CITY OF NEWBURGH
COUNCIL MEETING AGENDA
SESION GENERAL DEL CONSEJAL
June 8, 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/Communicaciones

4. Approval of the Minutes of the City Council Meeting on May on May 28, 2020
5. City Manager Update/ Gerente de la ciudad pone al dia a la audiencia de los planes de cada departamento

Council Presentations/Presentaciones

6. City Comptroller Updates on Second Quarter Property Tax Collection, Sales Tax and Year-End Financial Outlook
7. Public Hearing on a Substantial Amendment to FY2020 Community Development Block Grant (CDBG)

   Public Hearing will be held on Monday, June 8, 2020 to receive comments on a Substantial Amendment to FY2020 Community Development Block Grant (CDBG).

   Se llevara a cabo una audiencia pública el Lunes, 8 de junio de 2020 para recibir Comentarios sobre una Enmienda Substancial del Año Fiscal 2020 a la Subvención de Desarrollo a los Bloques Comunitarios conocido por sus siglas en Ingles "CDBG".

8. Public Hearing on a Substantial Amendment to FY2019 Community Development Block Grant (CDBG) (CARES Act)

   Public Hearing will be held on Monday, June 8, 2020 to receive comments on a Substantial Amendment to FY2019 Community Development Block Grant (CDBG).

   Se llevara a cabo una audiencia pública el Lunes, 8 de junio de 2020 para recibir Comentarios sobre una Enmienda Substancial del Año Fiscal 2019 a la Subvención de Desarrollo a los Bloques Comunitarios conocido por

sus siglas en Ingles "CDBG".

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

9. Resolution No. 125 - 2020 - Amendment#5 with Barton & Loguidice, DPC for Professional Engineering Services on the Liberty & Grand Street Sewer Separation Project

   Resolution authorizing the City Manager to execute Amendment No. 5 to a contract with Barton & Loguidice, D.P.C. for professional engineering services at no additional cost to transfer $5,000 from CWSRF Funding/Reporting services to Construction Assistance Services to facilitate completion of the Liberty Street and Grand Street Sanitary Sewer Improvements Project.

   Una resolución autorizando al Gerente de la Ciudad a ejecutar la Enmienda No. 5 a un contrato con Barton & Loguidice, D.P.C. para servicios profesionales de ingeniería a ningún costo adicional para transferir $5,000 de los servicios de Financiación/Informes de CWSRF para Servicios de Asistencia de Construcción para facilitar la finalización de los Proyectos de Mejoras de Alcantarillado la Calle Liberty y la Calle Grand.

10. Resolution No. 126 - 2020 - Agreement with RAFTELIS for a Stormwater User Fee Planning Study

    Resolution authorizing the City Manager to accept a proposal and execute a contract with Raftelis Financial Consultants, Inc. for professional financial services for a stormwater user fee planning study at a cost of $68,860.00 and amending Resolution No: 288-2019, the 2020 Budget for the City of Newburgh, New York to transfer funds from Sewer Fund Contingency Emergency to Sewer Fund Other Services.

    Una resolución autorizando al Gerente Municipal a aceptar una propuesta y ejecutar un contrato con Raftelis Financial Consultants, Inc. para servicios profesionales financieros sobre un estudio de planificación de tarifas por aguas pluviales para el consumidor a un costo de $68,860.00 y enmendando Resolución No. 288-2019, de Presupuesto del 2020 de la Ciudad de Newburgh, Nueva York para transferir fondos de Emergencia de Contingencia del Fondo de Alcantarillado a Otros Servicios del Fondo de Alcantarillado.

11. Resolution No. 127 - 2020 - City of Newburgh Parking Meter Expansion Feasibility Study

    Resolution authorizing the City Manager to execute a contract with Kimley Horn of New York, P.C. to perform a parking meter expansion feasibility study at a cost of $30,300.00.

    Una resolución autorizando al Gerente Municipal a ejecutar un contrato con Kimley Horn de New York, P.C. para realizar un estudio de viabilidad de expansión de parquímetros a un costo de $30,300.00.

12. Resolution No. 128 - 2020 - 15 South Colden Street - site development agreement

    Resolution authorizing the City Manager to execute a site development agreement with The Kearney Realty & Development Group Inc. for the transfer and redevelopment of property located at 15 South Colden Street (Section 46, Block 3, Lot 8.2)

    Una resolución autorizando al Gerente de la Ciudad a ejecutar un acuerdo de desarrollo de área con Kearney Realty & Development Group Inc. Para la transferencia y nuevo desarrollo de la propiedad ubicada en la 15 de la Calle Colden (Sección 46, Bloque 3, Lote 8.2).

13. Resolution No. 129 - 2020 - 264 Liberty Street - Release of Covenants

    Resolution authorizing the execution of a Release of Restrictive Covenants and Right of Re-entry from a deed issued to Rev. Woodrow W. Mitchell, Executor under the last will and testament of John Mitchell, to the premises known as 264 Liberty Street (Section 18, Block 6, Lot 32)

    Una resolución autorizando la ejecución de la Liberación de Clausulas Restrictivas y Derecho de Reingreso de un título de propiedad emitido a Rev. Woodrow W. Mitchell, Ejecutor bajo la última voluntad y testamento de John Mitchell, a las instalaciones conocidas como 264 de la Calle Liberty (Sección 18, Bloque 6, Lote 32)

14. Resolution No. 130 - 2020 - 241 Third Street, 48, 50 and 52 Johnston Street - Release of Covenants

    Resolution authoring the execution of a Release of Restrictive Covenants and Right of Re-entry from a deed issued to Works III Associates, LP, to the premises known as 241 Third Street (Section 22, Block 2, Lot 2), 48 Johnston Street (Section 30, Block 3, Lot 39), 50 Johnston Street (Section 30, Block 3, Lot 40) and 52 Johnston Street (Section 30, Block 3, Lot 41)

    Una resolución autorizando la ejecución de la Liberación de Clausulas Restrictivas y Derecho de Reingreso de un título de propiedad emitido a Works II Associates, LP, a las instalaciones conocidas como la 241 de la Calle Third (Sección 22, Bloque 2, Lote 2), 48 de la Calle Johnston (Sección 30, Bloque 3, Lote 39), 50 de la Calle Johnston (Sección 30, Bloque 3, Lote 40) y 52 de la Calle Johnston (Sección 30, Bloque 3, Lote 41)

15. Resolution No. 131 - 2020 - 61 Temple Avenue - Ecological Citizens Project License Agreement

    Resolution authorizing the City Manager to enter into a license agreement with the Ecological Citizen's Project, Inc. to allow use and access to a portion of 61 Temple Avenue (Section 42, Block 1, Lot 1) for a community garden.

Una resolución autorizando al Gerente Municipal a entrar en un contrato de licencia con Ecological Citizen's Project, Inc. Para permitir el uso y acceso a una porción de la 61de la Avenida Temple (Sección 42, Bloque 1, Lote 1) para un jardín comunitario.

16. Resolution No. 132 - 2020 - NYPA Smart Street Lighting

    Resolution authorizing the City Manager to apply for and accept if awarded a New York State Power Authority Smart Street Lighting Program Grant in the amount of $75,000.00 with no City match.

    Una resolución autorizando al Gerente Municipal a solicitar y aceptar si es otorgado una Subvención del Programa Iluminación Inteligente de Calles de la Agencia de Potencia del Estado de Nueva York por la cantidad de $75,000.00 el cual no requiere que la Ciudad iguale los fondos.

17. Resolution No. 133 - 2020 - Conservation Advisory Council appointment

    Resolution appointing Ronald Zorrilla as a member of the Conservation Advisory Council.

    Una resolución nombrando a Ronald Zorrilla como miembro del Concejo Consultivo de Conservación.

18. Resolution No. 134 - 2020 - Settlement of Litigation

    A resolution authorizing the settlement of litigation regarding the In Rem tax foreclosure of liens for the year 2017 relative to 129 Chambers Street (Section 18, Block 4, Lot 25)

    Una resolución autorizando el acuerdo de litigación con respecto a la ejecución hipotecaria del impuesto In Rem de los gravámenes por el año 2017 relativo al 129 de la Calle Chambers (Sección 18, Bloque 4, Lote 25).

19. Local Law No. 1 - 2020 - Prohibiting possession and sale of sparklers and sparkling devices

    Local Law amending Chapter 172 of the Code of Ordinances of the City of Newburgh to add "Article III – Fireworks and Sparkling Devices".

    Una Ley Local enmendando el Capítulo 172 del Código de Ordenanzas de la Ciudad de Newburgh para agregar "Articulo III – Fuegos Artificiales y Dispositivos Chispeantes".

Old Business: / Asuntos Pendientes

New Business: / Nuevos Negocios

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

Adjournment/ Aplazamiento:

RESOLUTION NO.: 121 - 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 8th 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. 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. 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 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.

I, Lorene Vitek, City Clerk of the City of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held [illegible] 20[illegible] and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this [illegible] day of [illegible] 20[illegible]

City Clerk

Community Development Block Grant ("CDBG")

FY2020 Annual Action Plan

Substantial Amendment

Department of Planning & Development

May, 2020

EQUAL HOUSING OPPORTUNITY

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

EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY



"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 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.

EQUAL HOUSING OPPORTUNITY

(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."

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(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)

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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)

Additional information begins on the next slide

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(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
Amendment: Park Improvements, including playground equipment upgrades	$175,000.00	14%	10%	$3,907.82	$178,907.82	**$98,907.82**
Amendment: 2020 Children's Summer Film Festival	$20,000.00	2%	No Change	$558.26	$20,558.26	**$0.00**
Amendment: Community Policing Initiative						**$100,558.26**
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
Proposed Total FY2020 Allocation	$845,000.00			$27,913.00	$872,913.00	$872,913.00

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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,	$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%
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%

EQUAL HOUSING OPPORTUNITY

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%

EQUAL HOUSING OPPORTUNITY

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









EQUAL HOUSING OPPORTUNITY

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

EQUAL HOUSING OPPORTUNITY

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





EQUAL HOUSING OPPORTUNITY

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.



EQUAL HOUSING OPPORTUNITY

Project: Infrastructure Improvements
Budget: $225,000.00

Summary

Examples of projects may include:

- “Complete Streets” Safe Access Upgrades
- Sidewalk improvements





EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

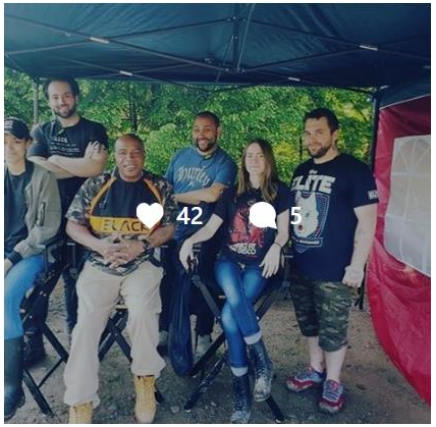
Project: Economic Development
Budget: $25,000.00



Summary

Examples of projects may include:

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



EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

(New) FY2020 CDBG AAP Timeline Substantial Amendment



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

EQUAL HOUSING OPPORTUNITY

FY2020 CDBG AAP Timeline



FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS TIMELINE

EQUAL HOUSING OPPORTUNITY

Subvención en Bloque para el Desarrollo de la Comunidad ("CDBG")

Año Fiscal 2020 - Plan Anual de Acción
Enmienda Sustancial

Departamento de Planeamiento y Desarrollo
Mayo de 2020

EQUAL HOUSING OPPORTUNITY

Ayuntamiento de la Ciudad de Newburgh:
Torrance Harvey, Alcalde
Karen Mejia, Distrito Municipal 1
Ramona Monteverde, Distrito Municipal 2
Robert Sklarz, Distrito Municipal 3
Patty Sofokles, Distrito Municipal 4
Anthony Grice, Representante Independiente
Omari Shakur, Representante Independiente

EQUAL HOUSING OPPORTUNITY

Metas para el Desarrollo Comunitario de la Ciudad de Newburgh - Actualización

- Desarrollo Económico sin Desplazamiento.
- Mejorar el alcance y comunicaciones con la comunidad.
- Apoyar un ambiente que valorice la diversidad, recompense la independencia, alimente la creatividad, y nos reúna a todos.

El éxito de la construcción de una comunidad requiere reestablecer la confianza; lo que lleva tiempo, paciencia, comunicación y la inclusión de todos.

EQUAL HOUSING OPPORTUNITY



"CDBG" – Breve Introducción

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Subvención en Bloque para el Desarrollo de la Comunidad (CDBG) Administrado por el Departamento de Vivienda y Desarrollo Urbano de Estados Unidos (HUD).
- Asignado a los gobiernos locales y estatales sobre la base de una fórmula.
- La Ciudad de Newburgh está bajo el Consorcio del Condado de Orange (Condado de Orange, Ciudad de Newburgh, Ciudad de Middletown).
- Se requiere que la Ciudad de Newburgh prepare y presente un Plan General (*Consolidated Plan*) que establezca metas para el uso de los fondos CDBG. El nuevo Plan General de la Ciudad de Newburgh: Año Fiscal 2020-Año Fiscal 2024 (*FY2020-FY2024*)
- Los proyectos DEBEN ser consistentes con las prioridades nacionales del CDBG:
  - Actividades que beneficien a las personas de bajos-o-moderados ingresos;
  - La prevención o eliminación de barriadas precarias o barrios arruinados; o
  - Las actividades de desarrollo de la Comunidad que abarquen las amenazas urgentes a la salud o seguridad.

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(Nuevo) Año Fiscal 2020 - Ciudad de Newburgh- Enmienda Sustancial

- De acuerdo con “24 CFR § 91.505 – Enmiendas al Plan General”, pueden realizarse enmiendas a una jurisdicción del Plan Anual de Acción (AAP). La jurisdicción del Plan de Participación Ciudadana (CPP) determina el criterio para hacer una enmienda sustancial al AAP.

- El Plan de Participación Ciudadana (CPP) de la Ciudad de Newburgh requiere una enmienda sustancial cuando haya:
  - Un “cambio de más del 25 % del total de los fondos de la subvención otorgados para financiar una actividad”.

  - Un “cambio del propósito, alcance, ubicación y beneficiarios de una actividad elegible a otra que abarque más del 25 % del total de los fondos previamente autorizados”.

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(Nuevo) Año Fiscal 2020 - Ciudad de Newburgh Enmienda Sustancial

- El proceso de enmienda sustancial incluye:
  - Actualización de un AAP previamente autorizado
  - Audiencia Pública
  - Período de Comentario Público
  - Presentación del AAP actualizado al Departamento de Vivienda y Desarrollo Urbano de Estados Unidos (HUD)

EQUAL HOUSING OPPORTUNITY

(Nuevo) Año Fiscal 2020 - Ciudad de Newburgh Enmienda Sustancial

- Actividades del Plan Anual de Acción actualizadas en el Año Fiscal 2020:

  Calidad de vida

  - Proyecto de Mejoramiento de Parques: $98,907.82 (Disminución $80,000)

  Acuerdo de Vigilancia Comunitaria/Servicios a los Barrios

  - Nueva Iniciativa de Vigilancia Comunitaria: $100,558.26 (Incremento de $80,000.00 proveniente del Mejoramiento de Parques + $20,558.26 proveniente del Festival de Cine de Verano/Noche de Salida Nacional)

EQUAL HOUSING OPPORTUNITY

La información adicional comienza en la siguiente diapositiva

(Nuevo) Año Fiscal 2020 - CDBG Proyectos/Financiación

Enmienda Sustancial

Actividades Propuestas (Ejemplos)	Financiación del proyecto	% de incremento del proyecto, si la asignación de HUD es mayor que la propuesta (aprox.)	% de disminución del proyecto si la asignación de HUD es menor que la propuesta (aprox.)	Financiación Ajustada	Nuevos Totales	Enmienda Sustancial (Nuevo) Total
Salarios de 3 empleados a-tiempo-completo, En-Efecto	$220,000.00	26%	Sin Cambio	$7,257.38	$227,257.38	$227,257.38
Materiales para Propiedades, Entrenamiento En-Efecto,	$50,000.00	6%	Sin Cambio	$1,674.78	$51,674.78	$51,674.78
Programa de Asistencia a Propietarios de Vivienda						
Proyecto Calles Completas (ej. Mejoras ADA Corte-Bordillo)	$225,000.00	32%	10%	$8,932.16	$233,932.16	$233,932.16
Financiación para apoyar a empresas que requieran entrenamiento para desarrollar su fuerza de trabajo, Carteles de Empresas/Mejoramiento de Fachadas	$25,000.00	10%	Sin Cambio	$2,791.30	$27,791.30	$27,791.30
Enmienda: Mejoramiento de Parques, incluyendo mejoras del equipamiento de patios de juego.	$175,000.00	14%	10%	$3,907.82	$178,907.82	**$98,907.82**
Enmienda: 2020 Festival de Verano de Cine Infantil	$20,000.00	2%	Sin Cambio	$558.26	$20,558.26	**$0.00**
Enmienda: Iniciativa de Vigilancia Comunitaria						**$100,558.26**
Administración del Programa, Salario y Beneficios del Personal, Costes de Operación del Programa (incluyendo correo), Entrenamiento/Conferencia	$130,000.00	10%	10%	$2,791.30	$132,791.30	$132,791.30
Asignación Propuesta para el Año Fiscal 2020	$845,000.00			$27,913.00	$872,913.00	$872,913.00

EQUAL HOUSING OPPORTUNITY

Financiación de Contingencia

Si el monto de la actual asignación anual excede el presupuesto estimado, el presupuesto del proyecto se incrementará en:

Vivienda	Salario de 3 empleados a-tiempo-completo, Materiales para Propiedades En-Efecto, Entrenamiento En-Efecto,	$220,000.00	Sin cambio
	Programa de Asistencia a Propietarios de Vivienda	$50,000.00	Sin cambio
Mejoramiento de estructuras	Proyecto Calles Completas (ej. mejoras ADA Corte-Bordillo)	$225,000.00	10%
Desarrollo Económico	Financiación para apoyar los negocios que requieran desarrollo del entrenamiento de sus trabajadores, Carteles de tiendas/Mejoramiento de fachadas	$25,000.00	Sin cambio
Mejoramiento de Parques	Mejoramiento de parques, incluyendo mejoras del equipamiento de los patios de juegos infantiles	$175,000.00	10%
Vigilancia Comunitaria/Servicios a los Barrios	2020 Festival de Verano de Cine Infantil	$20,000.00	Sin cambio
Administración	Administración de Programas, Salario y Beneficios del Personal, Costos Operativos del Programa (incluyendo correo), Entrenamiento/Conferencia	$130,000.00	10%

EQUAL HOUSING OPPORTUNITY

Financiación de Contingencia

Si el monto de la actual asignación anual es menor que el presupuesto estimado, el presupuesto del proyecto disminuirá en:

Vivienda	Salario de 3 empleados a-tiempo-completo, Materiales para Propiedades En-Efecto, Entrenamiento En-Efecto,	$220,000.00	Sin cambio
	Programa de Asistencia a Propietarios de Vivienda	$50,000.00	Sin cambio
Mejoramiento de estructuras	Proyecto Calles Completas (ej. mejoras ADA Corte-Bordillo)	$225,000.00	10%
Desarrollo Económico	Financiación para apoyar los negocios que requieran desarrollo del entrenamiento de sus trabajadores, Carteles de tiendas/Mejoramiento de fachadas	$25,000.00	Sin cambio
Mejoramiento de Parques	Mejoramiento de parques, incluyendo mejoras del equipamiento de los patios de juegos infantiles	$175,000.00	10%
Vigilancia Comunitaria/Servicios a los Barrios	2020 Festival de Verano de Cine Infantil	$20,000.00	Sin cambio
Administración	Administración de Programas, Salario y Beneficios del Personal, Costos Operativos del Programa (incluyendo correo), Entrenamiento/Conferencia	$130,000.00	10%

EQUAL HOUSING OPPORTUNITY

Nuevo – Enmienda Sustancial
Proyecto: Mejoramiento de Parques
Previo Presupuesto Aprobado: $178,907.82
Nuevo Presupuesto: $98,907.82



Sumario

Ejemplos de proyectos pueden incluir:

- Mejoras/Actualización de equipamiento de juegos infantiles
- Cercas









EQUAL HOUSING OPPORTUNITY

Nuevo – Enmienda Sustancial
Proyecto: Vigilancia Comunitaria/Servicios a los Barrios – Nueva Iniciativa de Vigilancia Comunitaria
Presupuesto Previamente Aprobado: $0.00
Nuevo Presupuesto: $100,558.26

Sumario

Ejemplos de las actividades que pueden incluirse:

- Estacionar/Caminar-para-hablar (*Walk-n-Talk*)
- Esfuerzos innovadores de Vigilancia Comunitaria realizados de acuerdo con la distancia-social segura (según requisito)
- Materiales para la Vigilancia Comunitaria

EQUAL HOUSING OPPORTUNITY

Nuevo – Enmienda Sustancial
Proyecto: Vigilancia Comunitaria/Servicios a los Barrios
Presupuesto Previamente Aprobado: $20,558.26
Nuevo Presupuesto: $0.00 (Fondos reasignados a la nueva Iniciativa de Vigilancia Comunitaria)



Sumario

Ejemplo de Proyecto puede incluir:

- 2020 Festival de Verano de Cine Infantil





EQUAL HOUSING OPPORTUNITY

Destacados del Programa de Propiedades En-Efecto

- El personal consta de 2 empleados a-tiempo-completo del Departmento de Obras Públicas y 1 empleado del Departamento de Planeamiento y Desarrollo dedicados al programa que está en-efecto.

- Provee mantenimiento y seguridad a las propiedades vacantes. Mantiene las propiedades habitables, el buen aspecto de los barrios, conserva/incrementa el valor de las propiedades.



La Ley de Desarrollo Comunitario y Vivienda de 1992 autoriza las actividades necesarias para realizar reparaciones esenciales y pagos de las expensas de operación necesarios para mantener la habitabilidad de las unidades de vivienda adquiridas a través de ejecución fiscal con el objeto de prevenir el abandono y deterioro de dichas viviendas, ubicadas principalmente en barrios de bajos-o-moderados ingresos.

EQUAL HOUSING OPPORTUNITY

Proyecto: Mejoramientos de Infraestructura
Presupuesto: $225,000.00

Sumario

Ejemplos de Proyectos pueden incluir:

- “Calles Completas” Mejoras para Accesos Seguros
- Mejoramiento de aceras





EQUAL HOUSING OPPORTUNITY

Proyecto: Vivienda
Actividades: Proyecto de Propiedades En-Efecto ($220,000.00)
Asistencia a Propietarios ($50,000.00)

Sumario

- Financiación continua para el programa En-Efecto; incluyendo los salarios de 3 empleados a-tiempo-completo (2 empleados DPW y el Especialista en Desarrollo Económico); En-Efecto materiales para el programa de propiedades, como ser, pintura, madera contrachapada; Entrenamiento En-Efecto.
- Fondos para apoyar al Programa de Asistencia de la Ciudad de Newburgh en Asociación con Propietario de Vivienda.

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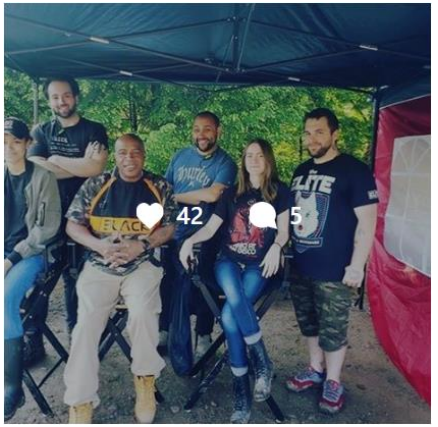
Proyecto: Desarrollo Económico
Presupuesto: $25,000.00



Sumario

Ejemplos de Proyectos pueden incluir:

- Mejoramiento de fachadas/carteles de empresas
- Financiación para Apoyar el Entrenamiento que Desarrolla al Personal de Empresas



EQUAL HOUSING OPPORTUNITY

Proyecto: Administración
Fondos del Proyecto: $130,000.00

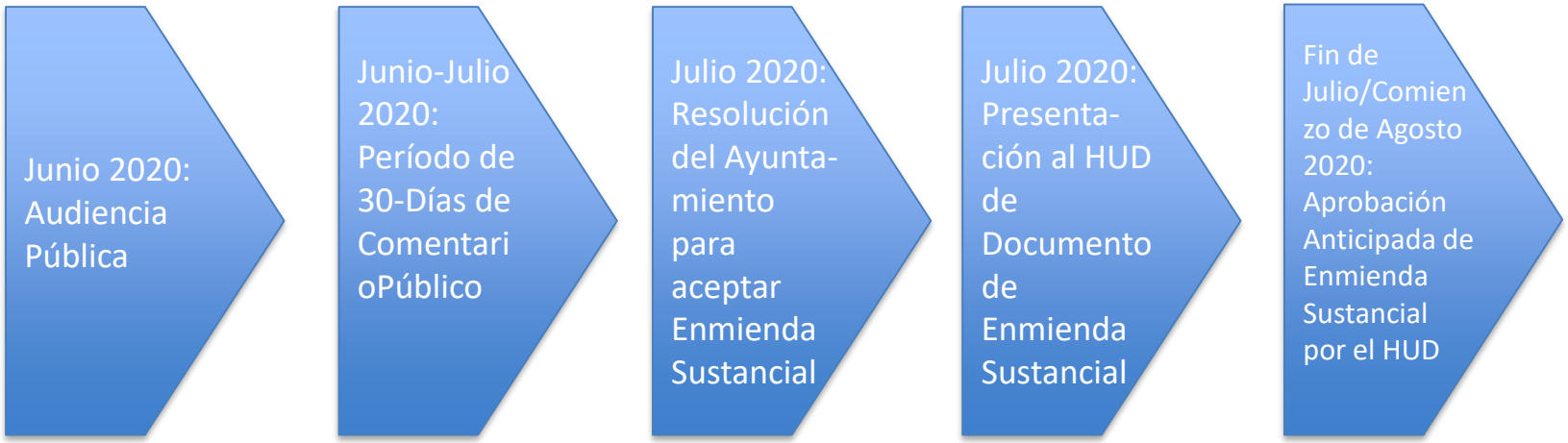


Sumario

La financiación incluye el salario y beneficios del Director de Desarrollo Comunitario, Correo de la Administración, Suministros y Administración del Programa/Entrenamiento/Conferencia.

EQUAL HOUSING OPPORTUNITY

(Nuevo) Año Fiscal 2020 - CDBG - AAP
Línea del Tiempo
Enmienda Sustancial



EQUAL HOUSING OPPORTUNITY

Año Fiscal 2020 - SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO DE LA COMUNIDAD (CDBG)
LÍNEA DEL TIEMPO DE LOS PROYECTOS – Enmienda Sustancial

Año Fiscal 2020 - CDBG - AAP
Línea del Tiempo



Año Fiscal 2020 - SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO DE LA COMUNIDAD (CDBG)

LÍNEA DEL TIEMPO DE LOS PROYECTOS – Enmienda Sustancial

EQUAL HOUSING OPPORTUNITY

RESOLUTION NO.: 119 - 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 8th 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_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. 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 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.

I, Lorene Vitek, City Clerk of the City of Newburgh, hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held May 26, 2020 and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this 27 day of May, 2020

City Clerk

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

Department of Planning & Development

May, 2020

EQUAL HOUSING OPPORTUNITY

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

EQUAL HOUSING OPPORTUNITY

(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.

EQUAL HOUSING OPPORTUNITY

(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."

EQUAL HOUSING OPPORTUNITY

(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)

EQUAL HOUSING OPPORTUNITY

(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

EQUAL HOUSING OPPORTUNITY

"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.

EQUAL HOUSING OPPORTUNITY

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.



EQUAL HOUSING OPPORTUNITY

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

EQUAL HOUSING OPPORTUNITY

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

Year 5 of the 5 Year Plan
2015 - 2019

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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
	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.		**$50,000.00**
	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.		**$413,511.00**
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
	CARES Act (CDBG-CV): Program Administration of CDBG-CV funds. Includes program administration costs such as public notices, language translation, mailing, salary, meetings/training.		**$50,000.00**
	Total	$838,786.00	$1,352,297.00

EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

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.

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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.

EQUAL HOUSING OPPORTUNITY

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.



EQUAL HOUSING OPPORTUNITY

Project: Complete Streets Project
Budget: $225,000.00

Summary: Funding to support the following Complete Streets projects:

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

EQUAL HOUSING OPPORTUNITY

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.



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



Summary: Funding to support:

- 2019 National Night Out

- 2019 Children's Summer Film Festival



EQUAL HOUSING OPPORTUNITY

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.

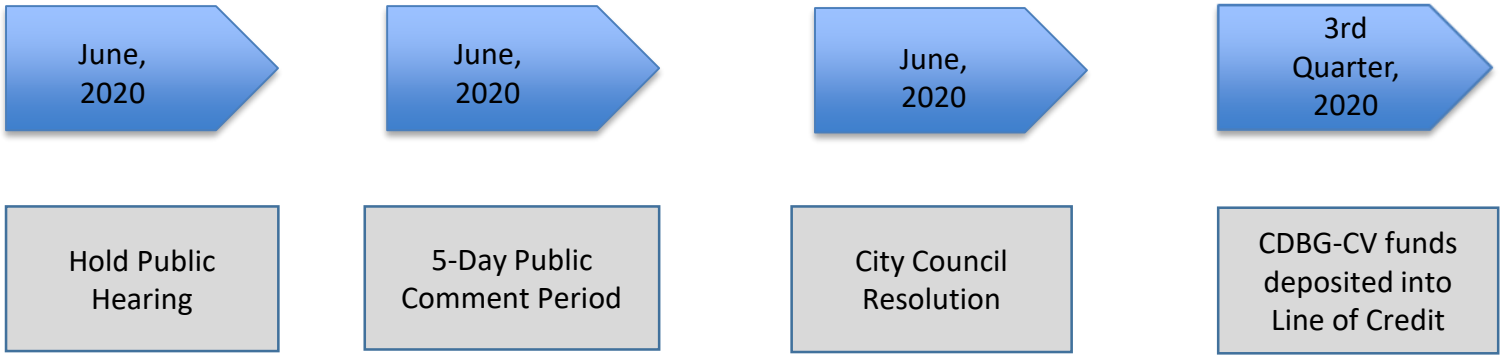
EQUAL HOUSING OPPORTUNITY

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.

EQUAL HOUSING OPPORTUNITY

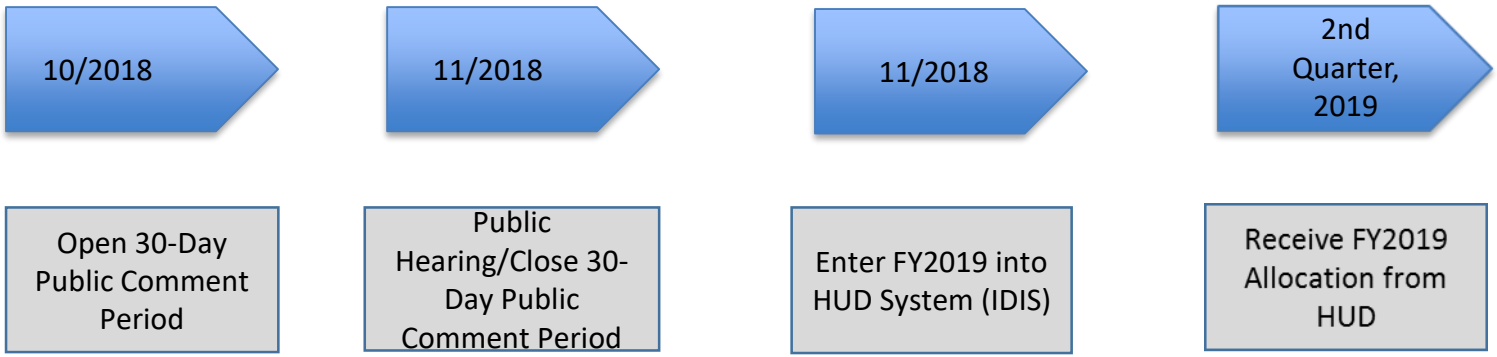
FY2019 CDBG-CV Projects Timeline (New)



FY 2019 CDBG-CV PROJECTS TIMELINE

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FY2019 CDBG Projects Timeline



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FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS TIMELINE

Año Fiscal 2019
Proyectos de la Subvención en Bloque para el Desarrollo de la Comunidad (CDBG) + Asignación Especial de la Ley CARES COVID-19
(Enmienda Sustancial)

Departamento de Planeamiento y Desarrollo
Mayo de 2020

EQUAL HOUSING OPPORTUNITY

Ayuntamiento de la Ciudad de Newburgh:

Torrance Harvey, Alcalde
Karen Mejia, Distrito Municipal 1
Ramona Monteverde, Distrito Municipal 2
Robert Sklarz, Distrito Municipal 3
Patty Sofokles, Distrito Municipal 4
Anthony Grice, Representante Independiente
Omari Shakur, Representante Independiente

EQUAL HOUSING OPPORTUNITY

(Nuevo) Financiación de Ley CARES

- En abril de 2020, la Ciudad de Newburgh recibió una asignación especial de fondos de la Subvención en Bloque para el Desarrollo de la Comunidad (CDBG) en la suma de $513,511.00 para “prevenir, prepararse para afrontar, y responder al Coronavirus (COVID-19)”.

- La asignación de fondos fue autorizada por la Ley de Ayuda, Alivio y Seguridad Económica por Coronavirus (CARES Act por sus siglas en inglés), Ley Pública 116-136, firmada por el presidente Trump el 27 de marzo de 2020, para responder a los crecientes efectos de esta histórica crisis de la salud pública.

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(Nuevo) Ciudad de Newburgh - Año Fiscal 2019 Enmienda Sustancial

- Conforme a la "24 CFR § 91.505 – Enmiendas al Plan General", pueden hacerse enmiendas al Plan Anual de Accion (AAP) de una jurisdicción. La jurisdicción del Plan de Participación Ciudadana (CPP) determina el criterio de una enmienda sustancial al AAP.

- El Plan de Participación Ciudadana de la Ciudad de Newburgh (CPP) requires una enmienda sustancial cuando haya:

  - Un "cambio de más del 25 % del total de los fondos de una subvención otorgada a una actividad".

  - Un "cambio de propósito, alcance, ubicación y beneficiarios desde una actividad elegible a otra de más del 25 % del total de fondos previamente autorizados".

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(Nuevo) Ciudad de Newburgh - Año Fiscal 2019 Enmienda Sustancial

- Debido a que la Ley CARES otorga una asignación especial a la Ciudad de Newburgh superior a ambos: el "cambio de más del 25 % del total del monto de la subvención otorgada para financiar la actividad", y un "cambio del propósito, alcance, ubicación y beneficiarios desde una actividad elegible a otra en más del 25 % del total de los fondos previamente autorizados", debe activarse el proceso de enmienda sustancial para que la Ciudad de Newburgh acepte los fondos.

- El proceso de una enmienda sustancial incluye:

  - Actualización al Plan Anual de Acción previamente autorizado
  - Audiencia pública
  - Período de comentarios públicos
  - Presentación del AAP actualizado al Departmento de Vivienda y Desarrollo Urbano de Estados Unidos (HUD)

EQUAL HOUSING OPPORTUNITY

(Nuevo) Ciudad de Newburgh - Año Fiscal 2019 Enmienda Sustancial

- Para agilizar y optimizar el uso de la asignación especial de los fondos de CDBG, la asignación especial CDBG-CV se agregará al AAP del Año Fiscal 2019 de la Ciudad de Newburgh.

- Nuevas Actividades agregadas al Año Fiscal del AAP de 2019:

  Servicio Público

  - Pago de Ingresos de Emergencia (Alquiler): $413,511.00
  - Servicios de Emergencia Alimentaria – Ley CARES (CDBG-CV): $50,000.00

  Administración

  - Administración – Ley CARES (CDBG-CV): $102,702.20

La información adicional comienza en la diapositiva 11

EQUAL HOUSING OPPORTUNITY

"CDBG" Breve Introducción

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- Subvención en Bloque para el Desarrollo de la Comunidad (CDBG) – Administrado por el Departamento de Vivienda y Desarrollo Urbano de Estados Unidos (HUD).

- Asignado a gobiernos locales y estatales en base a fórmula.

- Se requiere que la Ciudad de Newburgh prepare y presente un Plan General que establezca metas para el uso de los fondos CDBG. Siendo el más reciente Plan General de la Ciudad de Newburgh: Año Fiscal 2015-2019.

- Los proyectos DEBEN estar de acuerdo con las prioridades nacionales del CDBG:
  - Actividades que beneficien a personas de bajos-o-moderados ingresos;
  - La prevención o eliminación of barriadas precarias o barrios arruinados; o
  - El desarrollo de actividades que aborden amenazas urgentes a la salud o la seguridad.

EQUAL HOUSING OPPORTUNITY

Metas para el Desarrollo Comunitario de la Ciudad de Newburgh

- Desarrollo Económico sin Desplazamiento.

- Mejorar la comunicación y extensión comunitaria.

- Apoyar un ambiente que valorice la diversidad, recompense la independencia, alimente la creatividad, y nos reúna a todos.

El éxito de la construcción de una comunidad requiere reestablecer la confianza; lo que lleva tiempo, paciencia, comunicación, y la inclusión de todos.



EQUAL HOUSING OPPORTUNITY

Descripción de Proyectos CDBG de la Ciudad de Newburgh:

- Administrar los bienes de propiedad-de-la-ciudad a través del programa que está en-efecto (*in rem*).
- Proveer acceso a parques, senderos y actividades saludables realizadas en la naturaleza.
- Reinvertir de modo beneficioso en nuestra comunidad y nuestra infraestructura.
- Proveer actividades de servicio público para responder a las necesidades de la comunidad.

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Año Fiscal 2019: Proyectos del Plan Anual de Acción actualizados con la Asignación Especial de la Ley CARES COVID-19

5.º Año del Plan de 5 Años 2015 - 2019

EQUAL HOUSING OPPORTUNITY

Correspondiente al Año Fiscal 2019 + Fondos Ley CARES Proyectos/Fondos CDBG Enmendados

Nombre del Proyecto	Descripción	Fondos Proyectos Año Fiscal 2019 – Financiación Anual Correspondiente por Derecho (CDBG-EN)	Financiación Proyecto Año Fiscal 2019 EN + Asignación Ley CARES (CDBG-CV)
En-Efecto Programa de Propiedades	Salarios de 3 empleados a-tiempo-completo, En-Efecto Aprovisionamiento a Propietarios, Entrenamiento En-Efecto	$215,000.00	$215,000.00
Complete Streets Program	Aceras, Mejoramiento de fachadas de negocios, infraestructura	$225,000.00	$225,000.00
Mejoramiento de Parques	Mejoramiento de Parques	$190,786.00	$190,786.00
Acuerdos de Vigilancia Comunitaria / Services a Barrios	Iniciativas de Vigilancia Comunitaria y de Barrios. 2018 -Salida Nocturna Nacional, 2019-Festival de Verano de Cine Infantil	$18,000.00	$18,000.00
	Ley CARES (CDBG-CV): Servicio Público: Provee equipamientos, suministros y materiales necesarios para llevar a cabo servicios públicos; Entregar comidas a domicilio a individuos en cuarentena o individuos que necesiten mantener distancia social debido a sus vulnerabilidades médicas.		**$50,000.00**
	Ley CARES (CDBG-CV): Servicio Público: Programa de Servicio Público para proveer pagos de ingresos de emergencia (alquiler), para cubrir el alquiler, debido a la falta de ingresos como resultado directo de la crisis del COVID´-19.		**$413,511.00**
Programa de Recursos de Asistencia a Propietarios de Hogar	Programa para proveer recursos de asistencia a propietarios de hogar.	$60,000.00	$60,000.00
Administración	Costos: Administración de Programa, Salarios y Beneficios del Personal, Operativos (correo), Entrenamiento/Conferencias.	$130,000.00	$130,000.00
	Ley CARES CDBG-CV): Fondos de Administración de Programa CDBG-CV. Incluye costes de administración de programa, como ser, traducción de lenguaje, correo, salario, reuniones/entrenamiento.		**$50,000.00**
	Total	$838,786.00	$1,352,297.00

EQUAL HOUSING OPPORTUNITY

Adición por Enmienda Sustancial (Nuevo)
Proyecto: Servicios Públicos, Servicios de Emergencia Alimentaria – Ley CARES (CDBG-CV)
Anterior Presupuesto: $0.00
Nuevo Presupuesto: $50,000.00

Sumario: Proveer equipamiento, suministros y materiales necesarios para llevar a cabo los servicios públicos; entregar comidas a domicilio (*meals on wheels*) a individuos en cuarentena o individuos que necesiten mantener distancia social debido a su vulnerabilidad médica. Los fondos se proveerán a organizaciones a través de un proceso de Petición para Proyecto (*Request For Proposal* (RFP por sus siglas en inglés)).

EQUAL HOUSING OPPORTUNITY

Agregado por Enmienda Sustancial (Nuevo)
Proyecto: Servicio Público, Ingresos de Emergencia (Alquiler) Pago – Ley CARES (CDBG-CV)
Anterior Presupuesto: $0.00
Nuevo Presupuesto: $413,511.00

Sumario: programa de Servicio Público para proveer pagos de ingresos de emergencia (alquiler), para cubrir alquileres, debido a la falta de ingresos como resultado directo de la crisis del COVID-19.

EQUAL HOUSING OPPORTUNITY

Agregado por Enmienda Sustancial (Nuevo)
Proyecto: Administración – Ley CARES (CDBG-CV)
Anterior Presupuesto: $0.00
Presupuesto: $50,000.00

Sumario: Financiación de la Administración del Programa de fondos CDBG-CV. Incluye los costos de administración del programa, como por ejemplo, notificaciones públicas, traducción de lenguaje, correo, salarios, reuniones/entrenamientos.

EQUAL HOUSING OPPORTUNITY

Proyecto: Programa de Propiedades En-Efecto
Presupuesto: $215,000.00

Sumario: Continuar la financiación de los programas En-Efecto, incluyendo los salarios de 3 empleados a-tiempo-completo (2 empleados DPW y un Especialista en Desarrollo Económico); En-Efecto materiales para el programa de propiedades, como ser, pintura, madera contrachapada; Entrenamiento En-Efecto.

EQUAL HOUSING OPPORTUNITY

Destacados del Programa de Propiedades En Efecto

- Dotación de personal: 2 empleados a-tiempo-completo del Departamento de Obras Públicas y 1 empleado del Departamento de Planeamiento y Desarrollo dedicados al programa que está en-efecto.

- Provisión de mantenimiento y seguridad a las propiedades vacantes. Mantenimiento de la habitabilidad de las propiedades, conservación del buen aspecto de los barrios y mantener/incrementar el valor de las propiedades.



EQUAL HOUSING OPPORTUNITY

Proyecto: Proyecto Calles Completas
Presupuesto: $225,000.00

Sumario: Financiación para apoyar los siguientes proyectos de Calles Completas:

- Aceras
- Mejoramiento de fachadas (incluyendo carteles de tiendas)
- Infraestructura

EQUAL HOUSING OPPORTUNITY

Proyecto: Mejoramiento de Parques
Presupuesto: $200,000.00

Sumario: Financiación para apoyar el mejoramiento de parques de la Ciudad de Newburgh. Los proyectos incluyen el apoyo al nuevo South Street Park.



EQUAL HOUSING OPPORTUNITY

Proyecto: Vigilancia Comunitaria/Servicios a los barrios
Presupuesto: $18,000.00



Sumario: Financiación para apoyar:

- 2019 Salida Nocturna Nacional

- 2019 Festival de Verano de Cine Infantil



EQUAL HOUSING OPPORTUNITY

Proyecto: Recursos de Asistencia al Propietario
Presupuesto: $60,000.00

Sumario: Financiación para apoyar al programa de asistencia al propietario de bajos-ingresos . Incluye reparaciones y otra clase de asistencia, como ser, consejería financiera/presupuesto.

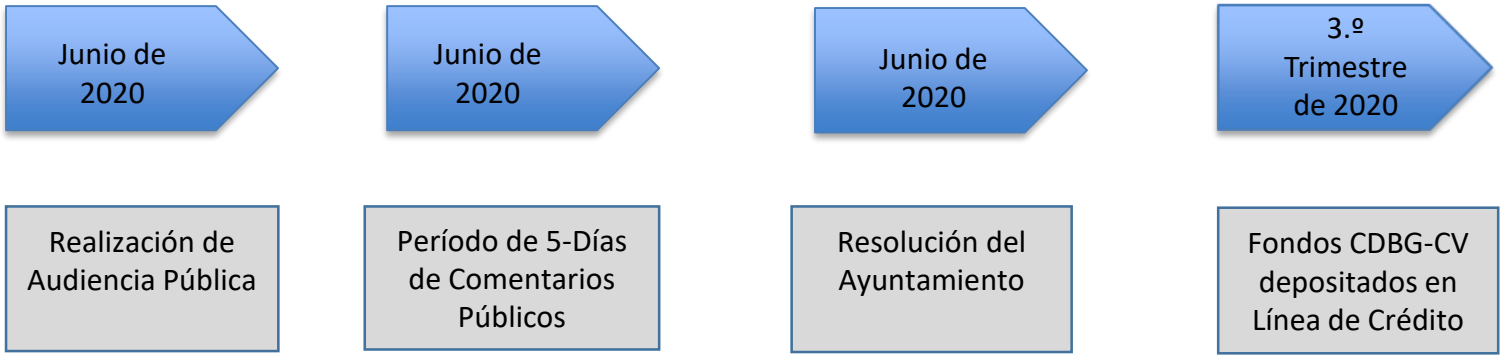
EQUAL HOUSING OPPORTUNITY

Proyecto: Administración
Financiación del Proyecto: $130,000.00

Sumario: La Financiación incluye el salario y beneficios del Director de Desarrollo Comunitario, Correo de Administración, Suministros y Administración del Programa/Entrenamiento/Conferencia.

EQUAL HOUSING OPPORTUNITY

Año Fiscal 2019 de CDBG-CV - Línea del Tiempo de los Proyectos (Nuevo)



Año Fiscal 2019 - CDBG-CV - Línea del Tiempo

EQUAL HOUSING OPPORTUNITY

Año Fiscal 2019 CDBG - Línea del Tiempo de los Proyectos

10/2018	11/2018	11/2018	2.º Trimestre de 2019
Abierto el Período de 30-Días de Comentarios Públicos	Audiencia Pública/Cierre del Período de 30-Días de Comentarios Públicos	Entrada del Año Fiscal 2019 en el Sistema de HUD (IDIS)	Recepción de Año Fiscal 2019 Asignación de HUD (*Allocation from HUD*)

Año Fiscal 2019 - SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO DE LA COMUNIDAD (CDBG) – LÍNEA DEL TIEMPO DE LOS PROYECTOS

EQUAL HOUSING OPPORTUNITY

RESOLUTION NO.: 125 - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 5 TO A CONTRACT WITH BARTON & LOGUIDICE, D.P.C. FOR PROFESSIONAL ENGINGEERING SERVICES AT NO ADDITIONAL COST TO TRANSFER $5,000 FROM CWSRF FUNDING/REPORTING SERVICES TO CONSTRUCTION ASSISTANCE SERVICES TO FACILITATE COMPLETION OF THE LIBERTY STREET AND GRAND STREET SANITARY SEWER IMPROVEMENTS PROJECT

WHEREAS, the City of Newburgh has experienced failures in the combined sanitary sewer system in the vicinity of Liberty Street and Grand Streets which has resulted in repeated sewer backups to residences, and deteriorated sewer mains on Liberty and Grand Streets; and

WHEREAS, Liberty Street and Grand Street Sanitary Sewer Improvements Project ("the Project") was listed on the New York State Environmental Facilities Corporation ("EFC") multi-year intended use plan as Project No. C3-7332-09-00 with a score sufficient to qualify for Project financing through EFC's traditional loan programs; and

WHEREAS, the EFC's Storm Mitigation Loan Program ("SMLP") offers a financing option for the Project consisting of a combination of 25% grant funding and 75% zero-interest loans which provide a potential Project savings to the City of 25% of the total project cost of approximately $300,000.00, and by Resolution No.: 28-2014 of February 10, 2014, the Council authorized the Interim City Manager to execute a contract with Barton & Loguidice, D.P.C. for professional engineering services necessary to complete the application for the grant funding at a cost not to exceed $19,900.00; and

WHEREAS, by Resolution No.: 29-2014 of February 10, 2014, the Council authorized the Interim City Manager to apply for and accept if awarded a grant and zero interest loan financing from the EFC SMLP in an estimated Project cost of $1,150,800.00, and upon the award of such funding to enter into and execute a documents and contracts with the EFC for said purposes and further, to carry out and comply with the terms of such project agreement(s); and

WHEREAS, by Resolution No. 289-2014 of November 24, 2014, the Council authorized the City Manager to execute an agreement for professional engineering services with Barton & Loguidice, D.P.C. in an amount not to exceed $256,600.00 for the design and construction inspection services of new sewer and stormsewers for Liberty, Grand, Clinton and Montgomery Streets and assistance to secure funding awarded under the EFC SMLP for the Liberty Street and Grand Street Sanitary Sewer Improvements Project; and

WHEREAS, by Resolution No. 48-2015 of March 23, 2015, the City Council authorized the City Manager to execute an amendment to the agreement for professional engineering services with Barton & Loguidice, D.P.C. for the administration of CDBG-DR program funds in connection with funding awarded under the EFC SMLP for the Project; and

WHEREAS, by Resolution No. 195-2018 of August 13, 2018, the Council authorized the City Manager to execute an amendment to the agreement for professional engineering services with Barton & Loguidice, D.P.C. due to the discovery of unknown existing underground utilities encountered during construction design changes were required for the Project resulting in the need for an extension of time of 36 days to complete the Project as well as additional construction phase professional engineering services for the Project in an amount not to exceed $254,000.00; and

WHEREAS, by Resolution No. 5-2020 of January 13, 2020, the Council authorized the City Manager to execute an amendment to the agreement for professional engineering services with Barton & Loguidice, D.P.C. for required additional submissions to EFC, construction administration services and construction observation services at a cost of $55,000.00 for the Project; and

WHEREAS, a contract amendment at no additional cost to the City is necessary for the transfer of Project funding in the amount of $5,000 from CWSRF Funding/Reporting services to Construction Assistance services is required by EFC to complete Project close-out documents; and

WHEREAS, this Council has determined that amending the professional engineering services contract with Barton & Loguidice, D.P.C. to facilitate the completion of the Project is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute an amendment to the agreement for professional engineering services with Barton & Loguidice, D.P.C. at no additional cost to the City of Newburgh to transfer $5,000 from CWSRF Funding/Reporting services to Construction Assistance services to complete Liberty Street and Grand Street Sanitary Sewer Improvements Project close-out documents with the New York State Environmental Facilities Corporation.

RESOLUTION NO.: ___126_ - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL AND EXECUTE A CONTRACT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR PROFESSIONAL FINANCIAL SERVICES FOR A STORMWATER USER FEE PLANNING STUDY AT A COST OF $68,860.00 AND AMENDING RESOLUTION NO: 288-2019, THE 2020 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK TO TRANSFER FUNDS FROM SEWER FUND CONTINGENCY EMERGENCY TO SEWER FUND OTHER SERVICES

WHEREAS, The Phase II Stormwater Program of the New York State Department of Environmental Conservation ("NYSDEC") requires the City of Newburgh, as an operator of Municipal Separate Storm Sewer Systems ("MS4s"), to prepare and implement a Stormwater Management Plan, which the City prepared and finalized in September 2016 addressing six program elements designed to reduce the discharge of pollutants to the maximum extent practicable; and

WHEREAS, by Resolution Nos. 219-2011 of October 24, 2011 and 303-2015 of November 23, 2015, the City Council approved a Consent Order with the NYSDEC to resolve violations at the Wastewater Treatment Plant and develop a Long Term Control Plan to address combined sewer overflows and the implementation of green stormwater infrastructure to reduce runoff and combined sewer overflows with a program cost of approximately $39 million over 15 years; and

WHEREAS, the City desires to establish and evaluate a dedicated funding source to help pay for stormwater system operations, maintenance, and capital needs associated with these regulatory requirements; and

WHEREAS, Raftelis Financial Consultants, Inc. is qualified to provide such professional financial services and has prepared a proposal for a stormwater user fee planning study for the City to evaluate establishing a dedicated funding source to help pay for the stormwater system program; and

WHEREAS, the cost of the stormwater user fee planning study will be $68,860.00 and funding will be transferred from G.1900.1990 – Contingency Emergency to G.1440.0448 – Other Services; and

WHEREAS, this Council determines accepting the proposal and entering into a contract with Raftelis Financial Consultants, Inc. for professional financial services in connection with the

development of a stormwater user fee planning study is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute a contract with Raftelis Financial Consultants, Inc. for professional financial services for a stormwater user fee planning study at a cost of $68,860.00; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that Resolution No: 288-2019, the 2020 Budget of the City of Newburgh, is hereby amended as follows:

	Decrease	**Increase**
Sewer Fund		
Contingency Emergency		
G.1900.1990	$69,000.00	
Sewer Fund		
Sanitary Sewers Other Services		
G.1440.0448		$69,000.00

RESOLUTION NO.: 127 - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH KIMLEY HORN OF NEW YORK, P.C. TO PERFORM A PARKING METER EXPANSION FEASIBILITY STUDY AT A COST OF $30,300.00

WHEREAS, the City Council of the City of Newburgh has identified parking as an important issue with respect to attracting businesses, increasing parking turnover, and creating more viable commercial areas around the City; and

WHEREAS, the City of Newburgh presently maintains a single space, on-street parking meter program along Broadway, and no meter program in its municipal parking lots or along the waterfront; and

WHEREAS, the City wishes to evaluate the areas along Broadway corridor, the waterfront, and its municipal parking lots to better manage parking turnover, improve parking performance, and maximize parking revenues based on growing levels of parking demand; and

WHEREAS, the City of Newburgh has received a proposal from Kimley Horn of New York, P.C., to provide professional parking study services that includes performance of a parking meter expansion feasibility study, with said study to review the City's current parking program and parking management strategies, make recommendations for potential parking meter expansion, and provide advice on requests for proposal with respect to parking meter installations; and

WHEREAS, the cost of the study will not exceed $30,300.00, plus reimbursable expenses, and funding shall be derived from H1.1330.0205.0000.2020; and

WHEREAS, this Council has determined that accepting such proposal and entering into the contract is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to execute a contract for professional parking study services to perform a parking meter expansion feasibility study at a cost not to exceed $30,300.00, plus reimbursable expenses.

RESOLUTION NO.: 128 - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SITE DEVELOPMENT AGREEMENT WITH THE KEARNEY REALTY & DEVELOPMENT GROUP INC. FOR THE TRANSFER AND REDEVELOPMMENT OF PROPERTY LOCATED AT 15 SOUTH COLDEN STREET (SECTION 46, BLOCK 3, LOT 8.2)

WHEREAS, the City of Newburgh wishes to redevelop the City-owned property located at 15 South Colden Street (the "Property"); and

WHEREAS, the City issued a Request For Proposals ("RFP") for the development of the Property and received two (2) responses from developers interested in pursuing development projects on the Property; and

WHEREAS, a review committee has reviewed the responses to the RFP and recommended to City Council that the Kearney Realty & Development Group Inc. be selected to develop the Property; and

WHEREAS, the parties have negotiated a site development agreement for the transfer and redevelopment of the Property, which is annexed hereto; and

WHEREAS, this Council finds that the Property is not required for public use and that approving such site development agreement is necessary, appropriate and in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh that the City Manager be and he is hereby authorized to execute on behalf of the City of Newburgh the site development agreement with Kearney Realty & Development Group Inc., in substantially the same form as annexed hereto with other provisions as Corporation Counsel may require, for the transfer and redevelopment of the property at 15 South Colden Street.

RESOLUTION NO.: ___129_-2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO REV. WOODROW W. MITCHELL, EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF JOHN MITCHELL, TO THE PREMISES KNOWN AS 264 LIBERTY STREET (SECTION 18, BLOCK 6, LOT 32)

WHEREAS, on June 11, 1985, the City of Newburgh conveyed property located at 264 Liberty Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 18, Block 6, Lot 32, to the Estate of John Mitchell; and

WHEREAS, such deed was lost and never recorded; and a replacement deed was issued to Rev. Woodrow W. Mitchell, Executor under the last will and testament of John Mitchell, on June 23, 1987; and

WHEREAS, the attorney representing the owner in the sale of the premises has requested a release of the restrictive covenants contained in the deed from the City of Newburgh in order to facilitate the sale; and

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

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

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

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN ($10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 264 Liberty Street, Section 18, Block 6, Lot 32 on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4, and 5 in a replacement deed dated June 23, 1987, from THE CITY OF NEWBURGH to REV. WOODROW W. MITCHELL, EXECUTOR UNDER THE LAST WILL AND TESTAMENT OF JOHN MITCHELL, recorded in the Orange County Clerk's Office on September 1, 1988, in Liber 3000 of Deeds at Page 65 and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2020

THE CITY OF NEWBURGH

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: _____

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

On the ____ day of _____ in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

_____

RESOLUTION NO.: ___130__-2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY FROM A DEED ISSUED TO WORKS III ASSOCIATES, LP, TO THE PREMISES KNOWN AS 241 THIRD STREET (SECTION 22, BLOCK 2, LOT 2), 48 JOHNSTON STREET (SECTION 30, BLOCK 3, LOT 39), 50 JOHNSTON STREET (SECTION 30, BLOCK 3, LOT 40) AND 52 JOHNSTON STREET (SECTION 30, BLOCK 3, LOT 41)

WHEREAS, on April 30, 1997, the Newburgh Community Development Agency ("NCDA") conveyed properties located at 241 Third Street, 48 Johnston Street, 50 Johnston Street and 52 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 22, Block 2, Lot 2, and Section 30, Block 3, Lots 39, 40 and 41, respectively, to Works III Associates, LP; and

WHEREAS, the owner of the premises has requested a release of the restrictive covenants contained in the deed from the City of Newburgh; and

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

WHEREAS, this Council has determined that issuing a Release of Restrictive Covenants by the City of Newburgh, as successor in interest to the NCDA, is in the best interests of the City of Newburgh;

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

RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, as Successor in Interest to the Newburgh Community Development Agency, in consideration of TEN ($10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 241 Third Street, 48 Johnston Street, 50 Johnston Street and 52 Johnston Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 22, Block 2, Lot 2, and Section 30, Block 3, Lots 39, 40 and 41, from those restrictive covenants numbered 1, 2 and 3 in a deed dated April 30, 1997, from the NEWBURGH COMMUNITY DEVELOPMENT AGENCY to WORKS III ASSOCIATES, LP, recorded in the Orange County Clerk's Office on May 12, 1997, in Liber 4566 of Deeds at Page 314 and does further release said premises from the right of re-entry reserved in favor of the Newburgh Community Development Agency as set forth in said deed.

Dated: _____, 2020

THE CITY OF NEWBURGH, as Successor
in Interest to the Newburgh Community
Development Agency

By: _____
Joseph Donat, City Manager
Pursuant to Res. No.: _____

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

On the ____ day of _____ in the year 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH DONAT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

_____

RESOLUTION NO.: __131_ - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE ECOLOGICAL CITIZEN'S PROJECT, INC. TO ALLOW USE AND ACCESS TO A PORTION OF 61 TEMPLE AVENUE (SECTION 42, BLOCK 1, LOT 1) FOR A COMMUNITY GARDEN

WHEREAS, Ecological Citizen's Project, Inc., in conjunction with technical assistance from Scenic Hudson, is looking to expand its existing Regenerative Communities community farmer program to the east side of Crystal Lake as a site for cultivation of vegetables, fruits, berries, and other larger plantings through regenerative farming practices and associated community programs; and

WHEREAS, the Regenerative Communities community farmer program will provide affordable, healthy fruits and vegetables to surrounding neighborhood residents and encourage public use and enjoyment of the Crystal Lake site; and

WHEREAS, Crystal Lake is currently underutilized and subject to dumping due to lack of oversight and regular activity and the community farmer also would engage in regular trash clean-up and maintenance of the grounds around the entrance to Temple Avenue and their farm site; and

WHEREAS, the proposed garden expansion would be located at 61 Temple Avenue, more accurately described as Section 42, Block 1, Lot 1 on the official Tax Map of the City of Newburgh, and access to the property requires the parties to execute a license agreement, a copy of which is attached hereto and made a part of this resolution; and

WHEREAS, this Council has reviewed such license and has determined that entering into the same would be 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 enter into the attached license agreement with Ecological Citizen's Project, Inc., to allow access to City-owned property known as 61 Temple Avenue (Section 42, Block 1, Lot 1) for the purpose of expanding its gardening and farming program.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT, dated as of _____, 2020, by and between:

THE CITY OF NEWBURGH, a New York municipal corporation with offices at 83 Broadway, City Hall, Newburgh, New York 12550 ("City" or "Licensor"); and

ECOLOGICAL CITIZEN'S PROJECT, INC., with an address of 69 South Mountain Pass, Garrison, NY 10524 ("Licensee").

WHEREAS, the City is the owner of a parcel of vacant land located at 61 Temple Avenue in the City of Newburgh, and more accurately described as Section 42, Block 1, Lot 1 on the official tax map of the City of Newburgh (hereinafter referred to as "the Property"); and

WHEREAS, the Licensee has requested access to the Property for the purpose of undertaking gardening and farming activities in connection with its Regenerative Communities community farmer program;

NOW, THEREFORE, it is hereby agreed between the parties as follows:

Section 1. Grant of License. The City hereby represents that it owns 61 Temple Avenue in the City of Newburgh, and more accurately described as Section 42, Block 1, Lot 1 on the official tax map of the City of Newburgh, and that it has duly authorized this License Agreement. The City hereby grants Licensee a revocable license for Licensee and Licensee's employees, apprentices, volunteers, agents, invited guests, and contractors, upon the conditions hereinafter stated, the license or privilege of entering upon Licensor's property located at 61 Temple Avenue, in the City of Newburgh, New York, and taking thereupon such vehicles, equipment, tools, machinery and other materials as may be necessary, for the purposes of and to perform certain gardening, community programs, and farming work as part of the Regenerative Communities community farmer program administered by Licensee.

Section 2. Use of and Access to 61 Temple Avenue ("the Property"). Entry to the Property is limited to the use and access necessary to create, plant and maintain an urban garden and farm and associated community programs undertaken by the Regenerative Communities community farmer program administered by the Licensee. Licensee shall not engage in any tree clearing activities. Licensee shall access the Property through the existing roadway known as Temple Avenue and shall make all reasonable efforts to prevent the urban garden and farm from encroaching into the existing roadway. Licensee agrees to do such work and perform such tasks in such manner as will comply fully with the provisions of any laws, ordinances or other lawful authority, obtaining any and all permits required thereby. Licensee shall perform regular trash clean-up and maintenance of the grounds around the entrance to Temple Avenue and its garden site. Licensee shall give Licensor no less than forty-eight (48) hours advance notice of its commencement of work on the Property.

Section 3. Insurance. The Licensee shall not commence or perform work nor operate machinery under this License Agreement until it has obtained all insurance required under this Section 3 and such insurance has been approved by the City.

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

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

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

2. Property Damage Insurance in an amount not less than $50,000.00 for damage on account of all occurrences. The Licensee shall furnish the above insurance to the City and shall also name the City as an additional named insured in said policies. Such insurance shall be maintained in force during the entire term of this License Agreement.

C. Licensee may retain certain employees, agents, contractors and consultants to perform the subject work. In the contract by which Licensee retains such agents, Licensee and such agents shall provide and maintain insurances as required by this Section 3 and name Licensor as additional insured under insurance coverage concerning Licensee's performance of the work referenced herein.

Section 4. Damages. The relation of the Licensee to the City as to the work to be performed by it under this agreement shall be that of an independent contractor. As an independent contractor, it will be responsible for all damage, loss or injury to persons or property that may arise in or be incurred during the conduct and progress of said performances arising out of the negligent performance, other than those wholly caused by Acts of God or hidden defects under the City's or a previous licensee's prior care. The Licensee shall make good any damages that may occur in consequence of the performances or any part of it. The Licensee shall assume blame, loss and responsibility of any nature to the extent of the Licensee's neglect or violation of any federal, state, county or local laws, regulations or ordinances applicable to the Licensee and/or the nature of its performance or arising out of its activities licensed hereby. Licensee will not be liable for damages in excess of Licensee's insurance coverage per occurrence, except such limitations will not apply to claims based on Licensee's intentional breach of this agreement or willful misconduct.

Section 5. Defense and Indemnity. Licensee shall defend, indemnify and hold the City harmless against any and all claims, actions, proceedings, and lawsuits arising out of or relating to the access

and use of the Property under this License Agreement, excepting gross negligence, intentional breach of this agreement or misconduct by the Licensor.

Section 6. Term of License. The license or privilege hereby given shall commence upon the signing of this licensee agreement and shall expire without further notice to either party to the other at midnight December 31, 2025 subject to Section 8 below. The license may be renewed thereafter by the mutual consent of both parties on such terms and conditions as the parties shall agree at that time.

Section 7. Assignment of License; No Sub-Licensing. This License may not be assigned or sub-let to any other party.

Section 8. Termination of License. Either party may terminate this license prior to December 31, 2025, with or without cause, on at least thirty (30) days prior written notice to the other party. Upon termination by either party, Licensee shall not be entitled to reimbursement of any of its costs, and Licensee and its agents, employees and contractors will restore of the property to a clean and orderly state and in substantially the same condition as existed prior to the granting of this license. Licensor's written notice of termination for cause will include a list of deficiencies and opportunity for Licensee to cure deficiencies within the thirty (30) day period. If Licensee does not cure the deficiencies within the thirty (30) day period, Licensee may terminate this License immediately.

The City may terminate this license agreement by ten (10) days' written notice when and if in its sole judgment it deems such termination is necessary by operation of law in the City's sole reasonable discretion.

Section 9. New York Law. This License Agreement shall be construed under New York law and any and all proceedings brought by either party arising out of or related to this License shall be brought in the New York Supreme Court, Orange County.

Section 10. Modification of License Agreement. This License Agreement may not be modified except by a writing subscribed by both parties to this Agreement.

Section 11. No Vested Right. It is understood and agreed that no vested right in said premises is hereby granted or conveyed from either party to the other, and that the privileges hereby given are subject to any and all encumbrances, conditions, restrictions and reservations upon or under which the parties held said premises prior to the granting of this license.

Remainder of this page intentionally left blank/Signature page to follow

WITNESSETH:

THE CITY OF NEWBURGH
LICENSOR

By: _____
Joseph Donat, City Manager
Per Resolution No.:

ECOLOGICAL CITIZEN'S PROJECT, INC.
LICENSEE

By: _____

Approved as to form:

_____
MICHELLE KELSON, Corporation Counsel

_____
TODD VENNING, City Comptroller

RESOLUTION NO.: _____132____ - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED A NEW YORK STATE POWER AUTHORITY SMART STREET LIGHTING PROGRAM GRANT IN THE AMOUNT OF $75,000.00 WITH NO CITY MATCH

WHEREAS, the New York State Power Authority Smart Street Lighting Program provides assistance with converting existing streetlight systems to energy-efficient LED to enable municipalities to save taxpayer dollars, provide better lighting to their community, reduce energy use and subsequently decrease a community's impact on the environment; and

WHEREAS, the Smart Street Lighting grant will provide funding in the amount of $75,000.00 with no City match which will be used to offset the cost of acquisition of street lighting infrastructure and conversion to LED lighting and is anticipated to save the City of Newburgh approximately 40% of the cost of street lighting; and; and

WHEREAS, the cost of conversion will be financed by the New York Power Authority from the electric cost savings over a period of 5 to 10 years and includes a maintenance plan for new fixtures; 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;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded a New York State Power Authority Smart Street Lighting Program Grant in the amount of $75,000.00 with no City-match; and

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

RESOLUTION NO.: ___133__-2020

OF

JUNE 8, 2020

A RESOLUTION APPOINTING RONALD ZORRILLA AS A MEMBER OF THE CONSERVATION ADVISORY COUNCIL

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

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

WHEREAS, the Conservation Advisory Council has recommended that the City Council appoint Ronald Zorrilla to complete the unexpired term of Marc Lallanilla who resigned as Member; and

WHEREAS, the City Council finds that appointing Ronald Zorrilla as a Member of the Conservation Advisory Council is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Ronald Zorrilla be and is hereby appointed to the Conservation Advisory Council effective immediately to complete the term of Mr. Lallanilla which term expires on November 30, 2021.

RESOLUTION NO.: 134 - 2020

OF

JUNE 8, 2020

A RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION REGARDING THE IN REM TAX FORECLOSURE OF LIENS FOR THE YEAR 2017 RELATIVE TO 129 CHAMBERS STREET (SECTION 18, BLOCK 4, LOT 25)

WHEREAS, The City of Newburgh commenced a proceeding for the foreclosure of certain tax liens, such action being designated as Orange County Index Number 2017-9726; and

WHEREAS, the property owner has advised the City that he is prepared to settle such action; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh and its further development to settle this matter without the need for litigation;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the Director of Finance and Enforcing Officer be and he is hereby authorized to withdraw the liens on the property located at 129 Chambers Street (Section 18, Block 4, Lot 25), in the City of Newburgh, from the List of Delinquent Taxes, as the sum of Ten Thousand Four Hundred Ninety Two and 73/100 ($10,492.73) Dollars representing all past due tax liens, together with all interest and penalties accruing thereon, together with all currently due taxes and charges, including but not limited to all open school taxes, water charges and sewer charges, was paid in full on May 27, 2020.

LOCAL LAW NO.: 1 - 2020

OF

JUNE 8, 2020

A LOCAL LAW AMENDING CHAPTER 172 OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH TO ADD "ARTICLE III – FIREWORKS AND SPARKLING DEVICES"

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

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 172 of the Code of Ordinances of the City of Newburgh to add 'Article III – Fireworks and Sparkling Devices'".

SECTION 2 - PURPOSE AND INTENT

Chapter 477 of the Laws of 2014 for New York State authorized counties and cities outside of New York City to legalize sparklers and certain sparkling devices (collectively referred to as "sparkling devices") for sale, possession and use. By Local Law No. 1 of 2015 effective April 10, 2015, Orange County opted to legalize sparking devices throughout Orange County. In response to concerns for the health, safety and welfare of the residents of the cities in Orange County, the Orange County Legislature and the Common Council of the City of Middletown adopted resolutions asking the New York State Legislature to reconsider the sparkling device legislation and allow cities within Orange County to opt out of the Orange County local law permitting the sale, possession and use of sparkling devices.

Chapter 458 of the Laws of 2016 for New York State, effective November 28, 2016, codified as New York State Penal Law Section 405.00(5)(c), allows a city within Orange County to adopt a local law to include sparkling devices within the definition of "fireworks" and "dangerous fireworks" as defined in the New York State Penal Law Section 270 and as applied and enforced through New York State Penal Law Section 405.00.

The purpose of this local law is to promote the public health, safety and welfare of the City of Newburgh by including the term "sparkling device" into the definitions of "fireworks" and "dangerous fireworks," as those terms are defined in the New York State Penal Law Section 270 and as applied and enforced through New York State Penal Law Section 405.00 within the City of Newburgh.

SECTION 3 - AMENDMENT

The Code of Ordinances of the City of Newburgh is hereby amended to add an Article III entitled "Fireworks and Sparkling Devices" to Chapter 172 and to read as follows:

"CHAPTER 172, ARTICLE III: FIREWORKS and SPARKLING DEVICES"

§172-20. Definitions.

As used in this article, the following terms shall have the following meanings:

SPARKLING DEVICE – shall have the same meaning as the term "sparkling device" is defined in the New York State Penal Law Section 270.00(1)(a)(vi).

FIREWORKS – shall have the same meaning as the term "fireworks" is defined in the New York State Penal Law Section 270.00(1)(a).

DANGEROUS FIREWORKS – shall have the same meaning as the term "dangerous fireworks" is defined in the New York State Penal Law Section 270.00(1)(b).

§ 172-21. Applicability.

This article shall apply to all persons within the limits of the City of Newburgh.

§ 172-22. Possession, sale or use declared hazard and nuisance.

The possession, sale or use of fireworks, dangerous fireworks, or sparkling devices in the City of Newburgh is hereby deemed to constitute a hazard and nuisance to the health, safety and welfare of the public.

§ 172-23. Merger of terms.

Pursuant to New York State Penal Law Section 405.00(5)(c), a sparkling device is hereby included within the definition of fireworks and dangerous fireworks.

§ 172-24. Penalties for offenses.

Any persons who shall violate any provisions of this Article shall be punished as provided in the New York State Penal Law Section 270 as applied and enforced by New York State Penal Law Section 405.00.

SECTION 4 – SEVERABILITY

The provisions of this Local Law 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 Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law 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 Local Law or part here of is held inapplicable had been specifically exempt therefrom.

SECTION 5 – CODIFICATION

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Local Law shall be included in the Code of Ordinances of the City of Newburgh; that the sections and subsections of this Local Law may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Local Law" 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 Local Law or the provisions of the Code of Ordinances affected thereby.

SECTION 6 – VALIDITY

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

SECTION 7 – EFFECTIVE DATE

This Local Law and shall be effective when it is filed in the Office of the New York State Secretary of State in accordance with the provisions of New York State Municipal Home Rule Law.