement with Underwater Solutions, Inc. for water tank inspections and cleanings at a cost of \$18,450.00

Planning and Economic Development/Planificación y Desarrollo Económico

8. 141 Lander Street - Release of Restrictive Covenants
Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to 137, 139, 145 Lander Street

Corporation to the premises known as 141 Lander Street (Section 18, Block 4, Lot 38)

9. 163 Lander Street - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to William Stewart to the premises known as 163 Lander Street (Section 18, Block 4, Lot 49)

10. 28 Courtney Avenue - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to Archie Logan to the premises known as 28 Courtney Avenue (Section 48, Block 3, Lot 24)

11. 378 Liberty Street - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to RipRap LLC to the premises known as 378 Liberty Street (Section 10, Block 1, Lot 35)

12. 28 Ellis Avenue - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to Ricardo Santos to the premises known as 28 Ellis Avenue (Section 33, Block 1, Lot 7)

13. License Agreement - Cold Spring Bike Rental & Tours, LLC for Unico Park to provide bicycle rentals & tours

Resolution authorizing the City Manager to execute a license agreement with Cold Spring Bike Rental & Tours, LLC for access to and the use of Unico Park to provide bicycle rentals and tours

14. Newburgh Housing Policy Report

Resolution of the City Council of the City of Newburgh adopting the Newburgh Housing Policy Report as the City of Newburgh's long-term strategy for meeting the housing needs of City residents

Grants/Contracts/Agreements / Becas /Contratos/Convenios

15. Food Security in the City of Newburgh

Resolution authorizing the City Manager to apply for and accept if awarded Housing and Urban Development Economic Development Initiatives for Economic Development Projects funding for the redevelopment of the Downing Park Urban Farm building in the amount of \$300,000.00

16. North Interceptor Sewer Project

Resolution authorizing the City Manager to apply for and accept if awarded Department of the Interior funding through the New York State Environmental Facilities Corporation in the amount of \$12,800,000.00 for the North Interceptor Sewer Reconstruction Project

17. Completion of Lake St. Bridge

Resolution authorizing the City Manager to apply for and accept if awarded Highway Infrastructure Programs for Highway Capital Projects funding in the amount of \$1,750,000.00 with a \$1,000,000.00 match for the rehabilitation of the Lake Street Bridge

18. OC LE18-1048-D03 grant for 10 Mobile Data Terminals

Resolution authorizing the City Manager to enter into an Inter-municipal Agreement with the County of Orange as part of the FY 2018 State Law Enforcement Terrorism Prevention Program, Department of Homeland Security and Emergency Services to provide the Newburgh Police Department with ten (10) mobile data terminals and peripherals

19. 2021 Bullet Proof Vest Partnership

Resolution authorizing the City Manager to apply for and accept if awarded a grant from the United States Department of Justice Bureau of Justice Assistance under the 2021 Bulletproof Vest Partnership in the amount of \$22,500.00 with a fifty percent match to be paid out of police funds

Fire Department / Departamento de Bomberos

20. Fire Engine Bid Recommendation

Resolution authorizing the award of a bid to Firematic Supply Co., Inc., as representative of Pierce Manufacturing, Inc. for the construction and delivery of two custom pumper trucks for the City of Newburgh Fire Department at a cost of \$1,299,800.00

Local Laws/Leys Locales

21. Local Law amending City Charter Article XI "Police Department"

Resolution scheduling a public hearing for July 12, 2021 to hear public comment concerning "A local law repealing and replacing Article XI entitled 'Police Department' of the Charter of the City of Newburgh

Executive Session/ Sesión Ejecutiva

22. proposed, pending or current litigation

RESOLUTION NO.: 130 - 2021

OF

MAY 24, 2021

A RESOLUTION OPENING A 30-DAY PUBLIC COMMENT PERIOD AND
SCHEDULING A PUBLIC HEARING FOR JUNE 14, 2021
TO RECEIVE PUBLIC COMMENT ON THE CITY OF NEWBURGH'S
PROPOSED ACTIONS WITH RESPECT TO
THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE
ANNUAL ACTION PLAN FOR FISCAL YEAR 2022

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

WHEREAS, the City is now preparing a one-year Annual Action Plan for FY 2022 in order to implement various elements of the strategies identified in its Consolidated Plan and must satisfy all statutory requirements, including those related to citizen participation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the time for citizen participation is commenced by opening a 30-day period beginning on June 15, 2021 and closing on July 15, 2021 to receive public comment on the City of Newburgh's proposed actions with respect to the Community Development Block Grant Program for the FY 2022 Annual Action Plan; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that there is scheduled a public hearing to receive public comment on the City of Newburgh's proposed actions with respect to the Community Development Block Grant Program for the Consolidated Plan for Housing and Community Development for FY 2022; and that such public hearing be and hereby is duly set to be held at 7:00 p.m. on the 14th day of June, 2021 in the City Council Chambers, 83 Broadway, City Hall, 3rd Floor, Newburgh, New York; and


BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the capacity of the City Council Chambers will be limited due to the space available to maintain six (6) feet of social distancing and in-person attendance will be on a first-come, first-serve basis, and therefore, in accordance with the Governor's Executive Order 202.1, as amended, the June 14, 2021 City Council meeting also will be accessible via videoconferencing, and a transcript will be provided at a later date. The public will have the option to see and hear the meeting live and provide comments on the proposed CDBG FY2022 Annual Action Plan as follows:

To view the livestream of the City Council Meeting visit: <https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App: https://zoom.us/webinar/register/WN_GdD4y4FtRqiZSThDVVeSWg. Please note that there is an underscore between the "N" and "G").

In order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Monday, June 14, 2021 through the Zoom App: https://zoom.us/webinar/register/WN_GdD4y4FtRqiZSThDVVeSWg. Please note that there is an underscore between the "N" and "G"). Please fill out the required information (First Name, Last Name, E-mail Address and check appropriate box to comment during the public hearing). After registering, you will receive a confirmation email containing information about joining the webinar.

Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Monday, June 14, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

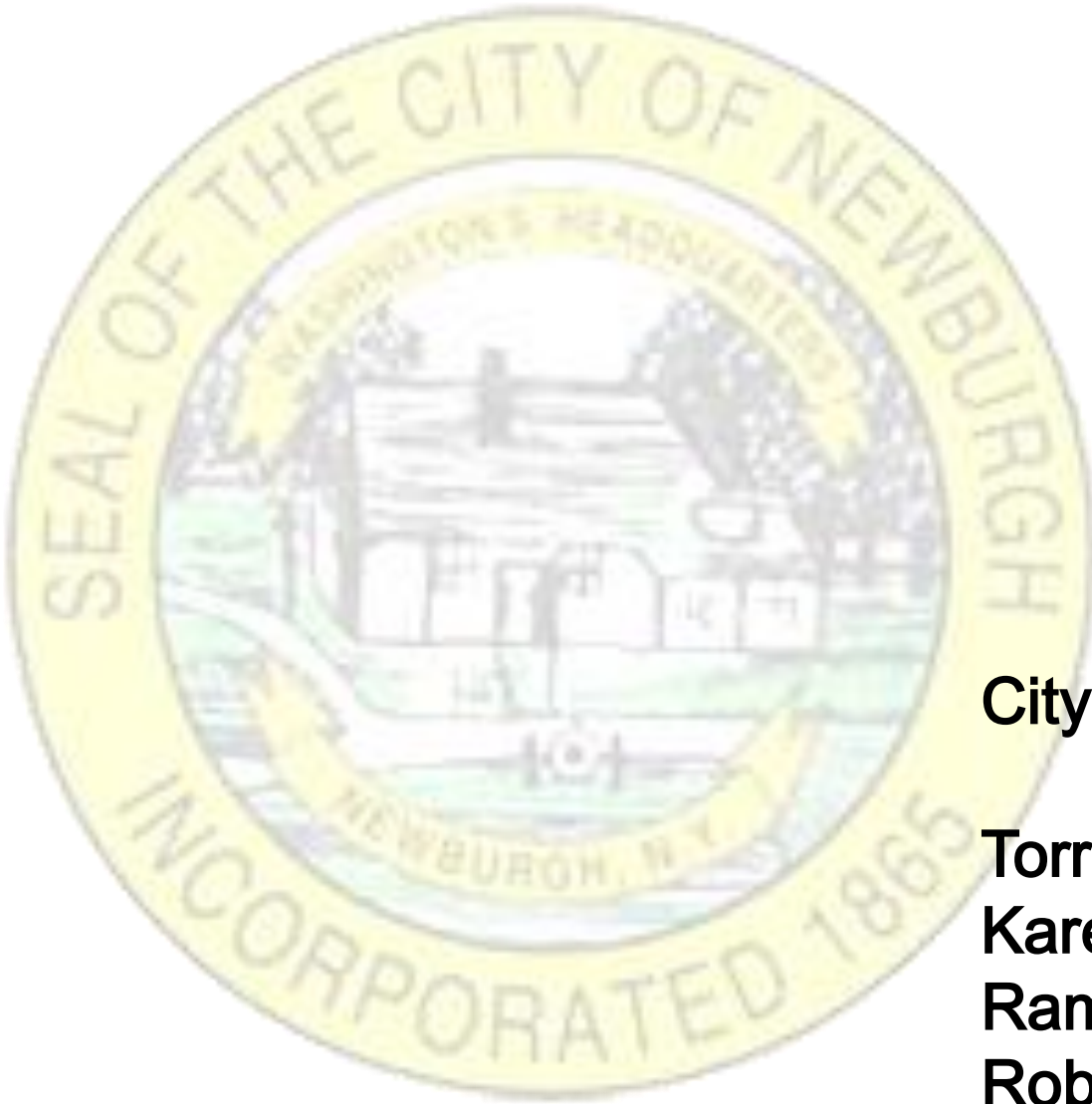
I, Katrina Cotten, Deputy City Clerk of the City of Newburgh
hereby certify that I have compared the foregoing with the
original resolution adopted by the Council of the City of
Newburgh at a regular meeting held 5/24/21
and that it is a true and correct copy of such original.
Witness my hand and seal of the City of
Newburgh this 25th day of May 2021

Deputy City Clerk



Community Development Block Grant (“CDBG”) FY2022 Annual Action Plan

**Department of Planning &
Development
June, 2021**





City of Newburgh City Council:

Torrance Harvey, Mayor

Karen Mejia, Ward 1

Ramona Monteverde, Ward 2

Robert Sklarz, Ward 3

Patty Sofokles, Ward 4

Anthony Grice, At-Large

Omari Shakur, At-Large

City of Newburgh Community Development Goals - Refresher

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

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



“CDBG” - Brief Primer



- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is under the Orange County Consortium (Orange County, City of Newburgh, City of Middletown).
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The new City of Newburgh Consolidated Plan: **FY2020-FY2024**
- Projects **MUST** be consistent with national priorities for CDBG:
 - Activities that benefit low- and moderate-income people;
 - The prevention or elimination of slums or blight; or
 - Community development activities to address an urgent threat to health or safety.



Proposed FY2022 CDBG Projects/Funding

					% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)
Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding		
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$230,000.00	No Increase	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	\$50,000.00	25%	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	\$300,000.00	25%	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	\$40,000.00	25%	20%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	\$75,000.00	15%	10%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	\$25,000.00	10%	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	\$135,000.00	No Increase	5%
Proposed Total FY2022 Allocation				\$855,000.00		

Contingency Funding

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

	Priority Need Addressed	Project Name	Proposed Activities (Examples)	% Project increase, if HUD allocation greater than proposed (approx.)
Projects Funded through Entitlement Grant	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	No Increase
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	25%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	25%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	15%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	10%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	No Increase

Contingency Funding

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

	Priority Need Addressed	Project Name	Proposed Activities (Examples)	% Project decrease, if HUD allocation less than proposed (approx.)
Projects Funded through Entitlement Grant	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	20%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	10%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	5%

Project: Housing

Proposed Activities:

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



Proposed Housing Activity: In Rem Property Program

Budget: \$230,000.00

Description:

- Activity staffed by 2 full-time Department of Public Works employees and 1 employee of the Planning & Development Department dedicated to the in rem program.
- Provides maintenance and security of vacant properties. Keeps properties habitable, neighborhoods looking good, maintains/increases property values.



Proposed Housing Activity: Home Repair Assistance Program

Budget: \$50,000.00

Description:

- Funding for Light Home Repair Assistance Program for Low/Moderate Income City of Newburgh Homeowners.* Implemented through City of Newburgh Housing Partner.

* Light repairs, such as railings, steps, etc.



Proposed Infrastructure Improvements

Activity: Curb Ramp and Sidewalk Upgrades

Budget: \$300,000.00

Description:

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

Proposed Infrastructure Improvements

Activity: Public Facility Improvements

Budget: \$40,000.00

Description:

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

Proposed Economic Development Activity:

Business Assistance

Budget: \$75,000.00

Description:

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

Proposed Quality of Life Activity: Neighborhood Services

Budget: \$25,000.00

Description (Anticipated Services):

- 2022 Summer Film Festival
- Health Outreach Initiative
- National Night Out

Important: Public Service Activity, subject to 15% Annual Allocation Cap.



Proposed Activity: Administration

Budget: \$135,000.00

Description:

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

FY2022 CDBG AAP Timeline



FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS TIMELINE

**FY2022 Annual Action Plan
Community Development Block Grant (CDBG)**

					% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)
Projects Funded through Entitlement Grant	Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding		
	Housing	Housing	In Rem Property Program: To continue funding the salaries/benefits of 3 City of Newburgh Employees. Also fund materials needed to maintain foreclosed properties, such as snow shovels, weed wackers, locks/keys.	\$230,000.00	No Increase	10%
	Housing	Housing	Home Repair Assistance Program, performed through a City of Newburgh Housing Partner.	\$50,000.00	25%	10%
	Infrastructure Improvements	Infrastructure Improvements	To continue funding Curb Ramp & Sidewalk Improvements project.	\$300,000.00	25%	25%
	Infrastructure Improvements	Public Facility Improvements	Public Accessibility Improvements to City of Newburgh Buildings.	\$40,000.00	25%	20%
	Economic Development	Economic Development	Examples of Economic Development Activities: Business Façade and signage, Workforce Training.	\$75,000.00	15%	10%
	Quality of Life Improvements	Neighborhood Services	Public Service Activity, Subject to 15% Annual Allocation Cap, Examples of Activities: Summer Film Festival, Health Outreach Initiatives, National Night Out (Activities Subject to City of Newburgh operational approval).	\$25,000.00	10%	20%
	Administration	Administration	Program Administration, Staff Salary and Benefits, language translation services, program operating costs (including mailings), program trainings/conference.	\$135,000.00	No Increase	5%
			Proposed Total FY2022 Allocation	\$855,000.00		

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

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

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

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

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

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

WHEREAS, this Council has reviewed the proposal and determined that entering into a contract with Greenman-Pedersen, Inc. is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and to execute a contract with Greenman-Pedersen, Inc., in the amount of \$5,000.00 for additional professional engineering design services in connection with the reconstruction of Liberty Street between Broadway and Ann Street.

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

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

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

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

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

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

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

WHEREAS, on September 24, 1991, the City of Newburgh conveyed property located at 141 Lander Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 4, Lot 38, to 137, 139, 145 Lander Street Corporation (by Thomas Amodeo, authorized signer); and

WHEREAS, the attorney for the current owner has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 141 Lander Street, Section 18, Block 4, Lot 38 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated September 24, 1991, from THE CITY OF NEWBURGH to 137, 139, 145 LANDER STREET CORPORATION, recorded in the Orange County Clerk's Office on November 25, 1991, in Liber 3525 of Deeds at Page 28 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: ____-2021

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD VENNING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

WHEREAS, on September 5, 1984, the City of Newburgh conveyed property located at 163 Lander Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 4, Lot 49, to William Stewart; and

WHEREAS, the attorney for the current owner has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 163 Lander Street, Section 18, Block 4, Lot 49 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated September 5, 1984, from THE CITY OF NEWBURGH to WILLIAM STEWART, recorded in the Orange County Clerk's Office on October 2, 1984, in Liber 2300 of Deeds at Page 170 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: ____-2021

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD VENNING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

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

WHEREAS, Mr. Logan has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 28 Courtney Avenue, Section 48, Block 3, Lot 24 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated August 31, 2016, from THE CITY OF NEWBURGH to ARCHIE LOGAN, recorded in the Orange County Clerk's Office on November 21, 2016, in Liber 14139 of Deeds at Page 976 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: _____-2021

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD VENNING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

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

WHEREAS, the managing member of RipRap LLC, Thomas Dodd, has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, and 5 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 378 Liberty Street, Section 10, Block 1, Lot 35 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated June 20, 2016, from THE CITY OF NEWBURGH to RIPRAP LLC, recorded in the Orange County Clerk's Office on July 1, 2016, in Liber 14071 of Deeds at Page 128 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: _____-2021

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD VENNING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: _____-2021

OF

JUNE 14, 2021

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

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

WHEREAS, the attorney representing the purchaser in a contract of sale to acquire the property has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4, 5, and 6 of the aforementioned deed.

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 28 Ellis Avenue, Section 33, Block 1, Lot 7 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, 5, and 6 in a deed dated March 11, 2005, from THE CITY OF NEWBURGH to RICARDO SANTOS, recorded in the Orange County Clerk's Office on March 23, 2005, in Liber 11786 of Deeds at Page 1670 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2021

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: ____-2021

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the ____ day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD VENNING, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

WHEREAS, the City Council has examined the license agreement annexed hereto and determined that entering into such license agreement is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager be and is hereby authorized to execute and enter into the attached license agreement on behalf of the City of Newburgh, with Cold Spring Bike Rental & Tours, LLC for access to and the use of Unico Park for bicycle rentals & tours.

AGREEMENT

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

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

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

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

ARTICLE 1: Term.

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

ARTICLE 2: Obligation of the City.

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

ARTICLE 3: Obligation of Licensee.

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

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

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

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

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

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

ARTICLE 4: Payment.

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

ARTICLE 5: Insurance.

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

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

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

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

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

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

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

ARTICLE 6: Representations of Licensee.

The Licensee represents and warrants:

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

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

ARTICLE 7: Permits and Regulations.

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

ARTICLE 8: Termination of the Agreement.

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

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

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

ARTICLE 9: Damages.

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

ARTICLE 10: Indemnity and Save Harmless Agreement.

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

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

ARTICLE 11: No Assignment.

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

ARTICLE 12: Required Provisions of Law.

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

ARTICLE 13: Notices and Communication.

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

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

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

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

ARTICLE 14: Waiver.

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

ARTICLE 15: Modification:

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

Remainder of this page intentionally left blank

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

THE CITY OF NEWBURGH

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

COLD SPRING BIKE RENTAL & TOURS, LLC

By: _____
Mohammad J. Hassan

Approved as to form:

MICHELLE KELSON
Corporation Counsel

MARCIA ESPINOSA
Acting City Comptroller

RESOLUTION NO: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

WHEREAS, the City Council has reviewed the Newburgh Housing Policy Report, along with the Newburgh Housing Needs Assessment and the Newburgh Housing Policy Framework, and as a next step, and finds that adopting the Newburgh Housing Policy Report and its companion documents is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Council after reviewing the full contents of the Newburgh Housing Report and all associated deliverables, and declares that the Newburgh Housing Report shall serve as the City's long-term strategy for meeting the housing needs of City residents; and

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

WHEREAS, this Council has determined that applying for and accepting said funding if awarded is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded for THUD - Housing and Urban Development (HUD) Economic Development Initiatives (EDI) For Economic Development Projects Program funding in the amount of \$300,000.00 with any match to be provided by CDBG program funds; and that the City Manager is authorized to execute all such documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

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

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

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

WHEREAS, this Council has determined that applying for and accepting the funding if awarded is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded Highway Infrastructure Programs for Highway Capital Projects funding in the amount of \$1,750,000.00 with a potential match of \$1,000,000.00; and that the City Manager is authorized to execute all such contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the program funded thereby.

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

WHEREAS, this Council has reviewed the attached Inter-Municipal Agreement and determined it to be in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and hereby is authorized to execute the attached Inter-Municipal Agreement between the County of Orange and the City of Newburgh as part of the FY 2018 State Law Enforcement Terrorism Prevention Program, Department of Homeland Security and Emergency Services; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

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

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

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

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

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

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

WHEREAS, three bids were received and opened; and

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

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

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

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

RESOLUTION NO.: _____ - 2021

OF

JUNE 14, 2021

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning “A Local Law repealing and replacing Article XI entitled ‘Police Department’ of the Charter of the City of Newburgh”; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 12th day of July, 2021 in the City Council Chambers, 83 Broadway, City Hall, 3rd Floor, Newburgh, New York; and

BE IT FURTHER RESOLVED, that due to public health and safety concerns related to COVID-19, the capacity of the City Council Chambers will be limited due to the space available to maintain six (6) feet of social distancing and in-person attendance will be on a first-come, first-served basis, and therefore, in accordance with the Governor’s Executive Order 202.1, as amended, the July 12, 2021 City Council meeting also will be accessible via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed local law as follows:

To view the livestream of the City Council Work Session and Meeting visit: <https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Work Session and Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App:

https://zoom.us/webinar/register/WN_r0dWGmAkR-CFh-oPR8vfYg. Please note that there is an underscore between the “N” and “r”).

To register in advance for this webinar in order to provide comments during the hearing: https://zoom.us/webinar/register/WN_r0dWGmAkR-CFh-oPR8vfYg. Please note that there is an underscore between the “N” and “r”). Please fill out the required information (First Name, Last Name, E-mail Address and check appropriate box to comment during the public hearing). After registering, you will receive a confirmation email containing information about joining the webinar.

Comments can be provided by email before the meeting to comments@cityofnewburgh-ny.gov with the Subject Line in this format: “PUBLIC HEARING ITEM” by 4:00 p.m. on Monday, July 12, 2021. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.