



## City of Newburgh Council Work Session

5:00 pm

March 21, 2013

### AGENDA

1. Executive Session:
  - a. Matters pertaining to the employment of a particular individual
2. Review of Tentative Agenda for Monday night:
  - a. Approval of the minutes of the City Council meeting of March 11, 2013
  - b. Approval of the minutes of the Work Session of March 7, 2013
  - c. Departmental Reports
  - d. Matters of Litigation
3. Economic and Community Development/Real Estate:
  - a. Mid-Broadway site:
    - Proposed mixed use development zoning amendment – Sarah Yakei, BFJ Planning
    - (Res. 64) A resolution to express conceptual support for the application for Mill Street Partners, LLC to the Orange County Office of Community Development for funding from Orange County's Home Affordable Housing Production Program to develop and construct the proposed mixed use development at the mid-Broadway site.
  - b. Film Initiative update
  - c. Project updates: South Street Park and First Street Fishing Pier
  - d. (Res. 56) A resolution authorizing the extension of time regarding the rehabilitation and resale of real property known as 23 South Miller Street and 25 South Miller Street owned by Thruway Builders, Inc.
  - e. (Res. 57) A resolution in support of an application being submitted by the City of Peekskill for a Local Government Efficiency Grant supporting the shared redevelopment services program of the Mayor's Redevelopment Roundtable.
  - f. (Res. 58) A resolution authorizing the execution of a Release of Restrictive Covenants and Right of Re-entry from a correction deed issued to Habitat for Humanity of Greater Newburgh, Inc. to the premises known as 72 Benkard Avenue.
  - g. Request to repurchase 10 Orchard Street

4. Grants/Contracts:

- a. (Res. 59) A resolution designating Mobile Life Support Services, Inc. as the designated provider of emergency medical services for the City of Newburgh in accordance with the terms of an agreement between the parties and authorizing the City Manager to execute a renewal of said agreement.
- b. (Res. 60) A resolution authorizing the execution of a license agreement renewal for the use of classroom space located at 22 Grand Street for the purpose of training by Mobile Life Support Services, Inc.
- c. (Res. 61) A resolution authorizing an agreement between the City of Newburgh and Wright Risk Management Company, LLC to perform workers compensation claims runoff services.
- d. (Res. 62) A resolution authorizing the City Manager or the Chief of Police as manager's designee, to execute an inter-municipal agreement with the County of Orange confirming the City's participation in the Stop DWI Program from the period of March 14, 2013 to January 1, 2014 and providing the City of Newburgh with an award not to exceed \$1,935.00 covering 40 man hours for the first enforcement period of 2013.
- e. (Res. 65) A resolution authorizing the City Manager to enter into an agreement with Hudson Baylor Corp. for recycling services.
- f. (Res. 66) A resolution amending Resolution No. 223-2012, the 2013 Budget for the City of Newburgh, New York to transfer \$8,000.00 from Contingency to Police Department/Other Equipment in connection with the purchase of an ID Printer.

5. Discussion:

- a. (Res. 63) A resolution authorizing the City Manager to accept donations in support of the City of Newburgh's Youth Pride Parade, Memorial Day, Fourth of July, National Night Out and the International Festival.
- b. Downing Park Planning Committee request to hire part time staff person

6. Executive Session:

- a. Pending Litigation
- b. \_\_\_\_\_
- c. \_\_\_\_\_

City of Newburgh, Newburgh New York  
Work Session of the City Council

Thursday, March 7, 2013

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- Members Present: Mayor Judy Kennedy  
Councilwoman Regina Angelo  
Councilman Curlie Dillard  
Councilwoman Gay  
Councilman Cedric Brown
- Also Present: Richard F. Herbek, City Manager  
Michelle Kelson, Corporation Counsel
- Call to Order: The meeting was called to order by City Manager Richard F. Herbek at 6:00 pm.
- Executive Session: At 7:30 p.m. a motion was made by Councilwoman Gay Lee and seconded by Mayor Judy Kennedy to enter into executive session regarding matters of pending litigation and matters pertaining to the appointment of a particular individual
- YES: 5  
NO: 0  
CARRIED
- Adjournment: Upon consensus, the Council adjourned at 8:10 p.m.

A regular meeting of the City Council of the City of Newburgh was held on Monday, March 11, 2013 at 7:00 P.M. in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

The Prayer was led by Pastor Rosie Andrews followed by the Pledge of Allegiance.

Present: Mayor Kennedy, presiding; Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee- 5

### COMMUNICATIONS

Councilwoman Angelo moved and Councilwoman Lee seconded that the minutes of the February 25, 2013 City Council meeting be approved.

Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy- 5

CARRIED

Councilwoman Angelo moved and Councilwoman Lee seconded that the Notices of Claims be referred to the Corporation Counsel with power to act.

Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy- 5

CARRIED

## COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Janet Gianopolous commented about Agenda Item #4, the approval of the minutes from the February 25<sup>th</sup> meeting. She wanted to know why the council approved the submittal of an application for funds to conduct a youth program that would service 10 White children, 150 Black or African-American children and 35 Hispanic or Latino children. She did not understand the breakdown.

Councilwoman Lee stated that it may have to do with the stats, especially if it is on an Orange County application. O.C. most likely would like to know who the participants in the program are. She does not want to over think this matter. If we are asking the County for money, then we have to abide by their rules. She pointed out that herself and Gianopolous both know, that even colleges ask its applicants specific background information. A lot of the funding out there is based on the number of minorities in need of it.

Councilman Dillard believed that it had to do with demographics in the target areas, which are Census Tracts 3, 4 and 5. Within these census tracts the majority of the youth *are* African-American. The money is designated for the participants residing in the target areas. Also it is to provide summer employment to neighborhood youth dealing with financial hardship.

Mayor Kennedy pointed out that it is based on financial need. She is going to look into the specific program and get back to Ms. Gianopolous regarding her concerns.

Councilman Brown assured Gianopolous that it is never this council's intent to exclude *any* race of children. If any discrepancy is discovered regarding the number, then the council will change it.

*\*\*\* Seated and without proper microphone coverage Gianopolous engaged in a direct dialogue with members of council\*\*\**

Chuck Thomas encouraged the council to embrace the citizens of Newburgh who are working very hard on the Newburgh Illuminated event. The group would like to enter into a partnership with the City of Newburgh to share the vision with the rest of the population so that they can see Newburgh in a new light.

Ed Wolf spoke on behalf of the Newburgh Professional Business Association. A sidewalk sale is going to be held during the Illuminated event on June 22<sup>nd</sup> in Downing Park. There will be a professional crafts show highlighting the best of what Newburgh has to offer. They are very excited about it and looking for the full support from the council.

Tony Scully, President of the Downing Park Planning Committee commented. DPPC has been around for more than twenty-five years. It has worked for the enhancement of Downing Park for *all* of the residents of the City of Newburgh. DPPC is in full support of the Illuminated committee having as many activities as they would like to have in the park.

Brenda McPhail remarked that she would like the council to think first before it goes ahead and votes on Resolution #36-2013. She does not know where everyone has been for the last twenty-five years. She feels that Councilwoman Angelo is the only person who has any concern for the youth in the community. All of a sudden people are coming out of the woodwork. Ms. Angelo has always asked the community to help with the International festival. McPhail says she knows because Regina has asked her for assistance. McPhail volunteers her time because she loves this community too. If we really love Newburgh, then we ought to do something for it without looking for any dollars. She feels that if we are not going to work with Angelo then we need to save up some money, do some fundraising and seek donations and then try it again in 2014.

Kippy Boyle spoke in favor of the Illuminated festival. To date there are between eight and ten events that are scheduled throughout the city. Each event has already secured its own funding. Last year, Downing Park hosted 300 families at its annual Easter Egg Hunt. In just a couple short weeks they expect the participation of even more families at the Easter Egg event. For the park to be one of the central features of the Newburgh Illuminated is really just an expansion of all of the great things that Downing Park is already doing. She hopes that the council will lend its support to a festival for Newburgh. It is so important that we have the support of the City of Newburgh when the group goes out and seeks donations and advertisement.

Rev. Dave Mason remarked. He is in charge of the Concert Committee. He does not think it is a question of where they have been for the last twenty-five years. This is something different, and it approaches so many things that have never happened here before. We have an incredible amount of talent right here in our city. It is important that we begin to revitalize Newburgh by showcasing all of the various kinds of talent. The International Festival is a fantastic event. But this is something new. Mason believes it is something the citizens of Newburgh are ready for.

There being no further comments, this portion of the meeting was closed.

## COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Mayor Kennedy commented that Resolution #36-2013 is not asking the City for any money nor is it asking for anything, except for the provision of general insurance coverage. If there is a grant involved then the City's Tax I.D. number should be provided. She stressed that it does not take away from any other festivals that are already planned. She supports the work that Regina does with the International Festival 100%. The more events that we have, the more we will attract people to Newburgh. It simply adds to what is already great about Newburgh. Our primary purpose is to continue focusing on what is good, and what is right in our city.

Councilman Brown stated that this event is so different from the International Festival in that it provides culture and education for our children, in terms of the history of our city. It has the potential to teach your children something that they may not already know. Introducing the children to Beethoven is exciting to him, because where else are they going to get that? And if they are teaching it in school, it is a very short lesson. He encourages the council to move forward on it. Let's do it this year, and then hopefully we can continue to do it year after year. Then in twenty-five years you won't have to come up to the microphone and ask where have you been? It will have already been established.

There being no further comments, this portion of the meeting was closed.

## CITY MANAGER'S REPORT

City Manager Richard Herbek announced that Cheryl Gross will be resigning as City Comptroller on Wednesday, March 13<sup>th</sup>. He pointed out that we are very fortunate to appoint Katie Nivins to the post temporarily. Nivins is an accountant in the department. She has an extensive background as an accountant with CableVision. She came onboard a couple of years ago. She has given us enormous help in the accounting arena.

He mentioned that we are going to begin the search for a new Comptroller soon. We are going to put it at the very top of our list of priorities. We have made a lot of good progress and we would like to continue that as we go forward.

**RESOLUTION NO.: 52 - 2013**

**OF**

**MARCH 11, 2013**

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE  
ORANGE COUNTY FIRE MUTUAL AID PLAN**

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Council approves the participation by the City of Newburgh Fire Department in the orange county Fire Mutual Aid Plan as now in effect and as amended from time to time ("Plan"); and

**BE IT FURTHER RESOLVED** that the City of Newburgh acknowledges and accepts its financial responsibility for such participation pursuant to General Municipal law Section 209(2)-(4); and

**BE IT FURTHER RESOLVED** that the City of Newburgh agrees to comply with all provisions of this Plan and will respond to all calls for assistance from another fire company or fire department through the County Division of Emergency Communications; and

**BE IT FURTHER RESOLVED** that the City of Newburgh, to the best of its knowledge, knows of no resolution or agreement against "outside service" by the City of Newburgh Fire Department that would affect the power of such department to participate in the Plan; and

**BE IT FURTHER RESOLVED** that the City Manager be and he is hereby authorized to execute on behalf of the City of Newburgh, the Plan; and

**BE IT FURTHER RESOLVED** that the City Manager is authorized to deliver to the Count of Orange Fire Coordinator, an executed copy of the Plan and certified copy of this Resolution upon adoption.

Voted: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Councilwoman Angelo moved and Councilwoman Lee seconded that the resolution be adopted.

Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy- 5

ADOPTED

RESOLUTION NO.: 53 - 2013

OF

MARCH 11, 2013

RESOLUTION AMENDING RESOLUTION NO: 223-2012,  
THE 2013 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK  
TO TRANSFER \$10,000.00 FROM CONTINGENCY TO  
PROPERTY MANAGEMENT-MAINTENANCE IN CONNECTION  
WITH THE CLEANUP OF 1 EDWARD STREET

**BE IT RESOLVED**, by the Council of the City of Newburgh, that Resolution No: 223-2012, the 2013 Budget of the City of Newburgh, is hereby amended as follows:

<u>Increase</u>	<u>Decrease</u>
A.1900 Special Items .1990 Contingency	\$10,000.00
A.1365 Property Management – Maintenance \$10,000.00 .0459.0001 1 Edward Street Cleanup/Removal	

Councilwoman Angelo moved and Councilwoman Lee seconded that the resolution be adopted.

Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy- 5

**ADOPTED**

**RESOLUTION NO.: 54 - 2013**

**OF**

**MARCH 11, 2013**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BARTON & LOGUDICE FOR PROFESSIONAL ENGINEERING SERVICES TO EVALUATE THE IMPACT OF RESIDUAL CONTAMINATION FROM THE CENTRAL HUDSON MANUFACTURED GAS PLANT ON THE CONSTRUCTION PHASE OF THE WASTE WATER TREATMENT PLANT EMERGENCY BACKUP GENERATION AND SOLIDS HANDLING SYSTEMS PROJECT AT A COST NOT TO EXCEED TEN THOUSAND (\$10,000.00) DOLLARS**

**WHEREAS**, this Council, by Resolution No.: 254-2011 of December 12, 2011, authorized the City Manager to enter into an agreement for professional engineering services with Malcolm Pirnie-Arcadis in connection with the Waste Water Treatment Plant Emergency Backup Generation and Solids Handling Systems Project (the "WWTP Project"); and

**WHEREAS**, this Council, by Resolution No.: 108-2012 of June 18, 2012, authorized the City Manager to execute and amendment to the contract for professional engineering services with Malcolm Pirnie-Arcadis for detailed design services in connection with the WWTP Project; and

**WHEREAS**, this Council, by Resolution No. 161-2012 of September 24, 2012, authorized the City Manager to execute a contract with Malcolm Pirnie-Arcadis for Construction Phase Services in connection with the WWTP Project; and

**WHEREAS**, this Council, by Resolution No. 167-2012 of September 24, 2012 accepted a bid and authorized the City Manager to execute an electrical construction contract with Hudson Valley Electrical C&M, Inc. in connection with the installation of the back-up generator for the WWTP Project; and

**WHEREAS**, the WWTP Project is proceeding under a Consent Order with the New York State Department of Environmental Conservation and the work associated with the WWTP Project is subject to strict completion deadlines; and

**WHEREAS**, during construction phase of the WWTP Project, unidentified substances were observed which may be related to the Central Hudson Manufactured Gas

Plant Remediation Project which may require evaluation by an independent engineering firm; and

**WHEREAS**, it is necessary to engage the services of an independent engineering firm to evaluate whether further and additional remediation work is required at the WWTP and time is of the essence to ensure that the WWTP Project deadlines are met; and

**WHEREAS**, Barton & Loguidice has been identified as qualified to perform the professional engineering evaluation should it be required; and

**WHEREAS**, funding for such services shall be derived from HG1.8130.0200.8100; and

**WHEREAS**, this Council has determined that entering into a contract for professional engineering services with Barton & Loguidice 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 a contract with Barton & Loguidice for professional engineering services in connection with the evaluation of substances found in connection with the construction phase of the Waste Water Treatment Plant Emergency Backup Generation and Solids Handling Systems Project at a cost not to exceed Ten Thousand (\$10,000.00) Dollars.

**Councilwoman Angelo moved and Councilwoman Lee seconded that the resolution be adopted.**

**Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy-5**

**ADOPTED**

**RESOLUTION NO.: 55- 2013**

**OF**

**MARCH 11, 2013**

**A RESOLUTION APPOINTING AND REAPPOINTING  
DENISE RIBBLE AND NATALIE MCKINSTRIE  
AS MEMBERS TO THE WATERFRONT ADVISORY COMMITTEE**

**BE IT RESOLVED**, by the Council of the City of Newburgh, New York that Denise Ribble and Natalie McKinstrie be and are hereby re-appointed to the Waterfront Advisory Committee for a three (3) year term commencing on April 1, 2013 and expiring March 31, 2016.

**Councilwoman Angelo moved and Councilwoman Lee seconded that the resolution be adopted.**

**Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy-5**

**ADOPTED**

OLD BUSINESS

RESOLUTION NO.: 36 - 2013

OF

MARCH 11, 2013

**A RESOLUTION TO PROVIDE INSURANCE AND THE CITY'S TAX ID TO  
THE  
NEWBURGH ILLUMINATED FESTIVAL**

**WHEREAS**, the Newburgh Illuminated Festival will be held in June 2013; and

**WHEREAS**, the Newburgh Illuminated Festival is an event designed to celebrate the rich history of the City as well as the great cultural diversity, to bring city residents together in celebration, to "illuminate" and market the great assets of the City, to bring new people into the City thus resulting in increased tourism, new business and positive regional perception, and

**WHEREAS**, this City Council finds that supporting the Newburgh Illuminated Festival as a City-sponsored event is in the best interests of the residents of the City of Newburgh and that cooperation between the Festival organizers and the City creates the greatest opportunity for success; and

**WHEREAS**, the organizers of the Newburgh Illuminated Festival have requested that the City Council support the Festival as a partnership between the City of Newburgh and the festival organizers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York hereby supports the Newburgh Illuminated Festival as a City event with no City government financing and that such support be limited to providing insurance coverage for the event and the use of the City's Federal tax identification number for the purposes of applying for grant funds to support the event unless additional support is specifically approved by the Council members and the cost of any services provided by the City staff and departments are paid for by funds raised by the Festival organizers.

Councilwoman Angelo stated that now we can jumpstart the fundraising. She urged organizers to get on their phones and seek donations.

Councilwoman Angelo moved and Councilwoman Lee seconded that the resolution be adopted.

Ayes- Councilwoman Angelo, Councilman Brown, Councilman Dillard, Councilwoman Lee, Mayor Kennedy-5

ADOPTED

## OLD BUSINESS- CONT'D

Councilman Dillard mentioned that he would like an update on the fishing pier, the South Street Riverfront Park, and Workforce Development Institute (WDI) for the next work session.

Mayor Kennedy stated she would like to get an agenda item scheduled to discuss cleanup of the city. She announced that Safe Harbors is sponsoring a cleanup on April 27<sup>th</sup> from 8:30 A.M. to Noon. She wants to see everyone out there cleaning in front of their places and giving any help they are able to provide.

Herbek commented that we have worked with Taylor Recycling before. He believes the company is going to provide the containers again at no cost to the City of Newburgh. Without the containers the program would not be able to run. He thanked Jim Taylor of the recycling company.

**NEW BUSINESS**

**There were no comments at this time.**

## PUBLIC COMMENTS REGARDING GENERAL MATTERS OF CITY BUSINESS

Pastor Rosie Andrews announced that Northeast Gateway to Freedom would like to do something special for everyone that works hard for this city. The organization is hosting a banquet on April 23<sup>rd</sup>, which is free to all leaders and dignitaries in Newburgh. She stated that they are not asking for any money. They just want to do something nice to encourage people for a change.

Brian Flannery pointed out that 387 Third Street looks so much better. The City took title to the property last fall. DPW was there a few weeks ago. They cut down all of the overgrown trees and cleaned up the debris. He and his neighbors are happy to see it clean.

Omari Shakur commented that March 7<sup>th</sup> was the one year anniversary of the shooting death of Michael Lembhard. He would like to know what the city has been doing with the investigation in the meantime. He stated that he received reports that an off-duty officer shot an individual at the hospital last week. Why wasn't this information in the newspapers? Everything else gets put in the paper. Second, as a result of him losing his trial he was supposed to go home and do further homework. Information concerning Michael Lembhard was not put on the agenda as it was ordered in writing by a judge. He has lodged several complaints about certain officers. Not one of those complaints has resulted in disciplinary action for those officers. Shakur does not even know why people continue to lodge complaints if nothing ever gets done about it. Summer is coming. He is telling the youth to do whatever they have to do. He feels that the police department is out of control more than ever. He is tired of having to attend our kids' funerals and crying. It is time for you to cry too.

Councilman Dillard responded to Shakur. He stated that the investigation actually consists of an examination in terms of policy and procedure. Investigators are doing their job as we speak, based on the proposal they submitted to this council. One of things they have asked for is a list of people from the community to participate in a focus group. Dillard mentioned that Shakur's name is on that list, but they have not reached that part of the process yet. He pointed out that it is a step in terms of the process.

Richard Senato spoke and introduced his business partner Paul Travato. They mentioned the work they are doing in the Orange County community. Last March Senato founded a Children's Cancer Foundation, called Love Holds Life, for the son of a Mount Vernon fire captain. They are currently

working with two Orange County residents who are battling cancer. They thanked the fire departments of Orange County for hosting them at the Orange County Firemen's Convention last year. The foundation presented Vinnie Vespa, a cancer patient of Monroe, with a \$10K check for treatment of Stage 4 Hodgkin's Lymphoma. Senato would like to do a follow up presentation with the council and community regarding the work of the foundation. They would like to be more involved in the community to raise awareness.

Janet Gianopolous thanked the council for responding so temperately to what some people may have felt was a sensitive question. She truly believes that we need to look at all of our programs for children. Second she commented about some of the good news she heard at the recent State of the City Address. Due to the projected fund balance of \$3 Million and a housing settlement agreement that was reached between the council and a family, she moved that a conservative portion of that fund balance, say 1/3, be returned to the homeowners for our own security. We have been strapped for a couple of years now and our taxes have been doubled.

Second, she mentioned that the Town of Newburgh Police Department holds an informative Citizens' Police Academy, wherein people can learn more about how the department operates. We should look at the Town's situation to better familiarize the community with the day-to-day operations of our own police department. Next, many events are sponsored by Downing Park, including Summer Movie Night, Family Day, the Tuskegee Airmen, etc. In addition to events, there is bike riding and ducks on the pond.

Last, she stated that there were some comments missing from the meeting minutes of January 28, 2013. She remarked that a council member made, what she felt, was an important comment. The councilmember said, "I have received a number of complaints, and some of them could be interpreted as *criminal*." Gianopolous felt that this should have been included in the meeting minutes. (For more information refer to the recording of the Jan. 28<sup>th</sup> meeting approximately twenty-six minutes into the recording). Anytime a councilmember makes a statement, in which he or she deems as criminal in context, she feels that it should be included in the minutes.

Mark Coolidge announced that he is also going to do several cleanups in the city, starting with the cemetery on Washington Street in a couple of weeks. They are going to erect some of the fallen stones, grass cutting and weed whacking. He stated that summer is coming. The streets are going to get wild. What is our police department going to do to help keep our streets calm? Are they going to bring out their bicycles? Mingling and communicating with the young people is going to get you a lot further in life than sitting in a police

vehicle. He pointed out that there are a lot of good officers here. Next, the panhandling and drugs need to be addressed. Aren't there laws that we can enforce that ban people from hanging out on the corners all night long? You can not go into one store in our city without panhandlers asking you for a dollar. He would like to know what we are doing to bring our community together.

Brenda McPhail commented about the Playground on Wheels Program, which takes place around the area of South Lander Street. Most of the children who live in the areas of Census Tracts 3, 4 and 5 do not get the summer jobs. A lot of them do apply, but it seems as though the same kids get hired each year. She has a problem with that. Kids are going to be mischievous if they do not have anything to do. Second, she commented that every one of the bodegas in Newburgh, with the exception of one or two, is a known drug spot. Shop owners would not be allowing people to stand out in front of their businesses otherwise. It is being done in pure daylight. McPhail stated that we continue to talk about people selling drugs on Broadway. But she sees it down at the riverfront too. People throw stuff on the ground too, because she is the one who ends up picking it up. What are going to do about it?

Roxie Roxie remarked that at first she had her reservations about the Illuminated event. Let's do any event in Newburgh that offers something positive. Second, we need to bring the International Festival back downtown to the waterfront. When it is held uptown at the Armory site, then you do not get a lot of community participation. Last summer many of the amusement rides were shut down, because there was hardly anyone there to ride them. It is not very accessible to the residents that live downtown. They have to walk all the way to the Armory. If the event was held downtown, then it would be a better and more visible event for Newburgh.

Second, she commented that the School District has been talking about closing two city schools within its system. She does not know if the district has changed its course of direction or not. But our city schools have already been closed in the past, and we have bussed City of Newburgh children to surrounding areas. She pointed out that Horizons-on-the-Hudson School is one of the schools being considered by the district. Royal stated that we need that community school here. She urged the residents to attend school board meetings, or write and send letters of support to keep that school open.

Karen Mejia thanked the council for its service. She commented about the Board of Education situation. Budget discussions are taking place within the school board. We know that these are difficult financial times for everyone, down from the Federal Government to each one of our households. She said it is crucial for the council, as the elected body of our city, to have a

heart to heart discussion with the Board of Education in terms of how they are managing all of their assets that lie within the City limits. We talk about revitalization in the city. But it is very hard to engage new families in the area when we are closing down all of our elementary schools. That is what first attracted her to Newburgh. If we start to close down all of our city schools, then new and existing parents are not going to be able to sustain and live here in the City of Newburgh.

There being no one else wishing to comment, this portion of the meeting was closed.

## FURTHER COMMENTS FROM THE COUNCIL

Councilwoman Angelo pointed out that she received a call from Freihoffer's Texas Corporate Office. The company is planning to come to Newburgh for the Fourth of July celebration and deliver 2000 loaves of bread to families. Second, she read the prospective lineup of the Memorial Day Parade. The parade is on May 27<sup>th</sup> @ 10:00 AM. She is still looking for people to participate. She has applications available. Third, she mentioned the possibility of a Soap Box Derby down Broadway. There may be a room available at the Armory that they could use to build the soap boxes.

Next, she commented that there is a lot of new graffiti in front of the metal doors at the Department of Motor Vehicle building. Angelo stated that she does not know how we can cope with it. Last, she mentioned that she will be meeting with Trestle, Inc to discuss the planning of the San Gennaro Feast for September, right after the big waterfront festival. Angelo state that we should never complain that there is nothing to do in Newburgh. We have a lot of good thing going on.

Councilman Brown thanked everyone for coming to the meeting. He stated that he is looking forward to see everyone at the next one.

Councilman Dillard reminded everyone of the City's last Gun Buyback Program, which is scheduled for Saturday March 16<sup>th</sup> @ Street Rock Ministry, 60 Dubois Street near the hospital. On behalf of the City of Newburgh, he thanked the Greater Newburgh Partnership for sponsoring the gun buyback program.

Councilwoman Lee stated that she did receive the email from Karen Mejia. She commended Mejia for spearheading the initiative to save our city schools. Lee further commented that she would in fact be sending out a letter. Lee stated if anyone would like a copy of the email then they should contact her.

Second, she stated that she remembered waking up on March 7<sup>th</sup> and thinking about what have we accomplished, and what changes we have made in relation to the death of Michael Lembhard. She pointed out that even though the public does not know what transpired, she mentioned that she did have it out with the union. She feels that many union members do not have to tell their children to carry a tie in their pocket. And they do not have to tell their Black sons to be careful and not to walk down certain streets. Lee stated that once there was some mutual understanding of each other, then both parties were able to move forward, at least as professionals.

Lee clarified that she could only comment on the way that *she* would like to move forward. She stated that the rest of the council members would have to make their own comments. She still feels that policies need to be investigated, as she is still unwilling to accept the DA's determination that the shooting was justified. We have a long way to go and it is not going to happen overnight. Also she mentioned that the Community Police Advisory Board needs to operate without police involvement on the advisory board. It needs to be community residents who are bringing information back to the community. Lee commented that although the police officers on that board are very nice, there are a few people who do not feel comfortable engaging in a *shoot from the hip* discussion with the officers in attendance of those meetings. It is a community advisory board, and people should be able to openly discuss their concerns.

She stated to the Lembhard family that she can not even imagine what March 7<sup>th</sup> means to them, and what that date will forever do to their family. She told them that at least it marks the start of some serious change in looking at the way that the City operates. She is sad that they had to do it on the heels of the death of Michael Lembhard. In her closing remarks she wished everyone a good evening and a happy Easter holiday.

Mayor Kennedy addressed concerns about what the council is doing in the city. She reiterated that we are currently working on an audit/investigation of all of our policies and practices within the police department. Also there are efforts to do more community policing. She pointed out that Councilman Dillard is working on getting more people in jobs. He is trying to get people employed on the bridge projects. Also he is working with the various unions to provide jobs. Kennedy pointed out that one organization that will be opening soon is the Call Center, which will provide a great number of entry-level jobs to individuals.

Kennedy remarked that she has been working on an idea with another organization, in which they would like to be able to show community movies on a wall on summer nights. This is an opportunity to provide some form of entertainment for our children. Another organization called Team Newburgh is really putting forth an effort to help people through their drug addiction and alcoholism. All of this drug paraphernalia that is sold should be done in a way that is not so easy for our children, and adults alike, to have access to them. We need to make it tough for people, because we are losing a lot of people to the process. She stated she would like Team Newburgh to make a presentation before the council soon.

Last, she commented that she attended a Civilian Veterans Dialogue event this past Sunday. It touched her heart and she would like to encourage more of this type of dialogue. It was a very powerful and honest discussion about some of the things our veterans are going through and the challenges they face. She encouraged more support of this effort. She is going to let us know of any upcoming sessions. She thanked everyone who is doing things to move this city forward.

ADJOURNMENT

There being no further business to come before the council, the meeting adjourned at 8:05 P.M.

Respectfully Submitted,

KATRINA COTTEN  
DEPUTY CITY CLERK

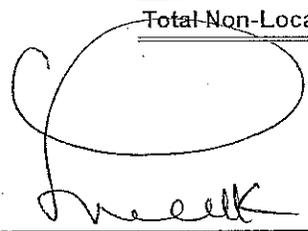
Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	23	402.50
			<b>Sub-Total:</b>	<b>\$402.50</b>
1255	Conservation	Conservation	3	6.95
			<b>Sub-Total:</b>	<b>\$6.95</b>
12550003	Misc. Fees	Certified Copies - Marriage	33	330.00
			<b>Sub-Total:</b>	<b>\$330.00</b>
12550008	Misc. Fees	Copies	237	75.50
			<b>Sub-Total:</b>	<b>\$75.50</b>
12550012	Thumbprint Fee	Thumbprint Fee	2	10.00
			<b>Sub-Total:</b>	<b>\$10.00</b>
2544	Dog Licensing	Female, Spayed	6	45.00
		Female, Unspayed	1	12.50
		Male, Neutered	10	75.00
		Male, Unneutered	4	50.00
			<b>Sub-Total:</b>	<b>\$182.50</b>
25900012	Peddlers Permit	With Vehicle - Per Yr.	1	200.00
			<b>Sub-Total:</b>	<b>\$200.00</b>
25900020	Taxi Drivers License	Taxi Drivers License	3	300.00
			<b>Sub-Total:</b>	<b>\$300.00</b>

**Total Local Shares Remitted: \$1,507.45**

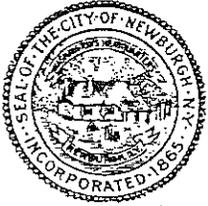
Amount paid to: NYS Ag. & Markets for spay/neuter program \_\_\_\_\_ 31.00  
 Amount paid to: NYS Environmental Conservation \_\_\_\_\_ 119.05  
 Amount paid to: State Health Dept. For Marr. Licenses \_\_\_\_\_ 517.50

**Total State, County & Local Revenues: \$2,175.00**

**Total Non-Local Revenues: \$667.55**

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

3/1/13  
 \_\_\_\_\_  
 Date



# CITY OF NEWBURGH

CITY CLERK'S OFFICE  
83 BROADWAY  
NEWBURGH, NEW YORK 12550  
PHONE (845)569-7311  
FAX (845)569-7314

LORENE VITEK  
CITY CLERK

MARCH 5, 2013

KATRINA COTTEN  
LISETTE WILLIAMS  
DEPUTY CLERKS

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL

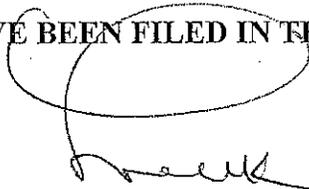
FROM: REGISTRAR OF VITAL STATISTICS

I RESPECTFULLY REPORT THAT THERE HAS BEEN  
RECEIVED IN THE OFFICE OF VITAL STATISTICS DURING THE MONTH  
OF FEBRUARY 2013 THE SUM OF \$6,082.00 AS FOLLOWS:

215 CERTIFIED COPIES OF BIRTH CERTIFICATES	\$2,152.00
393 CERTIFIED COPIES OF DEATH CERTIFICATES	<u>\$3,930.00</u>
TOTAL	\$6,082.00

IN ADDITION:

214 BIRTHS HAVE BEEN FILED IN THIS OFFICE TO DATE,  
118 DEATHS HAVE BEEN FILED IN THIS OFFICE TO DATE,

  
\_\_\_\_\_  
LORENE VITEK

**PERSONNEL REPORT**  
**CIVIL SERVICE COMMISSION**  
**FEBRUARY/MARCH 2013**

**COMPTROLLER:**

Cheryl Gross  
38 Oak Street  
Newburgh, NY

Comptroller  
Resigned 3/13/13  
\$86,889

Kathryn Nivins  
276 Temple Hill Rd  
New Windsor, NY

Acting Comptroller  
Appointed Temporary  
3/14/13 \$86,889

Anna Marie Calli  
9 Sulky Drive  
Newburgh, NY

Acting Junior Accountant  
Out of Title Pay 3/14/13  
\$51,890

**POLICE:**

Joseph Lee  
600 South Street  
Newburgh, NY

Police Sergeant  
Service Retirement  
2/28/13 \$81,941

Joseph Cortez  
13 Leslie Road  
Newburgh, NY

Police Sergeant  
Permanent Promotion  
3/1/13 \$81,941

Anthony Pitt  
4 Shore Blvd  
Slate Hill, NY

P/T Prisoner Attendant  
Resigned 3/7/13  
\$20.00/hr.

Joseph Lee  
600 South Street  
Newburgh, NY

P/T Prisoner Attendant  
Appointed 3/8/13  
\$20.00/hr.

Melissa Mucci  
1011 Washington Green  
New Windsor, NY

Police Officer  
Disability Retirement  
3/8/13 \$65,369

Timothy Gliedman  
20 Pierces Road  
Newburgh, NY

Police Officer  
Appointed 3/12/13  
\$40,000





# CITY OF NEWBURGH

CITY CLERK'S OFFICE  
83 BROADWAY  
NEWBURGH, NEW YORK 12550  
PHONE (845)569-7311  
FAX (845)569-7314

LORENE VITEK  
CITY CLERK

KATRINA COTTEN  
LISETTE WILLIAMS  
DEPUTY CLERKS

## MEMORANDUM

TO: Michelle Kelson, Corporation Counsel

FROM: Katrina Cotten, Deputy City Clerk

RE: Notice of Claim:  
Mary A. Olympia vs. City of Newburgh

DATE: March 6, 2013

Please find attached Notice of Claim regarding the above, which was hand delivered to our office on this date.

Attachment

Cc City Manager  
Mayor & Council



In the Matter of the Claim of

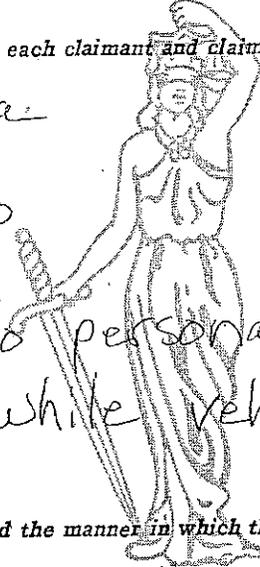
RECEIVED  
MAR 06 2013  
CITY CLERK

TO:

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim and demand against you as follows:

1. The name and post-office address of each claimant and claimant's attorney is:

Mary A. Olympia  
39 Innis Ave  
Newburgh, N.Y. 12550



2. The nature of the claim:

Damages to personal vehicle caused  
by city plow while vehicle was parked.

3. The time when, the place where and the manner in which the claim arose:

December 27th, 2012 at approx 6:30 AM, outside 200  
Fullerton Ave. Husband getting ready to leave for  
work + heard collision outside. Opened door, saw  
city plow heading north plowing same side of street. Saw  
vehicle, tire tracks, blue paint on car, took pictures, called police.

4. The items of damage or injuries claimed are (do not state dollar amounts)

Driver's mirror, doors, fender, hood, bumper, tire  
2004 Nissan Quest.



# CITY OF NEWBURGH

CITY CLERK'S OFFICE  
83 BROADWAY  
NEWBURGH, NEW YORK 12550  
PHONE (845)569-7311  
FAX (845)569-7314

LORENE VITEK  
CITY CLERK

KATRINA COTTEN  
LISETTE WILLIAMS  
DEPUTY CLERKS

## MEMORANDUM

TO: Michelle Kelson, Corporation Counsel  
FROM: Lorene Vitek, City Clerk  
RE: Notice of Claim:  
Mae Turner Brock vs. City of Newburgh  
DATE: March 6, 2013

Please find attached Notice of Claim regarding the above, which was hand delivered to our office on this date.

Attachment

Cc City Manager  
Mayor & Council



In the Matter of the Claim of

RECEIVED  
MAR 06 2013  
CITY CLERK

TO:

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim and demand against you as follows:

1. The name and post-office address of each claimant and claimant's attorney is:

Mae Turner Brock  
85 Carpenter Avenue  
Newburgh, NY 12550

(845) 549-8285

2. The nature of the claim:

Hurricane Sandy caused damage to my  
yard & fence.

3. The time when, the place where and the manner in which the claim arose:

Hurricane Sandy caused destruction to my yard  
including the fence.  
The hurricane occurred on October 25, 2012.

4. The items of damage or injuries claimed are (do not state dollar amounts)

My fence was ~~the~~ what received the most damaged  
caused by a falling tree due to the hurricane.



# CITY OF NEWBURGH

CITY CLERK'S OFFICE  
83 BROADWAY  
NEWBURGH, NEW YORK 12550  
PHONE (845)569-7311  
FAX (845)569-7314

LORENE VITEK  
CITY CLERK

KATRINA COTTEN  
LISETTE WILLIAMS  
DEPUTY CLERKS

## MEMORANDUM

TO: Michelle Kelson, Corporation Counsel

FROM: Lorene Vitek, City Clerk

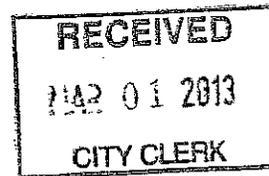
RE: Notice of Claim:  
Rachel Sangalli vs. City of Newburgh

DATE: March 1, 2013

Please find attached Notice of Claim regarding the above, which was received via Regular Mail on this date..

Attachment

Cc City Manager  
Mayor & Council



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF Orange

-----X

In the Matter of the Claim of Rachel Sangalli

Notice of Claim

--against--

City/Town/Village/County/State of Newburgh

TO: City/Town/Village/County/State of Newburgh

PLEASE TAKE NOTICE that the undersigned claimant makes claim and demands against you as follows:

1. The name and post-office address of the claimant is Rachel Sangalli,  
9 Plum Tree Ct Street, Brewster, New York. Claimant's attorney is  
\_\_\_\_\_, Esq., \_\_\_\_\_, New York.

2. The Nature of the Claim: Tire damage due to  
unavoidable potholes

3. The Time When, the Place Where, and the Manner in Which the Claim Arose: On  
February 18, 2013, at approximately 5 PM a.m. (or  
P.M.); Powell Ave - South bound between Gidney  
and North St. Occurred while driving to Mount  
Saint Mary college for classes.

4. The Items of Damage of Injuries Claimed Are: Sidewall damage to front passenger  
Side tire resulting in having to purchase a brand  
new tire.

The undersigned claimant therefore presents this claim for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimant intends to commence an action on this claim.



# CITY OF NEWBURGH

CITY CLERK'S OFFICE  
83 BROADWAY  
NEWBURGH, NEW YORK 12550  
PHONE (845)569-7311  
FAX (845)569-7314

LORENE VITEK  
CITY CLERK

KATRINA COTTEN  
LISETTE WILLIAMS  
DEPUTY CLERKS

## MEMORANDUM

TO: Michelle Kelson, Corporation Counsel

FROM: Lorene Vitek, City Clerk

RE: Summons & Verified Complaint:  
Arthur Rummell, III vs. City of Newburgh

DATE: March 6, 2013

Please find attached Summons & Verified Complaint regarding the above, which was hand delivered to our office on this date.

Attachment

Cc City Manager  
Mayor & Council

RECEIVED  
MAR 06 2013  
CITY CLERK

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

-----  
ARTHUR RUMMEL, III,

*Plaintiff,*

-against-

The CITY OF NEWBURGH and  
CITY MANAGER RICHARD HERBEK,

*Defendants.*

Index No.:  
Date Summons filed: 2/8/13  
Plaintiff designates Orange  
County as the place of trial  
*The basis of venue is:*  
Defendant's Office

**SUMMONS WITH  
VERIFIED COMPLAINT**

*Defendant is located at:*  
83 Broadway  
Newburgh, NY 12550

2013 001185

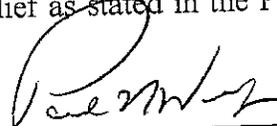
-----X  
*To the above named Defendants:*

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer on the *Plaintiff's Attorney(s)* within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

**NOTICE:** The nature of this action is to recover monetary damages for illegal and unlawful termination of Plaintiff's employment and other miscellaneous damages incurred by and on behalf of Plaintiff by reason of the acts and/or omissions of the City of Newburgh and City Manager Richard Herbek, it's agents, servants, and/or employees.

**RELIEF:** The relief sought is a judgment in favor of the Plaintiff for the full reinstatement to the position of police officer, compensatory damages in the amount not less than \$1,500,000, punitive damages in an amount not less than \$1,000,000, and full credit in the retirement system as well as all ancillary or additional relief as stated in the Plaintiffs Verified Complaint.

Dated: February 7, 2013  
Cornwall, New York

  
BY: PAUL N. WEBER, ESQ.  
*Attorney for the Plaintiff*  
45 Quaker Avenue, Suite 208  
Cornwall, New York 12518  
Phone No.: (845) 534-2968

FILED  
ORANGE COUNTY CLERK  
2013 FEB -7 P 3:24

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

-----X  
ARTHUR RUMMELL, III,

Plaintiff,

- against -

**VERIFIED  
COMPLAINT**

INDEX NO.:13-

**2013 001185**

The CITY OF NEWBURGH and  
CITY MANAGER RICHARD HERBEK,

Defendants.  
-----X

Plaintiff, by and through his attorneys, ARTRIP & WEBER, 45 Quaker Avenue, Suite 208, Cornwall, New York 12518, complaining of the Defendants, CITY OF NEWBURGH and CITY MANAGER RICHARD HERBEK, hereby alleges that:

**PARTIES**

1. Plaintiff, ARTHUR RUMMEL, III, (hereinafter "Plaintiff") resides and at all material times resided at 17 Bellevue Road, Newburgh, New York 12550.
2. Plaintiff, ARTHUR RUMMEL, III, was employed at all material times by the City of Newburgh as a Police Officer from 2006 through December 14, 2011.
3. Defendants, CITY OF NEWBURGH and CITY MANAGER RICHARD HERBEK, is located within Orange County, State of New York, and is presently conducting business, and at all material times has conducted business, in the State of New York, with an office and principal place of business located at 83 Broadway, Newburgh, New York 12550.
4. This Court has jurisdiction over this matter, and venue is proper in this district, because the acts and misconduct alleged herein occurred within Orange County, State of New York; Plaintiff resides and owns real property in Orange County, State of New York; and Defendants, the CITY OF NEWBURGH and CITY MANAGER RICHARD HERBEK maintain offices in Orange County, State of New York.

FILED  
ORANGE COUNTY CLERK  
2013 FEB - 7 PM 3:24

RESOLUTION NO.: 56 - 2013

OF

MARCH 25, 2013

**A RESOLUTION AUTHORIZING AN EXTENSION REGARDING THE  
REHABILITATION AND RESALE OF REAL PROPERTY KNOWN AS  
23 SOUTH MILLER STREET (SECTION 30, BLOCK 1, LOT 18),  
AND 25 SOUTH MILLER STREET (SECTION 30, BLOCK 1, LOT 17)  
OWNED BY THRUWAY BUILDERS, INC.**

**WHEREAS**, by Resolution No. 38-2007 of March 26, 2007, the City Council of the City of Newburgh authorized the preparation of a land disposition agreement for Thruway Builders, Inc. regarding the rehabilitation and sale of real property known as 23 South Miller Street and 25 South Miller Street, more accurately described on the official tax map of the City of Newburgh as Section 30, Block 1, Lots 18 and 17, respectively, and title closed and the deed was delivered on January 9, 2008; and

**WHEREAS**, said Agreement included a Schedule "C" requiring rehabilitation of the properties to be completed and re-sold to owner occupants within twelve months of the delivery of the deed; and

**WHEREAS**, Thruway Builders has been unable to comply completely with the deadline to rehabilitate 25 South Miller Street, but has made a good faith effort and substantial progress to complete the rehabilitation by receiving a certificate of occupancy for the property known as 23 South Miller Street; and

**WHEREAS**, by Resolution No.: 71-2009 of May 11, 2009 the City Council authorized an extension of time to rehabilitate the premises located at 25 South Miller Street until June 30, 2010; and

**WHEREAS**, by Resolution No.: 89-2010 of April 26, 2010 the Council authorized an extension of time to rehabilitate the premises located at 25 South Miller Street until June 30, 2011; and

**WHEREAS**, 25 South Miller Street is approximately 60% rehabbed but due to unforeseen circumstances Thruway Builders has requested an additional 12 months to complete the rehabilitation;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that Thruway Builders be and is hereby granted an extension of time to rehabilitate the premises known as 25 South Miller Street until March 25, 2014, that being twelve (12) months from the date of this Resolution;

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York, that Thruway Builders be and is hereby granted an additional forty-eight (48) months to lease both properties with an option to purchase or retain both as rental properties for a period of five (5) years from the issuance of a certificate of occupancy and then upon the expiration of said five year period re-sell to an owner-occupant.

RESOLUTION NO.: 57 - 2013

OF

MARCH 25, 2013

**A RESOLUTION IN SUPPORT OF AN APPLICATION BEING  
SUBMITTED BY THE CITY OF PEEKSKILL FOR A  
LOCAL GOVERNMENT EFFICIENCY GRANT SUPPORTING THE  
SHARED REDEVELOPMENT SERVICES PROGRAM OF THE  
MAYORS REDEVELOPMENT ROUNDTABLE**

WHEREAS, the City of Newburgh and its redevelopment staff and corporation counsel have been participating in the Mayors' Redevelopment Roundtable (Roundtable) for four years to develop strategies for making the participating cities redevelopment-ready in order to increase its tax base and to stimulate sustainable economic development; and

WHEREAS, the Mayors' Redevelopment Roundtable creates a vehicle for and implements a program for sharing expert development staff and professional services among the cities participating, the staff of the Land Use Law Center, and experts on the strategies being developed; and

WHEREAS, this shared services approach to developing redevelopment strategies realized significant cost benefits through the essential services provided and the addition of development attracted by the strategies to the tax base; and

WHEREAS, the Roundtable has been effective in working with the Mid-Hudson Regional Economic Development Council to create an urban redevelopment policy in its five year strategy so that projects for state funding from Roundtable communities are as competitive as possible; and

WHEREAS, the City of Newburgh benefits from the redevelopment strategies developed through the Roundtable, through the urban policy adopted, and by participating and indicates that the City is cooperating in a regional redevelopment strategy in furtherance of several state policies; and

WHEREAS, the cooperation of the nine communities in the Roundtable is memorialized by a Memorandum of Agreement signed by each of the mayors of the cooperating communities, constituting an intermunicipal agreement to cooperate in developing redevelopment strategies that respond to the critical issues faced by Roundtable communities; and

WHEREAS, the City of Peekskill has agreed to submit a grant to the State of New York under the Local Government Efficiency Grant Program for a two-year \$200,000 grant to continue

the shared services initiative of the Roundtable and to act as the fiscal agent for the Roundtable in administering the grant on behalf of the participating cities which include Yonkers, Mount Vernon, New Rochelle, White Plains, Port Chester (a village), Beacon, Poughkeepsie, and Newburgh; and

**WHEREAS**, the Grant requires a 10 percent local share, which can be contributed by any of the cooperating communities in the Roundtable through any projects that it funds that are part of the Shared Redevelopment Services Program: representing an average yearly local commitment of approximately \$1,000 per Roundtable community;

**BE IT RESOLVED**, that the City of Peekskill, through Mayor, Mary Foster, is authorized on behalf of the City of Newburgh to submit an application for \$180,000, two year grant for the \$200,000 Shared Redevelopment Services Program of the Mayors' Redevelopment Council and to execute all financial and administrative processes related to the implementation of the program; and

**BE IT FURTHER RESOLVED**, that the Newburgh City Council supports this Shared Development Services initiative and pledges, if needed, to provide its share of the required \$20,000 local share required, an average of \$1,115 per year, in conjunction with the other co-applicants: the cities of Mount Vernon, Beacon, Peekskill, New Rochelle, Poughkeepsie, Yonkers, White Plains, and the Village of Port Chester.

The adoption of the foregoing resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

RESOLUTION NO.: 58 -2013

OF

MARCH 25, 2013

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY  
FROM A CORRECTION DEED ISSUED TO HABITAT FOR HUMANITY OF  
GREATER NEWBURGH, INC. TO THE PREMISES KNOWN  
AS 72 BENKARD AVENUE (SECTION 45, BLOCK 2, LOT 11)**

**WHEREAS**, on July 30, 2005, the City of Newburgh conveyed property located at 72 Benkard Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 2, Lot 11, to Habitat for Humanity of Greater Newburgh, Inc.; and

**WHEREAS**, on September 17, 2010, the City of Newburgh issued a correction deed for the property located on 72 Benkard Avenue, being more accurately described on the official Tax Map of the City of Newburgh as Section 45, Block 2, Lot 11, to Habitat for Humanity of Greater Newburgh, Inc.; and

**WHEREAS**, Habitat for Humanity, by their attorney, has requested a release of the restrictive covenants contained in said deed; and

**WHEREAS**, this Council believes it is in the best interest of the City of Newburgh 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, 5, 6 and 7 of the aforementioned deed.

