



## City of Newburgh Council Work Session

6:00 pm

November 4, 2010

### AGENDA

1. Presentations:

- a. Pace Law School Final Report – John Nolan, Dan Kildee, Jessica Bacher
- b. Reclaiming Vacant and Abandoned Buildings Conference Brief Report - Richard Herbek

2. Procedural Items related to the City Council meeting on Nov. 8:

- a. Minutes of the meeting of October 25, 2010
- b. Notices of Claim:
  - Allstate Insurance Co. as subrogee of Kevin Burke v. City of Newburgh
  - Jermaine Cooper v. City of Newburgh
  - Sherri Sanders v. City of Newburgh

3. Planning and Development/Real Estate:

- a. Landlord Association – Christine Bello
- b. Section 3 Pilot Project for demolition and abatement – Craig Marti and Mike Vatter
- c. CDBG 2011 Budget Approval
- d. (Res. 245) Release of Restrictive Covenants to property located at 55 Liberty Street
- e. Armory Update
- f. Property Committee update

4. Grants/Contracts/Agreements/Settlements:

- a. (Res. 246) Appointment of personnel as Commissioners of Deeds (a commissioner of deeds is a public officer similar to a notary public who may administer oaths and take acknowledgements or proof of deeds and other documents for the City of Newburgh- we pass this resolution every two years)
- b. New Windsor Water Agreement update
- c. (Res. 247) Settlement of Baynes v. City of Newburgh

5. Engineering Report:

- a. Doyle Contracting
- b. First Street Fishing Pier Professional Services Contract Termination

6. Miscellaneous:
  - a. County Charge Back of Election Costs – Mayor Valentine
  - b. Exemption of City reservoirs and filter plant properties from town and school taxes
  
7. 2011 Budget:
  - a. Public hearing on the budget will be held on Monday, Nov. 8 at 7pm at the Activity Center
  
8. Various Updates by the City Manager:

RESOLUTION NO.: 245-2010

OF

NOVEMBER 8, 2010

A RESOLUTION AUTHORIZING THE EXECUTION  
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY  
FROM A DEED ISSUED TO BLUESTONE DEVELOPERS, INC.  
TO THE PREMISES KNOWN AS 55 LIBERTY STREET  
(SECTION 39, BLOCK 5, LOT 20)

WHEREAS, on February 28, 2008, the City of Newburgh conveyed property located at 55 Liberty Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 39, Block 5, Lot 20, to Bluestone Developers, Inc.; and

WHEREAS, Bluestone Developers, Inc. has requested a release of the restrictive covenants contained in said deed; and

WHEREAS, the appropriate departments have reviewed their files and advised that the covenants have been complied with, and recommends such release be granted; and

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

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

RELEASE OF COVENANTS AND  
RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN (\$10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 55 Liberty Street, Section 39, Block 5, Lot 20, on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4 and 5 in a deed dated February 28, 2008, from the CITY OF NEWBURGH to BLUESTONE DEVELOPERS, INC., recorded in the Orange County Clerk's Office on March 11, 2008 in Liber 12629 of Deeds at Page 1182 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: \_\_\_\_\_, 2010

THE CITY OF NEWBURGH

By: \_\_\_\_\_

RICHARD F. HERBEK,  
Acting City Manager

STATE OF NEW YORK )

)ss.:

COUNTY OF ORANGE )

On the \_\_\_\_ day of September in the year 2010, before me, the undersigned, a Commissioner of Deeds in and for said State, personally appeared RICHARD F. HERBEK, 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.

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RESOLUTION NO.: 246 -2010

OF

NOVEMBER 08, 2010

A RESOLUTION TO APPOINT COMMISSIONERS OF DEEDS  
FOR JANUARY 1, 2011 THROUGH DECEMBER 31, 2012

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newburgh, New York, that the following persons be appointed as Commissioners of Deeds for the period beginning January 1, 2011 and expiring December 31, 2012, pursuant to the City Charter of the City of Newburgh §C6.95, and the Executive Law of the State of New York, §139:

Lisette Acosta-Ramirez  
351 Third Street  
Newburgh, NY 12550

Ann Kuzmik  
45 Cromwell Hill Rd.  
Monroe, NY 12584

Mary Lou Botsford (Board of Ed.)  
317 Sunrise Drive  
Newburgh, NY 12550

MaryEllen Leimer (Board of Ed.)  
53 Leslie Road  
Newburgh, NY 12550

Angela Collery  
10 Oakwood Terr., #44  
New Windsor, NY 12553

Michael McLymore, Sr.  
(Board of Ed.)  
1573 Rt. 300  
Newburgh, NY 12550

Katrina Cotten  
25 Clark Street  
Newburgh, NY 12550

Marion Perna  
10 Oakwood Terr., #26  
New Windsor, NY 12553

Elizabeth Evans  
390 Angola Road  
Cornwall, NY 12518

Ann Shaw (Board of Ed.)  
10 Fanewood Dr.  
Newburgh, NY 12550

Nancy Evans  
4 South Searsville Rd.  
Montgomery, NY 12549

Lorene Vitek  
8 Continental Dr.  
New Windsor, NY 12553

Naomi Fay  
99 Long Hill Rd.  
Highland Mills, NY 10930

RESOLUTION NO. 247 - 2010

OF

NOVEMBER 8, 2010

A RESOLUTION TO AUTHORIZE A SETTLEMENT IN THE MATTER OF LATASHA BAYNES AGAINST THE CITY OF NEWBURGH, ERIC PAOLILLI, CHIEF OF THE CITY OF NEWBURGH POLICE DEPARTMENT, P.O. "JOHN" PALERMO (FIRST NAME FICTITIOUS AND UNKNOWN TO PLAINTIFF), P.O. "PETER" KELLY (FIRST NAME BEING FICTITIOUS AND UNKNOWN TO PLAINTIFF) AND P.O. THOMAS REYNOLDS IN THE AMOUNT OF FIFTY FOUR THOUSAND NINE HUNDRED NINETY DOLLARS

WHEREAS, Latasha Baynes brought an action against the City of Newburgh Eric Paolilli, Chief of the City of Newburgh Police Department, P.O. "John" Palermo (first name fictitious and unknown to plaintiff), P.O. "Peter" Kelly (first name being fictitious and unknown to plaintiff) and P.O. Thomas Reynolds ; and

WHEREAS, the parties have reached an agreement for the payment of the settlement in the amount of Fifty Four Thousand Nine Hundred Ninety (\$54,990.00) Dollars in exchange for a release to resolve all claims among them; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City's attorneys are hereby authorized to settle the claim of Latasha Baynes against the City of Newburgh Eric Paolilli, Chief of the City of Newburgh Police Department, P.O. "John" Palermo (first name fictitious and unknown to plaintiff), P.O. "Peter" Kelly (first name being fictitious and unknown to plaintiff) and P.O. Thomas Reynolds in the total amount of Fifty Four Thousand Nine Hundred Ninety (\$54,990.00) Dollars and that City Manager be and he hereby is authorized to execute documents as the City's attorney may require, to effectuate the settlement as herein described.