



CITY OF NEWBURGH  
COUNCIL MEETING AGENDA  
*SESION GENERAL DEL CONSEJAL*

May 28, 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 May 11, 2020
5. City Manager Update/ Gerente de la ciudad pone al día a la audiencia de los planes de cada departamento

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

6. Resolution No. 112 - 2020 - Proposal with ARCADIS for Professional Engineering Services Related to Phases 2 and 3 of the City's Long Term Control Plan

Resolution authorizing the City Manager to accept a proposal and enter into an agreement for professional engineering services with Arcadis of New York Inc. for Phases II and III of the Combined Sewer Overflow Long Term Control Plan in an amount not to exceed \$542,500.00.

*Una resolución autorizando al Gerente de la Ciudad a aceptar una propuesta y entrar en un acuerdo para servicios profesionales de ingeniería con Arcadis de New York, Inc. Para la Fase II y III del Plan de Control a Largo Plazo del Desbordamiento del Alcantarillado Combinado por una cantidad que no exceda \$542,500.00.*

7. Resolution No. 113 - 2020 - Award of Bid for PIN# 8761.39 Lake Drive over Quassaick Creek Bridge Replacement

Resolution authorizing the award of a bid and the execution of a contract with Michels Corporation for the construction of the Lake Drive Over Quassaick Creek Replacement Project (BIN#2223630/PIN#8761.39) in an amount not to exceed \$2,139,500.00.

*Una resolución autorizando la otorgación de una licitación y la ejecución de un contrato con Michels Corporación para la construcción del Proyecto*

*de reemplazo de Lake Drive sobre el Arroyo de Quassaick (BIN#2223630/PIN#8761.39) por un monto que no exceda \$2,139,500.00.*

8. Resolution No. 114 - 2020 - Purchase of 66 Carson Avenue

Resolution to authorize the conveyance of real property known as 66 Carson Avenue (Section 45, Block 6, Lot 30) at private sale to Steven T. Ching for the amount of \$52,000.00.

*Una resolución para autorizar el traspaso de bienes raíces conocidas como la 66 de la Avenida Carson (Sección 45, Bloque 6, Lote 30) en una venta privada a Steven T. Ching por el monto de \$52,000.00.*

9. Resolution No. 115 - 2020 - 2020 TD Tree Days Grant for \$19,720

Resolution authorizing the Conservation Advisory Council and the City Manager to apply for and accept if awarded an Arbor Day Foundation TD Tree Days Program Grant in the amount of \$19,720.00 to support new tree planting on South and Lander Streets.

*Una resolución autorizando al Concejo Consultivo de Conservación y al Gerente de la Ciudad a solicitar y aceptar si es otorgado una Subvención de la Fundación del Día del Árbol del Programa de TD Días de Árboles por el monto de \$19,720.00 para apoyar la plantación de nuevos árboles en la Calle South y la Calle Lander.*

10. Resolution No. 116 - 2020 - US DOJ 2020 Bullet Proof Vest Grant

Resolution authorizing the City Manager to apply for and accept if awarded a grant from the United States Department of Justice Bureau of Justice Assistance under the 2020 Bulletproof Vest Partnership in the amount of \$21,125.00 with a fifty percent match to be paid out of police funds.

*Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una subvención de la Oficina de Asistencia de Justicia del Departamento de Justicia de los Estados Unidos bajo la Sociedad de Chalecos Antibalas 2020 por el monto de \$21,125.00 el cual requiere que se igualen un 50% de los fondos y serán pagados de los fondos de la policía.*

11. Resolution No. 117 - 2020 - To accept if awarded -NEA Coronavirus Aid, Relief, and Economic Security (CARES) Act FY 2020

Resolution authorizing the City Manager to apply for and accept if awarded a National Endowment for the Arts Coronavirus Aid Relief and Economic Security Act Grant in the amount of \$50,000.00 with no City match to conduct a Newburgh Arts and Cultural Survey.

*Una resolución autorizando al Gerente de la Ciudad a solicitar y aceptar si es otorgado una Subvención de Dotación para las Artes de la Ley*

*Nacional de Alivio de Ayuda y Seguridad Económica por el Coronavirus por el monto de \$50,000.00 el cual no requiere que la ciudad iguale los fondos para conducir una Encuesta de Artes y Cultura en Newburgh.*

12. Resolution No. 118 - 2020 - CDBG FY 2019 Substantial Amendment - schedule public hearing

Resolution scheduling a public hearing for June 8, 2020 to hear public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2019 Annual Action Plan for the allocation of Coronavirus Aid, Relief, and Economic Security Act funding.

*Una resolución programando una audiencia pública para el 8 de junio de 2020 para escuchar comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para la asignación de Ayuda de Coronavirus, Alivio, y Financiación de la Lay de Seguridad Económica.*

13. Resolution No. 119 - 2020 - CDBG FY 2019 Substantial Amendment - schedule public comment period

Resolution opening a 5-day public comment period to receive public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2019 Annual Action Plan for the allocation of Coronavirus Aid, Relief, and Economic Security Act funding.

*Una resolución programando un periodo de comentario público para recibir comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para la asignación de Ayuda de Coronavirus, Alivio, y Financiación de la Lay de Seguridad Económica.*

14. Resolution No. 120 - 2020 - CDBG FY 2020 Substantial Amendment - schedule public hearing

Resolution scheduling a public hearing for June 8, 2020 to hear public comment concerning a Substantial Amendment to the City of Newburgh CDBG FY2020 Annual Action Plan to reallocate funding to Community Policing and Neighborhood Services.

*Una resolución programando una audiencia pública para el 8 de junio de 2020 para escuchar comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para reasignar fondos a Vigilancia Comunitaria y Servicios para Vecindades.*

15. Resolution No. 121 - 2020 - CDBG FY 2020 Substantial Amendment - schedule public comment period

Resolution opening a 30-day public comment period to receive public comment concerning a Substantial Amendment to the City of Newburgh

CDBG FY2020 Annual Action Plan to reallocate funding to Community Policing and Neighborhood Services.

*Una resolución abriendo un periodo de comentario público de 30 días para recibir comentarios públicos sobre una Enmienda Substancial al Plan de Acción Anual del CDBG de la Ciudad de Newburgh AF2019 para reasignar fondos a Vigilancia Comunitaria y Servicios para Vecindades.*

16. Resolution No. 122 - 2020 - Payment of Claim with Janet Martinez

A resolution Authorizing the City Manager to execute a payment of claim with Janet Martinez, individually, and as mother and natural guardian of K.F. in the total amount of \$30,000.00.

*Una resolucioin autorizando al Gerente de la Ciudad a ejecutar un pago de reclamo con Janet Martinez, individualmente, y como madre y guardian natural de K.F. por el monto total de \$30,000.00.*

17. Ordinance No. 5 - 2020 - Amendment to Chapter 223 - Mobile Food Vendors

Ordinance amending Section 223-3, "Definitions; Word Usage," and Section 223-9, "Food Vendors," of the Code of the City of Newburgh to include regulations for mobile food vendors.

*Una Ordenanza enmendando Sección 223-3, "Definiciones; Uso de Palabras," y Sección 223-9, "Vendedores de Comida," del Código de Ordenanzas de la Ciudad de Newburgh para incluir regulaciones para vendedores de comida móviles.*

18. Ordinance No. 6 - 2020 - Amendment to Chapter 163 - Fees

Ordinance amending Chapter 163 entitled "Fees" of the Code of the City of Newburgh to provide fees related to licensing of mobile food vendors.

*Una Ordenanza enmendando Capitulo 163 titulado "Tarifas" del Código de la Ciudad de Newburgh para proporcionar tarifas relacionadas con la licenciatura de vendedores de comida móviles.*

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

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

Adjournment/ Aplazamiento:

RESOLUTION NO.: 112 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL  
AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES  
WITH ARCADIS OF NEW YORK INC. FOR PHASES II AND III OF  
THE COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN  
IN AN AMOUNT NOT TO EXCEED \$542,500.00**

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

**WHEREAS**, the City submitted its Phase I LTCP and by Resolution No. 303-2015 of November 23, 2015, the City Council authorized the City Manager to execute a Modification Order on Consent approving a Compliance Schedule for Phase I through V of the LTCP; and

**WHEREAS**, by Resolution No. 189-2019 of August 12, 2019, the City Council authorized the City Manager to accept a letter proposal and execute a professional engineering services agreement with Arcadis of New York, Inc. to complete the planning and preliminary engineering for projects included as part of Phase II, III, and IV of the LTCP in an amount not to exceed \$880,000.00; and

**WHEREAS**, Arcadis of New York, Inc. has submitted a letter proposal for additional professional engineering services to complete the designs and bid documents for the Downing Park Drain Outlet and Third Street Storm Drain and North Interceptor Improvements Projects included as part of Phase II and III of the CSO LTCP; and

**WHEREAS**, funding for the cost of the services an amount not to exceed \$542,500.00 shall be derived from an existing grant and loan from the New York State Environmental Facilities Corporation under project CWSRF#C3-7332-11-00; and

**WHEREAS**, this Council determines that accepting the proposal and executing a contract with Arcadis of New York, Inc. in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept the letter proposal and execute a professional engineering services agreement with Arcadis of New York, Inc. to complete the designs and bid documents for the Downing Park Drain Outlet and Third Street Storm Drain and North Interceptor Improvements Projects included as part of Phase II and III of the Long Term Control Plan for the City's Combined Sewer Collection System, with other provisions as Corporation Counsel may require, in an amount not to exceed \$542,500.00.

RESOLUTION NO.: 113 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE AWARD OF A BID AND THE EXECUTION OF  
A CONTRACT WITH MICHELS CORPORATION FOR THE CONSTRUCTION OF  
THE LAKE DRIVE OVER QUASSAICK CREEK REPLACEMENT PROJECT  
(BIN#2223630/PIN#8761.39) IN AN AMOUNT NOT TO EXCEED \$2,139,500.00**

**WHEREAS**, the City of Newburgh duly re-advertised for bids in connection with the Lake Drive over the Quassaick Creek Bridge Replacement Project (BIN#2223630/PIN#8761.39); and

**WHEREAS**, seven (7) bids were duly received and opened and Michels Corporation is the most responsible low bidder; and

**WHEREAS**, funding for the Project shall be derived from the Orange County Transportation Council (OCTC) Transportation Improvement Program (TIP), OCTC Tip Reserve Fund Budget Line A.0000.0882.0000, and the 2016 BAN H1.5110.0208.8102.2016; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that the bid for construction of the Lake Drive over the Quassaick Creek Bridge Replacement Project (BIN#2223630/PIN#8761.39) for the City of Newburgh be and it hereby is awarded to Michels Corporation in an amount not to exceed \$2,139,500.00; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh that the City Manager be and he is hereby authorized to enter into a contract for such work in this amount.

CITY OF NEWBURGH  
83 BROADWAY, NEWBURGH, NY 12550

TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT

PIN: 8761.39 | Bid #4.20

### **ADVERTISEMENT FOR BIDS**

**Name of Project: PIN 8761.39 (Bid #4.20) – Lake Drive over Quassaick Creek Bridge Replacement  
City of Newburgh, Orange County**

Sealed bids for the furnishing of all labor and material necessary for **Lake Drive over Quassaick Creek Bridge Replacement** will be received by the City of Newburgh Comptroller's Office until **11:00 a.m.** (local time) **Wednesday, May 13, 2020 at the City Hall**, City of Newburgh, 83 Broadway - 4<sup>th</sup> floor, Newburgh, New York, 12550 at which time and place they will be publicly opened and read aloud. However, if the Governor further extends the New York State Disaster Emergency Declaration as amended by Executive Order No. 202.11 beyond April 26, 2020, the bid opening will be non-public and live-streamed for public viewing.

Bids will be received for the following Contract: PIN 8761.39 – Lake Drive over Quassaick Creek Bridge Replacement. This project includes the replacement of the existing Lake Drive Bridge over the Quassaick Creek in the City of Newburgh, New York.

Complete sets of the drawings, specifications and bid forms, becoming available to the public on **Friday, April 17, 2020** may be viewed and downloaded at no charge by visiting the Empire State Purchasing Group website at: [www.BidNetDirect.com/new-york/city-of-newburgh](http://www.BidNetDirect.com/new-york/city-of-newburgh), selecting the "Open Solicitations" tab and title of solicitation. Vendors may have to register if visiting this site for the first time. Bids will only be accepted from those vendors having downloaded all Bid Documents from the Empire State Purchasing Group website which are then considered and listed as an Official Plan Holder.

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

Each proposal shall be accompanied by a bid security in the amount of five percent (5%) of the gross amount of the bid payable to the City of Newburgh as a guarantee that if the Bid is accepted, the Bidder will enter into a contract with the City of Newburgh. No bidder may withdraw his or her bid within forty-five (45) days after the actual date of opening therefore.

The Bidder to whom the Contract is awarded will be required to furnish performance and payment bonds from an acceptable Surety Company for an amount not less than 100% of the accepted bid to guarantee the Bidder will complete the items bid upon in accordance with the specifications and under the terms of the contract documents.

**This is a Federal Aid project and the NYSDOT Standard Construction Specifications dated May 1, 2020 MUST be followed including Section 100.** The project contains Affirmative Action Goals and reporting requirements. NYSDOT Standard Specifications must be followed on a Federal Aid project. This project is subject to the provision of Chapter 605, Laws of the State of New York of 1959, Section 103-A of the General Municipal Law and subsequent amendments, and all Federal requirements.

This project is subject to New York State Department of Labor Prevailing Wage rates and Federal Davis-Bacon Labor rates. The higher rates shall apply.

**All work items of the Contract shall be completed within 180 consecutive calendar days from receipt of Notice to Proceed, exclusive of an approved winter shutdown or such period as extended by the Owner as provided herein.**

**CITY OF NEWBURGH**  
83 BROADWAY, NEWBURGH, NY 12550

**TITLE: LAKE DRIVE OVER QUASSAICK CREEK BRIDGE REPLACEMENT**

**PIN: 8761.39 | Bid #4.20**

The Disadvantaged Business Utilization Goal for this project is 8.0%. EEO Goals for this project are 17.0% Minority and 6.9% Female. There is no M/WBE language or requirements, residences or geographical restrictions or requirements or Project Labor Agreement requirements associated with this project.

The New York State Department of Transportation utilizes a web-based civil rights reporting system called EBO (Equitable Business Opportunities). The Contractor is required to utilize this reporting software in accordance with Section 15.4.8 of the NYSDOT Procedures for Locally Administered Federal Aid Projects.

Owner's Rights Reserved: The City of Newburgh, (the City), reserves the right to reject any or all Bids and to waive any and all informalities or technicality and the right to disregard all nonconforming, non-responsive or conditional bids in the interest of the City.

Upon selection, for all contracts that equal or exceed \$100,000, the low bidder will be required to submit to the State a Vendor Responsibility Questionnaire: Construction – For-Profit (CCA-2). Contractors and subcontractors **MUST have an approved CCA-2 on file with NYSDOT** prior to the letting of the project. The questionnaire can be found online at: [http://www.osc.state.ny.us/vendrep/forms\\_vendor.htm](http://www.osc.state.ny.us/vendrep/forms_vendor.htm)

Addenda Procedure: Bidders shall refer to the Instructions to Bidders in the Project Proposal for a complete description of the addendum process.

Statement of Non-Collusion: Bidders are required to execute the non-collusion bidding certificate attached thereto pursuant to Section 103-d of the General Municipal Law of the State of New York.

Bidders are required to submit Lobbying Activities Form contained in the project specifications.


Any inquiries regarding the contract plans and/or specifications must be directed, in writing, to Lou Bach, P.E., Project Engineer at [lbach@hveapc.com](mailto:lbach@hveapc.com).

Bidders shall promptly notify the City of any errors, omissions, conflicts, ambiguity, etc. in/among the contract documents.

<b>Owner</b>	<b>Contact</b>
City of Newburgh	Jason Morris, P.E.
83 Broadway	City Engineer
Newburgh, NY 12550	<a href="mailto:JMorris@cityofnewburgh-ny.gov">JMorris@cityofnewburgh-ny.gov</a>

<b>Consultant</b>	<b>Contact</b>
HVEA Engineers	Lou Bach, P.E.
560 Route 52 – Suite 201	Project Engineer
Beacon, NY 12508	<a href="mailto:LBach@hveapc.com">LBach@hveapc.com</a>

BY ORDER OF THE CITY OF NEWBURGH

By:  \_\_\_\_\_ Dated: April 15, 2020  
City Comptroller



RESOLUTION NO.:   114   - 2020

OF

MAY 28, 2020

**A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY  
KNOWN AS 66 CARSON AVENUE (SECTION 45, BLOCK 6, LOT 30)  
AT PRIVATE SALE TO STEVEN T. CHING FOR THE AMOUNT OF \$52,000.00**

**WHEREAS**, the City of Newburgh has acquired title to several parcels of real property by exercising its right of reverter pursuant to Section 612 of the Real Property Actions and Proceedings Law of the State of New York; and

**WHEREAS**, pursuant to Section 13-2 of the City Code of the City of Newburgh, the City may sell any real property at private sale; and

**WHEREAS**, the City of Newburgh desires to sell 66 Carson Avenue, being more accurately described as Section 45, Block 6, Lot 30 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 August 28, 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>
66 Carson Avenue	45 - 6 - 30	Steven T. Ching	\$52,000.00

**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

## 66 Carson Avenue, City of Newburgh (SBL: 45-6-30)

### 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 **\$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: \_\_\_\_\_

\_\_\_\_\_  
Steven T. Ching

RESOLUTION NO.: \_\_\_\_115\_\_\_\_ - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CONSERVATION ADVISORY COUNCIL AND  
THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED AN  
ARBOR DAY FOUNDATION TD TREE DAYS PROGRAM GRANT  
IN THE AMOUNT OF \$19,720.00 TO SUPPORT NEW TREE PLANTING  
ON SOUTH AND LANDER STREETS**

**WHEREAS**, the City of Newburgh Conservation Advisory Council has requested that the City of Newburgh authorize its application to the Arbor Day Foundation TD Tree Days Grant program to fund new tree planting on South and Lander Streets; and

**WHEREAS**, the City of Newburgh Conservation Advisory Council proposes to plant 30 trees along South and Lander Streets which presently are bare of trees and without the benefits of shade, temperature moderation and clean air provided by trees; and

**WHEREAS**, such grant funding shall be the amount of \$19,720.00 and requires no match from the City; and

**WHEREAS**, this Council has determined that making such application and accepting such grant funds 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 of Newburgh Conservation Advisory Council and the City Manager be and they are hereby authorized to apply for and accept if awarded an Arbor Day Foundation TD Tree Days Program grant in the amount of \$19,720.00 to fund new tree planting on South and Lander Streets; and

**BE IT FURTHER RESOLVED**, that the City Manager be and he is hereby further authorized to execute any documents in connection with such grant and to take all measures as may be appropriate and necessary to carry out such program.

RESOLUTION NO.: 116 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO APPLY FOR AND ACCEPT IF AWARDED A GRANT FROM  
THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE  
UNDER THE 2020 BULLETPROOF VEST PARTNERSHIP IN THE AMOUNT OF  
\$21,125.00 WITH A FIFTY PERCENT MATCH TO BE PAID OUT OF POLICE FUNDS**

**WHEREAS**, the City of Newburgh Police Department has advised that grant funding is available from the United States Department of Justice Bureau of Justice Assistance under the Bulletproof Vest Partnership FY 2020 covering the period April 1, 2020 through August 31, 2022; and

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

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

**WHEREAS**, funding is requested for 25 vests at a total cost of \$21,125.00 and a fifty (50%) percent match in the amount of \$10,562.50 is to be paid out of Police funds A.3120.0417; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized to apply for and accept if awarded a grant from the Bureau of Justice Assistance under the 2020 Bulletproof Vest Partnership in the amount of \$21,125.00, with a fifty (50%) percent match to be paid out of Police funds; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: 117 - 2020

OF

MAY 28, 2020

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR  
AND ACCEPT IF AWARDED A NATIONAL ENDOWMENT FOR THE ARTS  
CORONAVIRUS AID RELIEF AND ECONOMIC SECURITY ACT GRANT  
IN THE AMOUNT OF \$50,000.00 WITH NO CITY MATCH  
TO CONDUCT A NEWBURGH ARTS AND CULTURAL SURVEY**

**WHEREAS**, by Resolution No. 21-2019 of January 28, 2019, the City Council of the City of Newburgh authorized the Interim City Manager, on behalf of the Newburgh Arts and Cultural Commission, to apply for a National Endowment for the Arts Art Works grant in the amount of \$35,000.00 to conduct an arts and cultural survey; and

**WHEREAS**, by Resolution No. 327-2019 of December 9, 2019, the City Council authorized the City Manager, on behalf of the Newburgh Arts and Cultural Commission to accept a National Endowment for the Arts Art Works grant in the amount of \$10,000.00 to conduct an arts and cultural survey; and

**WHEREAS**, the Newburgh Arts and Cultural Commission has requested that the City of Newburgh apply for and accept if awarded a National Endowment for the Arts Coronavirus Aid, Relief and Economic Security ("CARES") Act grant in the amount of \$50,000.00 to support the conduct of the previously awarded Newburgh Arts and Cultural Study; and

**WHEREAS**, the grant in the amount of \$50,000.00 requires no City match; and

**WHEREAS**, this Council has determined that applying for and accepting if awarded said grant 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 if awarded a National Endowment for the Arts Coronavirus Aid, Relief and Economic Security ("CARES") Act grant in the amount of \$50,000.00 to continue to conduct the previously awarded arts and cultural survey grant; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to apply for such grant.

RESOLUTION NO.: 118 - 2020

OF

MAY 28, 2020

RESOLUTION SCHEDULING A PUBLIC HEARING FOR JUNE 8, 2020 TO HEAR  
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE  
CITY OF NEWBURGH CDBG FY2019 ANNUAL ACTION PLAN  
FOR THE ALLOCATION OF  
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING

**WHEREAS**, by Resolution No. 327-2018 of November 13, 2018, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2019 Annual Action Plan (“AAP”); and

**WHEREAS**, the City of Newburgh received a special allocation of CDBG funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which requires a Substantial Amendment to the previously authorized FY 2019 AAP and a public hearing;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a substantial amendment to the CDBG FY 2019 Annual Action Plan; 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 8<sup>th</sup> day of June, 2020; and

**BE IT FURTHER RESOLVED**, that due to public health and safety concerns related to COVID-19, the City Council will not meet in-person and in accordance with the Governor’s Executive Order 202.1, as amended, the June 8, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed CDBG FY2019 Annual Action Plan as follows:

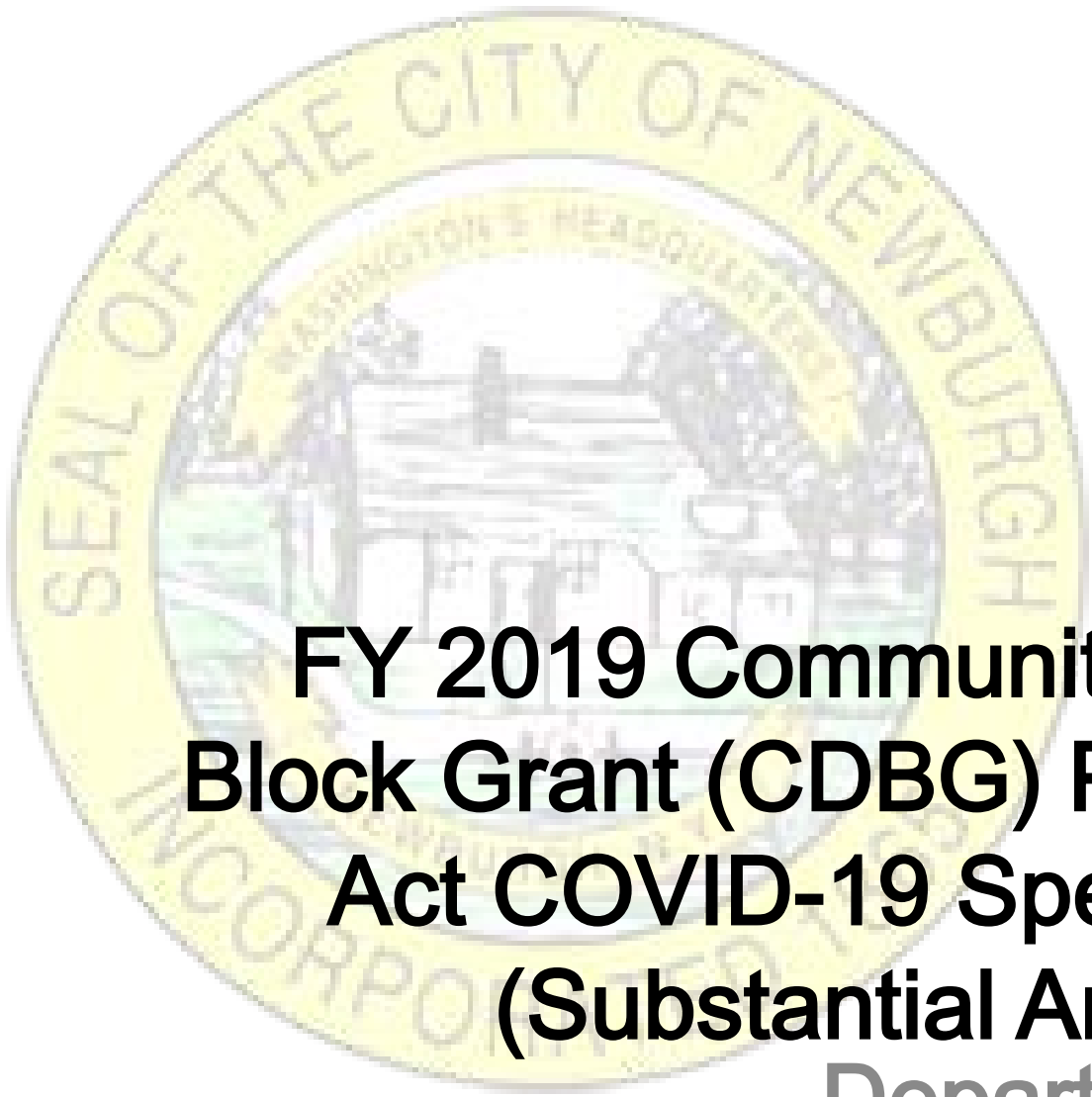
To view the livestream of the City Council Meeting visit: <https://www.cityofnewburgh-ny.gov/live-video-streaming>.

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App: [https://zoom.us/webinar/register/WN\\_nH9rwoDKQjGhCeUEy6ldPw](https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6ldPw). Please note that there is an underscore between the “N” and “n”).

To order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Friday, June 5, 2020 through the Zoom App: [https://zoom.us/webinar/register/WN\\_nH9rwoDKQjGhCeUEy6ldPw](https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6ldPw). Please note that there is an underscore between the “N” and “n”). Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.



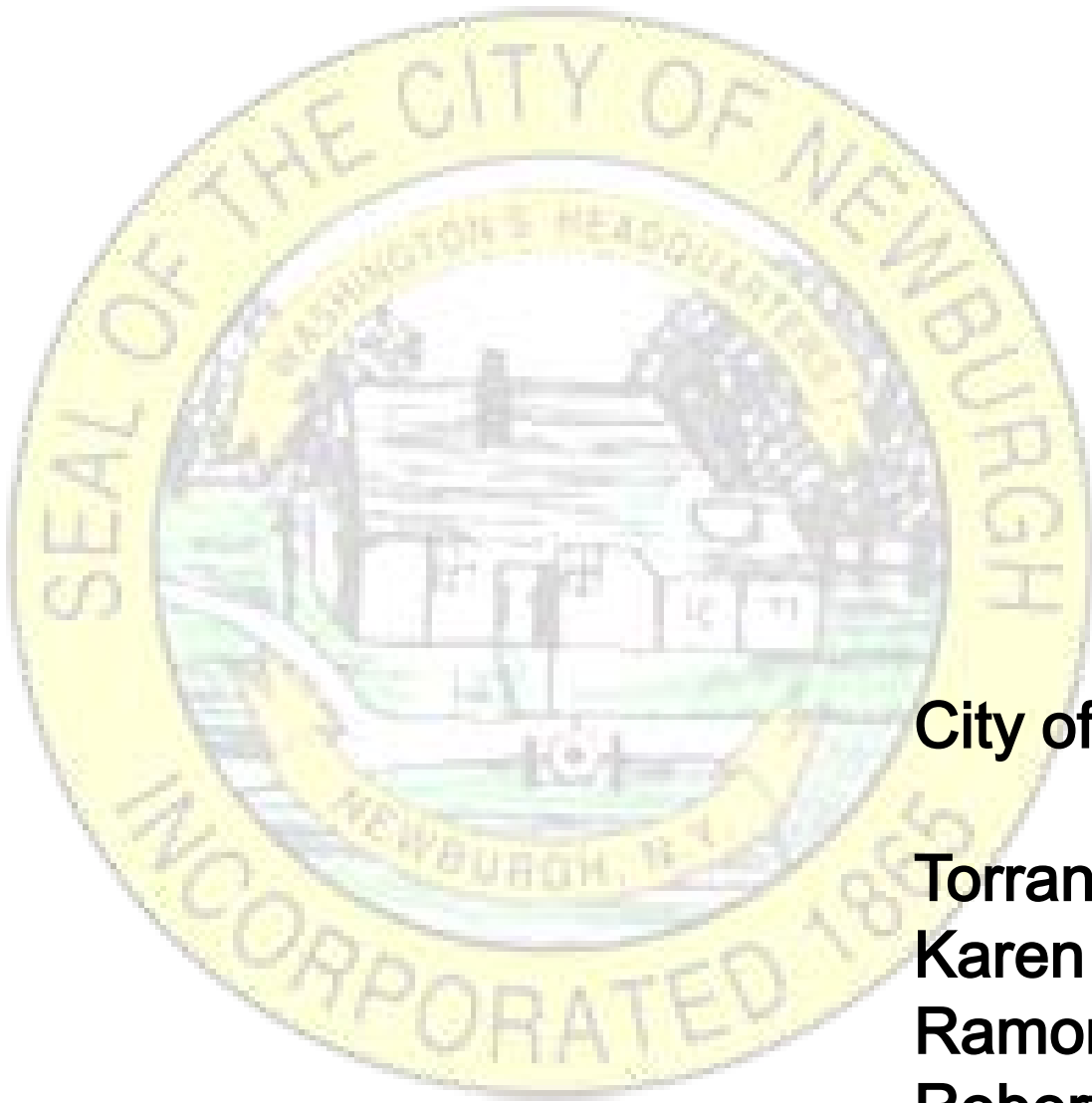
Comments can be provided by email before the meeting to [comments@cityofnewburgh-ny.gov](mailto:comments@cityofnewburgh-ny.gov) with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Friday, June 5, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.



**FY 2019 Community Development  
Block Grant (CDBG) Projects + CARES  
Act COVID-19 Special Allocation  
(Substantial Amendment)**

Department of Planning &  
Development  
May, 2020





## **City of Newburgh City Council:**

**Torrance Harvey, Mayor**

**Karen Mejia, Ward 1**

**Ramona Monteverde, Ward 2**

**Robert Sklarz, Ward 3**

**Patty Sofokles, Ward 4**

**Anthony Grice, At-Large**

**Omari Shakur, At-Large**

# (New) CARES Act Funding

- In April, 2020, the City of Newburgh received a special allocation of Community Development Block Grant (CDBG) funds in the amount of \$513,511.00 to “prevent, prepare for, and respond to the Coronavirus (COVID-19).”
- The allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.



# (New) City of Newburgh FY2019 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
  - A “change of more than 25 % of the total grant award funding the activity.”
  - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



# (New) City of Newburgh FY2019 Substantial Amendment

- As the CARES Act special allocation to the City of Newburgh is greater than both the “change of more than 25 % of the total grant award funding the activity” and a “change [to] the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized,” the substantial amendment process must be activated in order for the City of Newburgh to accept the funding.
- The substantial amendment process includes:
  - Update to a previously authorized AAP
  - Public Hearing
  - Public Comment Period
  - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



# (New) City of Newburgh FY2019 Substantial Amendment

- To expedite and streamline use of the special allocation of CDBG funding, CDBG-CV, the special allocation will be added to the City of Newburgh FY2019 AAP.
- New Activities added to the FY2019 AAP:
  - Public Service**
    - Emergency Income Payments (Rent): \$413,511.00
    - Emergency Food Service - CARES Act (CDBG-CV): \$50,000.00
  - Administration**
    - Administration - CARES Act (CDBG-CV): \$102,702.20

Additional information begins on Slide 11



# “CDBG” - Brief Primer



- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The most recent City of Newburgh Consolidated Plan: **FY2015-FY2019**
- Projects **MUST** be consistent with national priorities for CDBG:
  - Activities that benefit low- and moderate-income people;
  - The prevention or elimination of slums or blight; or
  - Community development activities to address an urgent threat to health or safety.





# City of Newburgh Community Development Goals

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

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



# City of Newburgh CDBG Projects Overview:

- Manage city-owned properties, through the in rem program.
- Provide access to parkland, trails, and healthy activities in nature
- Positively reinvest in our community and our infrastructure
- Provide public service activities to respond to community need



# **FY2019: Annual Action Plan Projects updated with CARES Act COVID-19 Special Allocation**

## **Year 5 of the 5 Year Plan 2015 - 2019**



# FY2019 Entitlement + CARES Act Funding Amended CDBG Projects/Funding

Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG- EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Façade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	<b>CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.</b>		<b>\$50,000.00</b>
	<b>CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.</b>		<b>\$413,511.00</b>
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	<b>CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.</b>		<b>\$50,000.00</b>
<b>Total</b>		<b>\$838,786.00</b>	<b>\$1,352,297.00</b>

**Added through Substantial Amendment (New)**  
**Project: Public Service, Emergency Food Service -**  
**CARES Act (CDBG-CV)**  
**Previous Budget: \$0.00**  
**New Budget: \$50,000.00**

Summary: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities. Funding to be provided to organization through Request For Proposal (RFP) process.



**Added through Substantial Amendment (New)**  
**Project: Public Service, Emergency Income**  
**(Rent) Payment - CARES Act (CDBG-CV)**  
**Previous Budget: \$0.00**  
**New Budget: \$413,511.00**

Summary: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.



**Added through Substantial Amendment (New)**  
**Project: Administration - CARES Act (CDBG-CV)**  
**Previous Budget: \$0.00**  
**Budget: \$50,000.00**

Summary: Funding for Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.



Project: In Rem Property Program  
Budget: \$215,000.00

Summary: Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.





# In Rem Property Program Highlights

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



Project: Complete Streets Project  
Budget: \$225,000.00

Summary: Funding to support the following Complete Streets projects:

- Sidewalks
- Façade Improvements (including business signs)
- Infrastructure



Project: Park Improvements  
Budget: \$200,000.00

Summary: Funding to support park improvements in the City of Newburgh. Projects to include support to the new South Street Park.



Project: Community Policing/Neighborhood Services  
Budget: \$18,000.00

Summary: Funding to support:

- 2019 National Night Out
- 2019 Children's Summer Film Festival



Project: Homeowner Resource Assistance  
Budget: \$60,000.00

Summary: Funding to support a low-income homeowner resource assistance program. Includes repairs as well as other assistance such as financial/budget counseling.

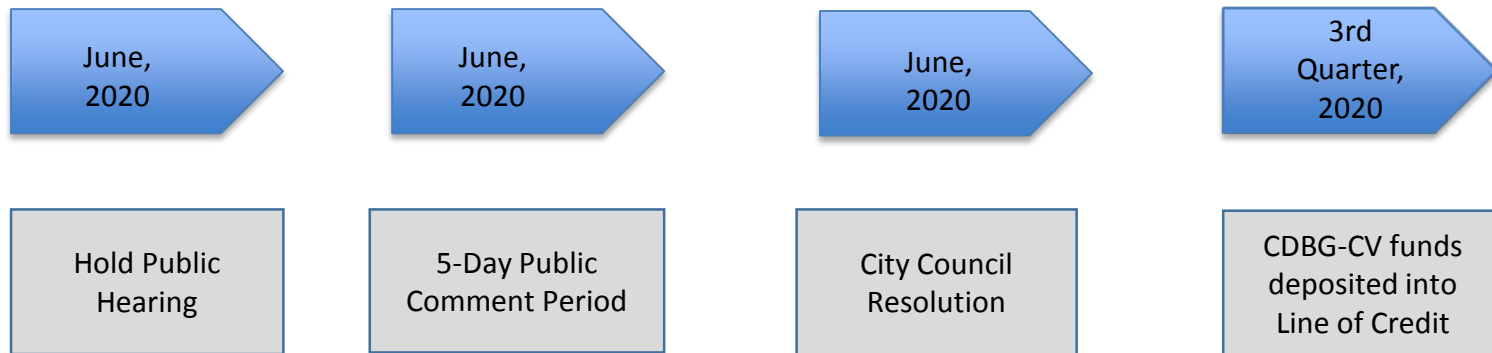


Project: Administration  
Project Funding: \$130,000.00

Summary: Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

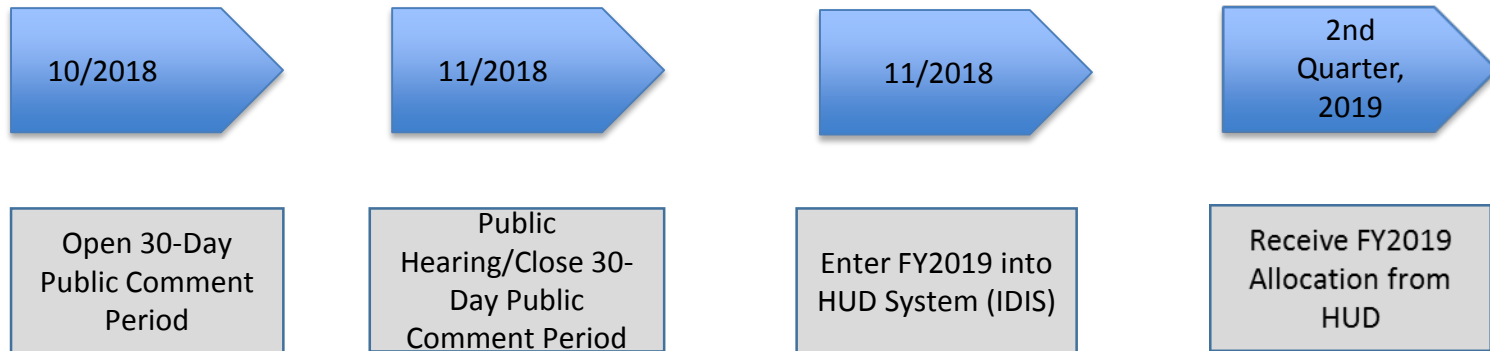


# FY2019 CDBG-CV Projects Timeline (New)



**FY 2019 CDBG-CV PROJECTS TIMELINE**

# FY2019 CDBG Projects Timeline



**FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE**





Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG-EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Faade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	<b>CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.</b>		<b>\$50,000.00</b>
	<b>CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.</b>		<b>\$413,511.00</b>
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	<b>CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.</b>		<b>\$50,000.00</b>
<b>Total</b>		<b>\$838,786.00</b>	<b>\$1,352,297.00</b>

RESOLUTION NO.: 119 - 2020

OF

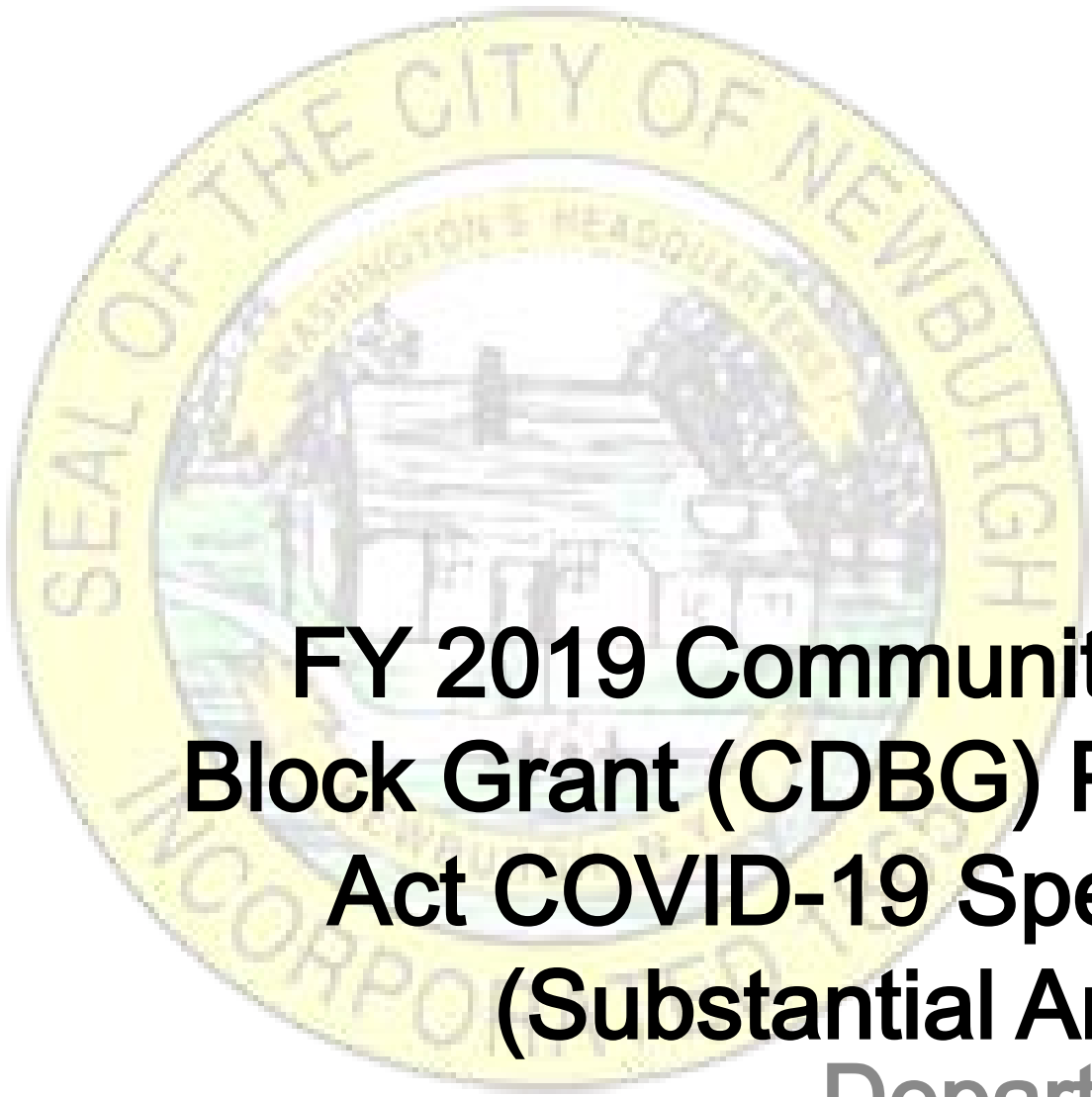
MAY 28, 2020

**RESOLUTION OPENING A 5-DAY PUBLIC COMMENT PERIOD TO RECEIVE  
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE  
CITY OF NEWBURGH CDBG FY2019 ANNUAL ACTION PLAN  
FOR THE ALLOCATION OF  
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING**

**WHEREAS**, by Resolution No. 327-2018 of November 13, 2018, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2019 Annual Action Plan (“AAP”); and

**WHEREAS**, the City of Newburgh received a special allocation of CDBG funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which requires a Substantial Amendment to the previously authorized FY 2019 AAP and a 5-day public comment period;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that the 5-day period to receive written public comment on the City of Newburgh’s substantial amendment to the CDBG FY 2019 Annual Action Plan shall commence on June 9, 2020 and close on June 14, 2020.



**FY 2019 Community Development  
Block Grant (CDBG) Projects + CARES  
Act COVID-19 Special Allocation  
(Substantial Amendment)**

Department of Planning &  
Development  
May, 2020





## **City of Newburgh City Council:**

**Torrance Harvey, Mayor**

**Karen Mejia, Ward 1**

**Ramona Monteverde, Ward 2**

**Robert Sklarz, Ward 3**

**Patty Sofokles, Ward 4**

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**Omari Shakur, At-Large**

# (New) CARES Act Funding

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- The allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.



# (New) City of Newburgh FY2019 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
  - A “change of more than 25 % of the total grant award funding the activity.”
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# (New) City of Newburgh FY2019 Substantial Amendment

- As the CARES Act special allocation to the City of Newburgh is greater than both the “change of more than 25 % of the total grant award funding the activity” and a “change [to] the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized,” the substantial amendment process must be activated in order for the City of Newburgh to accept the funding.
- The substantial amendment process includes:
  - Update to a previously authorized AAP
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  - Public Comment Period
  - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



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- To expedite and streamline use of the special allocation of CDBG funding, CDBG-CV, the special allocation will be added to the City of Newburgh FY2019 AAP.
- New Activities added to the FY2019 AAP:
  - Public Service**
    - Emergency Income Payments (Rent): \$413,511.00
    - Emergency Food Service - CARES Act (CDBG-CV): \$50,000.00
  - Administration**
    - Administration - CARES Act (CDBG-CV): \$102,702.20

Additional information begins on Slide 11





# “CDBG” - Brief Primer

## COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Community Development Block Grant (CDBG) - Administered by the U.S. Department of Housing and Urban Development (HUD)
- Allocated to local and state governments on a formula basis.
- The City of Newburgh is required to prepare and submit a **Consolidated Plan** that establishes goals for the use of CDBG funds. The most recent City of Newburgh Consolidated Plan: **FY2015-FY2019**
- Projects **MUST** be consistent with national priorities for CDBG:
  - Activities that benefit low- and moderate-income people;
  - The prevention or elimination of slums or blight; or
  - Community development activities to address an urgent threat to health or safety.



# City of Newburgh Community Development Goals

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# City of Newburgh CDBG Projects Overview:

- Manage city-owned properties, through the in rem program.
- Provide access to parkland, trails, and healthy activities in nature
- Positively reinvest in our community and our infrastructure
- Provide public service activities to respond to community need



# **FY2019: Annual Action Plan Projects updated with CARES Act COVID-19 Special Allocation**

## **Year 5 of the 5 Year Plan 2015 - 2019**



# FY2019 Entitlement + CARES Act Funding Amended CDBG Projects/Funding

Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG- EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Façade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	<b>CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.</b>		<b>\$50,000.00</b>
	<b>CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.</b>		<b>\$413,511.00</b>
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	<b>CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.</b>		<b>\$50,000.00</b>
<b>Total</b>		<b>\$838,786.00</b>	<b>\$1,352,297.00</b>

**Added through Substantial Amendment (New)**  
**Project: Public Service, Emergency Food Service -**  
**CARES Act (CDBG-CV)**  
**Previous Budget: \$0.00**  
**New Budget: \$50,000.00**

Summary: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities. Funding to be provided to organization through Request For Proposal (RFP) process.



**Added through Substantial Amendment (New)**  
**Project: Public Service, Emergency Income**  
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Summary: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.



**Added through Substantial Amendment (New)**  
**Project: Administration - CARES Act (CDBG-CV)**  
**Previous Budget: \$0.00**  
**Budget: \$50,000.00**

Summary: Funding for Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.





Project: In Rem Property Program  
Budget: \$215,000.00

Summary: Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.



# In Rem Property Program Highlights

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



Project: Complete Streets Project  
Budget: \$225,000.00

Summary: Funding to support the following Complete Streets projects:

- Sidewalks
- Façade Improvements (including business signs)
- Infrastructure



Project: Park Improvements  
Budget: \$200,000.00

Summary: Funding to support park improvements in the City of Newburgh. Projects to include support to the new South Street Park.



Project: Community Policing/Neighborhood Services  
Budget: \$18,000.00

Summary: Funding to support:

- 2019 National Night Out
- 2019 Children's Summer Film Festival



Project: Homeowner Resource Assistance  
Budget: \$60,000.00

Summary: Funding to support a low-income homeowner resource assistance program. Includes repairs as well as other assistance such as financial/budget counseling.

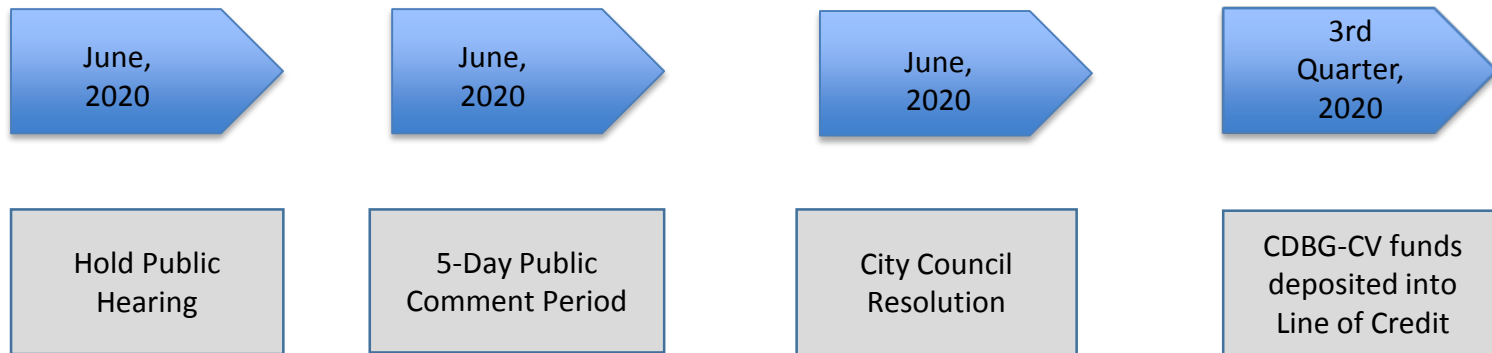


Project: Administration  
Project Funding: \$130,000.00

Summary: Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.



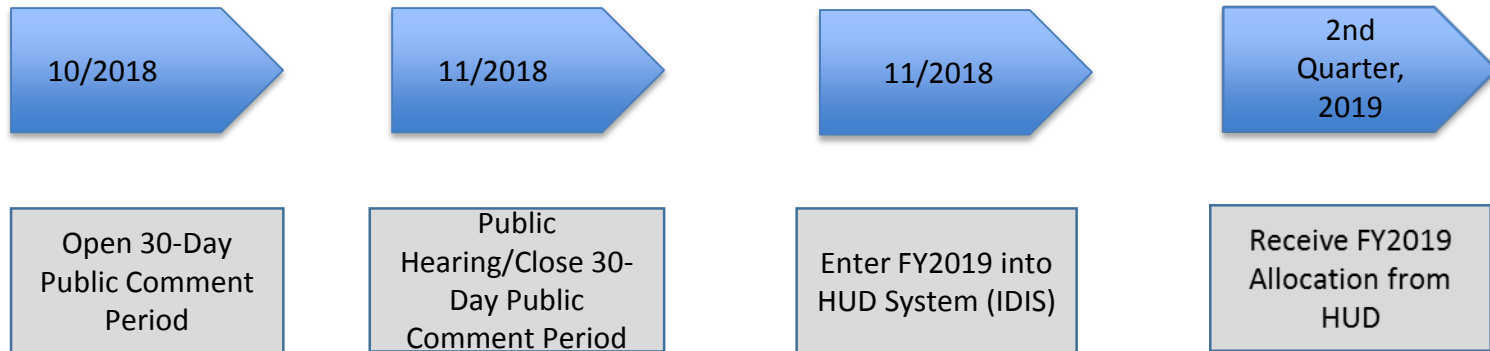
# FY2019 CDBG-CV Projects Timeline (New)



**FY 2019 CDBG-CV PROJECTS TIMELINE**



# FY2019 CDBG Projects Timeline



**FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE**



Project Name	Description	Project Funding FY2019 Annual Entitlement (CDBG-EN) Funding	Project Funding FY2019 EN + CARES Act (CDBG-CV) Allocation
In Rem Property Program	Salaries for 3 fulltime employees, In Rem Property Supplies, In Rem Training	\$215,000.00	\$215,000.00
Complete Streets Program	Sidewalks, Business Faade Improvements, Infrastructure	\$225,000.00	\$225,000.00
Park Improvements	Park Improvements	\$190,786.00	\$190,786.00
Community Policing/Neighborhood Services	Community and Neighborhood Police Initiatives, 2018 National Night Out, 2019 Children's Summer Film Festival	\$18,000.00	\$18,000.00
	<b>CARES Act (CDBG-CV): Public Service: Provide equipment, supplies, and materials necessary to carry-out a public service; Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.</b>		<b>\$50,000.00</b>
	<b>CARES Act (CDBG-CV): Public Service: Public Service program to provide emergency income payment (rent), to cover rent due to lack of income as a direct result of the COVID-19 crisis.</b>		<b>\$413,511.00</b>
Homeowner Resource Assistance Program	Program to provide resource assistance to homeowners	\$60,000.00	\$60,000.00
Administration	Program Administration, Staff Salaries and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	\$130,000.00
	<b>CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.</b>		<b>\$50,000.00</b>
<b>Total</b>		<b>\$838,786.00</b>	<b>\$1,352,297.00</b>

RESOLUTION NO.: 120 - 2020

OF

MAY 28, 2020

**RESOLUTION SCHEDULING A PUBLIC HEARING FOR JUNE 8, 2020 TO HEAR  
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE  
CITY OF NEWBURGH CDBG FY2020 ANNUAL ACTION PLAN TO REALLOCATE  
FUNDING TO COMMUNITY POLICING AND NEIGHBORHOOD SERVICES**

**WHEREAS**, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant ("CDBG") FY 2020 Annual Action Plan ("AAP"); and

**WHEREAS**, the City of Newburgh proposes to reallocate CDBG funding from Park Improvements to Community Policing and Neighborhood Services, which requires a Substantial Amendment to the previously authorized FY 2020 AAP and a public hearing;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning a Substantial Amendment to the CDBG FY 2020 Annual Action Plan; 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 8<sup>th</sup> day of June, 2020; and


**BE IT FURTHER RESOLVED**, that due to public health and safety concerns related to COVID-19, the City Council will not meet in-person and in accordance with the Governor's Executive Order 202.1, as amended, the June 8, 2020 City Council meeting will be held via videoconferencing, and a transcript will be provided at a later date. The public will have an opportunity to see and hear the meeting live and provide comments on the proposed CDBG FY2020 Annual Action Plan as follows:

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

To access the City Council Meeting remotely: join from a PC, Mac, iPad, iPhone, or Android device through the Zoom App: [https://zoom.us/webinar/register/WN\\_nH9rwoDKQjGhCeUEy6IdPw](https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6IdPw). Please note that there is an underscore between the "N" and "n").

To order to provide comments during the hearing you must register in advance for this webinar no later than 4:00 p.m. on Friday, June 5, 2020 through the Zoom App: [https://zoom.us/webinar/register/WN\\_nH9rwoDKQjGhCeUEy6IdPw](https://zoom.us/webinar/register/WN_nH9rwoDKQjGhCeUEy6IdPw). Please note that there is an underscore between the "N" and "n"). Please fill out the required information (First Name, Last Name, E-mail Address). After registering, you will receive a confirmation email containing information about joining the webinar.

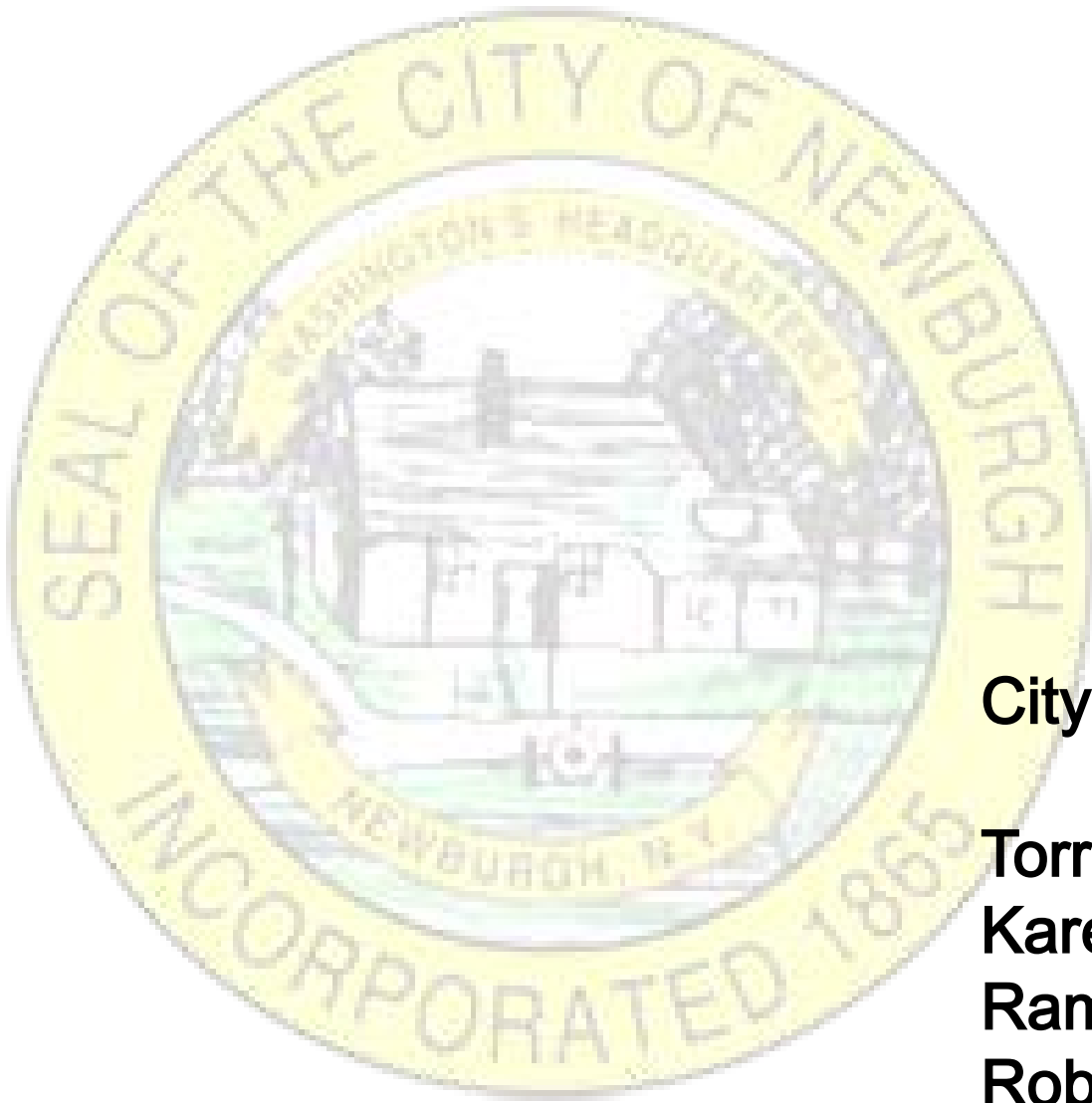
Comments can be provided by email before the meeting to [comments@cityofnewburgh-ny.gov](mailto:comments@cityofnewburgh-ny.gov) with the Subject Line in this format: "PUBLIC HEARING ITEM" by 4:00 p.m. on Friday, June 5, 2020. Please check the meeting Agenda posted on the website for further instructions to access the virtual meeting and for updated information.

The seal of the City of Newburyport is a circular emblem. The outer ring is yellow with the text "SEAL OF THE CITY OF NEWBURYPORT" in black. Inside this is a blue ring with "INCORPORATED 1651" in white. The center features a detailed illustration of a harbor scene with a large ship, a smaller boat, and a building on the shore. Above the ship, it says "WASHINGTON'S HEADQUARTERS".

# **Community Development Block Grant ("CDBG") FY2020 Annual Action Plan Substantial Amendment**

**Department of Planning &  
Development  
May, 2020**





## **City of Newburgh City Council:**

**Torrance Harvey, Mayor**

**Karen Mejia, Ward 1**

**Ramona Monteverde, Ward 2**

**Robert Sklarz, Ward 3**

**Patty Sofokles, Ward 4**

**Anthony Grice, At-Large**

**Omari Shakur, At-Large**

# City of Newburgh Community Development Goals - Refresher

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

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



# “CDBG” - Brief Primer



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





# (New) City of Newburgh FY2020 Substantial Amendment

- Pursuant to “24 CFR § 91.505 - Amendments to the consolidated plan,” amendments may be made to a jurisdiction’s Annual Action Plan (AAP). The jurisdiction’s Citizen Participation Plan (CPP) determines the criteria for a substantial amendment to the AAP.
- The City of Newburgh’s CPP requires a substantial amendment when there is:
  - A “change of more than 25 % of the total grant award funding the activity.”
  - A “change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.”



# (New) City of Newburgh FY2020 Substantial Amendment

- The substantial amendment process includes:
  - Update to a previously authorized AAP
  - Public Hearing
  - Public Comment Period
  - Submission of updated AAP to the U.S Department of Housing and Urban Development (HUD)



# (New) City of Newburgh FY2020 Substantial Amendment

- Activities updated in the FY2020 AAP:

## Quality of Life

- Park Improvement Project: \$98,907.82 (Decrease \$80,000)

## Community Policing/Neighborhood Services

- New Community Policing Initiative: \$100,558.26 (Increase in \$80,000.00 from Park Improvements + \$20,558.26 from Summer Film Festival/National Night Out)

Additional information begins on the next slide



# (New) FY2020 CDBG Projects/Funding

## Substantial Amendment

Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
Homeowner Assistance Program	\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
<b>Amendment: Park Improvements, including playground equipment upgrades</b>	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	<b>\$98,907.82</b>
<b>Amendment: 2020 Children's Summer Film Festival</b>	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	<b>\$0.00</b>
<b>Amendment: Community Policing Initiative</b>						<b>\$100,558.26</b>
Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
<b>Proposed Total FY2020 Allocation</b>	<b>\$845,000.00</b>			<b>\$27,913.00</b>	<b>\$872,913.00</b>	<b>\$872,913.00</b>

# Contingency Funding

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

Housing	Salaries for 3 full-time employees, In Rem Property		
	Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00 \$50,000.00	26% 6%
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	14%
Community Policing/Neighborhood	2020 Children's Summer Film Festival	\$20,000.00	2%
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

# Contingency Funding

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

Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training,	\$220,000.00	No Change
	Homeowner Assistance Program	\$50,000.00	No Change
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	10%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	No Change
Park Improvements	Park Improvements, including playground equipment upgrades	\$175,000.00	10%
Community Policing/Neighborhood Services	2020 Children's Summer Film Festival	\$20,000.00	No Change
Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%

**New - Substantial Amendment**  
**Project: Park Improvements**  
**Previously Approved Budget: \$178, 907.82**  
**New Budget: \$98,907.82**

**Summary**

Examples of projects may include:

- Playground equipment improvements/upgrades
- Fencing



## **New - Substantial Amendment**

**Project: Community Policing/Neighborhood Services – New  
Community Policing Initiative**

**Previously Approved Budget: \$0.00**

**New Budget: \$100,558.26**

### **Summary**

Examples of activities included in this initiative may include:

- Park/Walk-n-Talk Details
- Innovative Community Policing efforts performed in accordance with safe social-distancing (as required)
- Community Policing materials





**New - Substantial Amendment**  
**Project: Community Policing/Neighborhood Services**  
**Previously Approved Budget: \$20,558.26**  
**New Budget: \$0.00 (Funding re-allocated to new**  
**Community Policing Initiative)**

**Summary**

Examples of Projects may include:

- 2020 Children's Summer Film Festival



# In Rem Property Program Highlights

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

*The Housing and Community Development Act of 1992 authorizes activities necessary to make essential repairs and payment of operating expenses needed to maintain the habitability of housing units acquired through tax foreclosure proceedings in order to prevent abandonment and deterioration of such housing in primarily low- and moderate-income neighborhoods.*

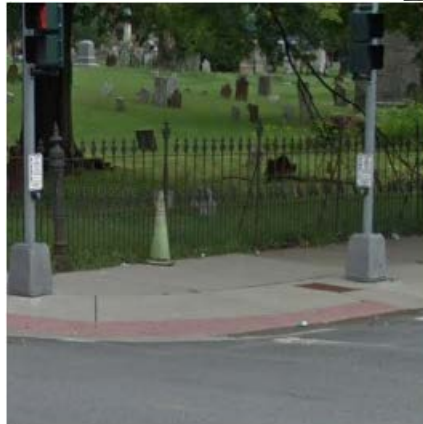


Project: Infrastructure Improvements  
Budget: \$225,000.00

## Summary

Examples of projects may include:

- “Complete Streets” Safe Access Upgrades
- Sidewalk improvements



Project:	Housing	
Activities:	In Rem Property Project	(\$220,000.00)
	Homeowner Assistance	(\$50,000.00)

## Summary

- Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.
- Funding to support City of Newburgh Housing Partner Homeowner Assistance Program.

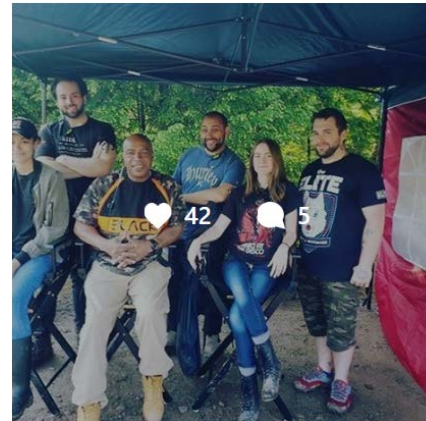


Project: Economic Development  
Budget: \$25,000.00

## Summary

Examples of projects may include:

- Business Signage/Façade Improvements
- Funding to Support Business Workforce Development Training.



Project: Administration  
Project Funding: \$130,000.00



## Summary

Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

# (New) FY2020 CDBG AAP Timeline Substantial Amendment



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE – Substantial Amendment**

# FY2020 CDBG AAP Timeline



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE**



Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Housing	Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
			\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Infrastructure Improvements	Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Economic Development	Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Quality of Life Improvements	Park Improvements	<b>Amendment: Park Improvements, including playground equipment upgrades</b>	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	<b>\$98,907.82</b>
Quality of Life Improvements	Community Policing/Neighborhood Services	<b>Amendment: 2020 Children's Summer Film Festival</b> <b>Amendment: Community Policing Initiative</b>	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	<b>\$0.00</b> <b>\$100,558.26</b>
Administration	Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
<b>Proposed Total FY2020 Allocation</b>			\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

RESOLUTION NO.:   121   - 2020

OF


MAY 28, 2020

**RESOLUTION OPENING A 30-DAY PUBLIC COMMENT PERIOD TO RECEIVE  
PUBLIC COMMENT CONCERNING A SUBSTANTIAL AMENDMENT TO THE  
CITY OF NEWBURGH CDBG FY2020 ANNUAL ACTION PLAN TO REALLOCATE  
FUNDING TO COMMUNITY POLICING AND NEIGHBORHOOD SERVICES**

**WHEREAS**, by Resolution No. 282-2019 of November 12, 2019, the City Council of the City of Newburgh, New York approved and adopted the Community Development Block Grant (“CDBG”) FY 2020 Annual Action Plan (“AAP”); and

**WHEREAS**, the City of Newburgh proposes to reallocate CDBG funding from Park Improvements to Community Policing and Neighborhood Services, which requires a Substantial Amendment to the previously authorized FY 2020 AAP and a 30-day public comment period;

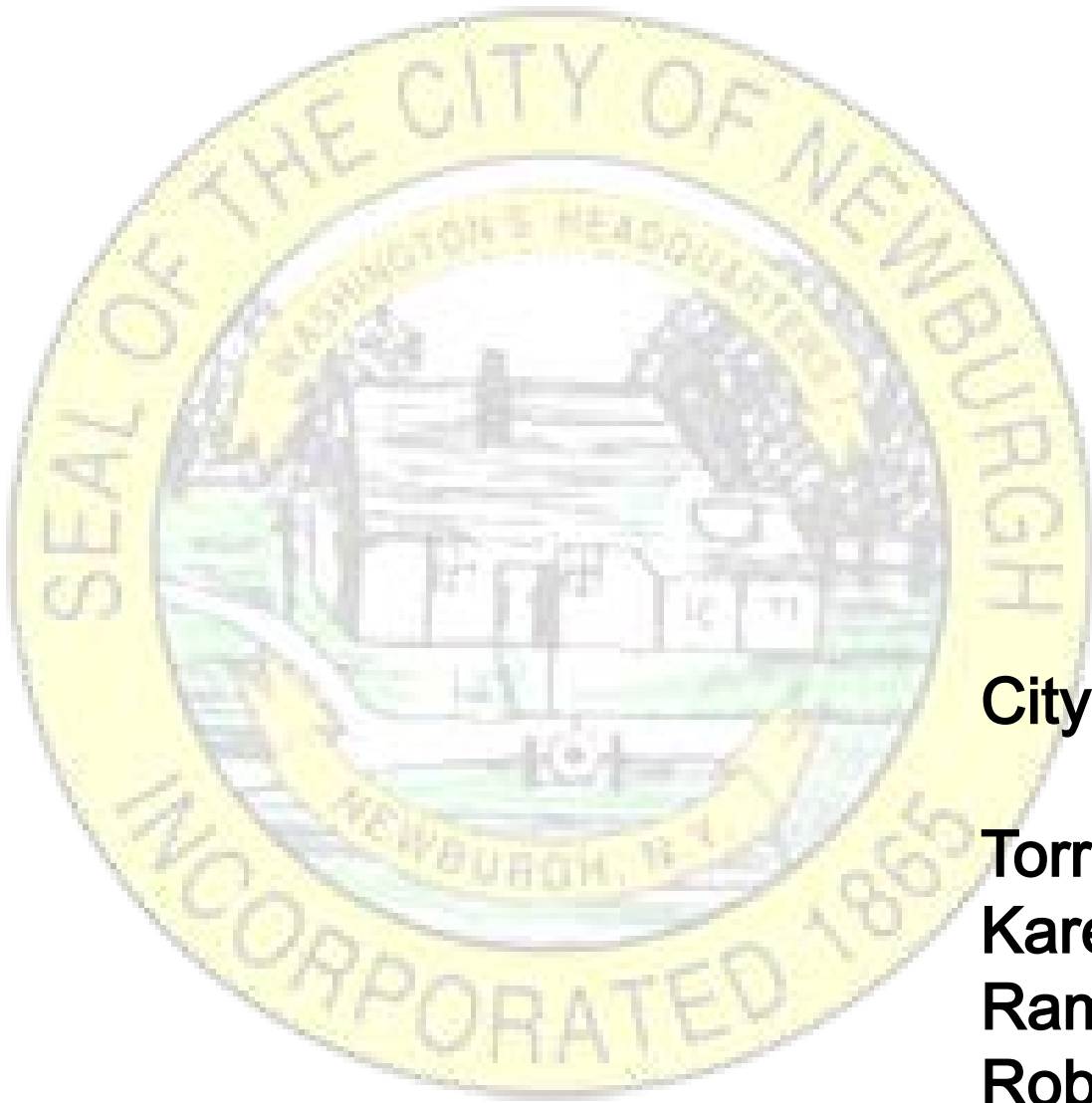
**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that the 30-day period to receive written public comment on the City of Newburgh’s Substantial Amendment to the CDBG FY 2020 Annual Action Plan shall commence on June 9, 2020 and close on July 9, 2020.

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# **Community Development Block Grant ("CDBG") FY2020 Annual Action Plan Substantial Amendment**

**Department of Planning &  
Development  
May, 2020**





## **City of Newburgh City Council:**

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- The substantial amendment process includes:
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# (New) City of Newburgh FY2020 Substantial Amendment

- Activities updated in the FY2020 AAP:

## Quality of Life

- Park Improvement Project: \$98,907.82 (Decrease \$80,000)

## Community Policing/Neighborhood Services

- New Community Policing Initiative: \$100,558.26 (Increase in \$80,000.00 from Park Improvements + \$20,558.26 from Summer Film Festival/National Night Out)

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# (New) FY2020 CDBG Projects/Funding

## Substantial Amendment

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# Contingency Funding

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Housing	Salaries for 3 full-time employees, In Rem Property		
	Supplies, In Rem Training,	\$220,000.00	26%
	Homeowner Assistance Program	\$50,000.00	6%
Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%
Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%
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If the actual annual allocation amount is less than the proposed estimate, the project budgets will decrease by:

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**New - Substantial Amendment**  
**Project: Park Improvements**  
**Previously Approved Budget: \$178, 907.82**  
**New Budget: \$98,907.82**

**Summary**

Examples of projects may include:

- Playground equipment improvements/upgrades
- Fencing



## **New - Substantial Amendment**

**Project: Community Policing/Neighborhood Services – New  
Community Policing Initiative**

**Previously Approved Budget: \$0.00**

**New Budget: \$100,558.26**

### **Summary**

Examples of activities included in this initiative may include:

- Park/Walk-n-Talk Details
- Innovative Community Policing efforts performed in accordance with safe social-distancing (as required)
- Community Policing materials



**New - Substantial Amendment**  
**Project: Community Policing/Neighborhood Services**  
**Previously Approved Budget: \$20,558.26**  
**New Budget: \$0.00 (Funding re-allocated to new**  
**Community Policing Initiative)**

**Summary**

Examples of Projects may include:

- 2020 Children's Summer Film Festival





# In Rem Property Program Highlights

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

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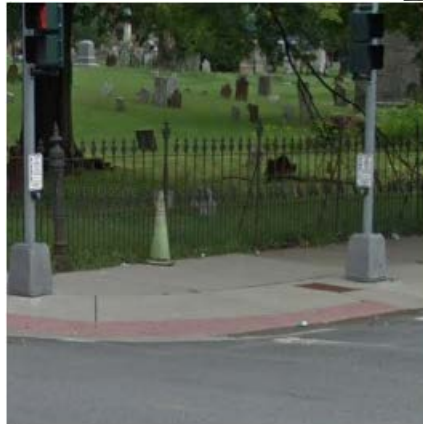


Project: Infrastructure Improvements  
Budget: \$225,000.00

## Summary

Examples of projects may include:

- “Complete Streets” Safe Access Upgrades
- Sidewalk improvements



Project:	Housing	
Activities:	In Rem Property Project	(\$220,000.00)
	Homeowner Assistance	(\$50,000.00)

## Summary

- Continued funding for the In Rem program, including the salaries for 3 fulltime employees (2 DPW employees and the Economic Development Specialist), In Rem property program supplies, such as paint, plywood, In Rem Training.
- Funding to support City of Newburgh Housing Partner Homeowner Assistance Program.

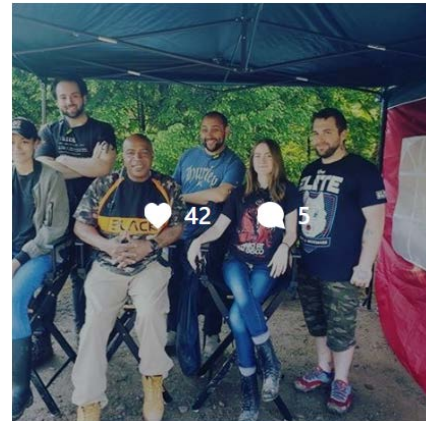


Project: Economic Development  
Budget: \$25,000.00

## Summary

Examples of projects may include:

- Business Signage/Façade Improvements
- Funding to Support Business Workforce Development Training.



Project: Administration  
Project Funding: \$130,000.00



## Summary

Funding to include salary and benefits for Director of Community Development, Business Mailings, Supplies and Program Administration/Training/Conference.

# (New) FY2020 CDBG AAP Timeline Substantial Amendment



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE – Substantial Amendment**

# FY2020 CDBG AAP Timeline



**FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECTS TIMELINE**

Priority Need Addressed	Project Name	Proposed Activities (Examples)	Project Funding	% Project increase, if HUD allocation greater than proposed (approx.)	% Project decrease, if HUD allocation less than proposed (approx.)	Adjusted Funding	New Totals	Substantial Amendment (New) Total
Housing	Housing	Salaries for 3 full-time employees, In Rem Property Supplies, In Rem Training, Homeowner Assistance Program	\$220,000.00	26%	No Change	\$7,257.38	\$227,257.38	\$227,257.38
			\$50,000.00	6%	No Change	\$1,674.78	\$51,674.78	\$51,674.78
Infrastructure Improvements	Infrastructure Improvements	Complete Streets Project (ex. ADA Curb-Cut Upgrades)	\$225,000.00	32%	10%	\$8,932.16	\$233,932.16	\$233,932.16
Economic Development	Economic Development	Funding to support business requiring workforce development training, Business Signage/Façade Improvements	\$25,000.00	10%	No Change	\$2,791.30	\$27,791.30	\$27,791.30
Quality of Life Improvements	Park Improvements	<b>Amendment: Park Improvements, including playground equipment upgrades</b>	\$175,000.00	14%	10%	\$3,907.82	\$178,907.82	<b>\$98,907.82</b>
Quality of Life Improvements	Community Policing/Neighborhood Services	<b>Amendment: 2020 Children's Summer Film Festival</b> <b>Amendment: Community Policing Initiative</b>	\$20,000.00	2%	No Change	\$558.26	\$20,558.26	<b>\$0.00</b> <b>\$100,558.26</b>
Administration	Administration	Program Administration, Staff Salar and Benefits, Program Operating Costs (including mailings), Training/Conference	\$130,000.00	10%	10%	\$2,791.30	\$132,791.30	\$132,791.30
<b>Proposed Total FY2020 Allocation</b>			\$845,000.00			\$27,913.00	\$872,913.00	\$872,913.00

RESOLUTION NO. 122 - 2020

OF

MAY 28, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
A PAYMENT OF CLAIM WITH JANET MARTINEZ, INDIVIDUALLY, AND AS MOTHER  
AND NATURAL GUARDIAN OF K.F. IN THE TOTAL AMOUNT OF \$30,000.00

WHEREAS, Janet Martinez brought a claim for herself and as mother and natural guardian of K.F. against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the claim in the total amount of \$30,000.00 in exchange for a release to resolve all claims among them; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City's attorneys are hereby authorized to settle the claim of Janet Martinez, individually, and as mother and natural guardian of K.F., in the total amount of \$30,000.00, and that City Manager be and he hereby is authorized to execute a written settlement agreement and general release, and any other documents as the City's attorneys may require, to effectuate the settlement as herein described.



ORDINANCE NO.: 5 - 2020

OF

MAY 28, 2020

AN ORDINANCE AMENDING SECTION 223-3, "DEFINITIONS; WORD USAGE," AND SECTION 223-9, "FOOD VENDORS," OF THE CODE OF THE CITY OF NEWBURGH TO INCLUDE REGULATIONS FOR MOBILE FOOD VENDORS

BE IT ORDAINED, by the Council of the City of Newburgh, New York that Section 223-3 entitled "Definitions; Word Usage" and Section 223-9 entitled "Food Vendors" of the Code of the City of Newburgh are hereby amended as follows:

SECTION 1. Amendment

§ 223-3. Definitions; Word Usage

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

CANVASS or SOLICIT

To make or seek to make personal contact with another, either on the highways or streets of this City or on public or private property other than his own, for the purpose of raising funds for, supporting goals of or recruiting new members into a religious, charitable, educational, or political organization or participating in a political campaign on behalf of any candidate for public office.

CITY

The City of Newburgh, of the State of New York, unless otherwise specified.

DECIBEL (dB)

A unit for measuring the volume of sound, equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure of 20 micronewtons per square meter.

FALSE, FRAUDULENT, MISREPRESENTATION, INACCURATE or MISLEADING

- (1) Representations that goods have manufacture, sponsorship, approval, accessories, characteristics, ingredients, uses, benefits or quantities that they do not have; the supplier or manufacturer has a sponsorship, approval, status, affiliation or connection that he does not

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have; goods are original or new if they are deteriorated, altered, reconditioned, reclaimed or secondhand; or goods are of particular standard, quality, grade, style or model if they are of another; and/or

- (2) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact if such use deceives or tends to deceive; and/or
- (3) Disparaging the goods, services or business of another by false or misleading representations of material facts; and/or
- (4) Offering goods with intent not to sell them as offered; and/or
- (5) Making false or misleading representations of fact concerning the reasons for, existence of or amount of price reductions, or price in comparison to prices of competitors or one's own prices at a past or future time; and/or
- (6) Falsely stating the reasons for offering or supplying goods at sale or discount prices.

## FOOD

Any raw, cooked or processed edible substances, beverages, ingredients, condiments, ice or water used or intended for use or for sale in whole or in part for human consumption.

## FOOD SERVICE ESTABLISHMENT

A place where food is prepared and intended for individual portion service and includes the site at which the individual portions are provided, whether consumption occurs on or off the premises. The term excludes food processing establishments, retail food stores, private homes where food is prepared or served for family consumption, and food service operations where a distinct group mutually provides, prepares, serves and consumes the food limited to a congregation, club or fraternal organization.

## MOBILE FOOD VEHICLE

A commercially manufactured, self-contained, mobile unit in which ready-to-eat food is cooked, wrapped, packaged, processed, prepared or portioned for service, sale or distribution; or one in which beverages are brewed, blended, chilled, bottled, portioned, poured, or prepared for service, sale or distribution.

## MOBILE FOOD VEHICLE VENDOR ("MFVV")

The owner of a mobile food vehicle or the owner's agent.

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## PERSONAL CONTACT

The face-to-face canvassing or solicitation of a person by another. Mail and telephone contact does not require registration or wearing an identification badge under this chapter.

## POLITICAL ORGANIZATION

An organization, a substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation or participating in any political campaign on behalf of any candidate for public office.

## PUBLIC SPACE and PUBLIC STREETS

All publicly owned property between the private property lines on a street as such property lines are shown on City records, including, but not limited to, a park, plaza, roadway, shoulder, tree space, sidewalk or parking space between such property lines. It shall also include, but not be limited to, publicly owned or leased land, buildings, piers, wharfs, stadiums and terminals.

## RELIGIOUS OR CHARITABLE OR EDUCATIONAL ORGANIZATION

An organization granted tax exemption by the Internal Revenue Service of the United States Treasury Department.

## VENDOR or PEDDLER

Includes any person traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, clothing, products, items for sale, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, cart, pushcart, table, platform, automotive vehicle, trailer, railroad car or other vehicle or conveyance or other stationery location on a public street, sidewalk or other location on City-owned property normally used for public accommodation or travel, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a vendor or peddler, subject to the provisions of this chapter. The word "peddler" shall include the words "vendor," "street vendor," "hawker" and "huckster" and other such words carrying or conveying the same meaning and understanding and addressing the same activities described thereby.

B. The use of any pronoun shall be deemed to include both the masculine and the feminine, and the singular and plural, as the sense and meaning thereof shall appropriately require.

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## § 223-9. Food Vendors

Each licensed food vendor and mobile food unit licensee shall:

- ~~A. Permit regular inspections by any authorized City law. Fire or Code Enforcement Officer of any mobile food unit used in the operation of his business, or any premises under his control in which food is intended to be sold, offered for sale, distributed or given away by him as a food vendor is prepared, processed or stored, and present such mobile food unit for inspection at such place and time as may be designated by the City Code Enforcement, Fire Department or Police Department.~~
- ~~B. Provide to the Code Enforcement or Police Department, or any other authorized officer or employee of the City, the names and home and business addresses of the owners of such service rooms, commissaries, depots or distributors from whom such licensee received his food supply and where his mobile food unit and food supply are stored when not in use for sale or distribution.~~
- ~~C. Have in his possession and make available for inspection satisfactory proof or documentation detailing the source of all foods being held, stored, offered for sale, distributed or given away.~~
- ~~D. Not use or permit anyone else to use the mobile food unit for vending, distributing or giving away any foods other than those authorized, in writing, by the license issued to such vendor.~~
- ~~E. Refrain from acting as a food vendor or operating a mobile food unit after the expiration of his license or permit and during any period of suspension or revocation of same.~~
- ~~F. Surrender his license, permit, badge and insignia promptly to the City Clerk upon revocation, suspension, termination or expiration of his license or permit.~~
- ~~G. Not sell, lend, lease or in any manner transfer his license, permit, badge or insignia unless otherwise specifically provided by law or by rule or regulation prescribed by this Code.~~
- ~~H. Comply with all laws, codes, rules and regulations applicable to all vendors provided herein and all laws, codes, rules and regulations applicable to the sale or provision of food and drink to the general public.~~
- ~~I. Vendors are hereby prohibited from using tangible City property meant for public use to enhance their business. Such City property includes, but is not limited to, picnic tables and garbage cans.~~

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## A. General Provisions

- (1) It shall be unlawful for any person to operate a mobile food vehicle within the public space or public streets within the City of Newburgh without first having obtained a valid mobile food vending license as prescribed in this article. Operation of a mobile food vehicle on private property shall continue to be regulated and prohibited in accordance with all applicable provisions of the City Code.
- (2) It shall be unlawful for a MFVV to park, stand, or operate in a location which is:
  - (a) Within twenty-five (25) feet of a sidewalk corner;
  - (b) Within twenty-five (25) feet of a street intersection;
  - (c) Within twenty-five (25) feet of an area operating pursuant to a valid sidewalk café permit;
  - (d) Within 1,000 feet of the boundary line of any fair, carnival, circus, festival, special event or civic event that is licensed or sanctioned by the City, except when the vendor has obtained a permit to so operate from the City in accordance with Chapter 110 of the City of Newburgh Code of Ordinances;
  - (e) Within 10 feet from other parked vehicles in the front and rear of the MFVV;
  - (f) In the Low Density, Medium Density, or High Density Residential zones, as defined in Chapter 300 of the City of Newburgh Code of Ordinances;
  - (g) Contrary to the provisions of §223-11 of the City of Newburgh Code of Ordinances. In the event that the provisions of §223-11 and this subsection conflict, the provisions of this subsection shall prevail.
- (3) Each and every MFVV must at all times carry on the vehicle a "measuring wheel" with a measuring capacity of no less than 500 feet as a condition of its licensure. The failure of any MFVV to carry such a "measuring wheel" or abide by the proximity distance restrictions included in this article shall constitute a violation of this article.
- (4) All MFVV's must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, except that a mobile food vehicle that is of such a length that it occupies all or a portion of two vehicle parking spaces may park in said spaces so long as it abides by all other City parking requirements.

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- (5) No MFVV's shall attach or have attached any flashing or revolving light or lights on a vehicle used in aid of the mobile food vendor's business.
- (6) MFVV's are prohibited from using tangible City property meant for public use to enhance their business. Such City property includes, but is not limited to, picnic tables and garbage cans.
- (7) MFVV's are prohibited from disposing of garbage generated in the course of business operations into any garbage receptacles owned by the City, located on a City sidewalk, or in a City right-of-way, and shall comply with the provisions of §223-14.

B. Mobile Food Vehicle Requirements.

All mobile food vehicles must comply with the following:

- (1) Make available for inspection each vehicle to the Fire Department to determine that the vehicle meets the current standards of the New York State Uniform Fire Prevention and Building Code.
- (2) Affix side-by-side, in a conspicuous location on the mobile food vehicle where it may be readily observed by all patrons, its license for food service issued by the Orange County Department of Health and its license for operation in the City of Newburgh, as prescribed in §223-9(C).
- (3) Any signage must be permanently affixed to the mobile food vehicle. No accessory signage shall be placed outside or around the mobile food vehicle.
- (4) Be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.
- (5) Not exceed ten (10) feet in width or forty (40) feet in length.
- (6) Have a serving window that shall be adjacent to the sidewalk when parked.
- (7) If equipped with an engine or generator, said engine or generator must operate in accordance with §223-13.
- (8) Receive inspection and approval from the Fire Department for all fuel storage and diesel or propane generators, including those fueled directly from a vehicle fuel tank.
- (9) No more than two (2) 100-pound propane tanks are allowed (200 pounds aggregate).

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- (10) No storage or use of LPG cylinders or tanks shall be allowed within the vehicle at any time. Any generator or LPG storage compartments located on the exterior of the vehicle must be enclosed, with venting to the exterior and must not allow any venting to the interior of the vehicle.
- (11) Have a bumper that extends beyond the compartment to provide added impact protection if an LPG storage compartment is located on the rear of the truck.
- (12) Be properly placarded to indicate the storage of any combustible or flammable gases.
- (13) Comply with New York State Department of Transportation ("NYSDOT") standards if a belly tanks is installed and/or located within the truck body frame for additional structural protection.
- (14) Be equipped with "Class 1 Commercial" kitchen hoods and suppression systems for any vehicle with a grill, stove, or fryolator.
- (15) Be equipped with an 8", non-combustible splash shield when a grill, stove, or fryolator are adjacent to each other.
- (16) Affix a sticker in a conspicuous location that indicates a cleaning and service of the hood and exhaust systems within the past 365 days measured from the date of inspection.
- (17) Have all piping, interior gas appliances and commercial kitchen hood suppression systems be professionally installed by licensed plumber and permitted through the City of Newburgh Plumbing Inspector. "Flex pipe" shall be allowed from the LPG tank to a regulator, but the regulator to the appliance must be "hard piped" by a licensed, City of Newburgh plumber.
- (18) Be equipped with a Class K extinguisher of sufficient size and a 20 BC extinguisher installed inside the vehicle.
- (19) Be equipped with NSF/ANSI or equivalent certified hand washing sinks, with capacity for tempered hot/cold water under pressure, and soap and towels with splash guards.
- (20) Be equipped with NSF/ANSI or equivalent certified three-compartment sinks with integral drain boards, and with capacity for tempered hot/cold water under pressure.
- (21) Have interior lighting with a minimum of 35-foot candles of light on the preparation, hand washing sink, and three-compartment sink surfaces.

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- (22) Have a 15-gallon fresh water supply, a water heater that provides no less than 10 gallons per hour of 120°F (±2°) of hot water, and a waste water tank that is at least 15 percent larger than the combined capacity of fresh and hot water tanks.
- (23) Comply with NFPA 96 standards for ventilation control and fire protection of commercial cooking operations.

C. License Required; Additional Application Requirements.

- (1) In addition to the requirements set forth in §223-4, any person desiring to operate a mobile food vehicle shall provide the following information:
  - (a) Name, address, phone number, e-mail address, and signature of the owner (if a natural person) of the mobile food vehicle, or the same information for any business entity and any officer or member of the business entity that owns the mobile food vehicle.
  - (b) If the applicant is a business entity, the name and address of its registered agent.
  - (c) Names, addresses, e-mail addresses, and phone numbers of all individuals who will operate the mobile food vehicle, either to drive the mobile food vehicle to a particular location, or to prepare or sell food to the public.
  - (d) A valid copy of all licenses, permits or certificates required by the County of Orange, the State of New York or any subsidiary enforcement agencies or departments thereof.
  - (e) A valid copy of New York State Department of Motor Vehicles registration and certificate of inspection and valid driver's licenses of all vehicle operators.
  - (f) Address used for the base of operations for all cleaning, disposal of wastewater, and mobile food vehicle servicing operations.
  - (g) A signed statement that the vendor shall hold harmless the City and its officers and employees, and shall indemnify and hold harmless the City and its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the license.
- (2) The vendor shall furnish and maintain such public liability, food products liability, and property insurance, as will protect the vendor and the City from all claims for damage to property or bodily injury, including death, which may arise from the operations under the license or in connection therewith. Such insurance shall provide coverage of not less

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than \$500,000 per occurrence. The policy shall further provide that it may not be canceled except upon 30 days' written notice served upon the City Clerk.

(3) All license applicants shall submit to a Newburgh Police Department background check for criminal convictions that the City Council has deemed related to the proposed activity. A license application shall be denied if the Chief of Police, upon review of a criminal background check, determines that any mobile food vehicle operators, as defined in Section 223-9(C)(1)(c) have been convicted of:

(a) Any felony in the ten (10) years preceding the date of the application for a crime involving: theft, fraud, the sale of marijuana, the sale of controlled substances, or an alcohol-related offense; or

(b) Any misdemeanor in the five (5) years preceding the date of the application for a crime involving: theft, fraud, the sale of marijuana, the sale of controlled substances, or an alcohol-related offense;

C. Form and condition of license.

(1) Every mobile food vehicle vending license shall be subject to the following conditions:

(a) The license shall not be transferable.

(b) The license shall be valid for one vehicle only.

(c) The license shall be permanently and prominently affixed to the vehicle, and shall be posted in a conspicuous location on the mobile food vehicle where it may be readily observed by all patrons.

SECTION 2. Severability.

The provisions of this Ordinance are separable and if any provision, clause, sentence, section, subsection, word or part thereof is held to be illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted is such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Ordinance or part here of is held inapplicable had been specifically exempt therefrom.

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### SECTION 3. Codification.

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Ordinance shall be included in the Code of Ordinances of the City of Newburgh; that the sections and subsections of this Ordinance may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Ordinance" shall be changed to "Chapter", "Section", or other appropriate word as required for codification; and that any such rearranging of the numbering and/or lettering and editing shall not affect the validity of this Ordinance or the provisions of the Code of Ordinances affected thereby.

### SECTION 4. Validity

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision of this Ordinance that can be given effect without such invalid provision.

### SECTION 5. This ordinance shall take effect immediately.

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ORDINANCE NO.: 6 - 2020

OF

MAY 28, 2020

AN ORDINANCE AMENDING CHAPTER 163 ENTITLED "FEES"  
OF THE CODE OF THE CITY OF NEWBURGH TO PROVIDE  
FEES RELATED TO LICENSING OF MOBILE FOOD VENDORS

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. Schedule of Code Fees.

Chapter 223, Peddlers, Vendors and Solicitors

<u>§ 223-9</u>	<u>Mobile Food Vendors</u>	
	<u>Application Fee (includes first year of license)</u>	<u>\$350.00</u>
	<u>License Renewal Fee</u>	<u>\$200.00</u>
	<u>Duplicate or Lost License Fee</u>	<u>\$50.00</u>
	<u>Late Fee for Licenses Renewed Within Following the Expiration of a License</u>	<u>\$50.00</u>

Section 2. This ordinance shall take effect immediately.

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