



CITY OF NEWBURGH
COUNCIL MEETING AGENDA
SESION GENERAL DEL CONSEJAL

April 13, 2020
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 of the City Council Meeting on March 9, 2020 and March 19, 2020
Aprobación del Acta de la Reunión del 9 marzo de 2020 y el 19 de marzo de 2020
5. City Manager Update/ Gerente de la ciudad pone al día a la audiencia de los planes de cada departamento

Presentations/Presentaciones

Comments from the public regarding agenda and general matters of City Business/Comentarios del público 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

6. Resolution No. 85-2020 - Proposal with OBG/Ramboll for Professional Engineering Services Silver Stream Dam (Brown's Pond) Spillway Reconstruction

Resolution authorizing the City Manager to accept a proposal and execute a professional engineering service agreement with O'Brien & Gere Engineers, Inc. for further evaluation and design and bid services for the Brown's Pond Spillway Reconstruction Project at a cost of \$243,400.00

Una resolución autorizando al Gerente Municipal a aceptar una propuesta y ejecutar un acuerdo de servicios de ingeniería profesional con O'Brien & Gere Engineers, Inc. para evaluación adicional y diseño y servicios de licitación para el Proyecto de Reconstrucción de la vía de la Laguna Brown

a un costo de \$243,400.

7. Resolution No. 86 - 2020 - Amendment#4 with Barton & Loguidice for Construction Phase Services on West Trunk Sewer Contracts#1 & #2
Resolution authorizing the City Manager to execute Professional Engineering Services Contract Amendment No. 4 with Barton & Loguidice, DPC for the West Trunkline Sewer Corridor Improvements Project in the amount of \$154,945.36.

Una resolución autorizando al Gerente Municipal a ejecutar la Enmienda No. 4 del Contrato de Servicios Profesionales de Ingeniería con Barton & Loguidice, DPC, para el Proyecto de Mejoras del Corredor del Alcantarillado de las Líneas Troncales Oeste a un costo de \$154,945.36.

8. Resolution No. 87- 2020 - Donations supporting COVID-19 essential services
Resolution authorizing the City Manager to accept donations in support of essential services provided by the City of Newburgh during the COVID-19 emergency.

Una resolución autorizando al Gerente Municipal a aceptar donaciones en apoyo de servicios esenciales proporcionados por la Ciudad de Newburgh durante la emergencia del COVID-19.

9. Resolution No. 88 - 2020 - Amend the 2020 Personnel Analysis book to Extend Temporary Position in DPW
Resolution amending the 2020 Personnel Analysis Book to extend one (1) laborer position on a temporary basis in the Parks Division of the City of Newburgh Department of Public Works.

Una resolución enmendando el Libro de Análisis del Personal para extender un (1) puesto de obrero en una base temporal en la División de Parques del Departamento de Obras Publicas de la Ciudad de Newburgh.

10. Resolution No. 89-2020 - Enterprise Fleet Leasing Agreement
Resolution authorizing the City Manager to enter into agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. for leasing, purchase, and sale of vehicles.

Una resolución autorizando al Gerente Municipal a entrar en acuerdos con Enterprise FM Trust y Enterprise Fleet Management, Inc. para arrendamiento, compra y venta de vehículos.

11. Resolution No. 90-2020 - Agreement with General Code (a/k/a Municipality) for Municipal Software Services
Resolution authorizing the City Manager to enter into an agreement with

General Code, CMS, LLC for Municipal Software Services and in connection with the Cities RISE Phase III Grant..

12. Resolution No. 91-2020 - Purchase of 53 South Robinson Avenue

Resolution to authorize the conveyance of real property known as 53 South Robinson Avenue (Section 38, Block 6, Lot 1) at private sale to Kayla Michelle Deleon Lara for the amount of \$50,000.00.

13. Resolution No. 92-2020 - 2021 Police Traffic Services Grant

Resolution authorizing the City Manager to apply for and accept if awarded a New York State Governor's Traffic Safety Committee 2021 Police Traffic Services Program Grant in an amount not to exceed \$46,000.00 with no City Match required.

14. Resolution No. 93-2020 - Update to Resolution#108-2014 Grant Application Policy & Procedure

Resolution adopting the City of Newburgh Grant Application Policy and Procedure as amended.

15. Resolution No. 94-2020 - Co-Sponsorship Agreement Between the Small Business Administration (SBA) and the City of Newburgh

Resolution authorizing the City Manager to enter into a Co-Sponsorship Agreement with the Small Business Administration for small business development workshops to be held in the City of Newburgh.

16. Resolution No. 95-2020 - \$50,000 Entergy Grant for Shotspotter

Resolution authorizing the City Manager to apply for and accept if awarded an Entergy Open Grant in the amount of \$50,000.00 with no City match to fund ShotSpotter Flex Gunfire location, alert and analysis services for the City of Newburgh Police Department.

17. Resolution No. 96-2020 - Resigned Officers Equipment

Resolution declaring 8 outer vest carriers to be surplus equipment and authorizing sale to former City of Newburgh Police Officers at a cost of \$75.00 per item

Una resolución declarando 8 soportes de chalecos exteriores como equipo de exceso y autorizando la venta a ex policías de la Ciudad de Newburgh a un costo de \$75.00 por artículo.

18. Resolution No. 97-2020 - Temporary Lieutenant Promotion

Resolution amending the 2020 Personnel Analysis Book to add one (1) Lieutenant position on a temporary basis in the City of Newburgh Police Department.

Una resolución enmendando el Libro de Análisis del Personal para

*agregar un (1) puesto de Teniente en una base temporal en el
Departamento de Policía de la Ciudad de Newburgh.*

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

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

Adjournment/ Aplazamiento:

RESOLUTION NO.: 85 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL
AND EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT
WITH O'BRIEN & GERE ENGINEERS, INC. FOR FURTHER EVALUATION
AND DESIGN AND BID SERVICES FOR
THE BROWN'S POND SPILLWAY RECONSTRUCTION PROJECT
AT A COST OF \$243,400.00**

WHEREAS, O'Brien & Gere Engineers, Inc. previously designed improvements to Silver Stream Dam and provided construction phase services for the improvements; and

WHEREAS, by Resolution No. 321-2018 of November 13, 2018, the City Council authorized a professional engineering services agreement with O'Brien & Gere Engineers, Inc. for an evaluation and rehabilitation investigation of the Brown's Pond spillway; and

WHEREAS, further evaluation of the west embankment is required followed by the design of the improvements and preparation of the bid documents for the next phase of the Brown's Pond Spillway Reconstruction Project (the "Project"); and

WHEREAS, O'Brien & Gere Engineers, Inc. has submitted a proposal for the services in the next phase of the Project at a cost of \$243,400.00 and funding shall be derived from H1.8320.0200.8107.2016, the 2016 BAN; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute a professional engineering services agreement with O'Brien & Gere Engineers, Inc. for further evaluation of the west embankment, design of the improvements, and preparation of the bid documents for the Brown's Pond Spillway Reconstruction Project at a cost of \$243,400.00.

RESOLUTION NO.: 86 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
PROFESSIONAL ENGINEERING SERVICES CONTRACT AMENDMENT NO. 4
WITH BARTON & LOGUIDICE, DPC FOR
THE WEST TRUNKLINE SEWER CORRIDOR IMPROVEMENTS PROJECT
IN THE AMOUNT OF \$154,945.36**

WHEREAS, by Resolution No. 139-2013 of July 17, 2013, the City Council authorized the Interim City Manager to execute an agreement for professional engineering services with Barton & Loguidice, P.C. in an amount not to exceed \$690,000.00 for the emergency reconstruction of the West Trunkline Sewer Corridor Improvements Project (the "Project"); and

WHEREAS, by Resolution No. 208-2013 of October 15, 2015 and Resolution No. 223-2013 of October 28, 2013, the City Council authorized the Interim City Manager to execute Amendments No. 1 and No. 2 to the professional engineering services agreement with Barton & Loguidice, P.C. in amounts not to exceed \$5,000.00 and \$185,000.00 for grant submission and Holden Dam removal and related stream stabilization work in connection with the Project; and

WHEREAS, by Resolution No. 140-2015 of June 15, 2015, the City Council authorized the City Manager to execute Amendment No. 3 to the professional engineering services agreement with Barton & Loguidice, DPC for the additional scope of work outlined in the proposal dated May 27, 2015 in an amount not to exceed \$232,500.00 in connection with the Project; and

WHEREAS, Barton & Loguidice, DPC has presented Amendment No. 4 to the professional services contract to cover additional construction phase services including a reallocation of unspent funds from other Project phases in the amount of \$39,554.00 for a net cost of additional services in the amount of \$154,945.36 which remains within the Project cost as authorized by Resolution No. 179-2012 of October 9, 2012 and included within the Project financing amount approved by EFC; and

WHEREAS, the funding for the additional services shall be derived from HG1.8130.0400.8200.2013; and

WHEREAS, this Council finds that authorizing the City Manager to execute Amendment No. 4 to the professional engineering services contract for the Project is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, that the City Manager is hereby authorized to execute Amendment No. 4 to the professional engineering services agreement with Barton & Loguidice, DPC for the additional construction phase services in an amount not to exceed \$154,945.36 in connection with the West Trunkline Sewer Corridor Improvements Project.

RESOLUTION NO.: 87 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT
DONATIONS IN SUPPORT OF ESSENTIAL SERVICES PROVIDED BY
THE CITY OF NEWBURGH DURING THE COVID-19 EMERGENCY**

WHEREAS, the City of Newburgh has received and continues to receive donations supporting the essential services provided by the City of Newburgh during the COVID-19 emergency; and

WHEREAS, the City Council has determined that accepting such donations is in the best interests of the City of Newburgh, essential employees, first responders, and the life, health, and safety of its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept donations supporting the essential services provided by the City of Newburgh during the COVID-19 emergency, with the particular thanks of this Council.

RESOLUTION NO.: 88-2020

OF

APRIL 13, 2020

**A RESOLUTION AMENDING THE 2020 PERSONNEL ANALYSIS BOOK
TO EXTEND ONE (1) LABORER POSITION ON A TEMPORARY BASIS IN THE
PARKS DIVISION OF THE CITY OF NEWBURGH DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department of Public Works has requested to extend one laborer assigned to the Parks Division for the period April 10, 2020 to September 26, 2020 to promote the economy and efficiency within the Department; and

WHEREAS, the extension of the laborer position will be on a temporary basis; and

WHEREAS, the City Council has determined that extending the temporary laborer position in the Department of Public Works is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Personnel Analysis Book for the fiscal year 2020 be amended to extend one laborer position assigned to the Parks Division in the Department of Public Works for the period April 10, 2020 to September 26, 2020.

RESOLUTION NO.: 89 - 2020

OF

APRIL 13, 2020

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AGREEMENTS WITH ENTERPRISE FM TRUST AND ENTERPRISE FLEET
MANAGEMENT, INC. FOR LEASING, PURCHASE, AND SALE OF VEHICLES**

WHEREAS, the City of Newburgh has identified the need for a more efficient, flexible, and varied fleet of vehicles for City-related uses; and

WHEREAS, the City has developed a plan to modernize and maintain its fleet of vehicles through a set of agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. (collectively "Enterprise"); and

WHEREAS, the City has identified Orange County as having an existing agreement with Enterprise that allows municipalities to enter into separate agreements in compliance with General Municipal Law §103 and to take advantage of pricing and other terms contained in the County agreement; and

WHEREAS, the City has further identified that agreements with Enterprise would provide low life cycle vehicle costs, high fleet flexibility, and depth of services; and

WHEREAS, this Council finds it to be in the best interest of the City of Newburgh to enter into agreements with Enterprise for leasing, purchase, and sale of vehicles;

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 agreements with Enterprise, with all such terms and conditions as may be required by the Corporation Counsel, for vehicle fleet leasing, sale, and management services to the City.

RESOLUTION NO.: 90 - 2020

OF

APRIL 13, 2020

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH GENERAL CODE, CMS, LLC
FOR MUNICIPAL SOFTWARE SERVICES AND
IN CONNECTION WITH THE CITIES RISE PHASE III GRANT**

WHEREAS, by Resolution No. 223-2019 of September 9, 2019, the City Council authorized the City Manager to apply for and accept if awarded a Cities for Responsible Investment and Strategic Enforcement (“Cities RISE”) Phase III grant through the Office of the New York State Attorney General; and

WHEREAS, the City was awarded funds from the New York State Cities RISE Phase III grant, with a mandate to launch innovative programs related to housing and strategic code enforcement in an effort to address and transform blighted, vacant, or poorly maintained properties through the use of housing and community data; and

WHEREAS, part of the City’s grant application included upgrading the City’s municipal software to more accurately track housing code related issues and improve code enforcement workflows; and

WHEREAS, the City issued Request for Proposals (“RFP”) No. 22-19 for municipal software services and received six (6) responses from software companies interested in providing municipal software services to the City; and

WHEREAS, a review committee has reviewed the responses to the RFP and recommended to City Council that General Code, CMS, LLC (“General Code”) be selected to provide municipal software services to the City; and

WHEREAS, this Council finds it to be in the best interest of the City of Newburgh to enter into a three-year agreement with General Code for said municipal software services with funding to be derived from CG.3620.0220.3621.2021;

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 agreements with General Code, with all such terms and conditions as may be required by the Corporation Counsel, for municipal software services to the City.

RESOLUTION NO.: 91 - 2020

OF

APRIL 13, 2020

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN
AS 53 SOUTH ROBINSON AVENUE (SECTION 38, BLOCK 6, LOT 1) AT PRIVATE
SALE TO KAYLA MICHELLE DELEON LARA FOR THE AMOUNT OF \$50,000.00**

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 53 South Robinson Avenue, being more accurately described as Section 38, Block 6, Lot 1 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 July 17, 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>
53 South Robinson Avenue	38 - 6 - 1	Kayla Michelle Deleon Lara	\$50,000.00

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

53 South Robinson Avenue, City of Newburgh

(SBL: 38-6-1)

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 receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh 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. 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 **\$5,000.00** 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: _____

KAYLA MICHELLE DELEON LARA

RESOLUTION NO.: 92 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO APPLY FOR AND ACCEPT IF AWARDED A NEW YORK STATE
GOVERNOR'S TRAFFIC SAFETY COMMITTEE 2021 POLICE TRAFFIC SERVICES
PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$46,000.00
WITH NO CITY MATCH REQUIRED**

WHEREAS, the City of Newburgh wishes to apply for a State of New York Governor's Traffic Safety Committee 2021 Police Traffic Services Program Grant in the amount of \$46,000.00 with no City match required, except the City of Newburgh will be responsible for certain fringe benefit costs which are not covered by the grant; and

WHEREAS, the Governor's Traffic Safety Committee Police Traffic Services Program offers grant funding to conduct traffic enforcement details based on the crash data of their local patrol area with the goal of impacting motorist behavior and improving traffic safety within their jurisdiction; and

WHEREAS, if awarded the City of Newburgh Police Department will use the funds for traffic enforcement, and in addition to having a current mandatory seat belt use policy in place for police officers of the department, they will participate in the national Click it or Ticket seat belt enforcement mobilization; 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 Governor's Traffic Safety Committee 2021 Police Traffic Services Program Grant in an amount not to exceed \$46,000.00 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.: 93 - 2020

OF

APRIL 13, 2020

**A RESOLUTION ADOPTING THE CITY OF NEWBURGH
GRANT APPLICATION POLICY AND PROCEDURE AS AMENDED**

WHEREAS, by Resolution No. 108-2014 of April 28, 2014, the City Council of the City of Newburgh adopted a Grant Application Policy and Procedure; and

WHEREAS, the City Council has reviewed the revisions recommended by the City Comptroller to the Grant Application Policy and Procedure and finds that adopting the revised policy is in the best interest of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York hereby adopts the City of Newburgh Grant Application Policy and Procedure, as amended, a copy of which is attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that this Policy, as amended, shall take effect on April 15, 2020.

RESOLUTION NO.: 94 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CO-SPONSORSHIP AGREEMENT WITH THE SMALL BUSINESS ADMINISTRATION
FOR SMALL BUSINESS DEVELOPMENT WORKSHOPS
TO BE HELD IN THE CITY OF NEWBURGH**

WHEREAS, following a Community Needs Assessment and Federal Partners Tour organized by the New York Office of the U.S. Department of Housing and Urban Development, in December 2016, the Small Business Administration (“SBA”) has completed plans to develop workforce training geared to assist entrepreneurial interest in new business development and skill in writing and managing business plans; and

WHEREAS, by Resolution No. 103-2018 of April 23, 2018, the City Council authorized the City Manager to enter into an agreement with the U.S. Small Business Administration to co-sponsor the “Small Business Basics Workshops” in the City of Newburgh; and

WHEREAS, the SBA has proposed an new set of workshops, in English and Spanish, starting with Mature Entrepreneur: Starting a Business at 50+; Alternative Lending for Startups; SBA’s Programs and Services, Business Plan Writing; Credit and Financial Literacy and others, designed to educate the community in order to assist, prepare and counsel them in their quest to become entrepreneurs; and

WHEREAS, the administration of the workshops requires an agreement between the City of Newburgh and the SBA, which agreement is annexed hereto; and

WHEREAS, the City Council has reviewed the agreement and finds that the execution of same is in the best interests of the City of Newburgh and its citizens;

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 an agreement with the U.S. Small Business Administration, in substantially the same form as annexed hereto and subject to such other terms and conditions as may be required by Counsel, to co-sponsor the “Small Business Basics Workshops” in the City of Newburgh.

RESOLUTION NO.: 95 - 2020

OF

APRIL 13, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND
ACCEPT IF AWARDED AN ENTERGY OPEN GRANT IN THE AMOUNT OF \$50,000.00
WITH NO CITY MATCH TO FUND
SHOTSPOTTER FLEX GUNFIRE LOCATION, ALERT AND ANALYSIS SERVICES
FOR THE CITY OF NEWBURGH POLICE DEPARTMENT**

WHEREAS, by Resolution No. 336-2016 adopted January 9, 2017, the City Council of the City of Newburgh approved an agreement with SST, Inc. for subscription-based ShotSpotter Flex gunfire location, alert and analysis services to the City of Newburgh; and

WHEREAS, the City of Newburgh continues to identify alternative sources of funding for the subscription-based ShotSpotter gunfire location, alert and analysis services; and

WHEREAS, Entergy's Open Grants Program provides funding for improving communities and supports community based projects that improve neighborhood safety; and

WHEREAS, ShotSpotter gunfire location, alert and analysis services improve the life, health and safety of the residents of the City of Newburgh; and

WHEREAS, the City Council finds that applying and accepting if awarded an Entergy Open Grant in the amount of \$50,000.00 to continue to provide ShotSpotter gunfire location, alert and analysis services to City residents and stakeholders is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded an Entergy Open Grant in an amount not to exceed \$50,000.00 with no City match required for the purpose of funding ShotSpotter gunfire location, alert and analysis services to the City of Newburgh Police Department; 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.: 96 - 2020

OF

APRIL 13, 2020

**A RESOLUTION DECLARING 8 OUTER VEST CARRIERS
TO BE SURPLUS EQUIPMENT AND AUTHORIZING SALE TO
THE FORMER CITY OF NEWBURGH POLICE OFFICERS
AT A COST OF \$75.00 PER ITEM**

WHEREAS, the City of Newburgh Police Department possesses 8 outer vest carriers worn with bullet proof vests which are no longer of use to the City because the police officers have separated from City service and cannot be re-issued to current City of Newburgh police officers; and

WHEREAS, several former City of Newburgh police officers have expressed an interest in purchasing their outer vest carriers for their continued use and will compensate the City \$75.00 per outer vest carrier; and

WHEREAS, this Council has determined that declaring the outer vest carriers to be surplus and selling same to the former City of Newburgh police officers to which they were originally issued is in the best interest of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that 8 outer vest carriers be declared surplus and of no further use or value to the City of Newburgh and sold to the former City of Newburgh police officers to which they were originally issued at a cost of \$75.00 per item with the proceeds of the disposition of said surplus property be allocated to the City of Newburgh Police Department.

RESOLUTION NO.: 97-2020

OF

APRIL 13, 2020

**A RESOLUTION AMENDING THE 2020 PERSONNEL ANALYSIS BOOK
TO ADD ONE (1) LIEUTENANT POSITION ON A TEMPORARY BASIS
IN THE CITY OF NEWBURGH POLICE DEPARTMENT**

WHEREAS, the Police Department has advised the City Manager that the department is in need of an additional individual to perform the duties of “Lieutenant” related to the management and supervision of the Patrol Division; and

WHEREAS, the creation of the additional Police Department Lieutenant position will be on a temporary basis and funding for such position will be derived from vacant positions which have not been filled or backfilled; and

WHEREAS, the City Council has determined that adding one Lieutenant position in the Police Department will promote economy and efficiency within the Department; 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 the Personnel Analysis Book for the fiscal year 2020 be amended, and that there be and hereby is created one (1) additional position on a temporary basis in the job title “Lieutenant” in the Police Department.