



City of Newburgh Council Work Session  
*Sesion de trabajo del Concejal de la  
Ciudad de Newburgh*  
November 19, 2019  
6:00 PM

Council Meeting Presentations

1. Public hearing on proposed ordinance to increase water rates

A public hearing will be held on Thursday, November 21, 2019 to hear comments concerning an ordinance to increase water rates.

*Se llevara a cabo una audiencia pública el jueves 21 de noviembre de 2019 para escuchar comentarios con respecto a una ordenanza para incrementar las tarifas del agua.*

Finance/Finanza

2. Passport Labs Contract Amendment #1

Resolution authorizing the City Manager to sign Amendment No. 1 with Passport Labs, Inc. for municipal parking services and related equipment. (Todd Venning)

*Una resolución autorizando al Gerente de la Ciudad a firmar la Enmienda No. 1 con Passport Labs, Inc. Para servicios de estacionamiento municipales y equipos relacionados. (Todd Venning)*

3. Local law authorizing a property tax levy in excess of the GML Section 3-c limit

Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

*Ley Local autorizando un gravamen del impuesto sobre la propiedad que exceda el límite establecido en la Sección 3-c de la Ley Municipalidad General.*

4. Resolution to certify base percentages and base proportions under RPTL Article 19

Resolution to certify the base percentages, current percentages, current base proportions and adjusted base proportions under the Homestead Option of Article 19 of the Real Property Tax Law of the State of New York. (Todd Venning)

*Una resolución para certificar las bases de porcentajes, porcentajes*

*actuales, base de proporciones actuales y base de proporciones ajustadas bajo la Opción de Viviendas del Artículo 19 de la Ley de Impuestos de Bienes Raíces del Estado de Nueva York. (Todd Venning)*

5. Resolution adopting the FY2020 budget

Resolution adopting the budget for the fiscal year 2020.

*Una resolución adoptando el presupuesto para el año fiscal 2020.*

Information Technology (IT) Department

6. Lease Agreement Ricoh copiers

Resolution authorizing the City Manager to execute a copier lease agreement with RICOH USA, Inc. for City Hall, City Clerk and the Water Department at a cost of \$637.66 per month for a period of 36 months. (Nicholas Crispino)

*Una resolución autorizando al Gerente de la ciudad a ejecutar un contrato de arrendamiento con RICOH USA, Inc para la Municipalidad, la Secretaria de la Ciudad y el Departamento de Agua a un costo de \$637.66 cada mes por un periodo de 36 meses. (Nicholas Crispino)*

7. Surplus of IT equipment

Resolution declaring 22 desktop computers and 19 monitor screens as surplus and authorizing disposition pursuant to the City of Newburgh's Surplus Property Disposition Policy and Procedure. (Nicholas Crispino)

*Una resolución declarando 22 computadoras de escritorio y 19 pantallas de monitor como equipo excedente y autorizando su disposición conforme con la Política y Procedimiento de Disposición de Propiedad de Superávit de la Ciudad de Newburgh. (Nicholas Crispino)*

Planning and Economic Development/Planificación y Desarrollo Económico

8. Purchase of 352 Third Street

Resolution to authorize the conveyance of real property known as 352 Third Street (Section 16, Block 8, Lot 17) at private sale to Anthony White for the amount of \$80,000.00. (Ali Church)

*Una resolución para autorizar el traspaso de bienes raíces conocidos como la 352 de la Calle Third (Sección 16, Bloque 8, Lote 17) en una venta privada a Anthony White por el monto de \$80,000.00. (Ali Church)*

9. 93 Hasbrouck Street - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to J & J Partners Realty, LLC to the premises known as 93 Hasbrouck Street (Section 38, Block 5, Lot 7).

(Michelle Kelson)

*Una resolución autorizando la ejecución de una liberación de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a J & J Partners Realty, LLC para las instalaciones conocidas como la 93 de la Calle Hasbrouck (Sección 38, Bloque 5, Lote 7). (Michelle Kelson)*

10. 221 City Terrace - Releases of Restrictive Covenants

Resolution authorizing the execution of a partial release of restrictive covenants and right of re-entry from a deed issued to Jose A. Guadron to the premises known as 221 City Terrace (Section 17, Block 7, Lot 10). (Michelle Kelson)

*Una resolución autorizando la ejecución de una liberación parcial de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a Jose A. Guadron para las instalaciones conocidas como la 221 de City Terrace (Sección 17, Bloque 7, Lote 10). (Michelle Kelson)*

11. 7 Locust Street - Release of Restrictive Covenants

Resolution authorizing the execution of a partial release of restrictive covenants and right of re-entry from a deed issued to Jimmy R. Mera to the premises known as 7 Locust Street (Section 25, Block 5, Lot 18). (Michelle Kelson)

*Una resolución autorizando la ejecución de una liberación parcial de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a Jimmy R. Mera para las instalaciones conocidas como la 7 de la Calle Locust (Sección 25, Bloque 5, Lote 18). (Michelle Kelson)*

12. 100 Courtney Avenue - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to Aamir Mumtaz to the premises known as 100 Courtney Avenue (Section 48, Block 1, Lot 27). (Michelle Kelson)

*Una resolución autorizando la ejecución de una liberación de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a Aamir Mumtaz para las instalaciones conocidas como la 100 de la Avenida Courtney (Sección 48, Bloque 1, Lote 27). (Michelle Kelson)*

13. 120 Johnston Street - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to 120 Johnston, LLC to the premises known as 120 Johnston Street (Section 18, Block 10, Lot 1.2). (Michelle Kelson)

*Una resolución autorizando la ejecución de la liberación de cláusulas*

*restrictivas y derecho de reingreso de un título de propiedad emitido a 120 Johnston, LLC para las instalaciones conocidas como la 120 de la Calle Johnston (Sección 18, Bloque 10, Lote 1.2). (Michelle Kelson)*

14. 45 Robinson Avenue - Release of Restrictive Covenants

Resolution authorizing the execution of a partial release of restrictive covenants and right of re-entry from a deed issued to Telma Barillas and Ramon Solis to the premises known as 45 Robinson Avenue (Section 28, Block 2, Lot 7). (Michelle Kelson)

*Una resolución autorizando la ejecución de una liberación parcial de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a Telma Barillas y Ramos Solis a las instalaciones conocidas como la 45 de la Avenida Robinson (Sección 28, Bloque 2, Lote 7) (Michelle Kelson)*

15. 110 Johnston Street - Release of Restrictive Covenants

Resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to Juan Galaviz (a/k/a Juan G. Galaviz) to the premises known as 110 Johnston Street (Section 18, Block 10, Lot 11). (Michelle Kelson)

*Una resolución autorizando la ejecución de la liberación de cláusulas restrictivas y derecho de reingreso de un título de propiedad emitido a Juan Galavez (a/k/a Juan G. Galaviz) para las instalaciones conocidas como la 110 de la Calle Johnson (Sección 18, Bloque 10, Lote 11). (Michelle Kelson)*

Grants/Contracts/Agreements / Becas /Contratos/Convenios

16. Tax Foreclosed Property Liability Insurance Renewal

Resolution authorizing approval of a general liability insurance policy for City-owned tax foreclosed properties for the period of November 27, 2019 to November 26, 2020. (Michelle Kelson)

*Una resolución autorizando la aprobación de una póliza general de seguro para propiedades de la Ciudad hipotecadas por impuestos durante el periodo del 27 de noviembre de 2019 al 26 de noviembre de 2020. (Michelle Kelson)*

17. SAM Grant Project#19385 Purchase of a Fire Dept. Ladder Truck \$950k

Resolution authorizing the City Manager to accept a DASNY State and Municipal Facilities Program Grant in an amount not to exceed \$950,000.00 to purchase a ladder truck for the City of Newburgh Fire Department. (City Manager, Joseph Donat)

*Una resolución autorizando al Gerente de la Ciudad a aceptar una*

*Subvención del programa de facilidades municipales y estatales DASNY por un monto que no exceda \$950,000.00 para comprar un camión de escala para el departamento de Bomberos de la Ciudad de Newburgh. (Gerente de la Ciudad, Joseph Donat)*

18. Apply for and Accept if Awarded entrance into the New York State Anti-displacement Learning Network, Phase 1

Resolution authorizing the City Manager to apply for and accept if awarded entrance into the New York State Anti-Displacement Learning Network Phase I from Enterprise Community Partners and the Office of the New York State Attorney General. (Ali Church)

*Una resolución autorizando al Gerente de la Ciudad para solicitar y aceptar si es otorgado una entrada a la Fase I de la Red de Aprendizaje de Antideslizamiento de los Socios Comunitarios Empresariales y la Oficina del Fiscal General del Estado de Nueva York. (Ali Church)*

19. 2019 DEC Urban & Community Forestry Grant

Resolution authorizing the City Manager to apply for and accept if awarded a New York State Department of Environmental Conservation 2019 Urban and Community Forestry Program Grant in the amount of \$40,000.00 with a 25% match for tree maintenance. (Michelle Kelson)

*Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una Subvención del Programa Forestal Urbano y Comunitario del Departamento de conservación Ambiental del Estado de Nueva York 2019 por el monto de \$40,000.00 con un 25% de igualamiento de fondos para el mantenimiento de árboles. (Michelle Kelson)*

Discussion Items/Temas de Discusión

20. Resolution to reappoint Chuck Thomas to the CAC

Resolution re-appointing Chuck Thomas to the Conservation Advisory Council for a two-year term.

*Una resolución re-nombrando a Chuck Thomas al Consejo Consultivo de Conservación por un periodo de dos años*

RESOLUTION NO.: 286 - 2019

OF

NOVEMBER 12, 2019

RESOLUTION SCHEDULING A PUBLIC HEARING FOR NOVEMBER 21, 2019  
TO HEAR PUBLIC COMMENT CONCERNING AN ORDINANCE TO  
AMEND CHAPTER 163 ENTITLED "FEES" OF THE CODE OF  
THE CITY OF NEWBURGH TO INCREASE WATER RATES

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 an ordinance to amend Chapter 163 entitled "Fees" of the Code of the City of Newburgh to increase water rates; 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 21<sup>st</sup> day of November, 2019, in the Activity Center, 401 Washington Street, Newburgh, New York.

I, Lorena Vitek, 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 Nov. 12, 2019  
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of  
Newburgh this 12 day of Nov. 2019

\_\_\_\_\_  
City Clerk

ORDINANCE NO.:\_\_\_\_\_ - 2019

OF

\_\_\_\_\_, 2019

AN ORDINANCE AMENDING CHAPTER 163 ENTITLED "FEES" OF THE CODE  
OF THE CITY OF NEWBURGH

BE IT ORDAINED by the City Council of the City of Newburgh that:

**Section 1.** Chapter 163 entitled "Fees" of the Code of the City of Newburgh be and hereby is amended as follows:

§ 163-1. Applicability.

Notwithstanding any other provision in this Code, the following schedule of fees is hereby established with respect to licenses, permits, registrations, applications, subscriptions and activities required or regulated under the provisions of the Code of the City of Newburgh. Specific requirements and regulations shall be as set forth in the chapter to which reference is made below. The following schedule of fees shall remain in effect until rescinded or amended.

Code Section	Type of Fee	Amount
§ <u>293-38</u>	Quarterly metered water rates per 1,000 gallons	
	First 1,000 gallons	Inside City: <del>\$6.127</del> <u>6.74</u> Outside City: <del>\$9.196</del> <u>10.12</u>
	Additional usage	Flat rate of <del>\$6.127</del> <u>6.74</u> ( <del>\$9.196</del> <u>10.12</u> outside City) per 1,000 gallons
Minimum quarterly charge:		
<b>Meter Size (inches)</b>	<b>Gallons Allowed</b>	<b>Inside City</b>
+5/8	6,000	<del>\$36.76</del> <u>40.44</u>
+5/8	9,000	<del>\$82.76</del> <u>91.08</u>
3/4	14,000	<del>\$85.78</del> <u>94.36</u>
		<b>Outside City</b>
		<del>\$128.74</del> <u>141.68</u>

Underlining denotes additions  
~~Strikethrough~~ denotes deletions

1	24,000	<del>\$147.05</del> <u>161.76</u>	<del>\$220.70</del> <u>242.88</u>
1 1/2	42,000	<del>\$257.33</del> <u>283.08</u>	<del>\$386.23</del> <u>425.04</u>
2	83,000	<del>\$508.54</del> <u>559.42</u>	<del>\$763.27</del> <u>839.96</u>
3	120,000	<del>\$735.24</del> <u>808.80</u>	<del>\$1,103.52</del> <u>1,214.40</u>
4	180,000	<del>\$1,102.86</del> <u>\$1,213.20</u>	<del>\$1,665.28</del> <u>1,821.60</u>
6	315,000	<del>\$1,930.01</del> <u>2,123.10</u>	<del>\$2,896.74</del> <u>3,187.80</u>
8	675,000	<del>\$4,135.73</del> <u>4,549.50</u>	<del>\$6,207.30</del> <u>\$6,831.00</u>

A surcharge shall be added to the above charges for water services in the amount of 14%. This extra charge is made for the purpose of financing the cost of obtaining water from the New York City Aqueduct. Such surcharge shall be effective on October 1, 1981, and shall continue to be made in every quarterly billing period in which any water is taken from the Aqueduct tap.

**Section 2.** This Ordinance shall take effect on January 1, 2020.

Underlining denotes additions  
~~Strikethrough~~ denotes deletions



ORDINANCE NO.: \_\_\_\_\_ - 2019

OF

\_\_\_\_\_, 2019

AN ORDINANCE AMENDING CHAPTER 163 ENTITLED "FEES" OF THE CODE  
OF THE CITY OF NEWBURGH

BE IT ORDAINED by the City Council of the City of Newburgh that:

**Section 1.** Chapter 163 entitled "Fees" of the Code of the City of Newburgh be and hereby is amended as follows:

§ 163-1. Applicability.

Notwithstanding any other provision in this Code, the following schedule of fees is hereby established with respect to licenses, permits, registrations, applications, subscriptions and activities required or regulated under the provisions of the Code of the City of Newburgh. Specific requirements and regulations shall be as set forth in the chapter to which reference is made below. The following schedule of fees shall remain in effect until rescinded or amended.

Code Section	Type of Fee	Amount
§ <u>293-38</u>	Quarterly metered water rates per 1,000 gallons	
	First 1,000 gallons	Inside City: <del>\$6.127</del> <u>6.44</u> Outside City: <del>\$9.196</del> <u>9.66</u>
	Additional usage	Flat rate of <del>\$6.127</del> <u>6.44</u> ( <del>\$9.196</del> <u>9.66</u> outside City) per 1,000 gallons
	Minimum quarterly charge:	
<b>Meter Size (inches)</b>	<b>Gallons Allowed</b>	<b>Inside City</b> <b>Outside City</b>
+5/8	6,000	<del>\$36.76</del> <u>38.64</u>
+5/8	9,000	<del>\$82.76</del> <u>86.94</u>
3/4	14,000	<del>\$85.78</del> <u>90.16</u> <del>\$128.74</del> <u>135.24</u>
1	24,000	<del>\$147.05</del> <u>154.56</u> <del>\$220.70</del> <u>231.84</u>

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1 1/2	42,000	<del>\$257.33</del> <u>270.48</u>	<del>\$386.23</del> <u>405.72</u>
2	83,000	<del>\$508.54</del> <u>534.52</u>	<del>\$763.27</del> <u>801.78</u>
3	120,000	<del>\$735.24</del> <u>772.80</u>	<del>\$1,103.52</del> <u>1,159.20</u>
4	180,000	<del>\$1,102.86</del> <u>\$1,159.20</u>	<del>\$1,665.28</del> <u>1,738.80</u>
6	315,000	<del>\$1,930.01</del> <u>2,028.60</u>	<del>\$2,896.74</del> <u>3,042.90</u>
8	675,000	<del>\$4,135.73</del> <u>4,347.00</u>	<del>\$6,207.30</del> <u>\$6,520.50</u>

A surcharge shall be added to the above charges for water services in the amount of 14%. This extra charge is made for the purpose of financing the cost of obtaining water from the New York City Aqueduct. Such surcharge shall be effective on October 1, 1981, and shall continue to be made in every quarterly billing period in which any water is taken from the Aqueduct tap.

**Section 2.** This Ordinance shall take effect on January 1, 2020.

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~~Strikethrough~~ denotes deletions

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENT NO. 1  
WITH PASSPORT LABS, INC. FOR MUNICIPAL PARKING SERVICES  
AND RELATED EQUIPMENT**

**WHEREAS**, by Resolution No. 195-2019, the City Council of the City of Newburgh authorized the City Manager to enter into an agreement to upgrade its technology related to municipal parking services and enforcement with Passport Labs, Inc.; and

**WHEREAS**, additional services are required to address parking violations for non-New York State residents; and

**WHEREAS**, Passport has submitted Amendment No. 1 to address the fee structure for collecting fines from non-New York State residents and this Council finds that signing Amendment No. 1 is in the best interests of the City of Newburgh; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that the City Manager be and he is hereby authorized to enter into Amendment No. 1 with Passport Labs, Inc. for municipal parking services and enforcement, said amendment addressing the fee structure for collecting fines from non-New York State residents.

LOCAL LAW NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT  
ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c**

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

**SECTION 1. LEGISLATIVE INTENT**

It is the intent of this local law to allow the City of Newburgh to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

**SECTION 2. AUTHORITY**

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**SECTION 3. TAX LEVY LIMIT OVERRIDE**

The City Council of the City of Newburgh, County of Orange, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

**SECTION 4. SEVERABILITY**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 5. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION TO CERTIFY THE BASE PERCENTAGES, CURRENT  
PERCENTAGES, CURRENT BASE PROPORTIONS AND  
ADJUSTED BASE PROPORTIONS UNDER THE HOMESTEAD  
OPTION OF ARTICLE 19 OF THE REAL PROPERTY TAX LAW OF  
THE STATE OF NEW YORK**

**BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that this Council does hereby certify the base percentages, current percentages, current base proportions and the adjusted base proportions as set forth on the annexed certificates, pursuant to Article 19 of the Real Property Tax Law of the State of New York.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION ADOPTING THE BUDGET  
FOR THE FISCAL YEAR 2020**

**WHEREAS**, the City Manager, on October 15, 2019, submitted to the City Council of the City of Newburgh, New York, a detailed estimate, including the “Manager’s Proposed Fiscal Year 2020 Budget” and the “Manager’s Proposed Personnel Analysis Book” of same date, of revenues and expenditures necessary and proper for all municipal activities accounted for in the General, Water, Sewer, Sanitation and Self-Insurance Funds during the fiscal year of 2020; and

**WHEREAS**, such detailed estimates have been filed in the City Clerk’s Office as required by the Charter of the City of Newburgh so that said estimates may be inspected by anyone interested, and a public hearing was held on November 12, 2019 in reference to said estimates for any item thereof; and

**WHEREAS**, the Council has made such changes, alteration, corrections and amendments to the said budget as it appears to said Council to be proper, including incorporating such changes as deemed necessary in response to the New York State Office of the State Comptroller’s budget review report # TBD; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Newburgh, New York does hereby approve, determine and adopts the budget for the year 2020 as appears in the annexed “City Council Adopted Fiscal Year 2020 Budget” on November 21, 2019; and

**BE IT FURTHER RESOLVED**, that the sum of \$22,184,692 be levied and raised on account of City taxes for the year 2020 on all the taxable property in the City of Newburgh according to the valuation of the last assessment roll of said City for State, County and City purposes, being \$528,866,016 for Homestead Properties and \$379,015,404 for Non-Homestead Properties, including special franchise assessments, in accordance with the Real Property Tax Law of the State of New York; and

**BE IT FURTHER RESOLVED**, that the City Collector is authorized and directed to cause said amount of \$22,184,692 to be extended and apportioned and adjusted on said assessment roll at \$TBD for Homestead Properties and \$TBD for Non-Homestead Properties on every \$1,000 of taxable real property, including special franchise assessments; and

**BE IT FURTHER RESOLVED**, that the required sewer, water and sanitation fees for the taxable and non-taxable properties for the year 2020 is as set forth in Section 163-1 of the City Code of Ordinances; and

**BE IT FURTHER RESOLVED**, that the City Collector is authorized and directed to cause any and all amounts reported as omitted taxes to be levied against the real property subject to said omitted taxes and to cause the amounts reported by the City Collector as overdue and unpaid water rents, sewer rents and sanitation user fees, and unpaid charges of property abatement, with the interest and penalties thereon, to be added to the tax levied against the real property for which or in connection with which such water, sewer and sanitation was provided; and

**BE IT FURTHER RESOLVED**, that said City tax roll shall be delivered to the City Collector on the 2nd day of January 2020, signed by the City Manager and under the seal of the City, directing and commanding said City Collector to receive and collect in the manner provided by the law for the levying and collecting of County taxes by City Collectors, these several amounts in the roll specified as against the persons or property therein mentioned and described, and that said warrant shall direct the City Collector to collect said assessments in four equal installments as follows:

The first installment commencing on the 2nd day of January 2020, and collect up to and including the 5th day of February 2020, without fees, and to add 5% from the 6th day of February 2020, up to and including the 31st day of March 2020.

The second installment commencing on the 1st day of March 2020, and collect up to and including the 6th day of April 2020, without fees, and to add 5% from the 7th day of April 2020, up to and including the 30th day of May 2020.

The third installment commencing on the 1st day of May 2020, and collect up to and including the 5th day of June 2020, without fees, and to add 5% from the 6th day of June 2020, up to and including the 30th day of July, 2020.

The fourth installment commencing on the 1st day of July 2019, and collect up to and including the 5th day of August 2020, without fees, and to add 5% from the 6th day of August 2020, up to and including the 1st day of October, 2020.

In addition, thereto, for all late payments remaining unpaid for ninety (90) days after the first date designated for the collection of same, there shall be added an additional penalty in the amount of 10% per annum computed from said first date of collection; and

**BE IT FURTHER RESOLVED**, that the amounts, when collected, be deposited daily with the Key Bank of NY, N.A., Chase, TD Bank, Sterling National Bank, or in any of the said banks in compliance with the requirements set forth in the Newburgh Fiscal Recovery Act by said City Comptroller and credited and applied to the several respective funds and accounts as stated in the Adopted Budget for taxes now confirmed and approved by said City Council, including credit balances heretofore appropriated.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE A COPIER LEASE AGREEMENT RENEWAL WITH RICOH USA, INC.  
FOR CITY HALL, CITY CLERK AND THE WATER DEPARTMENT  
AT A COST OF \$637.66 PER MONTH FOR A PERIOD OF 36 MONTHS**

**WHEREAS**, the City of Newburgh's City Hall, City Clerk and Water Department are in need of new lease agreements for copiers to perform their statutory duties, assigned tasks and day-to-day operations; and

**WHEREAS**, a review of available equipment and systems has determined that a renewal agreement with RICOH USA, Inc. is the most appropriate and cost-effective alternative; and

**WHEREAS**, the total cost of the copiers and related equipment is \$637.66 per month for a period of 36 months; and

**WHEREAS**, such funds are established and shall be derived from Budget Line A.1670.0400—Central Printing and Mailing; and

**WHEREAS**, a copy of said Lease Agreement is attached hereto; and

**WHEREAS**, this Council has reviewed such agreement and has determined that it is in the best interests of the City of Newburgh to enter into such agreement;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to execute a Lease Agreement with RICOH USA, Inc. in substantially the same form as annexed hereto for copiers and related services according to the terms therein stated at the cost of \$637.66 per month for 36 months.



RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION DECLARING 22 DESKTOP COMPUTERS  
AND 19 MONITOR SCREENS AS SURPLUS AND  
AUTHORIZING DISPOSITION PURSUANT TO THE CITY OF NEWBURGH'S  
SURPLUS PROPERTY DISPOSITION POLICY AND PROCEDURE**

**WHEREAS**, the City of Newburgh IT Department has reported that it is in possession of 22 desktop computers and 19 monitor screens that are of no use by the City of Newburgh; and

**WHEREAS**, the IT Department has requested that the computer equipment be designated as surplus and sold; and

**WHEREAS**, the City Council has determined that declaring the computer equipment as surplus is in the best interests of the City of Newburgh; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the desktop computers and monitors identified on the schedule attached hereto and made part hereof are hereby declared to be surplus and of no further use or value to the City of Newburgh; and

**BE IT FURTHER RESOLVED**, that the City Manager and/or City Comptroller be and they are hereby authorized to execute any required documents and conduct all necessary transactions to dispose of said surplus desktop computers and monitors in accordance with the City of Newburgh's Surplus Property Disposition Policy and Procedure adopted by Resolution No. 174-2014 of July 14, 2014.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY  
KNOWN AS 352 THIRD STREET (SECTION 16, BLOCK 8, LOT 17)  
AT PRIVATE SALE TO ANTHONY WHITE FOR THE AMOUNT OF \$80,000.00**

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

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

**WHEREAS**, the City of Newburgh desires to sell 352 Third Street, being more accurately described as Section 16, Block 8, Lot 17 on the official tax map of the City of Newburgh; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to **THE CITY OF NEWBURGH**, such sums are to be paid on or before February 21, 2020, being approximately ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
352 Third Street	16 - 8 - 17	Anthony White	\$80,000.00

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

# Terms and Conditions Sale

## 352 Third Street, City of Newburgh (SBL: 16-8-17)

### STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax year of **2019-2020**, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year **2019-2020**, and subsequent levies up to the date of the closing. Upon the closing, the properties shall become subject to taxation. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. The City makes no representation as to whether the property is vacant and/or unoccupied. Evictions, if necessary, are solely the responsibility of the purchaser after closing and recording of the deed. The parcel is being sold subject to the City's Vacant Property Ordinance (Chapter 121) and all provisions of law applicable thereto. Within 30 days of closing, the purchaser must register the property and pay any applicable fees or submit an acceptable rehabilitation plan to the Building Department.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.

8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office by the date listed in the approved City Council Resolution, notwithstanding any extensions of time granted pursuant to terms contained herein ("Closing Deadline"). Such closing costs/fees may include, but are not limited to: recording fees, tax adjustments as of the day of closing, fuel oil adjustments, and applicable condominium charges (e.g. monthly maintenance charges, assessment charges, transfer buy-in fees, and/or closing package ordering fees). *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees. The City is not required to send notice of acceptance or any other notice to a purchaser.* At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. If purchaser takes title as an entity, purchaser must provide an affidavit listing all of the members or shareholders of said entity, their addresses, their phone numbers, and their percentage ownership stake in the entity. Purchaser must have at least a fifty-one (51%) ownership stake in said entity in order for said entity to take title.
11. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days from the Closing Deadline. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for its consideration.
12. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the purchaser shall be entitled only to a refund of the purchase money paid. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
13. Sale shall be final, absolute and without recourse once title is conveyed on the actual day of closing. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
14. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, tax reimbursements, buyer's premium (if applicable), and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon conveyance of deed.**
15. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

16. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh. Any survey description shall be provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the Closing Deadline date. If such conveyance occurs, purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.
18. In the event that Seller engaged the services of a New York State Licensed Real Estate Broker in connection with this sale, Seller shall pay said Broker any commission earned pursuant to a separate agreement between Seller and Broker.
19. The property is sold subject to an owner-occupancy restriction. The purchaser has agreed to purchase the property subject to the five (5) year owner occupancy restriction shall, within 18 months of the delivery of the deed, establish his domicile and principal residence at said premises and maintain his domicile and principal residence at said premises for a period of at least five (5) years thereafter, provided that within said five (5) year period, the purchaser may convey said premises to another who shall also maintain their domicile and principal residence at said premises for said period. This shall be set forth as a restrictive covenant in the deed, subject upon its breach, to a right of re-entry in favor of the City of Newburgh. This shall be in addition to all other provisions, covenants and conditions set forth in the Terms of Sale.
20. Notice is given that the property lies within either the East End Historic District or the Colonial Terraces Architectural Design District as designated in the City of Newburgh's current zoning map. This parcel is sold subject to all provision of law applicable thereto. It is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance any additional laws, rules or regulations applicable to those districts.
21. Within ten (10) business days of approval of sale by the City of Newburgh, the purchaser shall tender a non-refundable downpayment in the amount of **\$3,000.00** payable to "City of Newburgh" by money order or guaranteed funds to the City of Newburgh Comptroller's Office. At closing, the downpayment amount shall be credited against the purchase price.

ACKNOWLEDGED AND AGREED

Date: \_\_\_\_\_

\_\_\_\_\_  
Anthony White

RESOLUTION NO.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO J & J PARTNERS REALTY, LLC TO THE PREMISES KNOWN AS  
93 HASBROUCK STREET (SECTION 38, BLOCK 5, LOT 7)**

**WHEREAS**, on March 12, 2018, the City of Newburgh conveyed property located at 93 Hasbrouck Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 38, Block 5, Lot 7, to J & J Partners Realty, LLC; and

**WHEREAS**, a member of J & J Partners Realty, LLC has requested a release of the restrictive covenants contained in said deed; and

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

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

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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 93 Hasbrouck Street, Section 38, Block 5, Lot 7 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated March 12, 2018, from THE CITY OF NEWBURGH to J & J PARTNERS REALTY, LLC, recorded in the Orange County Clerk's Office on April 5, 2018, in Liber 14383 of Deeds at Page 1732 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: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO JOSE A. GUADRON TO THE PREMISES KNOWN AS  
221 CITY TERRACE (SECTION 17, BLOCK 7, LOT 10)**

**WHEREAS**, on August 22, 2018, the City of Newburgh conveyed property located at 221 City Terrace, being more accurately described on the official Tax Map of the City of Newburgh as Section 17, Block 7, Lot 10, to Jose A. Guadron; and

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

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

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



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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 221 City Terrace, Section 17, Block 7, Lot 10 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated August 22, 2018, from THE CITY OF NEWBURGH to JOSE A. GUADRON, recorded in the Orange County Clerk's Office on August 27, 2018, in Liber 14451 of Deeds at Page 787 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO JIMMY R. MERA TO THE PREMISES KNOWN AS  
7 LOCUST STREET (SECTION 25, BLOCK 5, LOT 18)**

**WHEREAS**, on February 26, 2018, the City of Newburgh conveyed property located at 7 Locust Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 25, Block 5, Lot 18, to Jimmy R. Mera; and

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

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

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

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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 7 Locust Street, Section 25, Block 5, Lot 18 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated February 26, 2018, from THE CITY OF NEWBURGH to JIMMY R. MERA, recorded in the Orange County Clerk's Office on March 22, 2018, in Liber 14378 of Deeds at Page 824 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY  
FROM A DEED ISSUED TO AAMIR MUMTAZ TO THE PREMISES KNOWN AS  
100 COURTNEY AVENUE (SECTION 48, BLOCK 1, LOT 27)**

**WHEREAS**, on April 10, 2017, the City of Newburgh conveyed property located at 100 Courtney Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 48, Block 1, Lot 27, to Aamir Mumtaz; and

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

**WHEREAS**, it has been determined that such release be granted; and

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

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

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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 100 Courtney Avenue, (Section 48, Block 1, Lot 27) on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4 and 5 in a deed dated April 10, 2017 from THE CITY OF NEWBURGH to Aamir Mumtaz, recorded in the Orange County Clerk's Office on May 3, 2017, in Liber 14266 of Deeds at Page 1602 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: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.

\_\_\_\_\_

**RECORD & RETURN TO:**

RESOLUTION NO.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO 120 JOHNSTON, LLC TO THE PREMISES KNOWN AS  
120 JOHNSTON STREET (SECTION 18, BLOCK 10, LOT 1.2)**

**WHEREAS**, on June 12, 2015, the City of Newburgh conveyed property located at 120 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 10, Lot 1.2, to 120 Johnston, LLC; and

**WHEREAS**, a member of 120 Johnston, LLC has requested a release of the restrictive covenants contained in said deed; and

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

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

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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 120 Johnston Street, Section 18, Block 10, Lot 1.2 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated June 12, 2015, from THE CITY OF NEWBURGH to 120 JOHNSTON, LLC, recorded in the Orange County Clerk's Office on July 1, 2015, in Liber 13914 of Deeds at Page 1311 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: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A PARTIAL RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO RAMON SOLIS AND TELMA BARILLAS TO THE PREMISES  
KNOWN AS 45 ROBINSON AVENUE (SECTION 28, BLOCK 2, LOT 7)**

**WHEREAS**, on November 21, 2016, the City of Newburgh conveyed property located at 45 Robinson Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 28, Block 2, Lot 7, to Telma Barillas and Ramon Solis; and

**WHEREAS**, Mr. Solis and Ms. Barillas have requested a partial release of the restrictive covenants contained in said deed; and

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

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



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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 45 Robinson Avenue, Section 28, Block 2, Lot 7 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated November 21, 2016, from THE CITY OF NEWBURGH to TELMA BARILLAS AND RAMON SOLIS, recorded in the Orange County Clerk's Office on February 22, 2017, in Liber 14185 of Deeds at Page 1558 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh with respect to restrictive covenants numbered 1, 2, 3, 4, and 5 in said deed.

Dated: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF  
RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED  
ISSUED TO JUAN GALAVIZ (A/K/A JUAN G. GALAVIZ) TO THE PREMISES  
KNOWN AS 110 JOHNSTON STREET (SECTION 18, BLOCK 10, LOT 11)**

**WHEREAS**, on February 1, 2018, the City of Newburgh conveyed property located at 110 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 10, Lot 11, to Juan Galaviz (a/k/a Juan G. Galaviz); and

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

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

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

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

**KNOWN ALL PERSONS BY THESE PRESENTS**, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 110 Johnston Street, Section 18, Block 10, Lot 11 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a deed dated February 1, 2018, from THE CITY OF NEWBURGH to JUAN GALAVIZ (a/k/a JUAN G. GALAVIZ), recorded in the Orange County Clerk's Office on February 14, 2018, in Liber 14362 of Deeds at Page 775 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: \_\_\_\_\_, 2019

THE CITY OF NEWBURGH

By: \_\_\_\_\_  
Joseph Donat, City Manager  
Pursuant to Res. No.: \_\_\_\_-2019

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

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, 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.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING APPROVAL OF A GENERAL LIABILITY INSURANCE  
POLICY FOR CITY-OWNED TAX FORECLOSED PROPERTIES FOR THE PERIOD OF  
NOVEMBER 27, 2019 TO NOVEMBER 26, 2020**

**WHEREAS**, the City of Newburgh has maintained general liability insurance coverage for City-owned tax-foreclosed properties since 2010; and

**WHEREAS**, Arthur J. Gallagher of New York, Inc. has recommended a renewal of liability insurance coverage for Fiscal Year 2019-2020;

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Newburgh, New York hereby approves the insurance coverage for the term beginning November 27, 2019 through November 26, 2020 with all liability insurance to be provided by Scottsdale Insurance Company; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to execute agreements with Arthur J. Gallagher of New York, Inc. to provide for insurance coverage for the City-owned tax foreclosed properties for the period of November 27, 2019 to November 26, 2020.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT  
A DASNY STATE AND MUNICIPAL FACILITIES PROGRAM GRANT  
IN AN AMOUNT NOT TO EXCEED \$950,000.00 TO PURCHASE A LADDER TRUCK  
FOR THE CITY OF NEWBURGH FIRE DEPARTMENT**

**WHEREAS**, the City of Newburgh was awarded a 2019 State and Municipal Facilities Program Grant administered through the Dormitory Authority of the State of New York State to purchase a ladder truck for the City of Newburgh Fire Department; and

**WHEREAS**, the City Council find it to be in the best interests of the City of Newburgh and its citizens to accept such grant;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to accept a State and Municipal Facilities Program Grant administered by the Dormitory Authority of the State of New York (Project ID: 19385) in the amount of \$950,000.00 to purchase a ladder truck for the City of Newburgh Fire Department; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York 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 programs funded thereby.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR  
AND ACCEPT IF AWARDED ENTRANCE INTO  
THE NEW YORK STATE ANTI-DISPLACEMENT LEARNING NETWORK PHASE I  
FROM ENTERPRISE COMMUNITY PARTNERS AND  
THE OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL**

**WHEREAS**, Resident displacement is a significant contributor to destabilizing communities, occurs in strong and weak housing markets, can be caused by a variety of triggers, including gentrification, limited supply of quality rental housing, and tax foreclosures, can be exacerbated by local code enforcement and housing policies and disproportionately harms low-income communities, under-resourced, marginalized, and communities of color, causing lasting impacts on poverty and economic mobility and overall community well-being, and when low-income people of color are displaced from communities, research shows emerging patterns of re-segregation perpetuating racial and economic inequity; and

**WHEREAS**, Enterprise Community Partners, Inc. and the New York State Attorney General seek to support efforts of local government that wish to reduce or prevent the displacement of low-income communities through peer learning and funding of targeted strategies and welcomes applications from municipalities that have identified displacement triggers that push low income people, people of color, and other vulnerable populations out of their homes or neighborhoods; and

**WHEREAS**, Enterprise Community Partners, Inc., will provide technical assistance and peer-to-peer learning on anti-displacement strategies for up to 10 applicants in which each participant will join a peer learning exchange on a bi-weekly basis for 3 months, receive one-on-one technical support, and provide the opportunity to apply for grant funding of up to \$1million to implement a strategy that will have significant positive impact; and

**WHEREAS**, the City of Newburgh wishes to apply for and accept entrance 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.;

**WHEREAS**, this Council has determined that making such application and accepting entrance into such program if awarded is in the best interests of the City of Newburgh and its further development;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept entrance 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 that the City Manager is authorized to execute all such documentation and take such further actions as may be appropriate and necessary to accept such entrance and administer the programs funded thereby.

RESOLUTION NO.: \_\_\_\_\_ - 2019

OF

NOVEMBER 21, 2019

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT  
IF AWARDED A NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION 2019 URBAN AND COMMUNITY FORESTRY PROGRAM GRANT  
IN THE AMOUNT OF \$40,000.00 WITH A 25% MATCH FOR TREE MAINTENANCE**

**WHEREAS**, the Conservation Advisory Council (“CAC”) has requested that the City of Newburgh apply for and accept if awarded a New York State Department of Environmental Conservation 2019 Urban and Community Forestry (“UCF”) Program Grant to be located within the territorial jurisdiction of the City Council of the City of Newburgh for tree maintenance projects in the amount of \$40,000.00; and

**WHEREAS**, such grant funds will be used to engage an arborist company to implement high risk tree removal, trimming and other maintenance activities for one year and match will be derived from in-kind services of the Department of Public Works, Grants Administrator and City equipment and CAC volunteers; and

**WHEREAS**, as a requirement of the UCF program, the CAC must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located;” and

**WHEREAS**, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its further development;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York hereby does approve and endorse the application of City of Newburgh and City of Newburgh Conservation Advisory Council for a grant under the Urban and Community Forestry Program for a project known as Tree Maintenance and located within this community; 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 apply for and accept if awarded a New York State Department of Environmental Conservation 2019 Urban and Community Forestry Program Grant in the amount of \$40,000.00 with a 25% match to be derived from in-kind services for tree maintenance, with thanks to the Conservation Advisory Council; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: \_\_\_\_\_-2019

OF

NOVEMBER 21, 2019

**A RESOLUTION RE-APPOINTING CHUCK THOMAS TO  
THE CONSERVATION ADVISORY COUNCIL FOR A TWO YEAR TERM**

**WHEREAS**, the City Council of the City of Newburgh adopted Local Law No. 1-2013 of August 19, 2013 which added new Chapter 159 of the City Code of Ordinances entitled "Conservation Advisory Council"; and

**WHEREAS**, Chapter 159 provides for a seven-member Conservation Advisory Council, the members of which are appointed for terms of two years; and

**WHEREAS**, the two-year term of Chuck Thomas expires on November 30, 2019 and he wishes to continue to serve a new two-year term; the same being in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that Chuck Thomas be and hereby is re-appointed to the Conservation Advisory Council for a two (2) year term commencing December 1, 2019 and ending on November 30, 2021.