



CITY OF NEWBURGH
COUNCIL MEETING AGENDA
SESION GENERAL DEL CONSEJAL

March 27, 2023
7:00 PM

Mayor/Alcaldesa

1. Moment of Silence / Momento de Silencio
2. Pledge of Allegiance / Juramento a la Alianza

City Clerk:/Secretaria de la Ciudad

3. Roll Call / Lista de Asistencia

Communications/Comunicaciones

4. Approval of the minutes from the City Council meeting of March 13, 2023 / Aprobacion del Acta de la Reunion General del Consejo del 13 de marzo de 2023
5. City Manager Update / Gerente de la Ciudad Pone al Dia a la Audiencia de los Planes de Cada Departamento

Presentations/Presentaciones

6. Police Department Update for 2022
Actualización del Departamento de Policía de 2022
7. Public Hearing - Ordinance Amending Chapter 300 Entitled "Zoning"
There will be a public hearing on March 27, 2023 to receive comments concerning amendments to Chapter 300 entitled "Zoning" of the City of Newburgh Code of Ordinances related to adult use cannabis

Habr  una audiencia p blica el 27 de marzo de 2023 para recibir comentarios sobre las enmiendas al Cap tulo 300 titulado "Zonificaci n" del C digo de Ordenanzas de la Ciudad de Newburgh relacionadas con el cannabis para uso de adultos

Comments from the public regarding agenda and general matters of City Business/Comentarios del p blico con respecto a la agenda y sobre asuntos generales de la Ciudad.

Comments from the Council regarding the agenda and general matters of City Business/Comentarios del Consejo con respecto a la agenda y sobre asuntos generales de la Ciudad

City Manager's Report/ Informe del Gerente de la Ciudad

8. Resolution No. 47 - 2023 - Contract with July 4 Ever Fireworks Inc & Rocco Polifrone- Independence Day

Resolution authorizing the City Manager to accept a proposal and execute a contract with July 4 Ever Fireworks, Inc. & Rocco Polifrone for the 2023 City of Newburgh Fourth of July Celebration on Tuesday, July 4, 2023 for the amount of \$16,500.00

Resolución que autoriza al Gerente de la Ciudad a aceptar una propuesta y ejecutar un contrato con July 4 Ever Fireworks, Inc. y Rocco Polifrone para la Celebración del 4 de Julio de la Ciudad de Newburgh de 2023 el martes 4 de julio de 2023 por el monto de \$16,500.00

9. Resolution No. 48 - 2023 - 10 Galloway 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 RYM Investments, LLC to the premises known as 10 Galloway Avenue (Section 28, Block 1, Lot 66)

Resolución que autoriza la ejecución de una liberación de cláusulas restrictivas y derecho de reingreso de una escritura emitida a favor de RYM Investments, LLC a las instalaciones conocidas como 10 Galloway Avenue (Sección 28, Bloque 1, Lote 66)

10. Resolution No. 49 - 2023 - Anti-Displacement Learning Network Grant - repurpose funds to Universal Basic Income Program

Resolution of the City Council of the City of Newburgh, New York amending Resolution No. 227-2020 to authorize the City Manager to repurpose funds awarded in a Phase II grant from the New York State Anti-Displacement Learning Network from Enterprise Community Partners and the Office of the New York State Attorney General to a Guaranteed Basic Income Demonstration Project

Resolución del Concejo Municipal de la Ciudad de Newburgh, Nueva York, que enmienda la Resolución No. 227-2020 para autorizar al Gerente de la Ciudad a reasignar los fondos otorgados en una subvención de la Fase II de la Red de Aprendizaje Antidesplazamiento del Estado de Nueva York de Enterprise Community Partners y la Oficina del Fiscal General del Estado de Nueva York a un Proyecto de Demostración de Ingreso Básico Garantizado

11. Resolution No. 50 - 2023 - To Apply for and Accept if Awarded a State of NY Traffic Enforcement Technology Grant

Resolution authorizing the City Manager to apply for and accept if awarded a New York State Traffic Enforcement Technology Grant for equipment necessary for electronic date collections systems with no City match required

Resolución que autoriza al Gerente de la Ciudad a solicitar y aceptar si es otorgado un Subsidio Tecnológico del Estado de Nueva York para la Aplicación del Tráfico destinado al equipamiento necesario para los sistemas de recolección electrónica de datos, el cual no requiere que la Ciudad iguale los fondos

12. Resolution No. 51 - 2023 - To Apply for and Accept if Awarded a Preserve New York Program Grant for a Building Condition Report for the Downing Park Pergola and Shelter House

A resolution authorizing the City manager to apply for and accept if awarded a Preserve New York program grant in an amount not to exceed \$16,000.00 with a 20% match for a building condition report for the Downing Park Pergola and Shelter House

Una resolución que autoriza al gerente de la Ciudad a solicitar y aceptar si es otorgada una subvención del programa Preserve New York en una cantidad que no exceda de los \$16,000.00 dólares con un 20% de los fondos igualados para un informe sobre el estado del edificio de la Pérgola y la Casa Refugio del Parque Downing

13. Resolution No. 52 - 2023 - CSEA MOA for successor collective bargaining agreement

Resolution ratifying a stipulation of agreement and approving a collective bargaining agreement with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO

Resolución que ratifica una estipulación de acuerdo y aprueba un acuerdo de negociación colectiva con la Asociación de Empleados del Servicio Civil, Inc., Local 1000, AFSCME, AFL-CIO

14. Resolution No. 53 - 2023 - Raise the Wage Act - S1978 /A2204

Resolution of the City Council of the City of Newburgh authorizing the submission of a memorandum in support of the Raise the Wage Act (S1978/A2204)

Resolución del Concejo Municipal de la Ciudad de Newburgh que autoriza la sumisión de un memorándum en apoyo de la Ley de Aumento de Sueldo (S1978/A2204)

15. Resolution No. 54 - 2023 - Authorizing a Payment of Claim with Lester Chavez

A resolution authorizing the City Manager to execute a payment of claim with Lester A. Chavez in the amount of \$35,000.00

Una resolución que autoriza al Gerente de la Ciudad a ejecutar un reclamo de pago con Lester A. Chavez por el monto de \$35,000.00

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

Final Comments from the City Council/ Comentarios Finales del Ayuntamiento:

Adjournment/ Aplazamiento:

RESOLUTION NO.: 41 - 2023

OF

MARCH 13, 2023

A RESOLUTION SCHEDULING A PUBLIC HEARING
FOR MARCH 27, 2023 TO HEAR PUBLIC COMMENT CONCERNING
THE ADOPTION OF THE REVISED CHAPTER 300 ENTITLED "ZONING"
OF THE CODE OF ORDINANCES 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 the adoption of the revised Chapter 300 entitled "Zoning" of the Code of Ordinances 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 27th day of March, 2023.

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 3/13/23
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of
Newburgh this 14th day of Mar 20 23

Katrina Cotten
Deputy City Clerk

A new Part 119, titled Municipality Rulemaking, is added to read as follows:

Part 119

Municipality Rulemaking

Part 119- Municipality Rulemaking

§ 119.1 Preemption and Prohibitions on Municipality Rulemaking.

§ 119.2 Authorizations for Municipality Rulemaking.

§ 119.3 Notifications to Municipalities.

§ 119.4 Measurement of Distance from School Grounds, Houses of Worship, Community Facilities and Between Adult-Use Retail Dispensaries and On-Site Consumption Sites

§ 119.5 Unreasonably Impracticable; Review and Determination.

§ 119.6 Severability.

§119.1 Preemption and Prohibitions on Municipality Rulemaking.

(a) Pursuant to section 131(2) and 85(12) of the Cannabis Law, the governing body of a county, town, city and village are preempted from adopting any law, rule, ordinance, regulation or prohibition pertaining to the operation or registration, licensure, or permitting of a registered organization, adult-use cannabis license or cannabinoid hemp license. The Board prohibits municipalities to pass local laws and regulations governing the following activities:

- (1) adopting local laws that impose a special fee that is specific to cannabis businesses on the approved licensee that intends to operate within their jurisdiction;
- (2) adopting local laws that impose a fee on adult-use retail dispensary or on-site consumption licenses, except where the fees are also applicable to off-premises liquor establishments licensed under the State Liquor Authority prior to the thirty first of March two thousand twenty-one, and such law does not conflict with the Cannabis Law or this Part.
- (3) adopting local laws that impose a tax or a fee on the cultivation, processing, manufacturing, distribution or sale of cannabis or cannabis product in this State other than any usual and customary fees associated with similarly situated businesses.
- (4) adopting local laws that prohibit a premises, for which an adult-use cannabis retail dispensary or on-site consumption license has been issued, from being located within a distance, to be measured in accordance with section 119.5 of this Title, that is:
 - (i) no less than a 1,000 foot radius of another premises for which a license of the same type has been issued in a city, town or village having a population of 20,000 or more; and
 - (ii) no less than a 2,000 foot radius of another premises for which a license of the same type has been issued in a city, town or village having a population of 20,000 or less.

(5) adopting or executing any agreement where the municipality, community organization or association affiliated with such municipality, otherwise receives any additional benefit outside of general operation from or imposes any duty or obligation on any applicant, registrant, licensee or permittee of the Board;

(6) adopting a local law that would deny any right, privilege, permit, variances, approvals to any licensed adult-use retail dispensary premises that has been in existence continuously from a date prior to the date when a building on the same road or street within:

(i) 500 feet of said licensed adult-use retail dispensary premises has been occupied exclusively as school grounds;

(ii) 200 feet of said licensed adult-use retail dispensary premises has been occupied exclusively as a house of worship; or

(iii) 500 feet of said licensed adult-use retail dispensary premises has been occupied as a community facility, if the municipality has passed such ordinance.

(b) A retail dispensary shall be in a location consistent with public convenience and advantage standards as determined by the Board.

(c) The Board may issue a license pursuant to this section for a premises which shall be within a 2,000 foot radius of an existing premises licensed and operating in a city, town, or

village having a population of 20,000 or less, pursuant to this section, after it determines that granting such license would be in the public interest.

§ 119.2 Authorizations for Municipality Rulemaking.

(a) All municipalities and counties are hereby preempted from adopting any law, rule, ordinance, regulation or prohibition pertaining to the registration, licensing, permitting or operation of registered organizations, adult-use cannabis businesses, or, or cannabinoid hemp businesses, provided however, such municipality may enact local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption sites, provided that such law or regulation shall not make the operation of such licensed retail dispensaries or on-site consumption sites unreasonably impracticable as determined by the Board. To the extent the following is not unreasonably impracticable, the Board authorizes municipalities to pass local laws and regulations governing the time, place, and manner, which shall mean and apply to the following activities:

(1) the hours of operation for adult-use retail dispensary, during which cannabis products can be sold at retail, which:

(i) shall not be allowed to operate from 2:00 ante meridiem to 8:00 ante meridiem, unless given express written permission by such municipality, or the municipality passes a local ordinance, authorizing it to operate beyond such hours; and

(ii) shall not restrict operations to less than 70 hours a week, provided however, this provision shall not be construed as removing the licensees' discretion to operate for less hours of operation.

(2) the hours of operation for on-site consumption site, during which cannabis products can be sold at retail, which:

(i) shall not be allowed to operate from 4:00 ante meridiem to 8:00 ante meridiem.

(ii) shall not restrict operations to less than 70 hours a week provided however, this provision shall not be construed as removing the licensees' discretion to operate for less hours of operation.

(3) business operations within historical districts;

(4) parking;

(5) traffic control including, but not limited to, pedestrian and vehicular traffic;

(6) odor, consistent with the Public Health Law Article 13-E and the Clean Indoor Air Act;

(7) noise; and

(8) distance requirements between a licensed premises and a community facility, provided however, that such distance requirement is no greater than 500 feet from the licensed premises and the community facility. This provision shall not apply to licensees operating pursuant to Part 116 of this Title.

§ 119.3 Notifications to Municipalities.

(a) Pursuant to section 76 of the Cannabis Law, notifications to municipalities regarding adult-use retail dispensary or on-site consumption licenses shall be in a form provided by the Office, and contain the following information:

- (1) applicant contact information;
- (2) trade name or “doing business as” name;
- (3) full name of the applicant;
- (4) street address of the establishment, including the floor location or room number, if applicable;
- (5) the mailing address of the establishment, if different than the street address;
- (6) the name, address and telephone number of the attorney or representative of the applicant, if any;

- (7) a statement indicating whether the application is for:
 - (i) a new establishment;
 - (ii) a transfer of an existing licensed business;
 - (iii) a renewal of an existing license; or
 - (iv) an alteration of an existing licensed premises;
 - (8) if the establishment is a transfer or previously licensed premises, the name of the old establishment and such establishment's registration or license number;
 - (9) in the case of a renewal or alteration application, the registration or license number of the applicant; and
 - (10) the type of license.
- (b) A municipality shall have 30 days from the receipt of the notification from an applicant to express an opinion for or against the granting of such registration, license or permit application and any such opinion shall be part of the record upon which the Office makes its recommendation to the Board to grant or deny an application; Provided however, a municipality

may request additional time in writing and upon showing a reasonable documented effort for an extension.

§ 119.4 Measurement of Distance from School Grounds, Houses of Worship, Community Facilities and Between Adult-Use Retail Dispensaries and On-Site Consumption Premises

(a) No adult-use retail dispensary or on-site consumption license shall be granted for any premises which shall be:

(1) on the same road and within 200 feet of a building occupied exclusively as a house of worship;

(2) on the same road and within 500 feet of school grounds;

(3) on the same road of a community facility if the municipality has enacted an ordinance in accordance with section 119.2 of this Title;

(4) in a city, town or village having a population of 20,000 or more within a 1,000 foot radius of another premises for which a license of the same type has been issued;

(5) in a city, town or village having a population of 20,000 or less within a 2,000 foot radius of another premises for which a license of the same type has been issued;

(6) The measurements in subdivision (a) of this section are to be taken in a straight line from the center of the nearest entrance of such house of worship or the nearest point of school grounds to the center of the nearest entrance of each such premises licensed and operating pursuant to this section 72 and section 77 of the Cannabis Law; except, however that no renewal license shall be denied to any premises at which a license under this Chapter has been in existence continuously from a date prior to the date when a building on the same road and within 200 feet of said premises has been occupied exclusively as a house of worship or 500 feet of said premises has been occupied by schoolgrounds.

(i) Within the content of this paragraph, the “entrance” shall mean a main door of a house of worship, or of premises licensed and operating pursuant to this section, regularly used to give ingress to the students of the school, to the general public attending the house of worship, and to patrons or guests of the premises licensed and operating pursuant to this section or of the premises sought to be licensed, except that where a school or house of worship or premises licensed and operating pursuant to this section or the premises sought to be licensed is set back from a public thoroughfare, the walkway or stairs leading to any such door shall be deemed an entrance; and the measurement shall be taken to the center of the walkway or stairs at the point where it meets the building line or public thoroughfare. Such definition shall not include cellars, back and side doors, delivery entrances, or emergency exits.

(ii) If the school or house of worship or premises licensed and operating pursuant to this section or the premises sought to be licensed is located in a multi-story building, the building “entrance” at the road level is used.

(iii) If the school or house of worship or premises licensed and operating pursuant to this section or the premises sought to be licensed is situated on a corner lot, such establishment is considered to be on both roads of the intersection, whether or not there is an entrance to the building on both roads.

(iv) A door which has no exterior hardware, or which is used solely as an emergency or fire exit, or for maintenance purposes, or which leads directly to a part of a building not regularly used by the general public or patrons, is not deemed an “entrance.”

(v) Within the context of this section, a building occupied as a house of worship does not cease to be “exclusively” occupied as a house of worship by incidental uses that are not of a nature to detract from the predominant character of the building as a house of worship, such uses including, but not limited to:

(a) the conduct of legally authorized games of bingo or other games of chance held as a means of raising funds for the not-for-profit religious organization which conducts services at the house of worship or for other not-for-profit organizations or groups;

(b) use of the building for fund-raising performances by or benefitting the not-for-profit religious organization which conducts services at the house of worship or other not-for-profit organizations or groups;

(c) the use of the building by other religious organizations or groups for religious services or other purposes;

(d) the conduct of social activities by or for the benefit of the congregants;

(e) the use of the building for meetings held by organizations or groups providing bereavement counseling to persons having suffered the loss of a loved one, or providing advice or support for conditions or diseases including, but not limited to, alcoholism, substance use disorder, cancer, cerebral palsy, Parkinson's disease, or Alzheimer's disease; the use of the building for blood drives, health screenings, health information meetings, yoga classes, exercise classes or other activities intended to promote the health of the congregants or other persons; and

(f) use of the building by non-congregant members of the community for private social functions.

(vi) The building occupied as a house of worship does not cease to be "exclusively" occupied as a house of worship where the not-for-profit religious organization occupying the house of worship accepts the payment of funds to defray costs related to another party's use of the building.

§119.5 Unreasonably Impracticable; Review and Determination.

(a) Pursuant to section 131(2) of the Cannabis Law and in accordance with this Part, no rules, regulation, ordinance, or actions of the municipality shall be effective or enforceable if

such action otherwise impedes on duties and obligations of the Board as set forth under the Cannabis Law, violates any provision of the Cannabis Law or this Part, or discriminates against or frustrates the registrant, licensee, or permittee's ability to carry out the operation of such registration, license, or permit as issued by the Board.

(b) Should an unreasonable impractical claim be brought before the Office by a claimant contesting the validity of such local law or regulation, the Board may conduct a review of such law and issue an advisory opinion as to whether the law is “unreasonably impracticable”.

(c) Upon review and determination of an application to the Board, the Office shall send a copy of the advisory opinion to claimant and the municipality from where the local law originates. Should the local law:

(1) be adopted prior to the advisory opinion, the claimant can use the advisory opinion as prima facie evidence of the Board’s opinion that the local law violates Cannabis Law section 131(2); or

(2) be proposed but not adopted, the municipality shall be preempted from adopting the local law as the local law, if adopted, would be unreasonably impracticable, as determined by the Board, pursuant to Cannabis Law section 131(2).

§ 119.6 Severability. If any provision of this Part or its application to any particular person or circumstance is held invalid, the remainder of this Part and its application to other persons and circumstances shall not be affected thereby.

PROPOSED CHANGES
CHAPTER 300 (ZONING) OF CITY OF NEWBURGH CODE OF ORDINANCES

Article II
Definitions and Word Usage

§ 300-6. Word usage; terms defined.

A. Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense include the future and the plural the singular. The word "shall" is intended to be mandatory, while "should" is not; and "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied." In general, this chapter uses the word "permitted" to describe an action that requires a permit and "allowed" when a permit is not required.

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

ACTIVITY FACILITY — A business which, for compensation, offers indoor recreational activities, such as dance, martial arts, arts and crafts, musical or theatrical instruction, children's gyms and play centers, and other places of public or private entertainment. Activity facilities shall not include facilities intended primarily for spectator activities, such as, but not limited to, stadiums and arenas, automotive tracks, bowling alleys, parlors or amusement parks.

ADULT DAY-CARE FACILITY — An establishment which provides day-care services for hire to adults who, by reason of physical or other limitations associated with age, physical or mental disabilities or other factors, are unable or substantially unable to live independently without supervision.

ADULT USES — An adult bookstore, adult motion-picture theater, or adult entertainment cabaret, as defined herein.

- (1) **ADULT BOOKSTORE** — An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, or other periodicals, films, slides and videotapes which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or exposing specified anatomical areas as defined below.
- (2) **ADULT FILM THEATER** — An enclosed building used primarily for presenting material in the form of motion pictures, films, slide shows or videotapes distinguished or characterized by an emphasis on matters depicting, describing or relating to sexual activities or exposing specified anatomical areas.
- (3) **ADULT ENTERTAINMENT CABARET** — A building or portion thereof regularly featuring dancing or other live entertainment if the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on the exhibiting of sexual activities or specified anatomical areas for observation by patrons therein.

Underline denotes additions

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AGRICULTURE — An activity which includes the cultivation of the soil for food products or other useful or valuable growths of the field or garden, nursery stock and commercial greenhouses, but does not include dairying, raising of livestock, breeding or keeping of animals, fowl or birds where the same is carried on as a business or gainful occupation. Agriculture includes also the sale at retail of farm, garden or nursery products produced on the premises.

AMUSEMENT CENTER — A place of business wherein three or more coin-operated machines, games of skill or chance or other machines of a similar nature are available for use or play by the general public.

ANIMAL CARE CENTER — Any building or portion of a building designed or used for the care, observation, or treatment of domestic animals, or for the keeping, breeding or boarding for compensation of dogs, cats, or other domestic animals, when such boarding is for more than three consecutive hours.

APARTMENT, ACCESSORY — A self-contained residential dwelling unit, clearly incidental and secondary to the principal dwelling of which it is a part, having a separate entrance and containing separate cooking, eating, sanitation and sleeping facilities for the exclusive use of the occupant, in a one-family dwelling, or in a separate accessory structure on the same lot as a one-family dwelling.

APARTMENT HOUSE (same as "multifamily dwelling") — A residential building that contains more than four dwelling units, with one primary entrance to access all dwelling units contained therein. An apartment house may include accessory uses shared by residents of the apartment house, including recreational facilities, laundry rooms, parking, seating areas and open space for the exclusive use of residents residing in the complex.

ASSEMBLY HALL/BANQUET HALL — Buildings in which the primary or intended occupancy or use is the assembly for amusement, athletic, civic, dining, educational, entertainment, political, recreational, religious, social, or similar purposes, except an assembly hall shall not include any use defined elsewhere herein, in which kitchen facilities may or may not exist.

AUTOMOBILE GASOLINE STATION — Any building or land area used for the retail dispensing or sales of automobile fuels, which activity may be accompanied by accessory uses, such as sales of lubricants, tires, accessories or supplies, and prepackaged food items and tangible consumer goods, primarily for self-service by the customer.

AUTOMOBILE SALES — Any building, land area or other premises used for the display, sale or lease of new or used automobiles, vans, trucks, trailers, or boats, but not including any repair work. Such facilities may not conduct repair services as an accessory use other than warranty or other minor repair service.

AUTOMOBILE-SERVICE/REPAIR — Any area of land, including structures thereon, available to the public, operated for gain, and which is used for repair, greasing, washing, servicing, adjusting or equipping of automobiles or other vehicles.

Underline denotes additions

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AUTOMOBILE WASH — Any building or land area, the use of which is devoted to the business of washing or waxing automobiles for a fee, whether by automated cleansing devices or otherwise.

BANK — A financial institution that is open to the public and engaged in deposit banking, and that may perform closely related functions, such as making loans, investments, and fiduciary activities.

BAR — A commercial establishment, open to the general public, which sells and serves alcoholic beverages for consumption on the premises and where food may be served as an accessory use. The term "bar" includes "barroom," "wine bar," "tavern," "pub," and "saloon."

BASEMENT — A story that is wholly or partly below grade, but at least 1/2 of its height, measured from floor to ceiling, is above the average established curb level or finished grade of the ground adjoining the building.

BED-AND-BREAKFAST — A lodging facility in an owner-occupied dwelling, offering from two to five guest rooms, without separate kitchen facilities, for paying, transient guests for a period not to exceed 15 consecutive days per guest. A dining room and kitchen may be provided for serving guests of the facility, but shall not be open to the public. An Airbnb rental is a variant of this use. "Short-term, in-home lodging" shall apply for one room for up to three paying guests.

BILLIARD PARLOR — A building, or portion thereof, having within its premises three or more pool tables, billiard tables, or a combination thereof.

BOARDINGHOUSE — An owner-occupied dwelling unit, with nontransient boarders, and with common rooms used and accessible to all residents, within which are boarding units that are rented individually and occupied for sleeping and/or living purposes to nontransient occupants. A boardinghouse shall not be considered a rooming home.

BOARDING UNIT — Any room or group of rooms forming a habitable unit used or intended to be used for living or sleeping but not used for cooking purposes.

BOAT REPAIR — A facility where boats are repaired and may be stored.

BOWLING ALLEY — Indoor facility for the sport of bowling, with customary accessory uses, such as snack bars.

BUILDING — (Includes "structure.") Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

BUILDING, ACCESSORY — A building, the use and size of which is incidental to, and complementary of, the principal building on a lot.

BUILDING FRONT LINE — The line of the face of the building nearest the front lot line. The face includes covered porches, but does not include steps.

Underline denotes additions

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BUILDING, MAIN (PRINCIPAL) — The building in which is conducted the primary use of the lot on which it is located.

CABARET — Any room, place, or space in which any musical entertainment, singing, dancing, or other similar amusement takes place in connection with a bar and/or restaurant, except for an adult cabaret.

CANNABIS, ADULT-USE ON-SITE CONSUMPTION – as defined in the Cannabis Law of New York State.

CANNABIS, INDUSTRIAL – includes licenses to operate as: Adult-Use Cooperative, Adult-Use Cultivator, Adult-Use Distributor, Adult-Use Processor, Conditional Adult-Use Cultivator, Nursery, Registered Organization Adult-Use Cultivator Processor Distributor Retail Dispensary, or Registered Organization Adult-Use Cultivator Processor and Distributor, as defined in the Cannabis Law of New York State.

CANNABIS, RETAIL – includes licenses to operate as: Adult-Use Retail Dispensary, Delivery, or Microbusiness, as defined in the Cannabis Law of New York State.

CAR RENTAL — A business that rents vehicles to persons or businesses for use on a transient basis. The business may include on-site facilities for servicing, storing, repairing, and fueling the vehicles.

CELLAR — That space of a building that is partly or entirely below grade which has more than half of its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.

CEMETERY — A place used for the interment of human or animal remains or cremated remains.

CHILD DAY-CARE CENTER — A facility, that is not also a dwelling unit, that provides care for infants and preschool children, and may offer prekindergarten educational service, on a regular basis for more than three hours per child and is defined in 18 NYCRR Part 413 and regulated in accordance with 18 NYCRR 418.

COLLEGE/UNIVERSITY — An institution for post-secondary education, which is licensed by the State of New York to grant associate, baccalaureate, or higher degrees.

COMMERCIAL LAUNDRY — An establishment that launders and/or dries articles for commercial and not individual customers.

COMMUNITY CENTER — A place, structure, area, or other facility used for providing religious, fraternal, social, educational, or recreational programs generally open to the public, not operated for profit, and designed to accommodate and serve significant segments of the local community.

Underline denotes additions

~~Strikethrough~~ denotes deletions

COOPERATIVE HOUSE — A dwelling unit that is rented as a singular unit and not occupied by a family, as defined in this chapter, within which are two or more boarding units occupied for sleeping and/or living purposes by nontransient occupants. A cooperative house shall not be considered to be a rooming house.

COTTAGE INDUSTRY — A use that is conducted wholly within an enclosed building that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packing of finished products predominantly from previously prepared or refined materials (or from raw materials that do not need refining). Light industry is capable of operation in such a manner that does not cause a noticeable amount of noise, dust, odor, smoke, glare, or vibration outside of the building in which the activity takes place. Such a use may or may not contain retail space. A machine shop is included in this category. **COVERAGE, BUILDING** — The area that is covered by all of the buildings on the lot.

CURB LEVEL — The established elevation of the street grade at the point that is opposite the center of the wall nearest to and facing the street line. Where a building is on a corner lot, the curb level is the average of the mean levels of the curblines on the two intersecting streets. Where there is uncertainty about the curb level, it shall be determined by the City Engineer.

DISTRIBUTION FACILITY/WAREHOUSE — A facility involving the storage and the shipment of goods in allotments. This use does not involve the manufacture or sale of goods from the premises.

DORMITORY — A building intended or used principally for sleeping accommodations, where such building is directly related to an educational or public institution, or house of worship. Such building may include common kitchen and gathering rooms, but does not contain complete dwelling units.

DRIVE-THRU (BANK, FAST-FOOD RESTAURANT, PHARMACY) — An establishment that dispenses products or services to patrons who remain in vehicles.

DRY CLEANER — An establishment for the on-premises mechanical cleaning of garments, articles or goods of fabric for retail customers, or where dropoff and pickup occurs for garments or articles that are sent to another location for mechanical cleaning or laundering. A dry cleaning establishment does not include a laundry or laundromat, which provides self-service washing or drying for use by retail customers.

DWELLING — Any building or portion thereof designed or used exclusively for nontransient residential use.

DWELLING, DETACHED — A dwelling having no common walls, floors or ceilings with any other dwelling unit.

DWELLING, FOUR-FAMILY — A building containing four dwelling units only, on a single lot of record.

DWELLING, MULTIFAMILY — See "apartment house."

DWELLING, ROW OR ATTACHED (TOWNHOME) — A dwelling, having common walls with one or more dwelling units, also referred to as a "townhome." A row dwelling sharing one common wall shall be deemed an end unit. This term shall also refer to two dwellings sharing one party or lot line wall and commonly referred to as a "duplex."

DWELLING, SINGLE-FAMILY — A building containing not more than one dwelling unit and not having more than one kitchen on a single lot of record.

DWELLING, THREE-FAMILY — A building containing three dwelling units only on a single lot of record.

DWELLING, TWO-FAMILY — A building containing two dwelling units only on a single lot of record.

DWELLING UNIT — A single unit with one or more rooms with provisions for living, cooking, sanitary and sleeping facilities arranged for the use of one family only.

FAMILY — One, two, or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.

FAMILY DAY-CARE — A facility located in a residential structure, which is owner occupied as a family residence, that provides daytime care of more than three hours per day per child for three to 12 infants, preschool children, and school age children six to 12 years of age for compensation. A family day-care includes those day-care facilities defined by New York State in 18 NYCRR Part 413 as "family day-care home" and "group family daycare home." Such facility must be licensed by New York State and operated in accordance with all applicable regulations.

FLOOR AREA, BUILDING — The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FRONTAGE — The length of a lot that borders a single street.

FRONTAGE OCCUPANCY — The percentage of the lot width which must be occupied by either a front building facade or structures that screen parking, located within the area of the front lot line and the maximum front yard setback.

FUNERAL HOME — The establishment of a funeral director or undertaker, which includes facilities for the conduct of funeral services, but not cremation.

GARAGE, PRIVATE — Part of a principal residential building, or an accessory building located on the same lot as the principal residential building, designed primarily for the storage of motor vehicles.

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HEIGHT, BUILDING — The vertical distance measured from curb or grade level at the front of the building to the highest level of a flat or mansard roof or to the average height of a pitched, gable, hip or gambrel roof, excluding bulkheads, and similar constructions enclosing equipment or stairs, provided that they are less than 12 feet in height and do not occupy more than 30% of the area of the roof upon which they are located.

HOME OCCUPATION — Any use customarily conducted entirely within a dwelling or its accessory structures and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of dwelling for residential purposes and does not change the character thereof.

HOSPITAL — An institution, licensed by the State of New York, which provides primarily transient or acutely needed human physical and/or mental health services and which includes inpatient facilities.

HOTEL — A building, or portion thereof, containing rooms occupied by transient guests who are lodged for payment, with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary residence, such as dining, conference centers, recreational facilities and gift shops for the guests of the hotel.

HOUSE OF WORSHIP — A building, or portion thereof, together with its accessory buildings and uses, where persons regularly assemble for religious worship, services, and social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain ceremonies and purposes.

INDUSTRIAL USES — A business use or activity at a scale greater than home industry, involving the manufacture, fabrication, processing, reduction, assembly, or destruction of any article, substance, or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof.

IN-LAW APARTMENT — See "apartment, accessory."

LAUNDROMAT — A facility which provides self-service washing or drying for use by retail customers.

LIVE/WORK — A dwelling which is owner-occupied, and which provides a commercial ground floor space and residential space above, for the family, craft or business and retail space for creating sales.

LOT — (Includes "plot") A parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this chapter.

LOT, CORNER — A lot at the junction of, and having frontage on, two or more intersecting streets.

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LOT, DEPTH — The mean distance between the front and rear lot lines, measured in the general direction of its side lot lines.

LOT LINE — Any line dividing one lot from another or separating a lot from a street right-of-way line.

LOT, THROUGH — A lot having frontage on two streets, but not at the intersection of those two streets.

LOT, WIDTH — The mean distance of a lot measured at right angles to its depth, at the required setback line.

MEMBERSHIP CLUB — An unincorporated association of persons for common social purpose or an association incorporated under the Membership Association Law, and which association or membership corporation is not conducted for profit and is not a part of, related to, or associated with a profit-making venture and which is managed by officers or directors, serving without pay and chosen or elected directly by members who form such an association or membership corporation.

MIXED USE — A development or a single building in which there may be a blend of uses, including residential, commercial, cultural, institutional, or industrial, where those functions are physically and functionally integrated; most prominently a ground floor with a restaurant, theater, or retail shop and offices and/or residential use above.

MOBILE HOME — A structure mounted on axles and wheels containing living facilities and which was designed to be towed by an automobile or truck from place to place. Such structure will not be considered a mobile home for purposes of this chapter if it is placed on a permanent foundation and modified to meet applicable building code requirements for a residential structure.

MOTEL — See "hotel."

MUSEUM — A building serving as a repository for a collection of natural, scientific or literary curiosities, objects of interest or works of art, and arranged, intended and designed to be used by members of the public for viewing, with or without an admission charge, together with customary accessory uses, including, for example, retail sale of goods to the public; cafe food service, art, dance and music performances, literary readings, and showing of films.

NEIGHBORHOOD RETAIL — A store serving the local retail business needs of the residents of the neighborhood, including but not limited to books, flowers, clothing, groceries, and pharmaceuticals.

NONCONFORMING LOT — Any lot lawfully existing on record on the effective date of this chapter, or any amendment thereto, that does not meet the bulk and area requirements of this chapter for the zoning district in which such lot is situated as a result of the enactment.

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NONCONFORMING STRUCTURE — Any building lawfully existing on the effective date of this chapter, or any amendment thereto, that does not meet the bulk and area requirements of this chapter for the zoning district in which such building is situated as a result of the enactment.

NONCONFORMING USE — Any use lawfully existing on the effective date of this chapter, or any amendment thereto, that does not conform to the district use regulations of this chapter for the zoning district in which such use is situated as a result of the enactment.

NURSING HOME — An institution, licensed by the State of New York, which provides nursing care and related medical services on a twenty-four-hour basis to primarily nontransient clients for remuneration.

OFFICE PARK — A group of two or more principal buildings and their accessory uses, together with any open space remaining, located on one lot, which buildings have a unified site plan and shall be designed to function as one project. The buildings in an office park shall be occupied or used principally for businesses or professional offices that are designed, constructed, and maintained on a coordinated basis.

OPEN SPACE — That portion of the lot that is unencumbered by any structure or any other impervious surface.

PARKING AREA, COMMUNITY — A building, or part thereof, or a surface used for parking vehicles for remuneration.

PARKING SPACE — A space available for the parking of one vehicle.

PARKS, OPEN SPACE AND RECREATION — Those areas owned or used by the City, other public entity or government, or nonprofit organizations that are devoted to parks, playgrounds, recreation areas, nature preserves, or open space.

PERSONAL SERVICES — An establishment that is primarily engaged in frequent or recurring provision of individual services generally related to personal needs, and is not separately defined herein. These uses may also include accessory retail sales of products related to the service provided. Examples of personal services include but are not limited to: barbershops, nail salons, massage facilities, tailors.

PROFESSIONAL OFFICE — The office of a member of a recognized profession maintained for the conduct of that profession in any of the following related categories: architectural, engineering, planning, law, interior design, accounting, insurance, real estate, medical, dental, optical, or any similar type of profession.

PUBLIC UTILITY — Any person, firm, corporation, or governmental agency duly authorized to furnish to the public, under governmental regulation, electricity, gas, water, sewage treatment, steam, cable television, telephone, or telecommunications but shall not mean any person or entity that provides wireless telecommunication services to the public.

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RECREATIONAL VEHICLE — A vehicular unit, which is designed as a temporary dwelling for travel, recreational, and vacation use, and which is self-propelled, mounted on, or pulled by another vehicle. Examples include, but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van camper.

RESIDENTIAL CARE FACILITY — A supervised residential board and care establishment, used as a group residence or extended care facility for the care of persons, where compensation and/or reimbursement of costs is paid to an operator, pursuant to state or federal standards, licensing requirements, or programs funding residential care services. The residential care facility provides common eating facilities for residents and common meeting or social or recreation areas. Such housing may also include daily activity assistance, such as dressing, grooming, bathing, etc.

RESTAURANT — Any establishment where the principal use is the preparation and sale of food and beverages to customers seated at a table or counter, served by a waiter or waitress, or at a buffet for consumption of the food on the premises. A restaurant may include the serving of alcoholic beverages and the provision of carry-out food service if they are incidental to the consumption of food and beverages. The term "restaurant" does not include a business whose principal operation is as a bar, cabaret, carry-out food service, or a fast-food establishment.

RESTAURANT, CARRY-OUT — Any establishment where food and/or beverages are prepared and served in a ready-to-consume state and whose design or principal method of operation includes one or both of the following characteristics: customers order from a menu board or serve themselves from a buffet and principally carry out their food and/or beverages for consumption off premises.

RESTAURANT, FAST-FOOD — Restaurants where most customers order and are served food inside the premises at a counter, to be taken to a table for consumption or in packages prepared to leave the premises. See "drive-thru" for where customers are served their food in a motor vehicle through a service window, in packages prepared to leave the premises.

RETAIL — A business that sells goods directly to the general public, for business, personal or household consumption, where such goods are available for immediate purchase and removal from the premises by the purchaser and are not defined elsewhere in this chapter. Retail businesses include but are not limited to hardware stores, liquor stores, newsstands, shoe stores, stationery stores, convenience stores.

RIGHT OF WAY – a legal right that allows for passage over another person's ground. As used in §300-21, a parcel of property over which pedestrians or vehicles may legally pass over or through for purposes of public travel.

ROOMING HOUSE — Any dwelling, other than a boardinghouse, within which are boarding units rented individually and occupied for sleeping and/or living purposes to nontransient occupants. No common rooms are provided for the use of the residents.

SCHOOL OF GENERAL INSTRUCTION (EDUCATIONAL SERVICES) — Any public school operated under the laws of the State of New York or nonpublic school offering courses in general

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instruction at least five days per week and seven months per year and generally serves students in grades corresponding to Pre-K through 12th grade.

SELF-STORAGE — A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for storage of personal property.

SETBACK — The horizontal distance from such lot line to the part of the building which is nearest to such line.

SHOPPING CENTER — An area planned, as a whole with one site plan approval, for occupancy by three or more retail stores, light industrial uses, or professional offices with common accessory parking, that are designed, constructed, and maintained on a coordinated basis.

SHORT-TERM, IN-HOME LODGING FACILITY— Lodging for paying guests for no more than one room and no more than three guests and for no more than 15 days. (See "bed-and-breakfast.")

SIGN — Includes every sign, billboard, general sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee and canopy and shall include any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person when the same is placed out-of-doors in view of the general public.

STORAGE YARD — A building or area of land where a person, firm or corporation engaged in the construction business, or a related field, stores building materials, equipment and supplies exclusively in the business as a contractor.

STORY — The portion of a building which is between one floor level and the next higher floor level, or the roof. If a mezzanine floor area exceeds 1/3 of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is six or more feet above the finished grade. A cellar shall not be deemed to be a story if unfinished and without human occupancy.

STORY, HALF — A story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

STREET — A public or private way which affords the principal means of access to abutting properties.

TATTOO PARLOR — Any building or premises in which a tattooist lawfully conducts his or her practice of marking a body with indelible ink or pigments.

TAXI SERVICE — A service that offers transportation in motor vehicles to persons for compensation. The business may include facilities for servicing, storing, and fueling the vehicles.

TECHNICAL SCHOOL — A school established to provide for the teaching of industrial, clerical, managerial, trade, or artistic schools.

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THEATER/AUDITORIUM — A place of public assembly used for spectator presentations including movie or professional theater, indoor concert venue or other performance with temporary or permanent seating, for admission to which an entrance fee is received.

TOWNHOME — See "dwelling, row or attached."

TRAILER — Any vehicle without motive power, designed to be towed by a motor vehicle, except as defined elsewhere herein.

TRANSIENT — Temporary daily or weekly occupancy.

USE, ACCESSORY — A use that is clearly incidental to the principal use of a building or lot.

WHOLESALE — An establishment primarily engaged in the display, storage, distribution and sale of merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents or brokers and buying merchandise for or selling to such individuals or companies. Such establishments are not generally open to the general public.

YARD (FROM REAR, SIDE) — The portion of the lot between the lot line and the required setback; or if no minimum setback is required the portion of the lot between the lot line and the facade of the building.

[illegible]

Use	R-1	Low-Density Residential	Medium-Density Residential	High-Density Residential	Commercial	Industrial	Neighborhood Commercial Overlay	Conservation Development District	Broadway Corridor (BC)	Downtown Neighborhood (DN)	Waterfront Gateway (WG)	Planned Waterfront District (PWD)
Industrial												
Agriculture		S	S	S	P*	P*	Ⓢ	S				
Automobile gas station					S	S	Ⓢ					
Automobile sales					S	S	Ⓢ					
Automobile service/repair				S	S	S	Ⓢ					
Automobile wash					S	S	Ⓢ					
Boat repair						P*						S
Distribution facility/warehouse					P*	P*						
Dry cleaner; commercial laundry					P*	P*	Ⓟ		P*			
Industrial uses						P*						
Storage yard					P*	P*	Ⓢ					
Wholesale					P	P*	Ⓟ		P*			

Use	Broadway Corridor	Downtown Neighborhood	Waterfront Gateway	Planned Waterfront District
	(BC)	(DN)	(WG)	(PWD)
Residential				
Apartment house	P	P*	P*	P*
Four-family dwelling	P	P*	P*	P*
Two- or three-family dwelling	P	P	P*	P*
Row or attached dwelling (townhome)		P	P*	P*
Two-family detached dwelling		P	P*	
One-family detached dwelling		P	P*	P*
Residential care facility	P	P	P*	P*
Cooperative house	P	P	P*	P*
Accessory apartment				
Bed-and-breakfast	A;S	A;S	A;S	A;S
Short-term in-home lodging	A	A	A	
Boardinghouse				
Customary home occupation	A;S	A;S	A;S	A;S
Rooming house	S	S	S	S
Mixed use with residential	P*	P*	P*	P*
Live/work	P*	P*	P*	P*

Use	Broadway Corridor (BC)	Downtown Neighborhood (DN)	Waterfront Gateway (WG)	Planned Waterfront District (PWD)
Institutional				
Buildings, uses or facilities of any governmental unit	P*	P*	P*	P*
Cemetery	P*	P*	P*	P*
College/university	P*	P*	P*	
Community center	P*	P*	P*	P*
Parking lot	P*	S	S	S
Community parking lot	P*	S	S	S
Dormitories	A	A	A	A
Hospital	A;S	A		
House of worship	P*	P*	P*	P*
Membership club	P*	P*	P*	P*
Museum	P*	P*	P*	P*
Parks, open space, recreational facilities	P	P	P*	P*
Public libraries	P*	P*		
School of general instruction	P*	P*	P*	

Use	Broadway Corridor (BC)	Downtown Neighborhood (DN)	Waterfront Gateway (WG)	Planned Waterfront District (PWD)
Commercial				
Activity facility	P	P	P*	P*
Adult day-care facility	P	P	P*	P*
Adult uses				
Amusement center	S	S		
Animal care facility	S	S		
Assembly hall	P*		P*	P*
Bank	P		P*	
Bar	P	P*	P*	P*
Billiard parlor	P	P*	P*	
Bowling alley	P*	P*	P*	P*
Brewing of malt beverages or distilled spirits primarily for on-site consumption	P*	P*	P*	
Professional office	P	P	P*	P*
Cabaret	P	P	P*	P*
Car rental	S	S	S	
<u>Cannabis, Adult-Use On-Site Consumption</u>				
<u>Cannabis, Industrial</u>				
<u>Cannabis, Retail</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Child day-care	P	P	P*	P*
Cottage industry	P	P	P*	P*
Drive-thru (bank, restaurant, pharmacy, etc.)	P*	P*	P*	
Funeral home	P*	P*	P*	
Hotel	P*	P*	P*	P*
Laundromat	P	P		
Marina			P*	P*
Movie or professional theater, indoor concert venue	S	S	S	S
Nursing home	P*	P*	P*	P*
Office park				
Personal services	P	P	P*	P*
Restaurant	P	P	P*	P*
Restaurant, carry-out	P	P*	P*	
Restaurant, fast-food	P	P*	P*	

Use	Broadway Corridor (BC)	Downtown Neighborhood (DN)	Waterfront Gateway (WG)	Planned Waterfront District (PWD)
Commercial				
Retail, neighborhood	P	P	P*	P*
Self storage				
Shopping center				
Tattoo parlor	P	P	P*	P*
Taxi service	P*			
Technical school	S	S	S	
Industrial				
Automobile gas station				
Automobile sales				
Automobile service/repair				
Automobile wash				
Agriculture				
Boat Repair				S
Distribution facility/warehouse				
Dry cleaner; commercial laundry	P*			
Industrial uses				
Storage yard				
Wholesale	P*			

Schedule of Bulk, Area, and Parking Regulations: Commercial and Industrial Zones

Use	Commercial Use Type	Industrial Use Type	Neighborhood Commercial Overlay	Broadway Corridor Use Type	Minimum Front Yard (feet)	Minimum Side Yard Each (1) (feet)	Minimum Rear Yard (1) (feet)	Maximum Height (stories)	Maximum Height (feet)	Maximum Lot Coverage (percent)	Off-Street Parking Required (2) (number of spaces)
Activity Facility	P*	P*	P*	P	—	—	—	4	45	60%	1 per 4 people allowed during maximum occupancy
Adult day-care facility			P*	P	—	—	—	4	45	60%	1 per 300 square feet
Adult Uses	S	S			—	—	—	4	45	60%	1 per 2 people allowed during maximum occupancy
Agriculture	P*	P*	S		As determined by City Planning Board and in accordance with facility master plan						
Amusement center	P*	P*	P*	S	—	—	—			60%	1 per 200 square feet
Animal care facility	S	S	<u>P*</u>	S	—	—	—	4	45	60%	1 per 200 square feet
Assembly hall/banquet hall	P*	P*		P*	—	—	—	4	45	60%	1 per 3 people allowed during maximum occupancy

Automobile gasoline station	S	S	S		10	5	10	1	15	60%	1 per 3 gas pumps; plus parking for accessory uses
Automobile service/repair	S	S	S		10	5	10	2	25	60%	2 per repair bay
Automobile wash	S	S	S		10	5	10	1	15	60%	*
Bank	P*	A	P*	P	—	—	—	4	45	60%	1 per 300 square feet
Bar	P*	P*	P*	P	—	—	—	4	45	60%	1 per 150 square feet
Billiard parlor	P*	P*		P	—	—	—	4	45	60%	1.5 per table
Boat repair		P*			10	5	10	2	25	60%	As determined by City Planning Board
Bowling alley	P*	P*	P*	P*	—	—	—	4	45	60%	3 per lane; plus parking for accessory uses if such uses occupy more than 300 square feet
Brewing of malt beverages or distilled spirits primarily for on-site consumption	P*	P*	P*	P*	10	10	10	4	45	70%	1 per 1,000 square feet
Business or professional office; office	P	P	P <u>P*</u>	P	—	—	—	4	45	60%	1 per 300 square feet

Cabaret	S	S		P	—	—	—	4	45	60%	1 per 100 square feet
<u>Cannabis, Adult-Use On-Site Consumption</u>	<u>S</u>	<u>S</u>	—	—	—	—	—	<u>4</u>	<u>45</u>	<u>60%</u>	<u>1 per 150 square feet</u>
<u>Cannabis, Industrial</u>	<u>P*</u>	<u>P*</u>	—	—	—	—	—	<u>4</u>	<u>45</u>	<u>60%</u>	<u>1 per 150 square feet</u>
<u>Cannabis, Retail</u>	<u>P*</u>	<u>P*</u>	—	<u>S</u>	—	—	—	<u>4</u>	<u>45</u>	<u>60%</u>	<u>1 per 150 square feet</u>
Car rental	S	P*		S	10	5	10	2	25	60%	1 per 300 square feet, plus adequate parking for rental vehicles
Cemetery (3)	P*	P*	P*	P*	20	20	20	2	25	As determined by City Planning Board	
College/university				P*	As determined by City Planning Board and in accordance with facility master plan						
Cottage industry	S		P*		—	—	—	4	45	60%	1 per 500 square feet
Child day-care center	S		P*	P	—	—	—	4	45	60%	1.5 per classroom
Distribution facility/warehouse	P*	P*			10	10	10	3	35	70%	1 per 1,000 square feet
Drive-thru	P*		P*	P*	—	—	—	4	45	60%	As determined by City Planning Board
Dry cleaner/commercial laundry	P*	P*	P*	P*	10	10	10	3	35	70%	1 per 500 square feet

Funeral home	P*		P*	P*	—	—	—	4	45	60%	1 per 100 square feet or, 1 per 5 seats in chapel, whichever is greater
Hospital	A			A/S	As determined by City Planning Board and in accordance with facility master plan.						
Hotel/motel	P*			P*	—	—	—	4	45	60%	1.0 per room; plus parking for accessory uses
House of worship	P*			P*	0	20	20	4	45	70%	1 per 5 seats
Industrial uses		P*			10	10	10	3	35	70%	1 per 1,000 square feet
Membership club	S	S	S	P*	—	—	—	4	45	60%	As determined by City Planning Board
Movie or professional theater	S			S	—	—	—	4	45	60%	1 per 4 seats
Museum	S	S	S	P*	—	—	—	4	45	60%	1 per 300 square feet
Nursing home	S		S	P*	0	10	20	6	60	55%	1 per 4 beds, or as determined by City Planning Board

Park	P	P	P	P	—	—	—				As determined by City Planning Board
Parking area, community	P	P	P	P*	5	5	5	4	45		
Personal services	P	A	P <u>P*</u>	P	—	—	—	4	45	60%	1 per 300 square feet
Residential care facility				P	0	5	20	4	45	55%	0.33 per sleeping room (or as determined by City Planning Board)
Restaurant	P*	A	P*	P	—	—	—	4	45	60%	1 per 100 square feet
Restaurant, carry-out	P*	A	P*	P	—	—	—	2	25	60%	1 per 100 square feet
Restaurant, fast-food	P*	A	P*	P	—	—	—		25	60%	1 per 100 square feet
Retail store	P	A	S <u>P*</u>	P	—	—	—	2	45	60%	1 per 300 square feet
Retail, neighborhood	P	A	P <u>P*</u>	P							
Rooming house	S			S	—	—	—	4	45	60%	0.5 per boarding unit
Self storage	P*	P*			10	10	10	4	45	70%	1 per 1,000 square feet
Shopping center	P*				—	—	—	4	45	60%	1 per 300 square feet
Tattoo parlor	P			P	—	—	—	4	45	60%	1 per 300 square feet

Taxi service	S	S	§	P	10	5	10	2	25	60%	1 per 300 square feet, plus adequate parking for all fleet vehicles
Technical school	S	P*	§ <u>P*</u>	S	—	—	—	4	45	60%	As determined by City Planning Board
Wholesale	P	P*	P	P*	10	10	10	4	45	70%	1 per 1,000 square feet

NOTES:

- 1 Must also comply with § **300-53**.
- 2 Parking subject to Article **IX**
- 3 Cemetery must have a minimum lot size of 40,000 square feet.

Accessory structures and uses are permitted pursuant to § **300-31**, Accessory uses and structures, as well as the other applicable sections of this chapter.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? **Not applicable.** ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development (Entirety of Section D is N/A)

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes ☐ No ☐
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No ☐
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No ☐
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No ☐
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐
- Do existing lines serve the project site? ☐ Yes ☐ No ☐

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No ☐
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No ☐
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No ☐
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No ☐
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____</p>		
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____ _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? Yes No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action (Entirety of Section E is N/A)

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>i. If Yes: explain:</i> _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p><i>i. Identify Facilities:</i></p> <p>_____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____</p> <p><i>iii. Provide date and summarize results of last inspection:</i></p> <p>_____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Has the facility been formally closed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p>_____</p> <p>_____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p> <p>_____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p>_____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p> <p>_____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <ul style="list-style-type: none"> i. Name of aquifer: _____ 	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

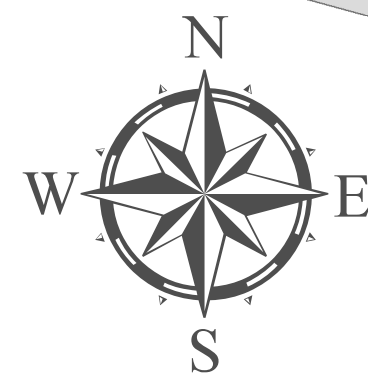
City of Newburgh Zoning Cannabis, Adult-Use On-Site Consumption (Proposed)



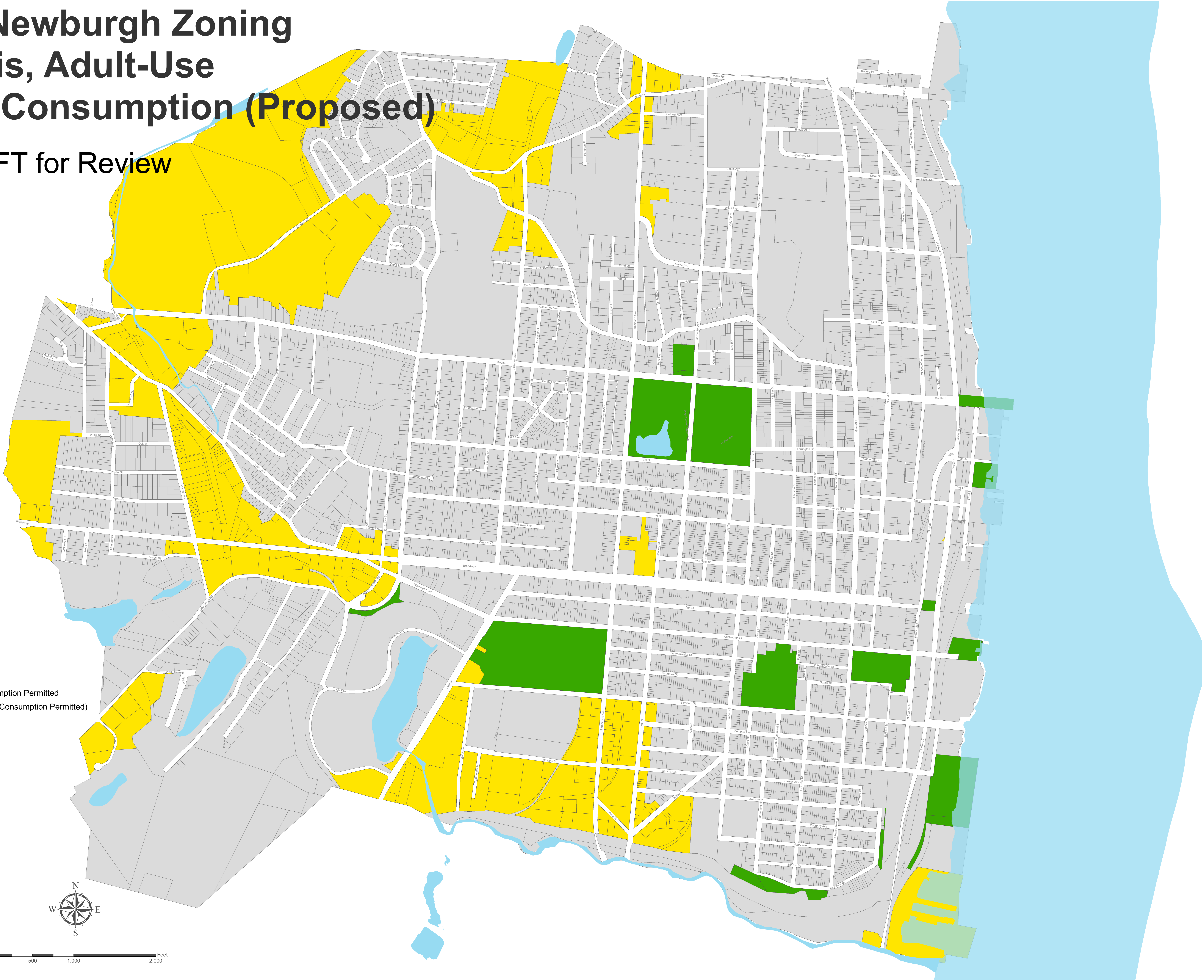
DRAFT for Review

- No Cannabis, On-Site Consumption Permitted
- Parks (No Cannabis, On-Site Consumption Permitted)
- Commercial
- Industrial

3/15/23
AC



0 500 1,000 2,000 Feet



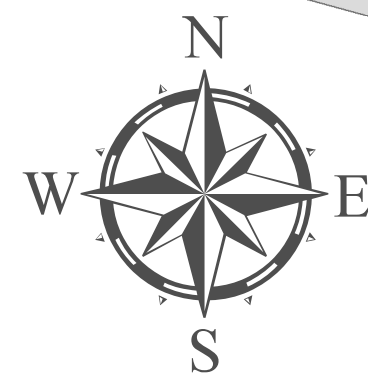
City of Newburgh Zoning Cannabis, Industrial Uses (Proposed)



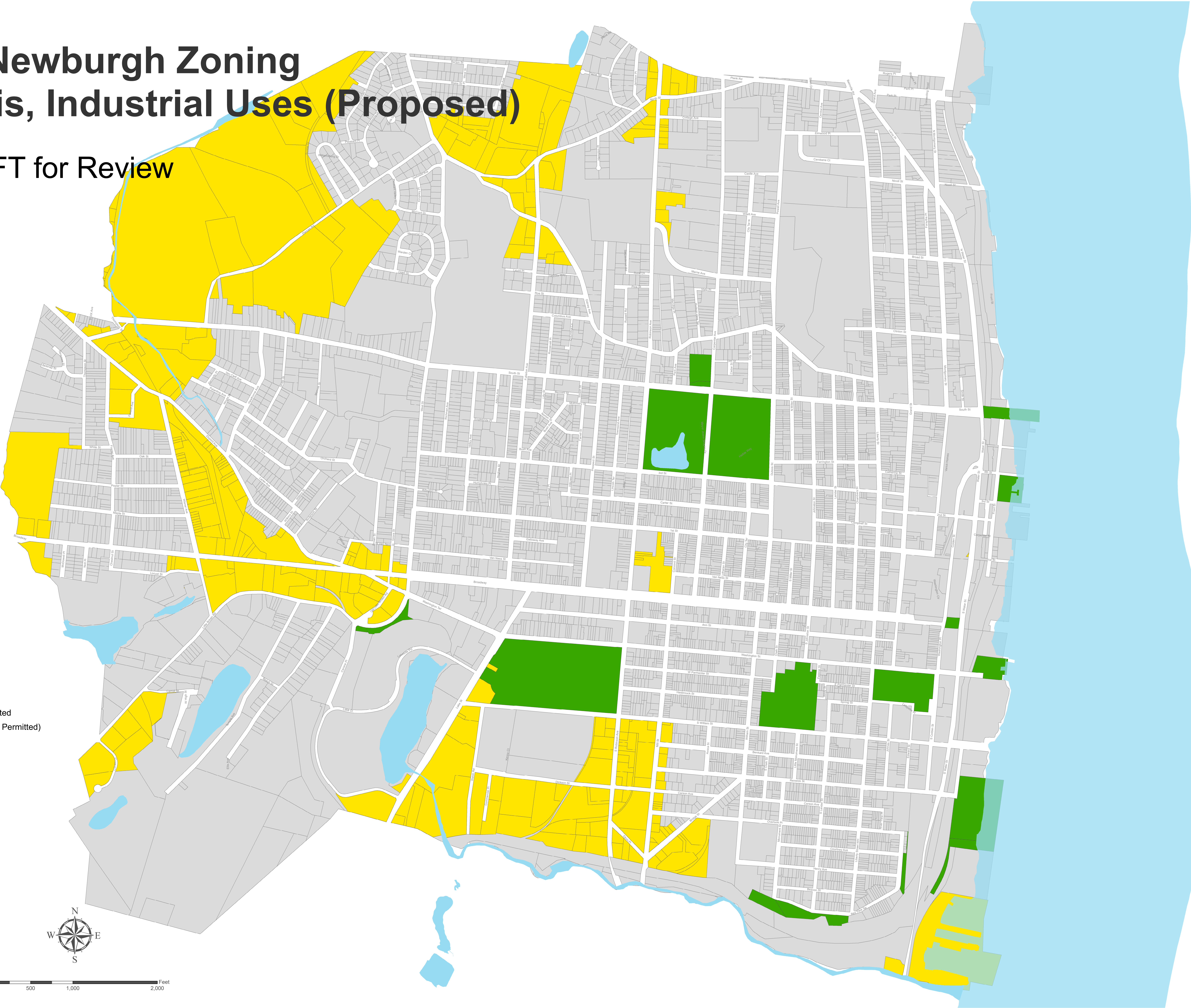
DRAFT for Review

- No Cannabis, Industrial Permitted
- Parks (No Cannabis, Industrial Permitted)
- Commercial
- Industrial

3/15/23
AC



0 500 1,000 2,000 Feet



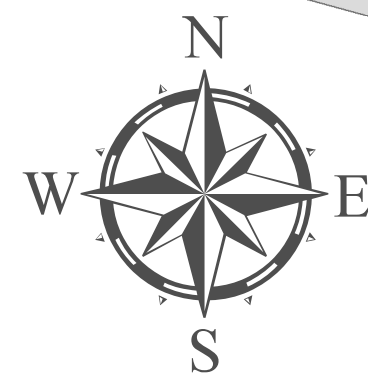
City of Newburgh Zoning Cannabis, Retail Uses (Proposed)



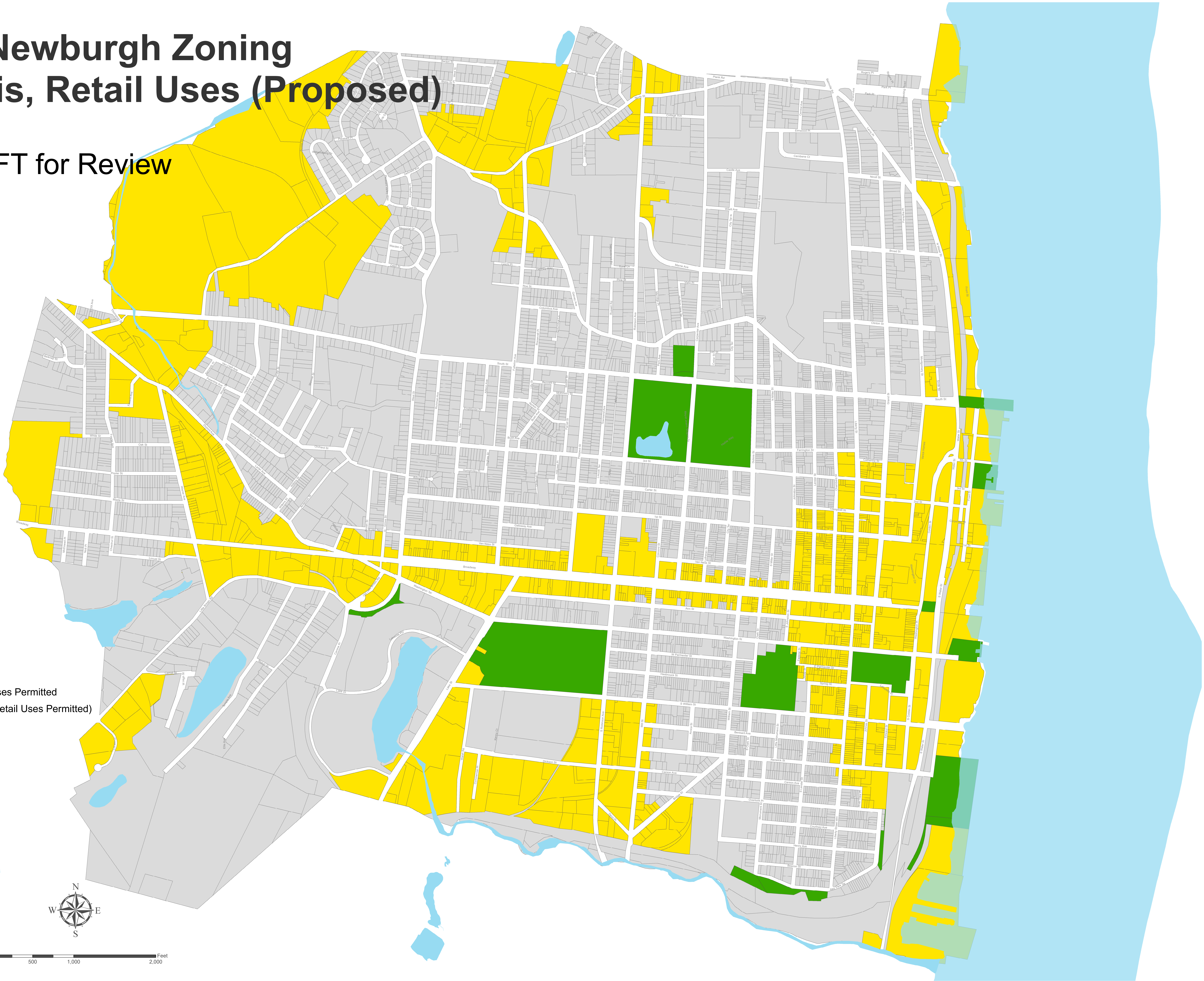
DRAFT for Review

- No Cannabis, Retail Uses Permitted
- Parks (No Cannabis, Retail Uses Permitted)
- DN
- PWD
- BC
- WG
- Commercial
- Industrial

3/15/23
AC



0 500 1,000 2,000 Feet



RESOLUTION NO.: 47 - 2023

OF

MARCH 27, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
AND EXECUTE A CONTRACT WITH JULY 4 EVER FIREWORKS, INC.
& ROCCO POLIFRONE
FOR THE 2023 CITY OF NEWBURGH FOURTH OF JULY CELEBRATION
ON TUESDAY, JULY 4, 2023 FOR THE AMOUNT OF \$16,500.00**

WHEREAS, the City of Newburgh has received a proposal from July 4 Ever Fireworks, Inc. & Rocco Polifrone for fireworks for the 2023 Fourth of July celebration on Tuesday, July 4, 2023 at a cost of Sixteen Thousand Five Hundred (\$16,500.00) Dollars; and

WHEREAS, funding for the Fourth of July celebration fireworks display shall be derived from the 2023 Budget - A.7550.0750.0000; and

WHEREAS, this Council has determined that accepting the proposal of July 4 Ever Fireworks, Inc. & Rocco Polifrone is 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 hereby is authorized to accept a proposal and execute a contract, in substantially the same form as annexed hereto with other provisions as Corporation Counsel may require, with July 4 Ever Fireworks, Inc. & Rocco Polifrone for a fireworks display for the 2023 City of Newburgh Fourth of July celebration on Tuesday, July 4, 2023, at a cost of \$16,500.00.



JULY 4 EVER FIREWORKS INC & ROCCO POLIFRONE

THIS CONTRACT AND AGREEMENT for the display of Fireworks made and concluded this 23rd day of February, 2023 by and between **JULY 4 EVER FIREWORKS INC & ROCCO POLIFRONE**, of Walden, NY (hereinafter referred to as "July 4 Ever & Rocco Polifrone"),

AND

City of Newburgh

(hereinafter referred to as "Client")

WITNESSETH: For and in consideration of the sum of One Dollar, each to the other in hand paid, receipt of which is hereby acknowledged, and of the terms and conditions hereinafter mentioned, July 4 Ever & Rocco Polifrone and Client do mutually and severally agree to perform their several and respective covenants and to comply with all terms, conditions and payments of this contract:

July 4 Ever & Rocco Polifrone agrees:

1. To furnish and deliver to Client, Fireworks to be exhibited on the following dates set forth and agreed upon at the time of signing this contract and Client agrees to pay July 4 Ever & Rocco Polifrone for the Fireworks as follows:

Display Date: July 4th, 2023

Postponement Date: July 5th, 2023

Contract amount: \$ 16,500.00 ; ~~10% due upon signing the Contract and balance due at Noon three days prior to the scheduled display date;~~ all payments shall be made by Draft, Certified Check or Wire Transfer. Checks shall be made payable to July 4 Ever, unless otherwise authorized in writing; NO CASH shall be paid to any agent or employee of July 4 Ever & Rocco Polifrone without written authority.

2. JULY 4 EVER & ROCCO POLIFRONE further agrees to furnish, sufficient trained personnel to present a display.

CLIENT further agrees:

3. To procure and furnish a suitable place to display the said Fireworks; to furnish the necessary police and fire protection; to secure all, Police, Local, and State Permits, and to arrange for any security bonds or insurance as required by law in their community

Price does not include any permit fees

The PARTIES mutually agree:

4. It is agreed and understood by the parties hereto that in the event Fireworks have been taken out and set up before inclement weather and with adequate weather prevailing, such exhibition of fireworks will be carried out in the best possible manner without any deductions from the before named compensations. Should inclement weather prevent firing of said display on the aforementioned Display Date, then it will be understood that program is postponed and will be fired on the aforementioned ~~Postponement Date, and there will be a charge to cover the cost of Postponement of 15%.~~ If there is no alternate date and the program is not fired on the aforementioned Display Date, then it will be understood the program is canceled and there will be a charge to cover the costs of cancellation of 50%.
5. July 4 Ever & Rocco Polifrone reserves the exclusive right to make modifications and substitutions provided that such changes are reasonable and necessary and do not adversely affect price, time of delivery, functional character or display performance. July 4 Ever & Rocco Polifrone reserves the right to use multiple subcontractors in the setup and licensing of the display
6. If the location of the firing site, spectator's location, parking areas of structures is deemed unsuitable or unsafe, in the discretion of July 4 Ever & Rocco Polifrone or its agents or personnel, July 4 Ever & Rocco Polifrone may refuse to fire the display until conditions are corrected. If such conditions are not corrected, July 4 Ever & Rocco Polifrone may cancel the display without further liability to the Client for such cancellation.



7. This contract shall be deemed made in the State of New York and shall be constructed in accordance with the laws of New York. The parties agree and consent to the jurisdiction of New York to determine conflicts regarding the language and payments to be made under this Contract.
8. If Client becomes bankrupt or insolvent, or if a petition in bankruptcy is filed by or against the Client or if a receiver is appointed for the Client, July 4 Ever & Rocco Polifrone may refuse to make further delivery and may terminate this contract without prejudice to the rights of July 4 Ever & Rocco Polifrone . If the Client's financial conditions become unsatisfactory to July 4 Ever & Rocco Polifrone , July 4 Ever & Rocco Polifrone , may require the balance of the purchase price to be deposited in escrow or the Client to provide sufficient proof of its ability to pay the balance of the contract price. Client is not entitled to recover incidental or consequential damages in connection with any breach of this Contract.
9. If Client fails to pay the monies due under this contract, July 4 Ever & Rocco Polifrone is entitled to recover the balance due plus interest at 1-1/2% per month on amounts past due 60 days or more. Further, on balance outstanding of 120 days or more, July 4 Ever & Rocco Polifrone is entitled to recover the balance due, plus accrued interest, plus attorneys fees of 10% of the amount past due, plus court costs.
10. This Contract shall not be construed to create a partnership between the parties or persons mentioned herein.
11. In the event of fire, accident, strikes, delay, flood, act of God or other causes beyond the control of July 4 Ever & Rocco Polifrone , which prevent delivery of said materials, the parties hereto release each other from any and all performance of the covenants herein contained and from damages resulting from the breach thereof.
12. Client agrees to hold harmless July 4 Ever & Rocco Polifrone for any and all actions, claims, and legal fees incurred outside the operations or control of July 4 Ever & Rocco Polifrone . July 4 Ever & Rocco Polifrone agrees to hold harmless client for any and all actions, claims, and legal fees incurred outside the operations of the client.
13. _____

IN WITNESS WHEREOF, we set our hands and seals to the agreement in duplicate the day and year first above-written.

For CLIENT:

For: JULY 4 EVER FIREWORKS INC & ROCCO POLIFRONE

Dated: _____

Dated: _____

Please sign contract where indicated for Client and return all copies for final acceptance to:

**July 4 Ever &
Rocco Polifrone
382 Rock Cut Road
Walden, NY 12586
845/564-0184 FAX 845/566-3715**

July 4 Ever & Rocco
Polifrone
382 Rock Cut Rd, Walden, NY 12586
Tel: 845-564-0184 Fax: 845-566-3715

Communication Sheet

PLEASE COMPLETE THIS FORM AND RETURN IT WITH YOUR SIGNED CONTRACT

CUSTOMER INFORMATION

NAME: CITY OF NEWBURGH, NY

ADDRESS: 83 BROADWAY
NEWBURGH, NY 12550

FIRING SITE INFORMATION

LOCATION: 2 WASHINGTON STREET
ADDRESS: NEWBURGH, NY 12550

CONTACT: GEORGE GARRISON
(ONE)

PHONE: 845-656-2967

CONTACT PERSON

NAME: ROBERT VAN VLACK

ADDRESS: 83 BROADWAY
NEWBURGH, NY 12550

PHONE: 845-569-7395

FAX:

CELL:

E-MAIL: rvanvlack@cityofnewburgh-ny.gov

SHOW INFORMATION

DATE: TUESDAY, JULY 4, 2023

RAIN DATE: WEDNESDAY, JULY 5, 2023

TIME: 9:00 P.M.

STORAGE SITE INFO

LOCATION:

ADDRESS:

SECURITY YES OR NO (CIRCLE

ALTERNATE CONTACT

NAME: JANICE GASTON

ADDRESS: 83 BROADWAY
NEWBURGH, NY 12550

PHONE: 845-569-7319

FAX:

CELL:

E-MAIL: jgaston@cityofnewburgh-ny.gov

Proposal for a \$16,500 Fireworks Display Designed Exclusively For:

City of Newburgh

Tuesday, July 4th 2023

Opening Barrage

3- Extra loud Maximum Load Titanium Salutes

**100 shot mid level barrage of Glittering palm trees followed by mid level
thunderous reports
followed by:**

**80 High Altitude Large Breaking Aerial Display Shells
Including:**

40 – 2.5” Extra Loud Titanium Salutes followed by

40 – 2.5” Red, White and Blue Shells with Chrysanthemum and Peony Effects

All of these shells will be fired in a finale style rapid sequence.

Main Display – 3” Diameter Shells

**200 Assorted American and Imported Shells
Including many special effects Colors and Styles such as:**

Color Changing shells

Wave shells

Dragon Eggs shells

Whistles shells

Hummers shells

Ring shells

Palm Tree shells

Multi Report shells

Chrysanthemum shells

Peony shells

And also will Include 2 and 3 Break shells such as:

Color and Color shells

Color and Palm tree shells

**Triple Break Red White and Blue, Red White and Green, and our
special Red, Blue and Heavy Report shells**

Also included, our famous Multi Break Heavy Report Shells

Such as:

Color and Heavy Report

Thunder and Heavy Report

Serpents and Heavy Report

Whistles to Heavy Report

**Many of the above 3” shells will be connected together in flights of three
and four, fired at the same time.**

Main Display – 4” Diameter Shells

140 Assorted American and Imported Shells

Including many Special Colors, Styles and Effects such as:

**Chrysanthemums
Peonies
Color Changing Shells
Multiple Reports
Whistles
Strobeing Shells
Palm Trees
Willows
Fish
Crossettes
Waterfall in the sky
Rings
Double Rings**

And also Include Multi Break Shells such as:

**Color and color
Color and Palm Tree
Fish and Whistle
Whistles to Report
Color and Heavy Report
Thunder and Heavy Report
Color and 5 time Heavy Reports**

**Many of the above 4” shells will be connected together in flights of three
and fired at the same time.**

Main Display 5” Diameter Shells

**96 Assorted American and Imported Shells
Including Many Styles, Colors, Shapes and Effects such as:**

**Chrysanthemums
Peonies
Color Changing Shells
Multiple Reports
Whistles
Strobeing Shells
Palm Trees
Willows
Fish
Crossettes
Waterfall in the sky
Rings
Double Rings
Falling Leaves**

Shaped Shells are also included in 5” shells such as:

**Hearts
Stars
Butterflies
Hour Glass
Saturn Shells
Stacked Rings**

Along with multiple break shells such as:

**Shell of Shells
Chrysanthemum with 5 time Reports
Color and Color
And our Thunder / Heavy Report Shell**

Many of the above shells will be connected together in flights of two and three shells to be fired at the same time.

Mid Level Display

Approximately halfway thru the main display a 200 shot mid level display of spectacular special effects will erupt into the sky from multiple locations having the spectators thinking the show is over, BUT in fact its really JUST BEGINNING!

Famous Grand Finale

The Finale section begins with a mid level finale style barrage of over 200 shots of pure excitement. The sky fills with color, whistles, crackling and loud thunderous booms.....

until the real GRAND FINALE begins!

The Grand Finale

40 – 2.5” Palm trees with rising tails of gold and silver

40 - 2.5” Assorted color and effect shells Peonies, Chrysanthemum in Red, White and Blue.

120 – 2.5” Alternating Color and Salute Shells, mixing assorted colors with noise.
Followed by:

60 – 3” assorted color and thunder shells as the finale builds Larger and Higher!

60 – 4” assorted color and thunder shells as the finale builds in intensity and size going Higher and Higher!

The Sky Erupts with

20 – 5” Massive HUGE Color Blast and Deafening ROAR

just before

130 – Extra loud Maximum Load Salutes Shatter the sound barrier.
After the deafening roar the sky will explode in a final barrage of beautiful long lasting willows

Total of at least 1500 aerial shells in this display

Display duration of approximately 20 minutes

July 4 Ever & Rocco Polifrone

Summary Sheet of the July 4th 2023

Fireworks Display Designed

For:

City of Newburgh

Greenwood Lake NY	<2" CAKE SHOTS	2.5"	3"	4"	5"	TOTAL
OPENING BARRAGE	100	80	6	0	0	186
MAIN BODY	0	0	200	140	96	463
MID SHOW	200	0	0	0	0	200
GRAND FINALE	200	240	120	96	26	684
TOTAL	500	320	326	236	122	1533

CONTENT SUBJECT TO REDESIGN

We reserve the right to make substitutions of equal or greater value in the products, types, quantities and sizes listed herein as long as such substitution in no way reduces the value of the program listed herein. The cost of this program is based on the value of shells and effects and not on shell count. Different items of the same size may have significantly different value, therefore a fireworks program can never be valued on shell count alone. Prices and specifications are subject to change without notice.

ESPOSITO ANTHONY.SALVATOR
464 LIVERMORE AVE
STATEN ISLAND, NY 10314

Sex M Height 5'-08" Eyes BRO
DOB **06/23/1975**
Expires **06/23/2027**
E NONE
R B
Issued 04/23/2019

543 796 839
Class D

ANTHONY

EXCELSION

Signature: Anthony Esposito

ISSUED 08/15/2022 EXPIRES 09/09/2023



NAME ANTHONY S ESPOSITO
HOME 464 LIVERMORE AVE
ADDR. STATEN ISLAND, NY 10314-2178

**NOT
FDNY
EMPLOYEE**

FEE \$ 5 CAT. E18 TYPE Fitness
DESC. PYROTECHNIC SPECIAL EFFECT

Signature: Anthony Esposito

EMPLOYER JULY 4 EVER INC
WORK
LOCATION ,

STATE OF NEW YORK - DEPARTMENT OF LABOR
EXPLOSIVES LICENSE - DEALER MANUFACTURER



ANTHONY ESPOSITO
JULY 4 EVER FIREWORKS, INC.

THIS CARD MUST BE CARRIED TO
PURCHASE, SELL, MANUFACTURE,
OWN, POSSESS OR TRANSPORT
EXPLOSIVES

LIC# D-5169
EXPIRES 06/23

NOT VALID IN NEW YORK CITY

STATE OF NEW YORK - DEPARTMENT OF LABOR
PYROTECHNICIAN CERTIFICATE OF COMPETENCE



ANTHONY S ESPOSITO

CLASS: A
ANY DISPLAY

THIS CARD MUST BE CARRIED
WHEN USING PYROT

CERT# PR-236
EXPIRES 03/25

NYC & NYS CERTIFICATIONS REQUIRED IN NYC

RESOLUTION NO.: 48-2023

OF

MARCH 27, 2023

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO
RYM INVESTMENTS, LLC TO THE PREMISES KNOWN AS
10 GALLOWAY AVENUE (SECTION 28, BLOCK 1, LOT 66)**

WHEREAS, on April 18, 2007, the City of Newburgh conveyed property located at 10 Galloway Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 28, Block 1, Lot 66, to the RYM Investments, LLC (by Ralph Mayorga, Member); and

WHEREAS, the current owner, Vincent Cianni, by his attorney, has requested a release of the restrictive covenants contained in the deed from the City of Newburgh; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh and its further development 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 10 Galloway Avenue, Section 28, Block 1, Lot 66 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 April 18, 2007, from THE CITY OF NEWBURGH to RYM INVESTMENTS, LLC, recorded in the Orange County Clerk's Office on May 1, 2007, in Liber 12429, Page 1872 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: _____, 2023

THE CITY OF NEWBURGH

By: _____
Todd Venning, City Manager
Pursuant to Res. No.: _____-2023

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

On the ____ day of _____ in the year 2023, 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.: 49 - 2023

OF

MARCH 27, 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH, NEW YORK
AMENDING RESOLUTION NO. 227-2020 TO AUTHORIZE THE CITY MANAGER
TO REPURPOSE FUNDS AWARDED IN A PHASE II GRANT FROM
THE NEW YORK STATE ANTI-DISPLACEMENT LEARNING NETWORK
FROM ENTERPRISE COMMUNITY PARTNERS AND
THE OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL
TO A GUARANTEED BASIC INCOME DEMONSTRATION PROJECT**

WHEREAS, pursuant to Resolution No. 301-2019 of November 21, 2019, the City of Newburgh was awarded and entered into the New York State Anti-Displacement Learning Network Phase 1 from the Office of the New York State Attorney General and Enterprise Community Partners, Inc. and through the program engaged as partners the Newburgh Ministry, Legal Services of the Hudson Valley and Community Voices Heard; and

WHEREAS, pursuant to Resolution 227-2020 of September 28, 2020, the City of Newburgh was awarded and entered into the Phase II New York State Anti-Displacement Learning Network from the Office of the New York State Attorney General and Enterprise Community Partners, Inc. and through the program completed strategies to minimize risk of immediate displacement due to COVID-19 with its partners the Legal Services of the Hudson Valley and Community Voices Heard; and

WHEREAS, there remains Phase II New York State Anti-Displacement Learning Network Grant program funds in the amount of \$520,000 which can be directed to the creation and implementation of a guaranteed basic income demonstration project as a strategy that addresses systemic displacement triggers and challenges racial inequities and disrupts white dominant structures; and

WHEREAS, this Council has determined that implementing a guaranteed basic income demonstration project is in the best interests of the City of Newburgh and its further development without displacement;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh be and hereby amends and supersedes Resolution No. 227-2020 of September 28, 2020; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to implement a guaranteed basic income demonstration project with the Phase II New York State Anti-Displacement Learning Network grant funding from the Office of the New York State Attorney General and Enterprise Community Partners, Inc.

CITY COUNCIL WORK SESSION | MARCH 23, 2023

**Guaranteed Basic Income
Demonstration**

Presentation Outline

- Background
- Overview of Guaranteed Basic Income (GBI) Program
- Anticipated Project Outcomes
- City of Newburgh Needs Assessment
- How GBI works
- Necessary Implementation Actors and Roles
- Program Design Recommendations
- Council Direction

Overview of Guaranteed Basic Income

Typically, flat monthly payments are provided to a qualified population

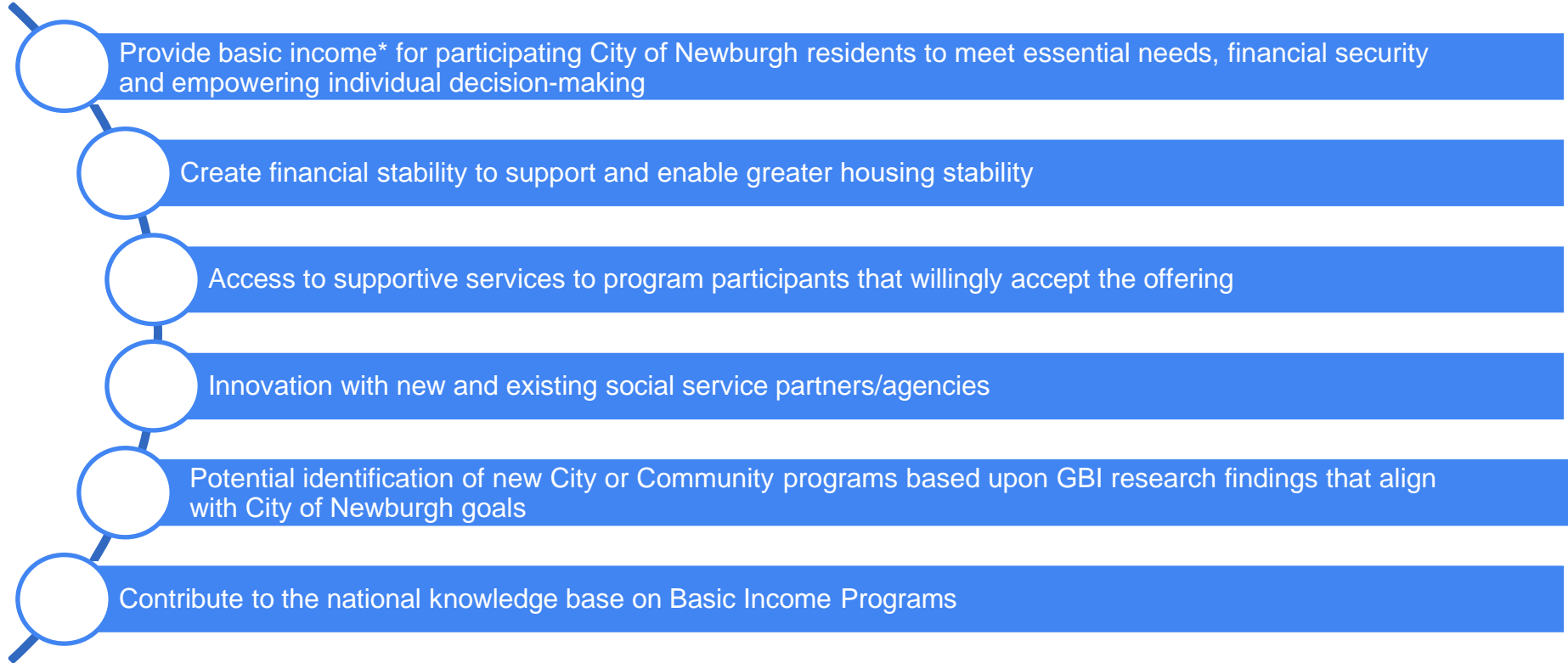
CON-GBI Pilot program goals: prevent displacement, reduce evictions, build financial/economic resiliency, and equity

Direct payment most effective because it is fast, flexible, and fills the gaps that other assistance programs are missing

City program will be a demonstration pilot, able to provide useful qualitative findings

Limited resources and an end date to the current funding source

Anticipated Project Outcomes



* Research by the Jain Family Institute found there is little evidence that cash transfers decrease the motivation to work, and they do not lead to spending on nonessential items

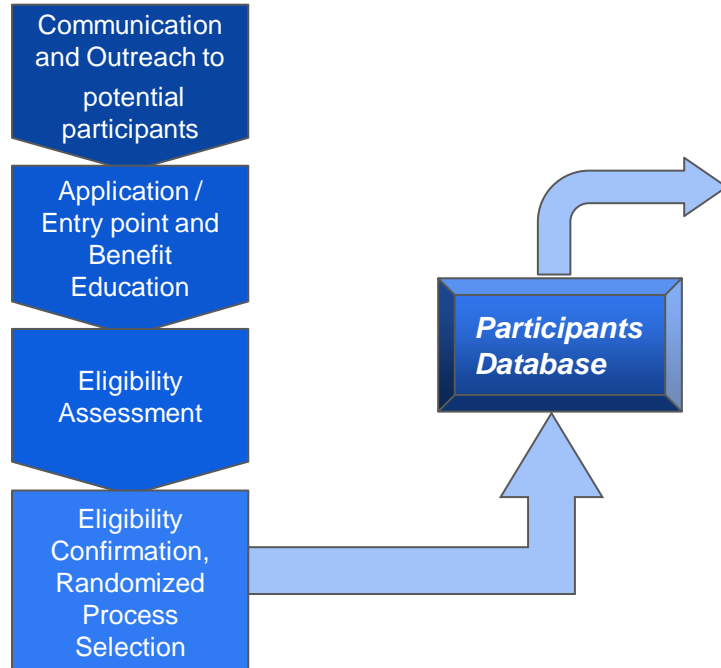
City of Newburgh Needs Assessment

Income Level	Income Limits by Household Size			
	1	2	3	4
Low-Income (LI): <80% of Area Medium Income	\$62,600	\$71,550	\$80,500	\$89,400
Very Low-Income (VLI): <50% of the Area Median Income	\$39,350	\$45,000	\$50,600	\$56,200
Extremely Low-Income (ELI): <30% of Area Median Income	\$23,600	\$27,000	\$30,350	\$33,700

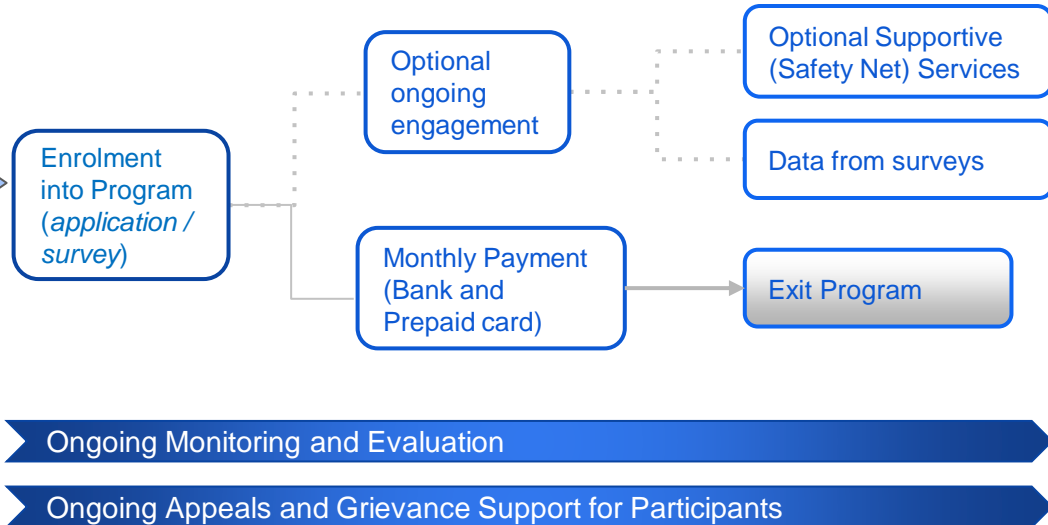
- Extremely Low-Income (ELI) <30% of Area Median Income: Approximately 4,000 households.

How GBI Works*

Process for Outreach, Application and Eligibility Determination

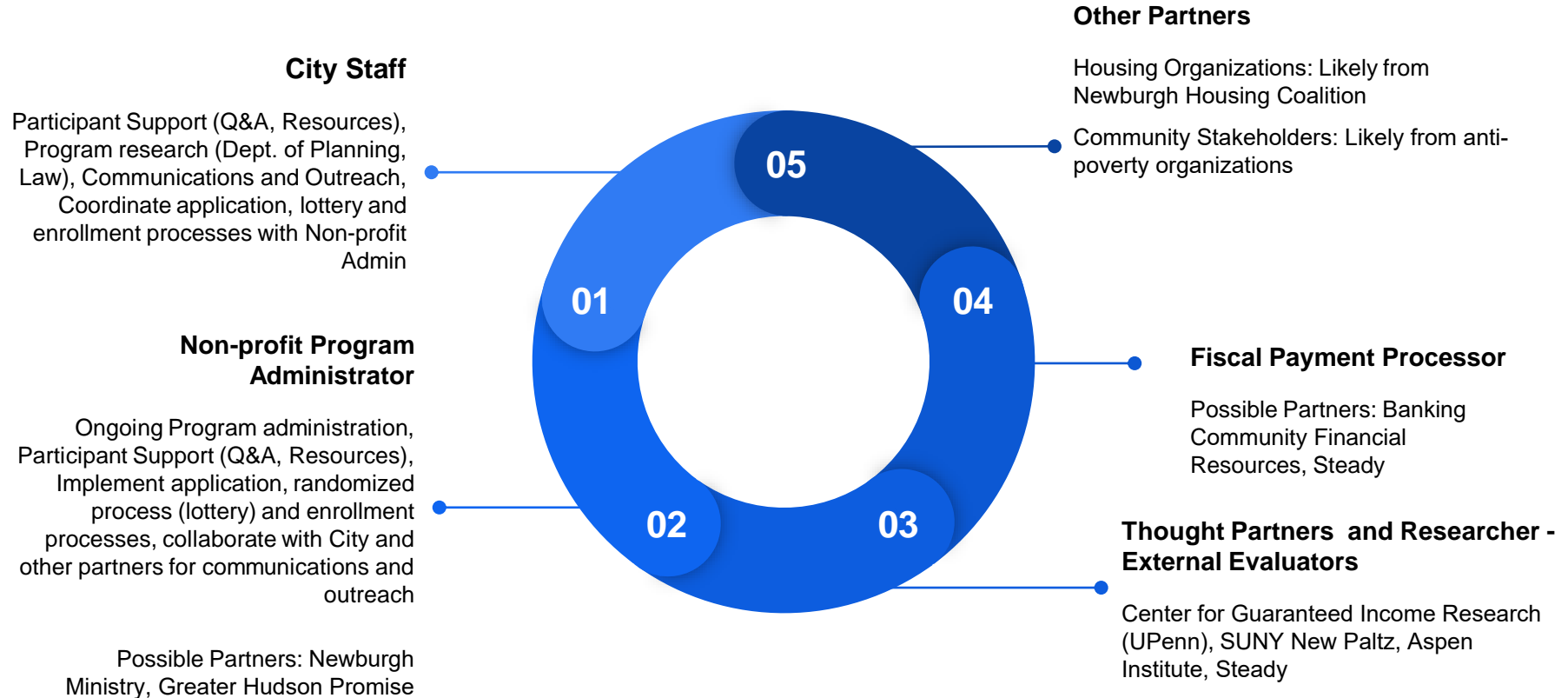


Process for Implementation



Ongoing Benefits Education and Safety Net Access (Optional) for Participants

Multiple Implementation Actors and Roles



Program Design Recommendations

	Mechanics	Recommended Program
Program Design	Centered on providing broad access assistance to individuals/households with Extremely Low Income. 100 Participants to receive payments and 100 Control Group participants	<ul style="list-style-type: none"> • Resident of City of Newburgh regardless of status; unhoused eligible • Income at or below the HUD Extremely Low Income limit for Orange County 2022 • Over the age of 18 at the time of the application • Plus Weighted Criteria
Disbursement Amount	\$300 - \$400 per month	\$350 distributed to 100 people
Program Length	12 months	For consideration: extending program by an additional year with Council direction for additional program funds (and longer if donations)
Disbursement Options	Debit card (assistance for the un-banked will be provided)	Payment disbursement on the 15 th of the month
Supportive Safety-Net Services	Ongoing optional service during Program for participants and includes benefits counseling, linkages to applicable social safety-net programs, and financial coaching	Services offered by non-profit program administrator and fiscal payment processor as part of program

Program Design Recommendations cont.

	Mechanics	Recommended Program
Benefit Conservation Fund	Flexibly scaled based on assessment of impacts to participants' benefits and potential waivers obtained	Estimated range can be low-to-high \$5,000 to \$20,000
Incentives for participation	<p>Incentives provided to participants to encourage ongoing survey engagement</p> <p>Stipends to lived experience interviews for providing feedback on program design</p>	Incentives for survey participation and stipends to lived experience interviews and Control Group
Research Design	Optional core survey followed by surveys during and after the program, survey data analysis, research and evaluation for contributing qualitative data to the important policy debate and pursuing benefit waivers	One-time cost for program

Council Direction

Does Council agree with the staff recommendations for goals, design, and anticipated outcomes for the GBI Demonstration Project?

GBI Project Timeline

Fall 2022 – Present

Initial Planning for a GBI Project

- Research Best Practices
- Develop Project design recommendations
 - Project Budget
 - Participant Criteria
 - Selection Process – Weighted Lottery
 - Disbursement Process
 - Project Administration
 - Research Component
 - Community Engagement Plan
- Determine Project Partner and Vendor Pool
 - Bank Card Companies – Mastercard List
 - Program Administration – Local CBOs
 - Website Development – HV Tech Community
 - Researcher - Colleges

March 2023

Project Pre-Launch Actions

- Project Design Finalized
- Draft Community Engagement Elements
- Draft RFPs
- Council Adoption of Project

April - May 2023

Prepare for Launch

- Select Project Partners – RFPs, Evaluation
- Onboard Project Partners – Selection, Agreements
- Community Engagement Implementation

June 2023

Proposed Launch

(Best practices - minimum of a quarter from launch to end of enrollment period)

- Application Period: Announce, Apply Sites Open, Close
- Selection Period: Verifications, Weighted Lottery
- Enrollment Period: Counseling, Wait List, Agreements
- Disbursement Processing: \$ Upload, Bank Cards Sent

August/Sept 2023

Program Implementation

- Monthly payments start (12 consecutive)
- Ongoing benefits education and counseling
- Ongoing financial counseling
- Optional Research Activity – surveys & interviews
- Program Oversight Review
- Regular Updates – CM, CC, Community

June – August 2024

Program Closing

Counseling on closing preparation (3 months prior to last monthly payment)

- Exit Surveys/Interviews
- Transition counseling
- Data Collection
- Vendor Wrap-up

September 2023 – 2024

Research & Evaluation

- Survey – 6 months after last payment
- Analysis of survey responses
- Data evaluation
- Applications for benefits waivers
- Reports
- Presentations
- Next Steps

City of Newburgh - UBI

With Research Component

Initiative Amount			\$ 520,000.00	\$ 500,000.00
Program Costs				
Bank Card Disbursement Fee		5%	\$ 26,000.00	\$ 25,000.00
Bank Cards	150 = Includes Lost Cards	2.5	\$ 375.00	\$ 375.00
Bank Card Branding		2500	\$ 2,500.00	\$ 2,500.00
Website Development		5000	\$ 5,000.00	\$ 5,000.00
Researcher/Admin. Asst.	Documentation/ Video Interviews	5000	\$ 5,000.00	\$ 5,000.00
Program Administrator		40000	\$ 40,000.00	\$ 40,000.00
Public Engagement	Town Hall Meetings	1500	\$ 1,500.00	\$ 1,500.00
Control Group Expenses	Incentive Pmts for 4 Surveys/Interviews	12500	\$ 12,500.00	\$ 12,500.00
Hold Harmless Fund	Unintended Consequences	20000	\$ 20,000.00	\$ 20,000.00
			\$ 112,875.00	\$ 111,875.00
Disbursement Fund			\$ 407,125.00	\$ 388,125.00
Annual Disbursement	100 Individuals over 12 months	100	\$ 4,071.25	\$ 3,881.25
Monthly Disbursement	Over 12 months	1	\$ 339.27	\$ 323.44

No Research Component

Initiative Amount			\$ 520,000.00	\$ 500,000.00
Program Costs				
Bank Card Disbursement Fee		5%	\$ 26,000.00	\$ 25,000.00
Bank Cards	150 = Includes Lost Cards	2.5	\$ 375.00	\$ 375.00
Bank Card Branding		2500	\$ 2,500.00	\$ 2,500.00
Website Development		5000	\$ 5,000.00	\$ 5,000.00
Program Administrator		40000	\$ 40,000.00	\$ 40,000.00
Hold Harmless Fund	Unintended Consequences	20000	\$ 20,000.00	\$ 20,000.00
			\$ 93,875.00	\$ 92,875.00
Disbursement Fund			\$ 426,125.00	\$ 407,125.00
Annual Disbursement	100 Individuals		\$ 4,261.25	\$ 4,071.25
Monthly Disbursement	Over 12 months		\$ 355.10	\$ 339.27

Application Criteria

To qualify for the program, the applicant must meet the below three (3) criteria.

1. Resident of the City of Newburgh living in permanent or supportive housing.
2. Over the age of 18.
3. Family income does not exceed the below criteria:

Family Income Criteria ¹								
Family Size (Persons)	1	2	3	4	5	6	7	8
Income (USD)	\$23,600	\$27,000	\$30,350	\$33,700	\$36,400	\$39,100	\$41,910	\$46,630

Note: Not more than one (1) application per household may be selected to participate in the Guaranteed Basic Income program.

Required Documentation

The following documentation is required for *every* application. All application must meet documentation requirements for proof of identification, residency, family income², and family household³ size.

Proof of Identification and Residency

The applicant must provide verification of identify and residency in the City of Newburgh. The applicant must submit at least **one** of the following:

- ✓ Copy of the applicant's driver's license **OR**
- ✓ State-issued non-driver identification card **OR**
- ✓ City of Newburgh Municipal Identification Card.

****For individuals who do not have any of the above documents****

The applicant and all family members that cannot provide the above documentation shall be required to attain four points of identification by producing at least one of the following documents from List One (four points), current or expired not more than five years prior to the

¹ The family income listed in this chart is the FY 2022 Extremely Low Income Limits for the Poughkeepsie-Newburgh-Middletown Metropolitan Statistic Area. For more information, please see Appendix A.

² **Family Income:** Reported income from all sources for the householder and other household members related to the householder

³**Family:** All persons living in the same household who are related by birth, marriage or adoption.

date of the application, **or** one document from List Two (three points) along with one document from List Three (one point).

List One (four-point documents): United States or foreign birth certificate; United States or foreign passport; United States state driver's license; United States state identification card; United States permanent resident card; a consular identification card; a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for reentry to the issuing country; a national identification card with photo, name, date of birth, and expiration date; a foreign driver's license; United States or foreign military identification card; a current visa issued by a government agency.

List Two (three-point documents): United States citizenship and naturalization certificate; United States federal government or tribal-issued photo ID; state veterans ID with photo.

List Three (one-point documents): Social security card; EBT card; high school or college diploma; ITIN (individual taxpayer identification number) card or authorization letter (must be accompanied by an ID with a photograph); voter registration card.

Proof of Family Household Size

The applicant must provide verification of family size. Please submit **one** of the following documents:

- ✓ Copy of medical card **OR**
- ✓ Birth certificates for each family member **OR**
- ✓ Landlord statement/copy of lease showing family size **OR**
- ✓ Letter from social services verifying family size **OR**
- ✓ School letter verifying enrollment for all household members attending school

Proof of Family Income

The applicant must provide verification of family income. Please submit **one** of the following documents for both the applicant and for any individuals living in the household with an earned income:

- ✓ Copy of the W-2 form from the year 2022 **OR**
- ✓ Paystubs issued within the last three (3) months **OR**
- ✓ Regular bank statements showing income level **OR**
- ✓ Employer statement **OR**
- ✓ Housing Authority Verification **OR**
- ✓ Pension statement **OR**
- ✓ Public assistance records **OR**
- ✓ Social Security Benefits records **OR**
- ✓ Unemployment Insurance Documents

Weighted Factors

For each weighted factor met, the application will receive an additional point. A maximum of five (5) additional points can be achieved for an application.

1. Within the last twelve (12) months, has moved from homelessness to permanent or supportive housing.
2. Within the last twelve (12) months, has received notice of intent to evict; a threat to vacate property due to nonpayment of rent; or an intent to not renew the lease.
3. Within the last twelve (12) months, thirty (30) percent or more of household income goes to housing costs.
4. Head of household with no spouse present, and a child under the age of 18.
5. Senior (65 years of age or older)

Proof of Weighted Factors

The following documents may be submitted to show proof of a weighted factor. The applicant should only submit relevant documents for the weighted factor in which the individual/family meets.

- ✓ A reference letter from the institution providing permanent or supportive housing stating that the individual has moved from homelessness to permanent or supportive housing within the last twelve (12) months.
- ✓ A copy of a notice to terminate or not renew tenancy; or a 14-day notice of nonpayment; or any other type of eviction notice that may have been received.
- ✓ A copy of a current lease agreement or mortgage showing monthly housing costs.

APPENDIX A



FY 2022 INCOME LIMITS DOCUMENTATION SYSTEM

[HUD.gov](#) [HUD User Home](#) [Data Sets](#) [Fair Market Rents](#) [Section 8 Income Limits](#) [MTSP Income Limits](#) [HUD LIHTC Database](#)

FY 2022 Income Limits Summary

Selecting any of the buttons labeled "Click for More Detail" will display detailed calculation steps for each of the various parameters.

FY 2022 Income Limit Area	Median Family Income Click for More Detail	FY 2022 Income Limit Category	Persons in Family						
			1	2	3	4	5	6	7
Poughkeepsie-Newburgh-Middletown, NY MSA	\$115,700	Very Low (50%) Income Limits (\$) Click for More Detail	39,350	45,000	50,600	56,200	60,700	65,200	69,700
		Extremely Low Income Limits (\$)* Click for More Detail	23,600	27,000	30,350	33,700	36,400	39,100	41,910
		Low (80%) Income Limits (\$) Click for More Detail	62,600	71,550	80,500	89,400	96,600	103,750	110,900

NOTE: Orange County is part of the **Poughkeepsie-Newburgh-Middletown, NY MSA**, so all information presented here applies to all of the **Poughkeepsie-Newburgh-Middletown, NY MSA**.

The **Poughkeepsie-Newburgh-Middletown, NY MSA** contains the following areas: Dutchess County, NY; and Orange County, NY.

* The FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to be the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as [established by the Department of Health and Human Services \(HHS\)](#), provided that this amount is not greater than the Section 8 50% very low-income limit. Consequently, the extremely low income limits may equal the very low (50%) income limits.

Income Limit areas are based on FY 2022 Fair Market Rent (FMR) areas. For information on FMRs, please see our associated FY 2022 [Fair Market Rent documentation system](#).

For last year's Median Family Income and Income Limits, please see here:

[FY2021 Median Family Income and Income Limits for Poughkeepsie-Newburgh-Middletown, NY MSA](#)

Select a different county or county equivalent in New York:

New York County

Niagara County

Oneida County

Onondaga County

Ontario County

Orange County

Select county or county equivalent

Select any FY2022 HUD Metropolitan FMR Area's Income Limits:

Poughkeepsie-Newburgh-Middletown, NY MSA

Select HMFA Income Limits Area

Or press below to start over and select a different state:

Select a new state

City of Newburgh – Guaranteed Income Demonstration

Per Guaranteed Income Community of Practice - Nomenclature

GBI = Guaranteed Basic Income

- Targeted population or universal but focused on those with the greatest need
- Individual or Household
- No conditions on payments
- Amount disbursed varies, but intended to provide participants an income floor
- Frequency of disbursements usually monthly but could be more or less frequent

Demonstration Projects:

- Modeling a program or policy to illustrate its design and political and administrative feasibility or impact.
- Informs and inspires replication or adoption of a similar program or policy design.
- Communicates how a program or policy design can be implemented.
- Generates insights for an external audience.
- Influence adoptions or shape the practices of an emerging field.

Model Demonstration Project

Stockton SEED – launched in February 2019 by former Stockton, CA Mayor Michael Tubbs – was the nation’s first mayor-led basic income program. SEED gave 125 randomly selected residents from low-income neighborhoods \$500 per month, with no strings attached and no work requirements for 24 months. The research team from Univ. of Tennessee and UPenn found that participation in SEED was associated with: increased full-time employment, reduced income volatility, improved health and well-being, reduced depression and anxiety and diminished feelings of financial scarcity and new opportunities for self-determination, choice, goal-setting and risk-taking.

Research and Evaluation Methodology

1. Quantitative methods: gather a range of numerical data, such as how much money is spent on food etc, as well as data that converted to numbers, such as participant’s stress level, measured on a scale of 1 to 10.

Randomized controlled trial: requires a relatively rigid study design, including randomization of cash-payment participants (the treatment group) and non-participants (the control group). Use a pre-analysis plan defining measurements and analyses including pre and post program surveys.

2. Qualitative methods: include focus groups, in-depth interviews, observation, and historical documents for generating non-numerical data to understand people's beliefs, experiences, attitudes, behavior, and interactions with others.
3. Administrative data: tax, employment, education, or census information are examples of administrative data that can be used to monitor long-term impacts on participants beyond the period of a randomized-controlled trial evaluation.
4. Public perception surveys: Measures the policy support before and after the demonstration.

We aim to take a mixed-method approach to leverage the opportunity presented with this demonstration.

Our demonstration evaluates whether GBI prevents displacement of HUD Extremely Low Income City of Newburgh residents.

Displacement = loss of available safe and affordable housing situations in one's immediate community.

Grant Funds must address displacement triggers and help populations most at risk of displacement – mitigate or prevent displacement.

We will have rent payment date and can see corresponding use of the bank card.

Primary Investigation:

Did the participants facing eviction threat avoid eviction?

1. Paid back rent
2. Kept current with rent
3. Received legal services

Track unpaid and late rent payments & utilities.

Data per Application:

Monthly Expenditures Amounts Payment Due Dates Are you in arrears now? If yes, how much? \$____

Have you been late in paying your rent in the last 12 months?

How long have you been at this address?

How do you pay your rent? Cash Money Order Check Venmo Cashapp Zelle

How do you pay your utilities? Cash Money Order Check Venmo Cashapp Zelle

Data per Monthly Survey:

Did you pay your rent this month? On time?

Did you pay your utilities this month? On time?

How did you pay? Cash Money Order Check Venmo Cashapp Zelle

Are you planning to move? Why? When?

Have you withheld rent due to housing code violations or poor living conditions? Habitability Checklist

Have you called Code Compliance or the Building Inspector due to your living conditions? In the last 12 months, this month?

Track Spending Categories:

- Retail Sales & Services
- Food & Groceries
- Housing & Utilities
- Transport Related Expenses
- Healthcare/Medical Expenses
- Financial Transactions
- Travel/Leisure/Entertainment
- Educational Expenses
- Miscellaneous

City / Area	Recipients	Amount	Frequency	Length	Targeting	Notes
Jackson, MS* (2018, 2020)	20, 110	\$1,000	monthly	12 months	African-American mothers	After the initial pilot of 20 people from 2018-2019, a second pilot with more than 110 participants began in March 2020. website
Stockton, CA* (2018)	150	\$500	monthly	24 months	Residents of neighborhoods with <\$46k median income	Initiated by Mayor Michael Tubbs, founder of Mayors for a Guaranteed Income . View the Stockton SEED website here .
Compton, CA* (2020)	800	\$300-600	varies	24 months	Low-income, formerly incarcerated, and undocumented residents	Known as the Compton Pledge, this privately funded program is spearheaded by Mayor Aja Brown in collaboration with the Fund for Guaranteed Income. website
Santa Clara County, CA* (2020)	72	\$1000	monthly	1 year	24-year-olds transitioning out of foster care support	In July 2020, Santa Clara County began administering the pilot with support from MyPath and Excite Credit Union, with \$900,000 in public funds and financial advising. The pilot was approved by the county's board of supervisors. Press announcement here .
Chelsea, MA* (2020)	2,000	\$200-400	monthly	~10 months	Low-income families	Funded by the City of Chelsea along with private funders like the Shah Family Foundation. Fundraising continues in an effort to extend the pilot's duration.
Hudson, NY* (2020)	25	\$500	monthly	5 years	Income <\$35k	Funded by two non-profits: The Spark of Hudson and the Humanity Forward Foundation. website
St. Paul, MN* (2021)	150	\$500	monthly	18 months	Families participating in the "CollegeBound Saint Paul" program	Proposed by Mayor Melvin Carter and unanimously approved by the city council in September 2020. website
Lynn, MA* (2021)	15	\$400	monthly	36 months	New mothers	The Family Health Project participants refer into the program through federally qualified community health centers, a corporate partner provides debit cards, and a social services firm provides onboarding and administrative support. Privately funded.
Richmond, VA* (2020)	55	\$500	monthly	2 years	Low-income families in existing anti-poverty programs; employed but excluded from traditional benefits programs	The Richmond Resilience Initiative started in 2020 with 18 families and was funded through CARES Act funds, but it has since been expanded to add 37 families as part of Mayors for Guaranteed Income.
Columbia, SC	100	\$500	monthly	1 year	Black fathers in Columbia within an	The Columbia Life Improvement Monetary Boost (CLIMB) program was

(2020)					existing program	founded in Dec. 2020 by Mayor Stephen Benjamin alongside Midlands Fatherhood Coalition, and supported by private funds. To begin spring 2021.
Long Beach, CA (2021)	150	\$500	monthly	6 months	Artists	Mayor Robert Garcia's proposal was accepted by the city council in Nov 2020 and is in the planning stages.
Pittsburg, PA (2021)	200	\$500	monthly	2 years	Families earning <50% of area median income	Mayor Bill Peduto is calling this pilot the "Assured Cash Experiment of Pittsburgh." Half of the funds are to be sent to households run by black women with the hope of reducing racial and gender inequalities.
San Francisco, CA (2021)	150	\$1,000	monthly	2 years	Black and Pacific Islander women during pregnancy & postpartum	A partnership between the San Francisco Department of Public Health, Hellman Foundation, and University of California - San Francisco to decrease infant mortality.
Oakland, CA (2021)	600	\$500	monthly	18 months	BIPOC families earning <50% of area median income, with half earning below 138% of the federal poverty line	Led by Mayor Libby Schaaf, one of the Mayors for a Guaranteed income, the "Oakland Resilient Families" program is supported by the Family Independence Initiative. Payments starting as soon as spring 2021.
San Diego, CA (2021)	150	\$500	monthly	2 years	Random selection of low-income families with children under 12 within hardest-hit zip codes for COVID-19 and child poverty	A pilot serving both San Diego and National City families, Resilient Communities for Every Child is supported and housed by Jewish Family Service of San Diego, with a \$2 million fundraising goal.
Marin County, CA (2021)	125	\$1000	monthly	2 years	Low-income mothers of color with children under 18 years of age, with priority for those ineligible for federal benefits	Introduced with unanimous support of Marin county supervisors, MOMentum has the financial support of the Marin Community Foundation and Family Independence Initiative as an administrative partner for payments.
Cambridge, MA (2021)	120	\$500	monthly	18 months	Single-parent households earning 80% of area median income (AMI) who have children under age 18	The City of Cambridge announced Cambridge RISE (Recurring Income for Success and Empowerment) in April 2021, a project spearheaded by Mayor Sumbul Siddiqui with support from Cambridge Community Foundation, Harvard University, MIT, and Boston Foundation.
Tacoma, WA (2021)	100	\$500	monthly	1 year	Tacoma residents, single head of household, and Asset-Limited-Income-Constrained while Employed (ALICE)	The GRIT Demonstration , Growing Resilience in Tacoma, is a partnership between Mayor Victoria Woodards and United Way of Pierce County, and part of Mayors for a Guaranteed Income (MGI). It will rely on private funds.

New York, NY (2021)	100	\$500-1000	biweekly	~3 years	Low-income Black and immigrant mothers during first 1000 days of life	Funded and implemented by the Monarch Foundation, the program aims to reach those in Washington Heights & Harlem, with hopes of expanding to other areas.
San Francisco, CA (2021)	50	\$330	monthly	6 months	Young parenting mothers of Hilltop School	MyPath and Hilltop School aim to provide financial mentoring and cohort-based learning circles to those receiving the basic income. More here .
West Garfield Park, IL (2020)	30	\$500	monthly	18 months	Formerly incarcerated individuals in the neighborhood	Fundraising for EAT (Equity and Transformation) Chicago's pilot began in Nov. 2020 and the program aims to begin disbursement in August 2021.
Other nascent proposals (2021)						
Los Angeles, CA	Los Angeles Mayor Eric Garcetti was among the founding mayors of the Mayors for Guaranteed Income and has proposed expanding his previous Angelino Campaign, which provided one-time prepaid debit cards of \$700-1500 to eligible families as part of a \$10 million emergency assistance campaign of Accelerator for America alongside Mastercards' City Possible initiative. The program aimed to reach low-wage or hourly workers whose jobs were affected by the COVID-19 pandemic, and received over 400,000 applicants. The expanded guaranteed income program aims to give \$1000 per month to 2000 families in Los Angeles, with a proposed budget of \$24 million.					
Atlanta, GA	Beginning the week of Juneteenth 2020, Atlanta City Council member Amir Farokhi launched a task force to explore the potential for a guaranteed income program to reduce economic inequality in Atlanta, and particularly Atlanta's historic fourth ward. The Old Fourth Ward Economic Security Task Force brought together 28 local and national stakeholders, with the Georgia Budget & Policy Institute, Economic Security Project and JFI among those weighing in. A key objective was to tackle wealth stratification and particular insecurity among Black and Latinx Atlantans. Their report was published in January 2020. Atlanta Mayor Keisha Lance Bottoms is also a member of Mayors for a Guaranteed Income, launched in 2020 with 34 mayors joining their advocacy to date.					
Newark, NJ	Mayor Ras Baraka of Newark began exploring a guaranteed income program in 2019, forming a Task Force of community-based organizations and national research groups, like JFI, to investigate the role a guaranteed income program could play to address failures of the existing safety net, a lack of economic mobility in Newark, and especially housing precarity. The Newark Guaranteed Income Task Force report , published in early 2020, provides three potential pilot frameworks and recommended policy changes at the state and federal level, while underscoring the specific needs of Newark residents. Since then, Newark launched the Newark Movement for Economic Equity , with plans to begin a first cohort of 30 recipients in spring of 2021.					
Chicago, IL	Aldermen Gilbert Villegas, Sophia King, and Maria Hadden are advocating for the introduction of a guaranteed income providing \$500/month to 5,000 of Chicago's neediest families. The pilot would be funded by allocating \$30 million of the \$1.8 billion in federal relief funds Chicago is expected to receive this year. This effort is distinct from the task force assembled two years ago to examine the potential for a 1,000 person guaranteed income pilot in the city. Other initiatives in Chicago are pushing for regular cash transfer programs for new moms as well.					
New York, NY	Chapin Hall at the University of Chicago and Point Source Youth have been undertaking plans for a direct cash transfer program (DCTP) for young adults facing homelessness in NYC. The target group is 30 young adults, with 30 others receiving usual services and shelters already available (an RCT model). The cash transfers will be \$1250/mo for 2 years, with participants able to choose payment frequency and mechanism (Venmo, Paypa, direct deposit, card) through UpTogether's online platform. The participants will also receive optional support services.					
Denver, CO	The Denver Basic Income Project founded by Mark Donovan, Denver-based philanthropist and entrepreneur, with the support of Denver Mayor Michael B. Hancock, and researchers at the University of Denver's Center for Housing and Homeless Research. The pilot is explicitly focused on the unhoused, and will provide \$1000 per month to 260 individuals, a lump sum of \$6500 to 260 more, followed by \$500 per month to the lump-sum contingent. A control group of 300 will receive \$50 per month for their participation. The project aims to begin payments July 1, 2021.					
Oakland County,	A collaborative group made up of the 18th District Oakland County Commissioner's office, Lighthouse, a local housing non-profit, and researchers from Wayne State University are drafting a pilot program. The focus of this pilot					

MI	is unique in the space. While others have focused on the efficacy of cash transfers towards positive economic outcomes - this pilot intends to shed light on the physio/psychological impacts that guaranteed income have on an individual and family's health.
Minneapolis, MN*	The Nancy Somers Family Foundation facilitated funding for a pilot providing \$1000 monthly for 15 individuals through a local anti-poverty non-profit, Avivo. The pilot began amid the urgency of the pandemic in 2020 and included low income individuals who were unhoused, challenged by mental illness and/or enrolled in a career training program at Avivo; it will extend for 1 year. The group aims to expand the initiative as "Project Solid Ground" at Avivo, pending future funding.
Long Beach, CA	Mayor Robert Garcia announced in January 2021 the intent to create a basic income program for low-income students at Long Beach City College. The City Council had previously considered proposals to provide \$500 per month over six months for up to 150 artists. The city previously also provided \$1,000 per month in rental assistance, in part supported by CARES Act funds. San Diego was among 15 cities awarded funds from Jack Dorsey as part of the Mayors for Guaranteed Income, with the aim to supplement funds with private sources. More specific details are not yet available.
Las Vegas, NV	A Las Vegas City Council candidate supportive of guaranteed income has proposed a program that would aim to provide annual lump sum payments to 60,000 residents in initial disbursements (~9% of the city population).
Mountain View, CA	In April 2021, Mountain View City Council voted to pilot a guaranteed income program. The council plans to dedicate \$1 million in American Rescue Plan (ARPA) funds alongside any philanthropic or corporation donations. Provided exclusively ARPA funding, the recipients would receive \$500 per month for 1 year. While the program design is forthcoming, Mayor Abe-Koga indicated an interest in targeting low-income families, similar to affordable housing.
Nashville, TN	Moving Nashville Forward is a pilot program intended to target residents in North Nashville (zip code 37208), a community that has faced acutely a history of systemic discrimination. The pilot is currently fundraising to provide 100 families a monthly guaranteed income of \$1000 to families with annual incomes under \$40,000. Organizers include Gideon's Army, a group that has supported local tornado recovery efforts, with support from Dr. Stacia West, a University of Tennessee Knoxville Assistant Professor and one of the co-Principal Investigators of Stockton SEED.
South San Francisco	South San Francisco has been considering a pilot since early 2021, based on presentations on UBI to the city council led by City Manager Mike Futrell and his team. While eligibility and program design specifics are forthcoming, the group identified the YMCA as a program administrator.
Gainesville, FL	In collaboration with local nonprofit Community Spring, Mayor Lauren Poe aims to provide a \$600/mo guaranteed income for two years to formerly incarcerated residents. First payments are expected to go out October 1.
Gary, Indiana	The Guaranteed Income Validation Efforts (GIVE) program is fundraising to support 125 low-income residents with \$500/mo. Income cut-offs are at \$35,000/year and citywide surveys are being used to identify potential recipients. The effort is supported by Mayors for Guaranteed Income and is looking to raise \$1.6M.
Puget Sound, WA	In a program to target pregnant families within the Puget Sound urban Indian and Pacific Islander communities, the United Indians of All Tribes Foundation, Seattle Indian Health Board, Cowlitz Behavioral Health, Native American Women's Dialogue on Infant Mortality, and Pacific Islander Health Board are designing a 3-year pilot supported by Perigee Fund. Learn more about their wrap-around services here , and Perigee Fund's interests here .
Paterson, NJ	Announced in March 2021, Paterson's Mayor Andre Sayegh aims to provide 110 low-income residents with \$400 per month, regardless of employment status. The income cut-off for individuals and families is \$30,000 and \$88,000 respectively. Residents applied online by April 30 and a lottery system is set to select recipients in May 2021, for payments to begin in July. The research is supported by the Center for Guaranteed Income.
New York, NY	The Andrew W. Mellon Foundation is working to launch Creatives Rebuild New York (CRNY) to support dozens of small-to-midsize community arts organizations and over 1000 individual artists with cash over 2 years. More here .
Boston, MA	The Community Love Fund is a landmark guaranteed income initiative of the National Council for Incarcerated and Formerly Incarcerated Women & Families and Justice as Healing. The aim is to provide unconditional monthly cash transfers to formerly incarcerated women in Roxbury (Boston) for one year, beginning in 2021. More here .
Nevada	The Move Nevada Forward initiative is focused on advancing economic rights for Nevadans with a particular focus in 2021 on establishing a basic income experiment statewide. It is a coalition of grassroots-led nonprofits. There are other groups in Nevada working to rally public officials for a guaranteed income program in Las Vegas as well.

RESOLUTION NO.: 50 - 2023

OF

MARCH 27, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR AND ACCEPT IF AWARDED A NEW YORK STATE
TRAFFIC ENFORCEMENT TECHNOLOGY GRANT
FOR EQUIPMENT NECESSARY FOR ELECTRONIC DATA COLLECTION SYSTEMS
WITH NO CITY MATCH REQUIRED**

WHEREAS, the City of Newburgh wishes to apply for a New York State Traffic Enforcement Technology Grant administered by the New York State Police on behalf of the Governor's Traffic Safety Committee; and

WHEREAS, the New York State Traffic Enforcement Technology Grant supports police agencies by providing equipment associated with electronic data collection systems which improve the quality and efficiency of traffic enforcement programs; and

WHEREAS, if awarded the City of Newburgh Police Department will receive 7 printers, 9 scanners, and 9 in-car computers, with no City cash match required; and

WHEREAS, this Council has determined that applying for and accepting such grant is 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 apply for and accept if awarded a New York State Traffic Enforcement Technology Grant for printers, scanners, and computers to be used in traffic enforcement electronic data collection with no City match required; 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.: 51 - 2023

OF

MARCH 27, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT IF AWARDED A PRESERVE NEW YORK PROGRAM GRANT
IN AN AMOUNT NOT TO EXCEED \$16,000.00 WITH A 20% MATCH
FOR A BUILDING CONDITION REPORT
FOR THE DOWNING PARK PERGOLA AND SHELTER HOUSE**

WHEREAS, Preserve New York grants provide support to eligible not-for-profits and municipalities in New York State for projects that identify, document, and preserve New York's cultural and historic buildings, structures, and landscapes; and

WHEREAS, a Preserve New York grant will fund a building condition report for the Downing Park Pergola and Shelter House by creating a comprehensive document that provides a thorough understanding of condition issues and how to address them to support a maintenance plan and guidance for a larger rehabilitation project; and

WHEREAS, the Downing Park Planning Committee has requested that the City of Newburgh apply for a Preserve New York program grant in an amount not to exceed \$16,000.00 and will fund the 20% cash match for a total project cost of \$20,000.00 to prepare a building condition report for the Downing Park Pergola and Shelter House as a first step to revitalizing a historic space in the City of Newburgh; and

WHEREAS, this Council has determined that applying for and accepting if awarded said grant is in the best interest 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 apply for and accept if awarded a Preserve New York program grant in an amount not to exceed \$16,000.00 for a building condition report for the Downing Park Pergola and Shelter House with thanks to the Downing Park Planning Committee.

Project Type: Conditions Report

Estimated Project Cost - 20,000

Grant Request - 16,000

Brief Project Description

In partnership with the Downing Park Planning Committee, the City of Newburgh is applying for a Preserve NY grant to fund a Conditions Report of the pergola in Downing Park. Downing Park is a 35-acre landscape park located in the East End Historic District of the City of Newburgh. Before it was a park, the land was a farm belonging to a family named Smith. The Smith's 1750s farmhouse stood at the present location of the pergola, which is now in disrepair. Once a public gathering place, the pergola is now unsafe for public use and is an eyesore in the landscape of the park. A conditions report will begin the process of repairing the pergola back to a safe and welcoming public gathering place that offers sweeping views of the Hudson River and access to a cultural asset in the heart of Newburgh.

Filled with hills and valleys, streams, a pond, and a rich variety of vegetation, the park has serpentine paths and picturesque vista — features very similar, though on a different scale, to those of New York City's Central Park, created by the same designers. The park was named after Newburgh's native son Andrew Jackson Downing, eminent horticulturist and pioneer of the public park movement. Downing recruited Calvert Vaux in 1850 from London and brought him to Newburgh, where the two ran an architectural practice until Downing's death. Vaux and Frederick Law Olmsted had worked together for many years on Central Park and other projects when the City approached them about the park in Newburgh. In 1889 they agreed to the commission, offering to give the park design to the City if the park would be named after their late mentor. Downing Park was the last collaborative effort by Olmsted and Vaux — as well as the only project that included both their sons, John Olmsted and Downing Vaux.

RESOLUTION NO.: 52 - 2023

OF

MARCH 27, 2023

**A RESOLUTION RATIFYING A STIPULATION OF AGREEMENT AND
APPROVING A COLLECTIVE BARGAINING AGREEMENT
WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.
LOCAL 1000, AFSCME, AFL-CIO**

WHEREAS, the City of Newburgh and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO ("CSEA") are parties to a collective bargaining agreement which expired on December 31, 2021; and

WHEREAS, the City Manager and negotiators representing the City of Newburgh and CSEA have engaged in collective negotiations for a successor agreement pursuant to the requirements of the Taylor Law; and

WHEREAS, the City Council has reviewed the terms negotiated as set forth in the Stipulation of Agreement between the City of Newburgh and the CSEA, a copy of which is attached hereto, which sets forth the terms and conditions of employment for the term January 1, 2022 through December 31, 2026 and has consulted with the representatives of the City who have recommended that the City Council approve the negotiated changes and new collective bargaining agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the terms of the attached Stipulation of Agreement are ratified; and

BE IT FURTHER RESOLVED, that the City Manager is directed and authorized to enter into a complete collective bargaining agreement incorporating the terms of the Stipulation of Agreement into a complete collective bargaining agreement with the CSEA for the term January 1, 2022 through December 31, 2026.

STIPULATION OF AGREEMENT made and entered into this ____th day of _____ 2023, by and between the negotiating committees for the City of Newburgh and the City of Newburgh Unit, Orange County Local 836, Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO ("the Union").

WHEREAS, the parties have engaged in negotiations in good faith in an effort to arrive at the terms of a new collective negotiations agreement to succeed the one that expired on December 31, 2021; and

WHEREAS, the parties have arrived at a tentative agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties stipulate and agree as follows:

1. The provisions of this Agreement are subject to ratification by the Association's membership, and ratification and approval by the City Council.
2. The signatories agree to recommend this Agreement for ratification/approval.
3. A copy of this original document has been furnished to representatives of the City and the Association.
4. All proposals made by either party during the course of negotiations that are not covered by this Agreement will be deemed dropped.
5. Housekeeping. Clean-up contract for any non-substantive grammatical and spelling errors and delete expired language.
6. Article (I)(1). Revise the chart to include Director of Community Development & Economic Development Specialist; delete Information Systems Manager; delete 1st paragraph after the chart ("Effective June 17, 2017"); delete last sentence of 4th paragraph after chart ("Effective June 17, 2017").
7. Article 1(2)(C) (Agency Shop). Delete (unconstitutional).

8. Article 1(2)(F) (Authorization Discontinuance). Delete “and an Agency Fee deduction will commence” (unconstitutional).

9. Article II(B, C) (Work Day). Change Sanitation Foreman to Sanitation Supervisor.

10. Article III(2)(A-F) (Salary). Effective January 1, 2022, the annual salary rates will remain the same as the rates in effect on December 31, 2021. Effective March 24, 2023, the annual salary rates will be increased by 2%. Effective on the first day of the first payroll period following January 1, 2024, the annual salary rates will be increased by an additional 2%. Effective on the first day of the first payroll period following January 1, 2025, the annual salary rates will be increased by an additional 2%. Effective on the first day of the first payroll period following January 1, 2026, the annual salary rates will be increased by an additional 2%.

11. Article III(I) (Longevity). Effective March 24, 2023, longevity steps completed 15-19 years, completed 20-24 years, completed 25-29 years and completed 30 years will each be increased by \$200.

12. Article VI(2) (Bereavement Leave). Effective upon the complete ratification and approval of the 2022-2026 Agreement, revise to read as follows:

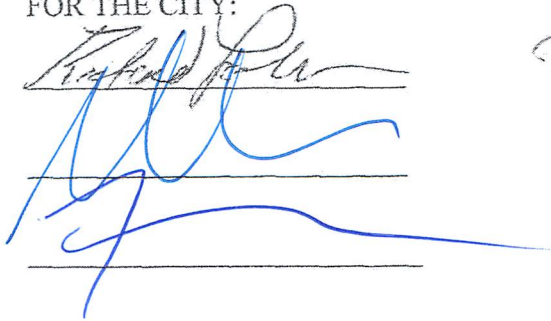
Employees will be entitled to three consecutive work days leave of absence with pay between the date of death and on or adjacent to the date of funeral when a death occurs in the immediate family, which will include a grandparent, parent, step-parent or a person who stood *in loco parentis* to the employee when the employee was a child, husband, wife, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandchild, grandmother-in-law and grandfather-in-law. *In loco parentis*, as the term is used in the Family and Medical Leave Act, means a relationship in which a person, who may or may not have had a legal or biological relationship to the employee, assumed or discharged the obligations of a parent to the employee when the employee was a child. An employee who uses bereavement leave will submit proof of death of covered relative, such as a death certificate or publication of obituary notice in a newspaper of general circulation, unless proof is waived by the Department Head. The proof of death will be submitted upon the employee's return to duty from use of bereavement leave. An employee

who uses bereavement leave for a person who stood *in loco parentis* to the employee must submit a certification, using the attached form, of the nature of the relationship with the proof of death upon the employee's return to duty from use of bereavement leave. The employee's certification of the *in loco parentis* relationship will not be waived by the Department Head. In the event an employee misuses bereavement leave, the employee will be subject to a suspension without pay and to disciplinary action. In the event the employee is found guilty in the applicable proceeding of misuse of bereavement leave, the employee will be terminated from employment and the employee will forfeit any entitlement the employee may have for payment of accrued time balances including, but not limited to, payment for accrued vacation leave, accrued compensatory time and/or accrued sick leave.


13. Article VI(1)(A)(10) (Sick Leave Monitoring Program). Effective upon the complete ratification and approval of the 2022-2026 Agreement, insert "consecutive" after "After six."
14. Article VI(3) (Jury Duty). Effective upon the complete ratification and approval of the 2022-2026 Agreement, add that "employees will not be required to report for work on days on which they are required to serve on a jury."
15. Article X(F) (Dental). Revise the first sentence to read that, "The City will continue to pay the premium cost of the CSEA Sunrise Dental Plan for all full-time employees as follows: effective July 1, 2022: \$105.60/employee/month; effective July 1, 2023: \$114.05/employee/month; effective July 1, 2024: \$115.19/employee/month; effective July 1, 2023: \$116.34/employee/month; effective July 1, 2026: \$117.50/employee/month."
16. Article X(G) (Optical). Revise the first sentence to read that, "The City will continue to pay the premium cost of the CSEA Platinum 12 Vision Plan for all full-time employees as follows: effective July 1, 2022: \$24.34/employee/month."
17. Article XII(C) (Grievance Procedure) (Step 1)). Effective for all grievances filed after the complete ratification and approval of the 2022-2026 Agreement, delete the First Step and renumber the remaining Steps.

3/1/23

FOR THE CITY:

A handwritten signature in blue ink, appearing to be 'K. H. ...', is written over three horizontal lines.

FOR THE UNION:

A handwritten signature in black ink, appearing to be 'D. ...', is written over the first horizontal line.

LRS

3/1/23

FOR THE CITY:

[Signature]

FOR THE UNION:

[Signature] LRS

Michael Rought Pres.

Maryanne Williams V.P.

[Signature] Treasurer

City of Newburgh
CSEA 2022 Salary Chart
Effective January 1, 2022

Grade	Start Year 1	2nd Year	3rd Year	4th Year	5th Year	6th Year
1	\$ 34,247	\$ 35,619	\$ 36,988	\$ 38,358	\$ 39,726	\$ 41,097
2	\$ 35,133	\$ 36,488	\$ 37,842	\$ 39,195	\$ 40,558	\$ 41,912
3	\$ 35,966	\$ 37,331	\$ 38,692	\$ 40,051	\$ 41,421	\$ 42,781
4	\$ 36,734	\$ 38,122	\$ 39,507	\$ 40,889	\$ 42,274	\$ 43,656
5	\$ 37,634	\$ 39,029	\$ 40,424	\$ 41,822	\$ 43,214	\$ 44,607
6	\$ 38,582	\$ 39,985	\$ 41,386	\$ 42,786	\$ 44,184	\$ 45,592
7	\$ 39,584	\$ 40,995	\$ 42,398	\$ 43,811	\$ 45,219	\$ 46,631
8	\$ 40,636	\$ 42,054	\$ 43,473	\$ 44,886	\$ 46,301	\$ 47,717
9	\$ 41,745	\$ 43,165	\$ 44,591	\$ 46,015	\$ 47,437	\$ 48,862
10	\$ 42,898	\$ 44,328	\$ 45,761	\$ 47,200	\$ 48,633	\$ 50,074
11	\$ 43,627	\$ 45,070	\$ 46,510	\$ 47,948	\$ 49,386	\$ 50,828
12	\$ 44,385	\$ 45,829	\$ 47,269	\$ 48,713	\$ 50,156	\$ 51,597
13	\$ 45,144	\$ 46,597	\$ 48,048	\$ 49,500	\$ 50,957	\$ 52,404
14	\$ 45,952	\$ 47,411	\$ 48,866	\$ 50,318	\$ 51,776	\$ 53,230
15	\$ 46,728	\$ 48,194	\$ 49,656	\$ 51,119	\$ 52,574	\$ 54,040
16	\$ 47,562	\$ 49,036	\$ 50,508	\$ 51,976	\$ 53,449	\$ 54,920
17	\$ 48,451	\$ 49,928	\$ 51,402	\$ 52,876	\$ 54,354	\$ 55,825
18	\$ 50,545	\$ 52,037	\$ 53,531	\$ 55,025	\$ 56,520	\$ 58,009
19	\$ 52,158	\$ 53,655	\$ 55,159	\$ 56,662	\$ 58,162	\$ 59,665
20	\$ 53,861	\$ 55,374	\$ 56,883	\$ 58,387	\$ 59,898	\$ 61,408
21	\$ 57,448	\$ 58,990	\$ 60,535	\$ 62,071	\$ 63,618	\$ 65,155
22	\$ 59,363	\$ 60,924	\$ 62,479	\$ 64,038	\$ 65,596	\$ 67,155
23	\$ 65,832	\$ 67,435	\$ 69,035	\$ 70,639	\$ 72,238	\$ 73,842
24	\$ 69,164	\$ 70,825	\$ 72,485	\$ 74,151	\$ 75,811	\$ 77,472
25	\$ 71,839	\$ 73,568	\$ 75,297	\$ 77,027	\$ 78,753	\$ 80,480
26	\$ 74,625	\$ 76,419	\$ 78,217	\$ 80,019	\$ 81,815	\$ 83,609
27	\$ 77,519	\$ 79,388	\$ 81,256	\$ 83,129	\$ 84,996	\$ 86,864
28	\$ 80,530	\$ 82,473	\$ 84,416	\$ 86,364	\$ 88,305	\$ 90,250
29	\$ 83,661	\$ 85,682	\$ 87,702	\$ 89,728	\$ 91,749	\$ 93,768
30	\$ 86,918	\$ 89,019	\$ 91,121	\$ 93,228	\$ 95,329	\$ 97,431

City of Newburgh
CSEA 2023 Salary Chart
Effective March 24, 2023

Grade	Start Year 1	2nd Year	3rd Year	4th Year	5th Year	6th Year
1	\$ 34,932	\$ 36,331	\$ 37,728	\$ 39,125	\$ 40,521	\$ 41,919
2	\$ 35,836	\$ 37,218	\$ 38,599	\$ 39,979	\$ 41,369	\$ 42,750
3	\$ 36,685	\$ 38,078	\$ 39,466	\$ 40,852	\$ 42,249	\$ 43,637
4	\$ 37,469	\$ 38,884	\$ 40,297	\$ 41,707	\$ 43,119	\$ 44,529
5	\$ 38,387	\$ 39,810	\$ 41,232	\$ 42,658	\$ 44,078	\$ 45,499
6	\$ 39,354	\$ 40,785	\$ 42,214	\$ 43,642	\$ 45,068	\$ 46,504
7	\$ 40,376	\$ 41,815	\$ 43,246	\$ 44,687	\$ 46,123	\$ 47,564
8	\$ 41,449	\$ 42,895	\$ 44,342	\$ 45,784	\$ 47,227	\$ 48,671
9	\$ 42,580	\$ 44,028	\$ 45,483	\$ 46,935	\$ 48,386	\$ 49,839
10	\$ 43,756	\$ 45,215	\$ 46,676	\$ 48,144	\$ 49,606	\$ 51,075
11	\$ 44,500	\$ 45,971	\$ 47,440	\$ 48,907	\$ 50,374	\$ 51,845
12	\$ 45,273	\$ 46,746	\$ 48,214	\$ 49,687	\$ 51,159	\$ 52,629
13	\$ 46,047	\$ 47,529	\$ 49,009	\$ 50,490	\$ 51,976	\$ 53,452
14	\$ 46,871	\$ 48,359	\$ 49,843	\$ 51,324	\$ 52,812	\$ 54,295
15	\$ 47,663	\$ 49,158	\$ 50,649	\$ 52,141	\$ 53,625	\$ 55,121
16	\$ 48,513	\$ 50,017	\$ 51,518	\$ 53,016	\$ 54,518	\$ 56,018
17	\$ 49,420	\$ 50,927	\$ 52,430	\$ 53,934	\$ 55,441	\$ 56,942
18	\$ 51,556	\$ 53,078	\$ 54,602	\$ 56,126	\$ 57,650	\$ 59,169
19	\$ 53,201	\$ 54,728	\$ 56,262	\$ 57,795	\$ 59,325	\$ 60,858
20	\$ 54,938	\$ 56,481	\$ 58,021	\$ 59,555	\$ 61,096	\$ 62,636
21	\$ 58,597	\$ 60,170	\$ 61,746	\$ 63,312	\$ 64,890	\$ 66,458
22	\$ 60,550	\$ 62,142	\$ 63,729	\$ 65,319	\$ 66,908	\$ 68,498
23	\$ 67,149	\$ 68,784	\$ 70,416	\$ 72,052	\$ 73,683	\$ 75,319
24	\$ 70,547	\$ 72,242	\$ 73,935	\$ 75,634	\$ 77,327	\$ 79,021
25	\$ 73,276	\$ 75,039	\$ 76,803	\$ 78,568	\$ 80,328	\$ 82,090
26	\$ 76,118	\$ 77,947	\$ 79,781	\$ 81,619	\$ 83,451	\$ 85,281
27	\$ 79,069	\$ 80,976	\$ 82,881	\$ 84,792	\$ 86,696	\$ 88,601
28	\$ 82,141	\$ 84,122	\$ 86,104	\$ 88,091	\$ 90,071	\$ 92,055
29	\$ 85,334	\$ 87,396	\$ 89,456	\$ 91,523	\$ 93,584	\$ 95,643
30	\$ 88,656	\$ 90,799	\$ 92,943	\$ 95,093	\$ 97,236	\$ 99,380

City of Newburgh

CSEA 2024 Salary Chart

Effective on the first day of the first payroll period following January 1, 2024

Grade	Start Year 1	2nd Year	3rd Year	4th Year	5th Year	6th Year
1	\$ 35,631	\$ 37,058	\$ 38,482	\$ 39,908	\$ 41,331	\$ 42,757
2	\$ 36,552	\$ 37,962	\$ 39,371	\$ 40,778	\$ 42,197	\$ 43,605
3	\$ 37,419	\$ 38,839	\$ 40,255	\$ 41,669	\$ 43,094	\$ 44,509
4	\$ 38,218	\$ 39,662	\$ 41,103	\$ 42,541	\$ 43,982	\$ 45,420
5	\$ 39,154	\$ 40,606	\$ 42,057	\$ 43,512	\$ 44,960	\$ 46,409
6	\$ 40,141	\$ 41,600	\$ 43,058	\$ 44,515	\$ 45,969	\$ 47,434
7	\$ 41,183	\$ 42,651	\$ 44,111	\$ 45,581	\$ 47,046	\$ 48,515
8	\$ 42,278	\$ 43,753	\$ 45,229	\$ 46,699	\$ 48,172	\$ 49,645
9	\$ 43,431	\$ 44,909	\$ 46,392	\$ 47,874	\$ 49,353	\$ 50,836
10	\$ 44,631	\$ 46,119	\$ 47,610	\$ 49,107	\$ 50,598	\$ 52,097
11	\$ 45,390	\$ 46,891	\$ 48,389	\$ 49,885	\$ 51,381	\$ 52,881
12	\$ 46,178	\$ 47,680	\$ 49,179	\$ 50,681	\$ 52,182	\$ 53,682
13	\$ 46,968	\$ 48,480	\$ 49,989	\$ 51,500	\$ 53,016	\$ 54,521
14	\$ 47,808	\$ 49,326	\$ 50,840	\$ 52,351	\$ 53,868	\$ 55,380
15	\$ 48,616	\$ 50,141	\$ 51,662	\$ 53,184	\$ 54,698	\$ 56,223
16	\$ 49,484	\$ 51,017	\$ 52,549	\$ 54,076	\$ 55,608	\$ 57,139
17	\$ 50,408	\$ 51,945	\$ 53,479	\$ 55,012	\$ 56,550	\$ 58,080
18	\$ 52,587	\$ 54,139	\$ 55,694	\$ 57,248	\$ 58,803	\$ 60,353
19	\$ 54,265	\$ 55,823	\$ 57,387	\$ 58,951	\$ 60,512	\$ 62,075
20	\$ 56,037	\$ 57,611	\$ 59,181	\$ 60,746	\$ 62,318	\$ 63,889
21	\$ 59,769	\$ 61,373	\$ 62,981	\$ 64,579	\$ 66,188	\$ 67,787
22	\$ 61,761	\$ 63,385	\$ 65,003	\$ 66,625	\$ 68,246	\$ 69,868
23	\$ 68,492	\$ 70,159	\$ 71,824	\$ 73,493	\$ 75,156	\$ 76,825
24	\$ 71,958	\$ 73,686	\$ 75,413	\$ 77,147	\$ 78,874	\$ 80,602
25	\$ 74,741	\$ 76,540	\$ 78,339	\$ 80,139	\$ 81,935	\$ 83,731
26	\$ 77,640	\$ 79,506	\$ 81,377	\$ 83,252	\$ 85,120	\$ 86,987
27	\$ 80,651	\$ 82,595	\$ 84,539	\$ 86,487	\$ 88,430	\$ 90,373
28	\$ 83,783	\$ 85,805	\$ 87,826	\$ 89,853	\$ 91,873	\$ 93,896
29	\$ 87,041	\$ 89,144	\$ 91,245	\$ 93,353	\$ 95,456	\$ 97,556
30	\$ 90,429	\$ 92,615	\$ 94,802	\$ 96,994	\$ 99,180	\$ 101,367

City of Newburgh

CSEA 2025 Salary Chart

Effective on the first day of the first payroll period following January 1, 2025

Grade	Start Year 1	2nd Year	3rd Year	4th Year	5th Year	6th Year
1	\$ 36,343	\$ 37,799	\$ 39,252	\$ 40,706	\$ 42,158	\$ 43,612
2	\$ 37,283	\$ 38,721	\$ 40,158	\$ 41,594	\$ 43,040	\$ 44,477
3	\$ 38,167	\$ 39,616	\$ 41,060	\$ 42,502	\$ 43,956	\$ 45,400
4	\$ 38,982	\$ 40,455	\$ 41,925	\$ 43,392	\$ 44,862	\$ 46,328
5	\$ 39,938	\$ 41,418	\$ 42,898	\$ 44,382	\$ 45,859	\$ 47,337
6	\$ 40,944	\$ 42,432	\$ 43,919	\$ 45,405	\$ 46,888	\$ 48,383
7	\$ 42,007	\$ 43,504	\$ 44,993	\$ 46,493	\$ 47,987	\$ 49,485
8	\$ 43,123	\$ 44,628	\$ 46,134	\$ 47,633	\$ 49,135	\$ 50,638
9	\$ 44,300	\$ 45,807	\$ 47,320	\$ 48,831	\$ 50,341	\$ 51,853
10	\$ 45,524	\$ 47,041	\$ 48,562	\$ 50,089	\$ 51,610	\$ 53,139
11	\$ 46,297	\$ 47,829	\$ 49,357	\$ 50,883	\$ 52,409	\$ 53,939
12	\$ 47,102	\$ 48,634	\$ 50,162	\$ 51,695	\$ 53,226	\$ 54,755
13	\$ 47,907	\$ 49,449	\$ 50,989	\$ 52,530	\$ 54,076	\$ 55,612
14	\$ 48,765	\$ 50,313	\$ 51,857	\$ 53,398	\$ 54,945	\$ 56,488
15	\$ 49,588	\$ 51,144	\$ 52,695	\$ 54,248	\$ 55,792	\$ 57,348
16	\$ 50,473	\$ 52,037	\$ 53,599	\$ 55,157	\$ 56,721	\$ 58,282
17	\$ 51,417	\$ 52,984	\$ 54,548	\$ 56,112	\$ 57,681	\$ 59,242
18	\$ 53,639	\$ 55,222	\$ 56,808	\$ 58,393	\$ 59,979	\$ 61,560
19	\$ 55,350	\$ 56,939	\$ 58,535	\$ 60,130	\$ 61,722	\$ 63,317
20	\$ 57,158	\$ 58,763	\$ 60,365	\$ 61,961	\$ 63,564	\$ 65,167
21	\$ 60,964	\$ 62,601	\$ 64,240	\$ 65,870	\$ 67,512	\$ 69,143
22	\$ 62,996	\$ 64,653	\$ 66,303	\$ 67,958	\$ 69,611	\$ 71,265
23	\$ 69,861	\$ 71,563	\$ 73,260	\$ 74,963	\$ 76,660	\$ 78,362
24	\$ 73,397	\$ 75,160	\$ 76,922	\$ 78,690	\$ 80,451	\$ 82,214
25	\$ 76,236	\$ 78,071	\$ 79,906	\$ 81,742	\$ 83,573	\$ 85,406
26	\$ 79,193	\$ 81,096	\$ 83,005	\$ 84,917	\$ 86,823	\$ 88,727
27	\$ 82,264	\$ 84,247	\$ 86,230	\$ 88,217	\$ 90,198	\$ 92,181
28	\$ 85,459	\$ 87,521	\$ 89,583	\$ 91,650	\$ 93,710	\$ 95,774
29	\$ 88,782	\$ 90,926	\$ 93,070	\$ 95,220	\$ 97,365	\$ 99,507
30	\$ 92,238	\$ 94,468	\$ 96,698	\$ 98,934	\$ 101,164	\$ 103,395

City of Newburgh

CSEA 2026 Salary Chart

Effective on the first day of the first payroll period following January 1, 2026

Grade	Start Year 1	2nd Year	3rd Year	4th Year	5th Year	6th Year
1	\$ 37,070	\$ 38,555	\$ 40,037	\$ 41,520	\$ 43,001	\$ 44,485
2	\$ 38,029	\$ 39,496	\$ 40,961	\$ 42,426	\$ 43,901	\$ 45,367
3	\$ 38,931	\$ 40,408	\$ 41,881	\$ 43,352	\$ 44,835	\$ 46,308
4	\$ 39,762	\$ 41,264	\$ 42,764	\$ 44,260	\$ 45,759	\$ 47,255
5	\$ 40,736	\$ 42,246	\$ 43,756	\$ 45,269	\$ 46,776	\$ 48,284
6	\$ 41,762	\$ 43,281	\$ 44,798	\$ 46,313	\$ 47,826	\$ 49,350
7	\$ 42,847	\$ 44,374	\$ 45,893	\$ 47,422	\$ 48,946	\$ 50,475
8	\$ 43,986	\$ 45,521	\$ 47,057	\$ 48,586	\$ 50,118	\$ 51,650
9	\$ 45,186	\$ 46,723	\$ 48,267	\$ 49,808	\$ 51,347	\$ 52,890
10	\$ 46,434	\$ 47,982	\$ 49,533	\$ 51,091	\$ 52,642	\$ 54,202
11	\$ 47,223	\$ 48,785	\$ 50,344	\$ 51,900	\$ 53,457	\$ 55,018
12	\$ 48,044	\$ 49,607	\$ 51,165	\$ 52,729	\$ 54,290	\$ 55,850
13	\$ 48,865	\$ 50,438	\$ 52,009	\$ 53,580	\$ 55,157	\$ 56,724
14	\$ 49,740	\$ 51,319	\$ 52,894	\$ 54,466	\$ 56,044	\$ 57,618
15	\$ 50,580	\$ 52,167	\$ 53,749	\$ 55,333	\$ 56,908	\$ 58,495
16	\$ 51,483	\$ 53,078	\$ 54,671	\$ 56,260	\$ 57,855	\$ 59,447
17	\$ 52,445	\$ 54,044	\$ 55,639	\$ 57,235	\$ 58,835	\$ 60,427
18	\$ 54,712	\$ 56,327	\$ 57,944	\$ 59,561	\$ 61,179	\$ 62,791
19	\$ 56,457	\$ 58,078	\$ 59,706	\$ 61,333	\$ 62,956	\$ 64,583
20	\$ 58,301	\$ 59,939	\$ 61,572	\$ 63,200	\$ 64,836	\$ 66,470
21	\$ 62,184	\$ 63,853	\$ 65,525	\$ 67,188	\$ 68,862	\$ 70,526
22	\$ 64,256	\$ 65,946	\$ 67,629	\$ 69,317	\$ 71,003	\$ 72,691
23	\$ 71,259	\$ 72,994	\$ 74,726	\$ 76,462	\$ 78,193	\$ 79,929
24	\$ 74,865	\$ 76,663	\$ 78,460	\$ 80,263	\$ 82,060	\$ 83,858
25	\$ 77,761	\$ 79,632	\$ 81,504	\$ 83,377	\$ 85,245	\$ 87,114
26	\$ 80,776	\$ 82,718	\$ 84,665	\$ 86,615	\$ 88,559	\$ 90,501
27	\$ 83,909	\$ 85,932	\$ 87,954	\$ 89,982	\$ 92,002	\$ 94,024
28	\$ 87,168	\$ 89,271	\$ 91,375	\$ 93,483	\$ 95,584	\$ 97,690
29	\$ 90,557	\$ 92,745	\$ 94,931	\$ 97,124	\$ 99,312	\$ 101,497
30	\$ 94,083	\$ 96,357	\$ 98,632	\$ 100,913	\$ 103,187	\$ 105,462

APPENDIX * *

BEREAVEMENT LEAVE – IN LOCO PARENTIS CERTIFICATION FORM

PART A: TO BE COMPLETED BY THE EMPLOYEE

EMPLOYEE NAME: _____

JOB TITLE: _____

DEPARTMENT: _____

BEREAVEMENT LEAVE DATES: _____

NAME OF COVERED RELATIVE: _____

RELATIONSHIP OF COVERED RELATIVE TO EMPLOYEE

I _____ hereby certify, consistent with the requirements of collective bargaining agreement Article VI, Section 2, that the above-identified covered relative discharged the obligations of a parent to me when I was a child.

Employee signature Date

PART B: TO BE COMPLETED BY DEPARTMENT HEAD OR SUPERVISOR

Date form submitted to department: _____

Received by: _____

☐ Proof of death of covered relative attached

RESOLUTION NO.: 53 - 2023

OF

MARCH 27, 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
AUTHORIZING THE SUBMISSION OF A MEMORANDUM IN SUPPORT
OF THE RAISE THE WAGE ACT (S1978/A2204)**

WHEREAS, in 2016, New York State led the nation in passing the first \$15.00 minimum wage resulting in historic reductions in pay inequality and poverty across the State; and

WHEREAS, the \$15.00 minimum wage became the ceiling with a lack of indexing coinciding with the highest inflation in 40 years reducing the value of New York's minimum wage and causing workers to fall farther and farther behind in making ends meet; and

WHEREAS, the Raise the Wage Act will restore the New York State's minimum wage by raising it to \$21.25 downstate and \$20 upstate by 2026 to the level it would have been if it was consistently indexed each year since 2019 to keep pace with rising prices and worker productivity increases, and continue indexing the minimum wage in the future by providing for automatic annual increases as 19 other states already do; and

WHEREAS, the Raise the Wage Act would deliver raises of about \$3,300 a year by 2026 which would be enough to begin to cover the increase in the cost of groceries for a family and raise pay for 1 in 3 or 2.9 million New Yorkers, and reach families who really need help; and

WHEREAS, studies showed that the \$15 minimum wage did not hurt job growth in New York State or cause jobs to leave for neighboring states but rather found that New York's last minimum wage increase helped neighborhood businesses by giving consumers more money to spend; and

WHEREAS, women and workers of color would benefit the most from passing the Raise the Wage Act and polling shows that it's one of the most popular issues in the state that voters want the legislature to act on; and

WHEREAS, the "Raise the Wage Act", currently identified as S1978/A2204, sponsored by New York State Senator Jessica Ramos and New York State Assembly Member Latoya Joyner, would restore New York's minimum wage to at least \$21.25 by 2027 and then provide for an automatic adjustment annually; and

WHEREAS, the "Raise the Wage" would prevent the erosion of minimum wage and ensure that New Yorkers do not fall behind again economically;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh calls on the New York State Legislature to pass and the Governor to sign the Raise the Wage Act; and

BE IT FURTHER RESOLVED, that the City Clerk immediately shall transmit copies of this resolution to Governor Kathy Hochul, Speaker of the New York State Assembly Carl Heastie, New York State Senate Majority Leader Andrea Stewart-Cousins, Senator Jessica Ramos, Senator Robert Rolison, Assembly Member Latoya Joyner, and Assembly Member Jonathan Jacobson encouraging and requesting that they support The Raise the Wage Act (S1978/A2204).



Memorandum In Support of Raise the Wage Act

S1978 (Ramos)/A2204 (Joyner)

January 2023

For the Many submit this memorandum in support of the Raise the Wage Act, S1978(Ramos)/A2204 (Joyner). This crucial legislation would restore New York's badly eroded minimum wage to at least \$21.25 by 2027 and then adjust it automatically each year in the future to make sure it doesn't fall behind again.

For the Many is building a grassroots movement of everyday people to transform New York so it works for all of us, not the greedy few. We do multiracial organizing in English in Spanish across working class communities in the Hudson Valley.

In 2016, New York led the nation in passing the first \$15 minimum wage, which resulted in historic reductions in pay inequality and poverty across the state. But two key problems with the legislation – which were the result of compromises demanded by the then Republican-controlled Senate -- were that once the wage reached \$15 it stopped increasing, and that it never really reached \$15 upstate - **which is particularly devastating to the folks that we talk to every day.**

As a result, the minimum wage increased to \$15 and then stalled out. That frozen minimum wage came at the worst possible time, since it coincided with the highest inflation in 40 years. The value of New York's minimum wage has already plummeted 15% and every week is falling farther and farther behind what workers need. \$15 an hour just isn't enough anymore – either downstate or upstate – as the price of groceries, gas, and housing continues to sky-rocket.

The Raise the Wage Act is urgently needed to restore the state's minimum wage by raising it to the level where it would have been if it had been consistently updated each year since 2019 to keep up with both rising prices and worker productivity increases. That translates to raising the wage to \$21.25 downstate and \$20 upstate by 2026.

And after restoring New York's minimum wage it's vital that we "index" it going forward – which means providing for automatic annual increases as 19 other states already do -- so that it doesn't erode gain.

We are delighted that Governor Kathy Hochul has called for indexing the state's minimum wage. But that is only half of the solution that New York's working families need. While the Governor's proposal would prevent New York's minimum wage from being further eroded by inflation, it unfortunately does nothing to address the fact that \$15 an hour is no longer close to enough for workers anywhere in the state, and fails to reverse the huge loss in value that the

minimum wage has undergone in recent years. Simply indexing the \$15 minimum wage from where it is would lock in poverty wages for the future.

The Governor's proposal would result in very small raises of 40 to 60 cents an hour each year – translating to about \$670 more each year by 2026 for an average worker. That's just \$13 more a week and doesn't begin to make a dent in the spiraling costs families are facing.

By contrast the Raise the Wage Act would deliver raises of about \$3,300 a year by 2026. That's five times larger than the Governor's proposal. It translates to \$63 a week more – enough to actually begin to cover the increase in the cost of groceries for a family.

Moreover, the Governor's proposal would raise pay for just 1 in 8 New Yorkers or 1.1 million workers. The Raise the Wage Act would raise pay for 1 in 3 or 2.9 million New Yorkers, and so would reach far more of the families who really need help.

In its size and impact, the Raise the Wage Act is similar to New York's historic \$15 minimum wage – which made a tremendous difference for the state's families. It's the type of response working New Yorkers need right now if they're going to weather the current cost-of-living crisis.

Study after study showed that the \$15 minimum wage didn't hurt job growth in the state or cause jobs to leave for neighboring states. That's what New York Federal Reserve Bank, the New School, and University of California researchers all found when it studied the impact of New York's last minimum wage increase. Instead, the higher wage helped neighborhood businesses by giving consumers more money to spend.

Women and workers of color would benefit the most. 70% of workers receiving raising are Black, Latinx or Asian. 55% are women. 1 in 4 are parents supporting young children. New polling shows that it's one of the most popular issues in the state that voters want the legislature to act on.

And new polling by Data for Progress shows that raising the Raise the Wage Act's proposal to raise the wage to at least \$21.25 by 2027 is even more popular than the \$15 minimum wage was. 80% of New Yorkers back it – including 65% of Republicans and large majorities in every region of the state. **In the Hudson Valley, 89% of folks support it - the highest proportion of any region across the state.**

For the Many submits this memorandum in support for S1978/A2204 and urges its swift passage in the Senate and Assembly to restore New York's minimum wage and ensure that it never falls behind again.

For more information or further discussion, please contact Brahvan Ranga, Political Director, brahvan@forthemany.org

RESOLUTION NO.: 54 - 2023

OF

MARCH 27, 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A PAYMENT OF CLAIM WITH LESTER A. CHAVEZ
IN THE AMOUNT OF \$35,000.00**

WHEREAS, Lester A. Chavez brought a claim against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the amount of Thirty-five and 00/100 Dollars (\$35,000.00) in exchange for a release to resolve all claims among them; and

WHEREAS, this Council has determined it to be in the best interests of the City of Newburgh to settle the matter for the amount agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to settle the claim of Lester A. Chavez in the total amount of Thirty-five and 00/100 Dollars (\$35,000.00) and that the City Manager be and he hereby is authorized to execute documents as the Corporation Counsel may require to effectuate the settlement as herein described.