



**City of Newburgh**  
DEPARTMENT OF PLANNING & DEVELOPMENT  
City Hall – 83 Broadway  
Newburgh, New York 12550

TEL: (845) 569-9400

FAX: (845) 569-9700

June 4, 2009

VIA OVERNIGHT MAIL

Vincent Hom  
U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
26 Federal Plaza  
Room 3504  
New York, NY 10278-0068

**RE: City of Newburgh Action Plan: *Housing Affordability Program*  
2009-2010 American Recovery and Reinvestment Act (ARRA) Funding**

Dear Mr. Hom:

I am please to submit the revised the City of Newburgh's *Housing Affordability Program* as the City's revised FY 2008 Action Plan for use of CDBG-R funds.

The City of Newburgh remains, as always, appreciative of HUD's support and that of you and your staff. We look forward to receiving feedback and/or approvals for this plan in order for the City to be able to begin to offer the much needed services outlined.

I can be reached at (845) 569-9400 ext. 203 or via e-mail at [lzapata@cityofnewburgh-ny.gov](mailto:lzapata@cityofnewburgh-ny.gov) if you have any questions.

Thank you and I look forward to hearing from you.

Sincerely,

Lourdes Zapata  
Director

Encl.

Cc: Dwight Douglas, Action City Manager



City of Newburgh Amendment to FY 2008 Action Plan:

*Housing Affordability Program*

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2009-2010 American Recovery and Reinvestment Act (ARRA) Funding

Prepared by  
The Newburgh Community Development Agency

# **THE CDBG-R SUBSTANTIAL AMENDMENT**

Jurisdiction(s): City of Newburgh, NY	CDBG-R Contact Person: Lourdes Zapata
Lead Agency: City of Newburgh, NY	Address: 83 Broadway Newburgh, NY 12550
Jurisdiction Web Address: <a href="http://cityofnewburgh-ny.gov/devel/comdev.htm">http://cityofnewburgh-ny.gov/devel/comdev.htm</a>	Telephone: (845) 569-9400
<i>(URL where CDBG-R Substantial Amendment materials are posted)</i>	Fax: (845) 569-9700
	Email: <a href="mailto:lzapata@cityofnewburgh-ny.gov">lzapata@cityofnewburgh-ny.gov</a>

## **ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS**

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

### ***A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES***

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD’s recovery website at <http://www.hud.gov/recovery>.

**B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)**

- (1) **Activity Name:** (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)

Administration  
 Loan Fund: Sealed Bid Financing Program  
 Loan Fund: Home Rehabilitation Loan Program

(2) **Activity Narrative:**

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee’s CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee’s narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

	Activity: Administration	Activity: Loan Fund: Sealed Bid Financing Program	Activity: Loan Fund: Home Rehabilitation Loan Program
Preserving and creating jobs and promoting economic recovery.	This program will be managed by the Housing Loan Officer – a newly created, permanent, full time position within the City of Newburgh.	This program will support economic recovery efforts via the creation of expanded opportunities for local contracting and construction. While the final count of newly created or retained jobs are difficult to anticipate – based on the established parameters of this program, it is anticipated that no less than six (6) properties will be assisted. Projecting a workforce need of 5-10 employees per property – approximately 35-60 construction jobs will be created under this program.	This program will support economic recovery efforts via the creation of expanded opportunities for local contracting and construction. While the final count of newly created or retained jobs are difficult to anticipate – based on the established parameters of this program, it is anticipated that no less than five (5) to seven (7) properties will be assisted. Projecting a workforce need of 3-7 employees per property – approximately 15-49 temporary construction jobs created under this program.

Assisting those most impacted by the recession.	N/A	The City's Housing Affordability Program will be targeted to serve low income homeowners who are faced with deferred maintenance and/or financial challenges to improving or maintaining their homes as well as providing financing to property owners who commit to selling and/or leasing their redeveloped properties to low income individuals.	
Providing investment needed to increase economic efficiency.	N/A	This program will focus on the rehabilitation of vacant properties for the occupancy of low income tenants. Focusing on the financing of energy efficiency measures ensures that low income tenants are maximizing their ability to pay for energy costs, thereby enhancing their economic buying power.	Property owners who will be served by this program are those who are most financially challenged with maintaining their homes. By earmarking this program to the rehabilitation of properties owned and focusing on energy efficiency measures, homeowners are provide a vehicle to help address the rising energy costs of home maintenance, thereby enhancing their economic efficiencies and sustainability.
Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits.	N/A	The health of the housing stock of any city is one of its most prized infrastructure components – affecting the most basic of needs of its residents. The proposed program aims to support the maintenance and creation of affordable housing opportunity for City residents.	
Minimizing or avoiding reductions in essential services.	This opportunity increases essential services to City homeowners, prospective homebuyers and affordable housing renters. A newly created program, this opportunity not only avoids a reduction in services but provides new access to such financing at the local level.	The Housing Affordability Program provides an opportunity for homeowners and/or private investors to secure financing opportunities in limited supply in the current economic market. This opportunity has been viewed as essential to help the City of Newburgh create more affordable housing opportunities and retain existing homeownership levels which are also endangered in this economic market.	

Fostering energy independence.	N/A	Both components of the Housing Affordability Program (Sealed Bid & Home Rehab Loan) prioritize financing for the installation or upgrades of energy efficient measures (heating systems, windows, etc.).
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(3) **Jobs Created:** (Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs).

This program will support economic recovery efforts via the creation of expanded opportunities for local contracting and construction. While the final count of newly created or retained jobs are difficult to anticipate, each activity has specific potential for job creation and/or retention:

*Activity: Administration*

This program will be managed by the Housing Loan Officer – a newly created position within the City of Newburgh. One full time permanent position will be created.

*Activity: Loan Fund: Sealed Bid Financing Program*

Based on the established parameters of this activity, it is anticipated that no less than six (6) properties will be assisted. Projecting a workforce of 5-10 employees per property – approximately 35-60 temporary construction jobs will be created under this program.

*Activity: Loan Fund: Home Rehabilitation Loan Program*

Based on the established parameters of this activity, it is anticipated that no less than five (5) to seven (7) properties will be assisted. Projecting a workforce of 3-7 employees per property – approximately 15-49 temporary construction jobs will be created under this program.

(4) **Additional Activity Information:** (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)

Under Home Rehabilitation Loan Program, available funds can be used for any repairs required by the homeowner but will be prioritized as follows:

1. Work to address health and safety violations.
2. Work to implement energy efficiency upgrades (i.e. heating systems, roofing, windows, and/or insulation).
3. Rehabilitation loans to seniors or the disabled.
4. General repairs for owner occupants.

The Sealed Bid Financing Program will be tied to the use of funds for properties purchased from the City – the majority of which are vacant and in extremely distressed conditions. The dollars required to bring them to livable standards often exceed the final value of the property upon rehabilitation. This condition has negatively affected the successful redevelopment of abandoned properties. Offering a modest subsidy to purchasers for the redevelopment of the property will serve multiple functions – facilitate the redevelopment of vacant/abandoned properties, eliminate blighting conditions in our distressed neighborhoods and provide

affordable housing opportunities as any developer which uses these funds will be required to tenant the property with income eligible tenants.

All loans issued under this Program will be prioritized for the purchase of energy efficient equipment and/or materials (i.e. heating systems, energy efficient windows), general construction materials, fixtures and other equipment only. No soft costs (labor, engineering, architectural, etc.) will be financed.

- (5) **Responsible Organization**: (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)

City of Newburgh  
Office of Planning & Development  
83 Broadway  
Newburgh, NY 12550  
Administrator: Lourdes Zapata, Director  
Phone: (845) 569-9400 ext. 203  
Fax: (845) 569-9700  
E-mail: lzapata @cityofnewburgh-ny.gov

### ***C. PUBLIC COMMENT***

Provide a summary of public comments received to the proposed CDBG-R Substantial Amendment.

**Note:** A Proposed CDBG-R Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 7 calendar days for public comment.

#### **Response:**

The original plan for the City of Newburgh was the institution of a Sealed Bid Financing Program which would support and would target the City's anticipated disposition of In Rem Properties in the fall. The original notice was put on the City's web site on May 22, 2009 and sent to the Newburgh Library on that same day. A public hearing on this plan was held on May 26, 2009. Based on comments from the general public during the public hearing and feedback from Council members, the proposed CDBG-R program was revised and the Housing Affordability Program was established. The revised program and notice was posted on the City's website as of May 27, 2009 and resent to the Library. The City Council reviewed and approved the newly developed program at a special session on June 2, 2009. As a result of these significant changes, the public comment period was extended to June 4<sup>th</sup>.

The following documentation is provided in Attachment A:

- Copies of public notices and press releases issued.
- A transcript of the comments received at the public hearing of May 26, 2009.
- Memo dated June 1, 2009 summarizing all public comments from the hearing.
- Copies of correspondence and responses issued.

- Certified copy of Resolution 81-2009 Approving and Adopting the 2008 Action Plan as Amended Concerning CDBG-R Funds.
- Copies of the minutes of Council Session of June 2, 2009.
- Copies of City of Newburgh web pages related to CDBG-R funding.

# CDBG-R Substantial Amendment Grantee Checklist

*For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.*

## Contents of a CDBG-R Action Plan Substantial Amendment

Jurisdiction(s): City of Newburgh, NY Lead Agency: City of Newburgh, NY Jurisdiction Web Address: <a href="http://cityofnewburgh-ny.gov/devel/comdev.htm">http://cityofnewburgh-ny.gov/devel/comdev.htm</a> <i>(URL where CDBG-R Substantial Amendment materials are posted)</i>	CDBG-R Contact Person: Lourdes Zapata Address: 83 Broadway Newburgh, NY 12550 Telephone: (845) 569-9400 Fax: (845) 569-9700 Email: <a href="mailto:lzapata@cityofnewburgh-ny.gov">lzapata@cityofnewburgh-ny.gov</a>
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The elements in the substantial amendment required for the CDBG recovery funds are:

### ***A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES***

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes  No  Verification found on page **Page 19 - Attachment C**

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box [CDBG-R@hud.gov](mailto:CDBG-R@hud.gov)?

Yes  No  Date Spreadsheet was emailed: **June 3, 2009**

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,

Yes  No  Verification found on page(s) **Page 19 - Attachment C**

- the Eligibility citation (eligibility regulatory cite or HCDA cite),

Yes  No  Verification found on page(s) **Page 19 - Attachment C**

- the CDBG national objective citation,

Yes  No  Verification found on page(s) **Page 19 - Attachment C**

**B. CDBG-R INFORMATION BY ACTIVITY**

Does the submission contain information by activity describing how the grantee will use the funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,  
Yes  No  Verification found on page(s) 12-14
  
- projected number of jobs created for each activity,  
Yes  No  Verification found on page(s) 5
  
- whether an activity will promote energy efficiency and conservation,  
Yes  No  Verification found on page(s) 5
  
- the name, location, and contact information for the entity that will carry out the activity,  
Yes  No  Verification found on page(s) 2, 6 & 8
  
- evidence that no more than 10% of the grant amount will be spent on administration and planning,  
Yes  No  Verification found on page (s) 14
  
- evidence that no more than 15% of the grant amount will be spent on public services,  
Yes  No  Verification found on page (s) 14
  
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,  
Yes  No  Verification found on page (s) 15

**C. PUBLIC COMMENT PERIOD**

Was the proposed action plan amendment published via the jurisdiction's usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes  No  Verification found on page(s) Page 17 - Attachment A

Is there a summary of citizen comments included in the final amendment?

Yes  No  Verification found on page(s) Page 17 - Attachment A

**D. CERTIFICATIONS**

The following certifications are complete and accurate:

- |   |   |                             |
|---|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace                   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying                         | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction             | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

- |  |   |  |
|--|---|--|
| (5) Authority of jurisdiction                                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (6) Consistency with plan                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (7) Section 3  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (8) Community development plan                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (9) Following a plan   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (10) Use of Funds  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (11) Excessive Force   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (12) Compliance with anti-discrimination laws                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (13) Lead-based paint procedures                             | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (14) Compliance with laws                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (15) Compliance with ARRA                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (16) Project selection                                       | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (17) Timeliness of infrastructure investments                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (18) Buy American provision                                  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (19) Appropriate use of funds for infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| (20) 70% of CDBG-R for LMI                                   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| Optional Certification                                       |   |  |
| (21) Urgent Need   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |

**D. STATE CERTIFICATIONS** **NOT APPLICABLE**

The following certifications are complete and accurate:

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| (1) Affirmatively furthering fair housing                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace                                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of State                                       | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan                                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan                               | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (9) Consultation with Local Governments                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws                | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (13) Compliance with laws                                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with ARRA                                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (15) Project selection                                       | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (16) Timeliness of infrastructure investments                | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (17) Buy American provision                                  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (18) Appropriate use of funds for infrastructure investments | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (19) 70% of CDBG-R for LMI                                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Optional Certification                                       |                              |                             |
| (20) Urgent Need   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |



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**City of Newburgh Action Plan: *Housing Affordability Program*  
2009-2010 American Recovery and Reinvestment Act (ARRA) Funding**

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**Funding Summary**

The U.S. Department of Housing and Urban Development will be awarding the City of Newburgh a total of \$225,632 through the American Recovery and Reinvestment Act of 2009.

These funds are earmarked to the City as a CDBG entitlement grantee. HUD anticipates these funds to be managed through the CDBG administrative process and the majority of regulations which govern the use of CDBG funds will apply to the use of these additional funds – referred to as “CDBG-R” funds.

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. Under these basic parameters, HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings.

Key regulations specific to the CDBG-R funds include:

1. Entitlement grantees are to submit a plan for the use of these funds as a substantial amendment to the 2008 program year action plan.
2. The deadline to submit the revised plan to the HUD NYC field office is June 5, 2009.
3. The plan must be made public (published and/or placed on the city’s web site) to allow for public comment. A public hearing must also be held prior to submission to HUD.
4. A seven (7) calendar day public comment period is required prior to plan submission to HUD. (HUD’s standard 30 day public comment period is waived for this plan.)
5. No less than 70% of funds are required to be used for activities that benefit low- and moderate income persons.



- Upon sale or refinancing of the property, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property.

**Activity:**                                    **Loan Fund - Home Rehabilitation Loan Program**  
**Total Funding Allocation:**    **\$100,000**

This program would provide forgivable loans or low interest loans to owner occupied applicants. The terms applied to the transaction would depend on the applicant's income.

For Very Low and Extremely Low Income Applicants (less than 50% of the AMI):

- The owner/applicant must earn less than 50% of the AMI.
- One time housing rehabilitation forgivable loan for owner occupants only.
- Only single and two family homes are eligible.
- Loan amount not to exceed \$20,000 per property. Actual loan amount approved will be dependant on amount of work required.
- The rental unit must be occupied by a tenant earning less than 80% of the County AMI. Documentation confirming the family income will be required.
- The loan is provided for a five (5) year term and will be reduced by 20% for each year the applicant remains in occupancy of the property. No repayment is required during this period. At the completion of the five (5) year term, the loan will convert into a grant and no repayment will be required.
- If the owner-occupant sells or refinances the property prior to the five (5) year period, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property and will not be subordinated.

For Low Income Applicants (earning less than 80% AMI but not less than 50% AMI):

- The owner/applicant must earn less than 80% but not less than 50% of the AMI.
- One time housing rehabilitation loan for owner occupants only.
- Only single and two family homes are eligible.
- Loan amount not to exceed \$20,000 per property. Actual loan amount approved will be dependant on amount of work required.
- The rental unit must be occupied by a tenant earning less than 80% of the County AMI. Documentation confirming the family income will be required.
- The loan is provided for a ten (10) year term at a rate of 0% Interest. Monthly loan payments will be due throughout this term.
- If the owner-occupant sells or refinances the property prior to the ten (10) year period, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property and will not be subordinated.

**Activity:**                                    **Administration**  
**Total Funding Allocation:**    **\$22,560**

This program will be managed out of the Planning & Development Office. Responsibility for the management of this initiative would fall under a newly created Housing Loan Officer staff member. Specific tasks to be assigned to that individual would include:

- Program marketing;
- Processing of applications;

- Performing underwriting tasks (complete application, secure supporting documentation and packaging for Committee review);
- Coordination with property owners during rehabilitation of the property including assistance through the local Architectural Review Committee (ARC) approvals process if applicable;
- Coordination of payments to contractors;
- Monitoring of repayment activities; and,
- All program reporting.

Underwriting activities would be undertaken under the monitoring of a Housing Loan Committee to be established by the City Council. The Loan Committee would make the final determination on whether the application is approved.

The composition of the proposed Housing Loan Committee would include:

- Two (2) banking representatives experienced in residential lending.
- One (1) local non profit housing developer/provider.
- One (1) private real estate professional (ex.. broker, private developer, attorney)
- One (1) community member at large.

Anticipated Program Process

1. Acceptance of completed application with the required supporting documentation.
2. Review and preparation of recommendation on loan decision.
3. Coordination with the Housing Loan Committee to determine approval of loan.
4. Notification to applicant.
5. If approved, property to be inspected by Code Compliance Office to identify health and safety violations, if any.
6. Applicant will be instructed to secure three bids for the appropriate work.
7. Applicant and selected contractor enter into agreement for work.
8. Upon completion, applicant certifies work as completed and requests payment from the City.
9. City issued payment and records note and mortgage on property.

Proposed Budget

Administration	\$ 22,560
Loan Fund: Sealed Bid Financing Program	\$103,072
Loan Fund: Home Rehabilitation Loan Program	<u>\$100,000</u>
Total Funding:	\$225,632

The funds have been budgeted as per CDBG-R guidelines.

- No more than 10% of the grant amount (\$22,560) will be spent on administration and planning.
- The City does not intend to use any CDBG-R funds on public services as defined by HUD.

- 90% of the total funding available (\$203,072) will benefit persons of low and moderate income. This benefit will be realized either as a direct loan to income eligible homeowners or via the creation of additional affordable housing units. Any applicant which is a participant of the Sealed Bid Financing Program which utilizes these loan funds will be required to tenant the property with income eligible tenants or sell to an income eligible homeowner.

### **Economic Benefit**

Over the past several decades, the City of Newburgh has experienced significant disinvestment. As such, there is evidence of many conditions characteristic of an impoverished urban area: a diminishing industrial base accompanied by loss of jobs and revenue, a growing low-income population, significant crime, substandard housing and deteriorating infrastructure. With street after street of vacant boarded up homes (many of which are architectural gems), it looks as if the area has been totally abandoned.

At the time of the last census, the City of Newburgh was ranked the 4<sup>th</sup> most distressed urban center in the United States. As of April 2009, the City of Newburgh owned 160 properties, nearly 90% of which are vacant and abandoned. Over 11% of the total residential housing stock of this City is currently vacant and abandoned.

The U. S. Census Bureau confirms that the 2007 median income in Newburgh (\$35,635) was only about half of the median income of Orange County as a whole (\$66,445). The Consolidated Housing Plan for the City of Newburgh cites an aging housing stock with inherent physical defects combined with a high concentration of lower income residents which results in a cost burden for decent and affordable housing. The rate of homeownership in Newburgh has declined from 34.5% in 1990 to 30.7% in 2000 (U.S. Census). Nearly 25% of Newburgh families live below the poverty level and as many as 3,734 households cannot afford the median rent. Over 60% of all renters in Newburgh pay 30% or more of their household income on housing.

Throughout the City of Newburgh, there is a preponderance of neighborhoods with excessive poverty, concentrations of minority and non-English speaking families and high crime. Although the City of Newburgh as a whole is experiencing a renaissance in economic turn around and community revitalization, it still lags behind other communities in the. Our housing stock show significant deterioration and an exceptionally high rate of vacant buildings.

A myriad of socio-economic issues place great demand on the City's capabilities. Newburgh has the second highest level of socio-economic stress in New York State. Based on Census data of residents living below the poverty level (25.76%), female-head of households with children and without husbands (25.91%), vacant housing units (12.7%), and adults without high school diplomas (37.94%).

*According to the Orange County Department of Social Services:*

- The City of Newburgh's 2000 median household income was \$30,332, the lowest of any community in Orange County, just over half that of the County which was \$52,058. The 2009 Orange Count Median Income is \$81,800 but the City of Newburgh remains dramatically behind at approximately \$35,000.

- Families of low or very low income account for 63.2% for the City, compared to 37.4% for the County.

*Census 2000 information from the Orange County Department of Planning:*

- 26% of individuals in Newburgh live below the poverty level.
- 75% of the 739 owner occupied housing units in census tracts 4 and 5, were built prior to 1939.
- 18% of the housing units within census tracts 4 and 5 are owner occupied.

Many homes in the City of Newburgh are owned by hard working residents with modest incomes, however, many homes have code violations and are in disrepair. Funding is necessary to assist residents as they strive to keep their homes up to code, implement energy efficient measures and maintain quality living standards. Deteriorated and abandoned housing reduce property values in neighborhoods and negatively affect the quality of life. These funds will firstly be used to correct code violations which affect the health and safety of its residents and, secondly, to facilitate the installation of energy efficient measures. With dramatically increasing housing prices region wide that virtually preclude new home ownership for low and moderate income families, it is critical to preserve existing housing stock for long term community viability.

ATTACHMENT A

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PUBLIC COMMENT MATERIALS, SUMMARY & APPROVALS

# City of Newburgh

## NOTICE OF PUBLIC HEARING

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83 Broadway - City Hall, Newburgh, NY 12550  
Phone: (845) 569-7301 Fax: (845) 569-7370  
[www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)

For Immediate Release

May 22, 2009

### **NOTICE OF PUBLIC HARING REGARDING THE DRAFT SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN 2008 ACTION PLAN PERTAINING TO COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY PROGRAM (CDBG-R) FUNDS**

**NOTICE IS HEREBY GIVEN** that on Monday, May 26, 2009, at 7:00 p.m., the City Council of the City of Newburgh will hold a public hearing at City Hall, 83 Broadway to obtain all interested citizens' views on the draft Substantial Amendment pertaining to the Community Development Block Grant (CDBG-R) funds.

Under the 2009-2010 American Recovery and Reinvestment Act (ARRA), the City of Newburgh will receive a one-time allocation of CDBG-R funds in the amount of \$225,632.00. CDBG-R funds are separate from the entitlement funds received by the City under the CDBG program but have been earmarked to the City as a CDBG entitlement grantee. It is anticipated that these funds will be managed through the CDBG process and will generally follow the same regulations that govern CDBG funds.

Funding available under the Recovery Act has clear purposes; to stimulate the economy through measures that modernize the nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to healthcare. Under these basic parameters, the United States Department of Housing and Urban Development (HUD) strongly urges grantees to use CDBG-R funds for development costs associated with infrastructure projects that provide basic services to residents or activities that promote energy efficiency and conservation through the rehabilitation or retrofitting of existing buildings.

The City intends to utilize CDBG-R funds to establish a Home Rehabilitation Loan Program. This program would provide low interest or forgivable loans to owner-occupied applicants; with loan terms in harmony with the applicant's income level.

The draft City of Newburgh Housing Rehabilitation Program Guidelines and Application are available for review on the City's website at [www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov). Hard copies are

available for review in the City Clerk's office and in the Planning and Development office at City Hall.

The City's final plan is due to HUD by June 5, 2009 and will be submitted as a substantial amendment to the City's 2008 CDBG Annual Action Plan. Public comments on this proposed plan are due by 4pm on June 2, 2009.

The full funding notice can be accessed on the web at <http://www.hud.gov/recovery/cdbg-r-0504.pdf> and additional information can be acquired through HUD's Recovery Act website at [www.hud.gov/recovery](http://www.hud.gov/recovery) .



**City of Newburgh**  
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**MEMORANDUM**

June 1, 2009

TO: City Council Members

FROM: Lourdes Zapata, Planning & Development Director

RE: May 26, 2009 Public Hearing - Comments Summary & Responses:  
2009-2010 American Recovery and Reinvestment Act (ARRA) Funding

Cc: Dwight Douglas, Acting City Manager

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Below please find a summary of comments received to date with responses:

- **Funds should not be used for landlords who have money but to renovate apartments that are not 'up to par'.**  
Related to the use of funds for properties purchased from the City - as you are aware, many of these properties are in extremely distressed conditions. The dollars required to bring them to livable standards often exceed the final value of the property upon rehabilitation. This condition has negatively affected the successful redevelopment of abandoned properties. Offering a modest subsidy to purchasers for the redevelopment of the property will serve multiple functions – facilitate the redevelopment of vacant/abandoned properties, eliminate blighting conditions in our distressed neighborhoods and provide affordable housing opportunities as any developer which uses these funds will be required to tenant the property with income eligible tenants
- **Program similar to East End Improvement Program which 'failed'.**  
Nearly 40 applications were processed under this program – of these a total of 19 projects were completed in Newburgh during the contract period (ending April 30, 2009). This program, targeted to owner occupants earning from 80% - 112% of the AMI, supported the upgrade of 23 housing units - a total of \$126,200.29 in State funds was processed to support an additional \$154,028.52 in private investment.
- **Vote should be delayed to provide more time for review.**  
Based on recommendations and comments, the program was revised from what was originally proposed and posted on the City's web site. The public comment period has been extended but the deadline for submission to HUD remains – June 5, 2009.

- **Median income above that of local median income. Funds should be used for ‘people who need it’.**

The current program earmarks funds for low income homeowners as defined by HUD – those earning less than 80% of the Area Median Income (AMI). For the City of Newburgh, the AMI is determined to be the Orange County median which in 2009 is \$81,800. Using that figure, a family of four can earn no more than \$64,000 to qualify for any direct funding of activities related to CDBG dollars. For the City of Newburgh, that median income is actually higher than what the local demographics project. However, this provides opportunities to work with not just extremely low families but those families who could be considered ‘working poor’.

The proposed program provides “forgivable grants” to folks who earn less than 50% AMI (or \$40,900 for a family of four) – thereby providing enhanced opportunities for lower income individuals who will only need to commit to remaining as homeowners for five years in order to have the loan converted into a grant. No loan repayments will be required prior to the expiration of the five year period.

There is no prohibition to targeting these funds to extremely low income homeowners and, in fact, the assistance of local organizations who work with this community will be solicited to help market the availability of these dollars.

- **Program should be vetted through CDBG Advisory Committee before submission.**

The CDBG Strategic Planning Committee was established to assist the City and its Consultants in the development of the Five Year Consolidated and FY 2010 Annual Action Plan. The CDBG-R funds are designed as an amendment to the 2008 Plan. While the input and feedback from Committee members are certainly welcomed and encouraged, the submission of the CDBG-R plan is outside the scope of the Committee’s role.

- **Program should provide loans to individuals to make home improvements.**

The revised program does provide funding for homeowners. The funds can be used for any repairs required by the homeowner but will be prioritized as follows:

1. Work to address health and safety violations.
2. Work to implement energy efficiency upgrades (i.e. heating systems, roofing, windows, and/or insulation).
3. Rehabilitation loans to seniors or the disabled.
4. General repairs for owner occupants.

Purely aesthetic repairs (repainting, for example) would receive a lower priority for any funds but it really is the need of the income eligible homeowners which will direct what the funds are used for (and the final amount) on any given property.

- **Loan amount too high. Individual homeowners may not need the full amount.**

Homeowners are eligible to receive grants of up to \$20,000 but the final loan amount will depend on the scope of the work to be done.

- **No notices were published/posted prior to public hearing.**

The original notice was put on the City’s web site on May 22, 2009 and sent to the Newburgh Library on that same day. The notice was sent on the Friday before a three-day weekend so, unfortunately, there may have been some delay in its availability at the Library. The revised notice was posted on the City’s website as of May 27, 2009 and resent to the Library. The public comment period was extended to June 4<sup>th</sup>.

- **Notices were not posted in Spanish.**

Given the short time frame and limited staffing, this office does not have the capacity to translate materials into Spanish. Any inquiries received which require bilingual staff will be managed in a language appropriate fashion.

- **Funds should be used for individuals who need jobs.**

Job creation activity is clearly a CDBG program goal. However, given the limited amount of funds and timeframe for development a program to appropriately utilize CDBG-R funding for job creation activities, the focus of job creation for CDBG funding is likely better utilized from annual funding rather than this limited fund.

## PUBLIC HEARING #1

The Mayor called a public hearing that was advertised to receive comment on the 2009-2010 American Recovery and Reinvestment Act (ARRA funding).

The Mayor explained that Ms. Lourdes Perez presented this at the council's last work session. There is a very tight timeframe involved in order for the City to receive the funding as part of the ARRA. Funding is incredibly limited and narrow in the scope, and there are clear purposes for which funding can be used. Some of the purposes include stimulating the economy in measures that modernize the nation's infrastructure and improving energy efficiency. The amount that the City is applying for is \$225,000. There is a deadline associated with the application in which the council must put together a plan by June 5, 2009. Therefore the council is voting on it tonight. The plan then goes back to U.S. Department of Housing and Urban Development (HUD), and the funds must be exhausted by September 20, 2012.

Maryann Prokosch, Galloway Ave., questions the fact that some of the funding is slated to rehab some of the current City properties, which have been seized from In Rem proceedings. She believes that it may be better to use this money for loans to rehab properties that have not been occupied by low-income residents. Her concern is that when the inventory the City already has is not rehabbed, and then more low-income housing is created, the people who are in that situation do not learn to move up. It becomes a self-perpetuating problem. Instead of helping the people upward, the City is really keeping its residents down. Second, she is concerned that the community does not have a lot of time to digest its thoughts about it if it is being voted on tonight.

Michael Curry, Grand St., commented that tonight's consideration sounds similar to the East End Improvement Grant that was initiated a few years ago. The current plan almost seems as though it is going to be utilized as a method to help purchasers of city-owned properties rehab them and then rent them out to low-income persons. Similarly, the monies derived from the East End Improvement grant were supposed to help the people who were here already and who were in trouble financially. Grant monies to attract investors does not sound right to him. Also, after he had shown he was income eligible for the East End Improvement grant and that his project was in compliance with the program, he could not get a call back from the administrators of the grant. He tried to call several times. In the end he decided that his time was better spent working on his own project rather than chasing after dollars from that particular project.

Marietta Curry, Grand St., acknowledges that there is a desperate need for low-income housing. The City's median income is quite low. Yet she did some research and found that this current program is going to benefit an area of the City, whose median income in 2008 was \$71,800. She would like to know for whom this grant is benefitting. The amount allocated is \$226,000, 10% of which money is for administrative costs. An additional 5% is for public service. If you calculate it accurately it does not leave money for persons to rehab a building. Also, she would like to know what the results were from the 2007 Home Improvement Program for Census Tracts 4 and 5. The program allocated a total of \$300,000. She asked how many homeowners were assisted in that program. Third, the Consolidated Annual Evaluation component of CDBG made the statement that "There were 37 units of affordable housing fully funded. This will put the City well on its way to meet its five-year growth." Ms. Curry does not equate thirty-seven homes in five years with success. She remarked that the City owns approximately 200 buildings. The economic development department keeps recycling the same worn ideas with the same non-profit groups that continue to give no results. Why is this being rushed? The only real winner here is administration. Whether the City accepts the money or whether the project fails, the administrative fees are still going to be paid no matter what.

Loretta Manning read a statement (See attached). She is concerned about the issues that affect low-income households. She feels that it was sneaky for the council to hold this hearing without proper notice advertising it. She, too, feels that the City needs to stop recycling its old ideas. The City needs to stop making the same mistakes over and over again. There are many abandoned properties that exist, yet there are over 500 children who are still homeless in the City. The CDBG committee should be included in the decision-making process of CDBG funding.

Hillary Rayford, Newburgh, remarked about property which is being sold at private sale. She can not understand why the City would not let her purchase property at 37 Dubois Street, which belonged to her grandmother. Yet, she was told that the City was not selling any houses. The property has been in her family for over thirty years. She wants the council to know that the community is aware of the private sale transactions that occur here.

Roxie Royal, Farrington St., understands that the current proposal is going to give each developer \$15,000. She wants the council to know that there are homeowners right here in our City, many of whom are low income. Why not offer low interest loans for these owners to repair their homes? After homeowners pay the taxes there is not much money left over to fix up the homes. Usually there is no lump sum money on hand for the large expense of repairs. If the council offered these loans to the community, then residents

would not be quick to abandon their homes. If people could keep their homes and not abandon them, then it would be good for the city. We would not have problems with the graffiti and other nuisances that occur throughout the City. She spoke of a woman she knows that continually does a piece-meal job to fix up her roof. By not being able to afford to pay for a complete roof job all at once, it is costing the woman more money in the long run.

The Mayor interjected that it would fall under proper usage to utilize funding for loans for low-income owners, either for a one-time housing rehabilitation for a single-family home, or a one-time housing rehab for rental units. Yet, the guidelines are very site specific in that it must be for the rehab of properties with an energy component.

Jenny Loeb, Liberty St., realizes the quick timeframe involved, but she is concerned that the public hearing is occurring on the same day as the vote itself. Notices should have been put up in adherence to key guidelines of CDBG allocation of funding. She read a statement (See attached) cautioning the council from approving a plan that appears to continue to put money into the hands of landlords and developers. She cautioned the council not to forget about the community, many of whom are low income residents. From her perspective it looks as though CDBG monies are going to be spent like they always have been spent. She suggested that the council table the consideration tonight, until all of the public comments are received.

Yusef Belford, Newburgh, commented that his idea of a public hearing is to inform the community. He was at City Hall earlier. He did not see any publications of a public hearing posted at City Hall. He commented that whoever is in charge of addressing the community is not doing his or her job very well. He pointed out that either the council and City staff is with the community or they are not with the community. Second, there are community residents that have the carpentry, electrical, and plumbing skills necessary to renovate these City-owned buildings. The City needs to plug into its community resources and create jobs for some of the people in the community who have the skills and are out of work. The council can not argue that it is giving its residents a chance, because it is not giving adequate information that the community needs. He urged the council to hold off on its vote until the community is better informed.

Kippy Boyle, Grand St., is appalled that adequate notice was not given. If the council wants to hold a special city council meeting down the road to vote on this, then that is fine. But to actually vote on this tonight is not a good idea. She remarked that if the council is voting on the need for money, then we are all in favor of the City applying for the money. However, if the council is voting on an actual plan tonight, then it is not ready to do so until the

community is informed. She pointed out that we have some really good input here tonight. She wants to know how the council is going to use this input before it votes on a plan.

Timothy Hayes, Newburgh, remarked that he hopes that the council would not rush into anything after all of the problems the City has had surrounding grant money. The council should slow things down and take it easy instead of rushing into this type of situation. The council should know this better than anybody else. He feels that the council should wait to vote on this.

There being no further comments for or against this public hearing, this portion of the meeting was closed.

**CDBG-R Public Hearing  
May 26, 2009**

Good evening, my name is Loretta Manning and I live at 56 Lander St. I am a member and leader of Community Voices Heard. I am considered "very low" income, which according to HUD is less than \$25,000 per year. Most of the residents of Newburgh are very low-income.

Once again you're making decisions about how the CDBG money is going to be spent. Why not put it before the CDBG committee you created? You thought you were sneaky having this hearing without giving notice. But as you know, CVH catches it all.

The City doesn't need CDBG money to fix up the houses. But if you are going to give people CDBG money to do it, it has to benefit very low and low-income people. The owners should work with nonprofits that do homeownership programs for low-income families so we can be able to move up and out of "low-income housing."

You have a comfortable home ~~to home to~~. We're all worrying about if we're going to have a home to sleep in the next night.

**Community Voices Heard is asking that:**

- **The money goes to benefit VERY LOW INCOME households.**
- **Rental housing and rent-to-own housing is included.**
- **Rent controls are included.**
- **Local low-income residents get the jobs**
- **The CDBG committee has input into the proposal**
- **You add another seat for a low-income resident on the CDBG committee.**

**CDBG-R Public Hearing  
City of Newburgh  
May 26, 2009  
Jenny Loeb**

First of all, it's absurd for a "public hearing" on Tuesday to be announced on a Friday before a holiday weekend. The HUD program requirements for the spending of this money call for a focus on consideration of public perception in selecting projects. It also says the City is responsible for ensuring that all citizens have equal access to the information and notice of public hearings. It specifically says that information should be available to non-English speaking residents and those without access to internet by posting notices in public places. At this moment there isn't even a notice posted in City Hall. These requirements not being met, the City must hold another public hearing, even if that means extending the June 5<sup>th</sup> deadline.

The CDBG Committee, which was voted on several weeks ago, still has not met and was not even informed about this.

As far as the proposed use of the money, we are once again seeing a plan that will put money in the hands of landlords and developers, many from out of town, and keep it out of those who it is meant for. We're again trying the "trickle-down" approach – give the government money to those with the most money, and pretend it's going to benefit the low-income population.

CDBG money has to be used to benefit lower-income households than what is being proposed. Even though HUD allows you to use the money for households making up to 80% of the Area Median Income, which is \$65,440, it is inappropriate for the reality of Newburgh's demographics. The household median income in the City of Newburgh is approximately \$35,000, or less than half the AMI, which is \$81,800. Therefore, according to HUD's guidelines, a person making the median income in the City of Newburgh is "low-income," and the majority are "very low income."

This proposed loan program is almost identical to the HOME program through the County. Many landlords have gotten these forgivable loans to fix up their buildings and rent them.

The only requirement is that landlords rent to tenants making 80% or less of the AMI, which is \$65,400 - basically everyone who rents in Newburgh. This is what they would be doing anyway, but they are being subsidized to do it. There is nothing wrong with this program, but CDBG funds are specifically supposed to help low-income people. By subsidizing landlords to do what they would be doing anyway, you're not helping low-income people.

Another piece that is missing is the job creation. The HUD program guidelines point to the Recovery Act goal of "maximizing job creation and economic benefit." There are no

**Comments by Jenny Loeb**  
**-Cont'd-**

requirements for these grantees to hire local or low-income residents. We would like language added to require the grantees to partner with local nonprofits to hire low-income Newburgh residents.

This proposal is not the best use of the funds to benefit the low-income community. There is still nothing in this proposal to benefit the majority of residents, who fall in the "very low-income" category. It either needs to be completely overhauled and re-made in line with sustainable, community-based planning, or seriously tweaked to include benefit to the true low-income community.

Here are some ideas for improving the proposal:

- Set aside certain amounts for very low, low, and moderate income. Offer bigger incentive owners willing to rent or sell to very low-income residents, such as \$20,000 for very low income, \$15,000 for low-income, and \$10,000 for moderate. There should be priority given for very-low income and Newburgh residents.
- Additional incentives for owners who hire local low-income residents to do the work.
- 15% of the funds should be available directly to very low-income residents, up to \$2500 each, to either homeowners or tenants for energy efficient improvements to their homes.
- Include a default clause.
- Add language stating that after 18 months, unused funds go into this direct payments fund for energy efficient upgrades.

CDBG money is not City Hall's personal piggy bank. It is unethical and just plain wrong to keep distorting its use for your own personal agenda, with no intent to actually solve the problems we have here. So you need to get rid of buildings – figure out how to do it without dipping into the pot that's meant to benefit the low-income community. OR, come up with a plan that will actually promote decent, truly affordable housing for low-income Newburgh residents while creating jobs for low-income Newburgh residents. Those are the goals of the program, and it's your job to do it.

**Zapata, Lourdes**

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**From:** Bailey, Cari [CBAiley@Related.com]  
**Sent:** Monday, June 01, 2009 10:57 AM  
**To:** Zapata, Lourdes  
**Subject:** RE: public comment regarding the CDGB-R

Thank you so much for your detailed response. I truly appreciate the time it takes to respond when there is so much else on your plate.

The meeting I was referring to was the Citizens' Advisory Committee Meeting- not a meeting of the CDGB group.

I look forward to the meetings hosted by you, and am very committed to working with you and the other members of the committee to learn how best use of the funds can be determined, and how they can be offered to those most in need.

Have a good day,

Cari

Cari Bailey  
 Training and Development Specialist  
 Related Management  
 845-239-2285

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**From:** Zapata, Lourdes [LZapata@cityofnewburgh-ny.gov]  
**Sent:** Monday, June 01, 2009 10:09 AM  
**To:** Bailey, Cari  
**Subject:** RE: public comment regarding the CDGB-R

Hi Cari –

It is certainly appropriate for you to respond – not just as an Advisory Committee member but as a member of the general public. Specific to CDBG-R, your comments will be forwarded to the Council and to HUD as part of our application as will my (lengthy!) response to your specific comments –

The current program earmarks funds for low income homeowners as defined by HUD – those earning less than 80% of the Area Median Income (AMI). For the City of Newburgh, the AMI is determined to be the Orange County median which in 2009 is \$81,800. Using that figure, a family of four can earn no more than \$64,000 to qualify for any direct funding of activities related to CDBG dollars. I recognize that, for the City of Newburgh, that median income is actually higher than what the local demographics project. However, this provides opportunities to work with not just extremely low families but those families who could be considered ‘working poor’. There is no prohibition to targeting these funds to extremely low income homeowners and, in fact, I am counting on the assistance of the various organizations which focus their efforts on working with this community to help us market the availability of these dollars.

The proposed program provides “forgivable grants” to folks who earn less than 50% AMI (or \$40,900 for a family of four) – thereby providing enhanced opportunities for lower income individuals who will only need to commit to remaining as homeowners for five years in order to have the loan converted into a grant. No loan repayments will be required prior to the expiration of the five year period. Finally, the funds can be used for any repairs required by the homeowner (such as those you suggest) – certainly energy efficiency measures can and will be priorities. Clearly, purely aesthetic repairs (repainting, for example) would receive a lower priority for any funds but it really is the need of the income eligible homeowners which will direct what the funds are used for on any given property.

Homeowners are eligible to receive grants of up to \$20,000 but the final loan amount will depend on the scope of the work to be done. The final tally of how many homeowners will be served with CDBG-R funds cannot be projected at this time. This program is a ‘drop in the bucket’ to be sure – I will be recommending to the CDBG Advisory Board to consider recommending adding funding of this program to the FY 2010 CDBG budget. We have the opportunity to create a longer term rehabilitation program for the City with CDBG funds – the CDBG-R funds are a ‘kick start’ to

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that effort. Finally, I am aware of RECAP's programs which clearly provide an opportunity for enhanced dollars. I have started those conversations with RECAP staff and expect to continue to do so.

As far as the use of funds for developers of properties purchased from the City, as you are likely aware, many of these properties are in extremely distressed conditions. The dollars required to bring them to livable standards often exceed the final value of the property upon rehabilitation. This condition has negatively affected the successful redevelopment of abandoned properties. Offering a modest subsidy to purchasers for the redevelopment of the property will serve multiple functions – facilitate the redevelopment of vacant/abandoned properties, eliminate blighting conditions in our distressed neighborhoods and provide affordable housing opportunities as any developer which uses these funds will be required to tenant the property with income eligible tenants.

Please be assured that I am sensitive to the community's concerns about the past use of these funds. I do believe that our proposed program both serves the needs of local homeowners and comply with all CDBG regulations (elimination of slum/blight conditions is one of the objectives of CDBG funds).

Finally, I was not made aware of an Advisory Committee Meeting you reference in your e-mail and am sorry that the group has felt the need to exclude me from your discussions. I hope the group will extend me an invitation any future meetings – as the CDBG Administrator I do believe I have a lot to contribute to any discussions (and any misconceptions) which may be had as we all look to make the CDBG program better for the City and for the residents we are serving.

I hope to call my own meeting of the Advisory Group in the next couple of weeks so that we can begin to work together on the Five Year and 2010 Plans. In the interim, please feel free to share this e-mail with Curlie and/or any other members you feel appropriate.

I thank you for your comments.

Lourdes Zapata  
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 (PLEASE NOTE NEW E-MAIL ADDRESS)

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**From:** Bailey, Cari [<mailto:CBailey@Related.com>]  
**Sent:** Friday, May 29, 2009 1:25 PM  
**To:** Zapata, Lourdes  
**Subject:** public comment regarding the CDGB-R

Good Afternoon Lourdes,

I hope its not inappropriate to send this to you, if so please advise and I will refrain in future.

I would appreciate the council's consideration of targeting extremely low income homeowners for this grant, and perhaps offering a "menu" of energy efficient improvements for use of funds.

With only \$200,000 left after administrative costs, in \$10,000 grants only 20 households can be helped, so as far as significant help, its fairly small. But with recent public outcry, the symbolic nature of the use of these funds cannot be overstated.

Offering grants/loans to extremely low income HOMEOWNERS would take community's bad taste for absent landlords benefiting off the table. Offering a menu of items for use of funds: replacement/retrofit of heating system, window replacement, insulation, roof replacement, hot water heater replacement- would safeguard any murmurings of misuse of funds.

In discussion with Curlie Dillard last night at the Advisory Committee Meeting, he advised the monies could be partnered with RECAP and other green programs to maximize benefits and acheive greater improvements. I don't know that much about

6/1/2009

those programs yet, but certainly it's another great idea.  
Thank you so much for bringing this to the Council's attention.  
Regards,  
Cari

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Training and Development Specialist  
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**City of Newburgh Action Plan: *Housing Affordability Program*  
2009-2010 American Recovery and Reinvestment Act (ARRA) Funding**  
Revised: May 27, 2009

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On May 26, 2009, the City of Newburgh held a public hearing at 7:00 p.m. in the Council Chambers of City Hall, 83 Broadway, Newburgh, NY. The purpose of this hearing was to offer the citizens an opportunity to comment on the City's proposed use of ARRA Funding. Based on comments from the general public during the public hearing and feedback from Council members, the proposed CDBG-R program has been revised.

**Funding Summary**

The U.S. Department of Housing and Urban Development will be awarding the City of Newburgh a total of \$225,632 through the American Recovery and Reinvestment Act of 2009.

These funds are earmarked to the City as a CDBG entitlement grantee. HUD anticipates these funds to be managed through the CDBG administrative process and the majority of regulations which govern the use of CDBG funds will apply to the use of these additional funds – referred to as “CDBG-R” funds.

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. Under these basic parameters, HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings.

Key regulations specific to the CDBG-R funds include:

1. Entitlement grantees are to submit a plan for the use of these funds as a substantial amendment to the 2008 program year action plan.
2. The deadline to submit the revised plan to the HUD NYC field office is June 5, 2009.
3. The plan must be made public (published and/or placed on the city's web site) to allow for public comment. A public hearing must also be held prior to submission to HUD.
4. A seven (7) calendar day public comment period is required prior to plan submission to HUD. (HUD's standard 30 day public comment period is waived for this plan.)

5. No less than 70% of funds are required to be used for activities that benefit low- and moderate income persons.
6. No more than 10% of the funds may be used for administrative or planning purposes.
7. No more than 15% of the funds may be used for a public service purpose.
8. Funds received under CDBB-R must be exhausted by September 20, 2012.
9. Quarterly reports to HUD are required which outline: (1) total amount of funds received; (2) total amount of funds expended; and, (3) a detailed summary of all projects or activities for which funds were expended or obligated. All reports must be made public via publishing on the City's web site.

### **Proposed Uses of CDBG-R Funds**

Re-titled the Housing Affordability Program, use of the funds will fall under two components:

#### **Sealed Bid Financing Program**

The Sealed Bid Financing Program would only be made available to property owners/redevelopers who will be making the units available to income eligible tenants or homeowners.

#### **Terms:**

- Prospective homebuyers must earn less than 80% AMI.
- Loan amount not to exceed \$15,000 which must be utilized for the purchase of energy efficient equipment and/or materials (i.e. heating systems, energy efficient windows), general construction materials, fixtures and other equipment only. No soft costs (labor, engineering, architectural, etc.) will be financed.
- Rental units must be occupied by a tenant earning less than 80% of the County AMI. Documentation confirming the family income will be required.
- The loan is provided for a ten (10) year term at a rate of 3% Interest. No monthly loan payments will be due throughout this term and the loan can be subordinated if required.
- If the borrower sells or refinances the property prior to the ten (10) year period, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property.

The Sealed Bid Financing Program would support and target the City's anticipated disposition of In Rem Properties in the fall. For the properties under this program, the following sale terms will apply:

- Properties sold via Sealed Bid will have no more than eighteen (18) months to secure a Certificate of Occupancy (C of O).
- Purchasers will be encouraged to re-sell the property to an owner-occupant upon securing a C of O. Alternatively, purchasers will be allowed to enter into a lease with option to buy tenancy or a rental tenancy. In either circumstance, the purchaser will be required to sell the property to an owner occupant within five (5) years of securing a C of O.

## Home Rehabilitation Loan Program

This program would provide forgivable loans or low interest loans to owner occupied applicants. The terms applied to the transaction would depend on the applicant's income.

For Very Low and Extremely Low Income Applicants (less than 50% of the AMI):

- The owner/applicant must earn less than 50% of the AMI.
- One time housing rehabilitation forgivable loan for owner occupants only.
- Only single and two family homes are eligible.
- Loan amount not to exceed \$20,000 for owner unit. Loan amount not to exceed \$15,000 for rental unit. Actual loan amount approved will be dependant on amount of work required.
- The rental unit must be occupied by a tenant earning less than 80% of the County AMI. Documentation confirming the family income will be required.
- The loan is provided for a five (5) year term and will be reduced by 20% for each year the applicant remains in occupancy of the property. No repayment is required during this period. At the completion of the five (5) year term, the loan will convert into a grant and no repayment will be required.
- If the owner-occupant sells or refinances the property prior to the five (5) year period, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property and will not be subordinated.

For Low Income Applicants (earning less than 80% AMI but not less than 50% AMI):

- The owner/applicant must earn less than 80% but not more than 80% of the AMI.
- One time housing rehabilitation loan for owner occupants only.
- Only single and two family homes are eligible.
- Loan amount not to exceed \$20,000 for owner unit. Loan amount not to exceed \$15,000 for rental unit. Actual loan amount approved will be dependant on amount of work required.
- The rental unit must be occupied by a tenant earning less than 80% of the County AMI. Documentation confirming the family income will be required.
- The loan is provided for a ten (10) year term at a rate of 0% Interest. Monthly loan payments will be due throughout this term.
- If the owner-occupant sells or refinances the property prior to the ten (10) year period, the full outstanding amount will be due.
- This loan will be recorded as a lien on the property and will not be subordinated.

Under this component, rehabilitation loans would be prioritized as follows:

1. Work to address health and safety violations.
2. Work to implement energy efficiency upgrades (i.e. heating systems, roofing, windows, and/or insulation).
3. Rehabilitation loans to seniors or the disabled.
4. General repairs for owner occupants.

## Program Management

This program will be managed out of the Planning & Development Office. Underwriting activities will be undertaken under the monitoring of a Housing Loan Committee to be established by the City Council. The Loan Committee would make the final determination on whether the application is approved.

The proposed composition of the Housing Loan Committee would include:

- One (1) banking representatives experienced is residential lending.
- One (1) local non profit housing provider.
- One (1) private real estate professional (ex.. broker, private developer)
- Two (2) community members at large.

### **Proposed Budget**

Administration	\$ 22,560
Loan Fund: Sealed Bid Financing Program	\$103,072
Loan Fund: Home Rehabilitation Loan Program	\$100,000
Total Funding:	\$225,632

### **Timeframe for Submission**

May 21, 2009	Presentation to City Council
May 22, 2009	Proposed plan to be placed on City of Newburgh web site.
May 26, 2009	Public Hearing for proposed plan.
May 28, 2009	Revised plan placed on City of Newburgh web site.
June 2, 2009	Work Session to Review, Council Session to Approve Revised Plan & Submission
June 4, 2009	Revised deadline for public comments.
June 5, 2009	Deadline for submission to HUD.

This proposal has been preliminarily proposed to the HUD Regional Office and it has been their determination that the program meets the parameters of CDBG-R funding regulations.

### **Availability for Review:**

In addition to being posted on the City of Newburgh web site ([www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)), copies of this announcement and proposed plan are available for review at the City of Newburgh, Office of Planning & Development, 83 Broadway, Newburgh, NY and the Public Library at 124 Grand Street, Newburgh, NY.

The full funding notice can be accessed on the web at <http://www.hud.gov/recovery/cdbg-r-0504.pdf> and additional information can be acquired through HUD's Recovery Act web site at [www.hud.gov/recovery](http://www.hud.gov/recovery) .

### **Comment Period:**

Questions or comments may be addressed to Lourdes Zapata, City of Newburgh Office of Planning & Development, 83 Broadway, Newburgh, NY 12550. All comments must be received no later than 1 p.m. on June 4, 2009. This public comment period has been extended due to the revised nature of the proposed program.

# City of Newburgh

## Press Release

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83 Broadway, Newburgh, N.Y. 12550  
(845) 569-7354 – (845) 569-7370

*For immediate release*  
*May 29, 2009*

### Public Comment Period Extended for Proposed Use of 2009-2010 American Recovery and Reinvestment Act (ARRA) Funding

On May 26, 2009, the City of Newburgh held a public hearing to offer the citizens an opportunity to comment on the City's proposed use of American Recovery and Reinvestment Act (ARRA) Funding. Based on comments from the general public during the public hearing and feedback from Council members, the proposed CDBG-R program has been revised.

In addition to being posted on the City of Newburgh web site, ([www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)), copies of this announcement and proposed plan are available for review at the City of Newburgh, Office of Planning & Development, 83 Broadway, Newburgh, NY and the Public Library at 124 Grand Street, Newburgh, NY.

The full funding notice can be accessed on the web at <http://www.hud.gov/recovery/cdbg-r-0504.pdf> and additional information can be acquired through HUD's Recovery Act web site at [www.hud.gov/recovery](http://www.hud.gov/recovery).

#### **Comment Period:**

Questions or comments may be addressed to Lourdes Zapata, City of Newburgh Office of Planning & Development, 83 Broadway, Newburgh, NY 12550. All comments must be received no later than 1 p.m. on June 4, 2009. This public comment period has been extended due to the revised nature of the proposed program.

# City of Newburgh

## MEETING NOTICE

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83 Broadway - City Hall, Newburgh, NY 12550  
Phone: (845) 569-7301 Fax: (845) 569-7370  
[www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)

For Immediate Release

May 28, 2009 (AMENDED AT 5PM)

### SPECIAL WORK SESSION AND CITY COUNCIL MEETING SCHEDULED

A special work session and City Council meeting has been scheduled for Tuesday, June 2, 2009 beginning at 6pm.

The Mayor and Council will meet at 6pm in work session to discuss the following items:

1. Proposed use of the 2009-2010 American Recovery and Reinvestment Act (ARRA) funding; and
2. Sale of 37 Dubois Street to HOGAR
3. Wastewater Treatment Plant - Solids Handling Improvements /Initiation of SEQR

There will be a special City Council meeting following the work session.

The meetings will be held in the City Council Chambers on the third floor of 83 Broadway, City Hall. The public is invited to attend.



# City of Newburgh, New York

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[Home](#) [About Newburgh](#) [Government](#) [Departments](#) [Public Safety](#) [Advisory Boards](#) [Explore](#)



[Welcome Message from the Mayor](#)



### Other Newburghs

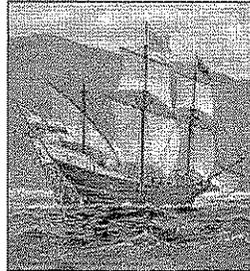
If this is not the Newburgh you were seeking, perhaps it was the [Town of Newburgh, NY](#). Or maybe it was: [Newburgh, Indiana](#), [Newburgh, Maine](#), [Newburgh, Lancashire, UK](#), [Newburgh, Fife, Scotland](#)

### Upcoming

- June 2 - [Special work session and City Council meeting.](#)
- June 2 - [IDA audit committee meeting.](#)
- May 29-June 6: [Recreation Department will hold registration for the Summer Playground Program](#); open to children in First to Eighth grades.
- Based on comments from the May 26 public hearing and feedback from Council members, [the proposed CDBG-R program has been revised.](#) Questions or comments on the revised plan may be submitted by 1 pm, June 4.

### Quadricentennial

- Sun, June 7 - [Flotilla Day on the Hudson.](#)
- Mon, June 8 - [West Point Concert Band](#) on the waterfront.
- Sun, June 14 - [Flag Day and "Blending of the Waters" Ceremony.](#)
- Check out all the quadricentennial events planned for [Newburgh-Beacon Bay](#) as well as [Other Communities.](#)



### News

- [Memorial Tree Planting Honors 1st Lt. Mohsin Naqvi](#)
- [City Council Summer Schedule](#)
- [Downing Park is now offering coffee & dessert at lunchtime every Wednesday.](#)
- [U.S. Census is Hiring](#)
- For the latest news, see [Press Releases.](#)

- [Press Releases](#)
- [Meeting Calendar ->](#)
- [Phone Directory](#)
- [Pending Legislation](#)
- [Scrapbook](#)

### Major Projects

- [Waterfront Project](#)
- [Master Plan](#)
- [Courthouse Project](#)
- [Quadricentennial 2009](#)



HUDSON FULTON CHAMPLAIN  
NEWBURGH BEACON BAY 2009

### Reference

- [Commuter Ferry](#)
- [Garbage Regulations](#)
- [Alternate-Side Parking](#)
- [Tenant Heat Line](#)



Google Search

WWW  City of Newburgh

83 Broadway, Newburgh, NY 12550 - Phone (845) 569-7300

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## Department of Planning and Development

[Welcome & Mission](#)  
[Master Plan Initiative](#)  
[Economic Development](#)  
[Community Development](#)  
[Housing & Homeowning](#)  
[Waterfront Development](#)  
[Business Services](#)  
[Department Staff](#)

**Community Development**

The Community Development division establishes and operates programs that benefit the welfare of the entire community. It also secures grants from state and federal sources to fund its programs.

**CDBG-R Program**

On May 26, 2009, the City of Newburgh held a public hearing at 7:00 p.m. in the Council Chambers of City Hall, 83 Broadway, Newburgh, NY. The purpose of this hearing was to offer the citizens an opportunity to comment on the City's proposed use of ARRA Funding. Based on comments from the general public during the public hearing and feedback from Council members, the proposed CDBG-R program has been revised:

[City of Newburgh Action Plan: Housing Affordability Program 2009-2010 American Recovery and Reinvestment Act \(ARRA\) Funding, Revised May 27, 2009.](#)

In addition to being posted on the City of Newburgh web site, copies of this announcement and proposed plan are available for review at the City of Newburgh, Office of Planning & Development, 83 Broadway, Newburgh, NY and the Public Library at 124 Grand Street, Newburgh, NY.

The full funding notice can be accessed on the web at <http://www.hud.gov/recovery/cdbg-r-0504.pdf> and additional information can be acquired through HUD's Recovery Act web site at [www.hud.gov/recovery](http://www.hud.gov/recovery).

**Comment Period:**

Questions or comments may be addressed to Lourdes Zapata, City of Newburgh Office of Planning & Development, 83 Broadway, Newburgh, NY 12550. All comments must be received no later than 1 p.m. on June 4, 2009. This public comment period has been extended due to the revised nature of the proposed program.

**CDBG Planning**

The City of Newburgh is a Community Development Block Grant (CDBG) entitlement community receiving approximately \$800,000 in federal funds annually. The program is managed by the U.S. Department of Housing and Urban Development. All entitlement communities are required to submit a Five Year Consolidated Plan which outlines needs and priorities for CDBG funding. The current Consolidated Plan (pdf, 4 MB) expires in 2009. Development of the 2010-2015 Consolidated Plan is under development.

**CDBG Annual Performance and Evaluation Report**

The City of Newburgh's Community Development Block Grant (CDBG) Program Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2008 is available for public review. The period for public comments ended May 15, 2009.

**Lead-Safe Orange**

9/28/2008: Financial assistance is now available to landlords and single family homeowners in Orange County for lead remediation in homes built before 1978; See Program Brochure (pdf).

**Ongoing Programs**

[Heritage Corridor Development Initiative](#)  
[Housing and Community Development Plan](#)  
[Other Community Development Programs](#)

Dept of Planning & Development

**Community Development**

City Hall, Third Floor  
83 Broadway  
Phone: (845) 569-9400  
Fax: (845)569-9700

RESOLUTION NO.: 81 - 2009

OF

MAY 26, 2009

A RESOLUTION APPROVING AND ADOPTING THE  
2008 ACTION PLAN AS AMENDED  
CONCERNING COMMUNITY DEVELOPMENT BLOCK  
GRANT RECOVERY PROGRAM (CDBG-R) FUNDS

WHEREAS, the United States Department of Housing and Urban Development ("HUD") offers to local communities Community Development Block Grant ("CDBG") funds, including CDBG-R (Recovery Program) funds; and

WHEREAS, the City of Newburgh is required to submit an Action Plan to HUD no later than June 5, 2009 setting forth and describing the proposed use of said funds; and

WHEREAS, the City has prepared a substantial amendment to the 2008 CDBG Action Plan concerning CDBG-R funds; and has scheduled a public hearing to receive public comments on same; and

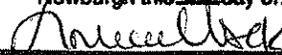
WHEREAS, the City has proposed a Housing Affordability Program as a strategy to fund and redevelop distressed properties and provide low income homeowners with rehabilitation financing; and

WHEREAS, this Council finds that approving and adopting said 2008 Action Plan as amended for the purposes and program described herein is in the best interests of the City of Newburgh and its residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the 2008 CDBG Action Plan as amended is hereby approved and adopted; and the City Manager be and he is authorized to execute and implement same on behalf of the City of Newburgh, and to carry out all actions necessary to receive and expend such funds as may be appropriate and necessary to carry out the provisions of said program.

I, Lorene Vittek, 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 June 2, 2009 and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this 03 day of June 2009



City Clerk

A special meeting of the City Council of the City of Newburgh was held on Tuesday, June 2, 2009 at 6:30 P.M. at City Hall, 83 Broadway, Newburgh, N.Y.

The Pledge of Allegiance was led by Councilwoman Bell.

Present: Mayor Valentine, presiding; Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilwoman Dickinson- 5

## COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Ayo Wells, 230 City Terrace said that she is glad to hear that there will be more for low income residents and it sounds like a good plan for the landlords. There are many people like herself who receive Social Services, Disability and Section 8 which is how she pays her rent. It takes a lot of programs and sweat and tears to get the rent paid.

MaryAnn Prokosch, Galloway Avenue said that this sounds to her like the people who initially purchase the property don't have to be in the 80% and then later on will be encouraged to sell under certain requirements. Her concern is that the developer will get the money but when it is sold it should be stipulated that the income eligible people should be current City of Newburgh residents or employees that fall within the percentage guidelines.

Jenny Loeb, 18 Lander Street thinks that some of the questions that were raised are due to the fact that the CDBG money is supposed to be for low income residents. She is happy that the Council took the input from the last meeting and hopes that the CDBG program in the future will be able to meet those goals. She thinks they need to make sure that the 10% for administration goes to administrating this program and should include marketing to those who are eligible. There are some low income homeowners who may not have access to this information and perhaps something could be mailed to them. She also asked what happens if the money is not used.

A City of Newburgh residents questioned resolution 84-2009 and asked for an explanation.

Craig Marti, City Engineer explained that this is a resolution to apply for a grant up to 1.6 million dollars to improve some equipment at the Sewage Treatment Plant that is outdated.

Genesis Hemingway, City of Newburg resident received a flyer approximately half an hour before the meeting stating that there will be income available to homeowners that may want to fix their properties and the guidelines for this program. She asked if this is the same as the Orange County Rehabilitation application that she filled out about one year ago.

Mayor Valentine responded that this is a brand new program as part of the stimulus package but it might be modeled after something like that.

Ms. Hemingway continued that she applied about one year ago and never heard anything further. She wants to know what the proper steps are

that she has to follow to get this money. She is a homeowner and she wants to fix up her home as well as fix up a block in the City of Newburgh which is one of her dreams. It seems like money keeps coming and going and Newburgh stays the same. She is not comfortable contacting the City offices so she would like to see this information available on the website where it is public.

Loretta Manning, 56 Lander Street said that Community Voices Heard has been talking about the stimulus package since last year. Now money is here and once again it goes into the CDBG fund and once again it is not being used for the low to very low income residents. She doesn't see where this will even help her because she does not make \$80,000 a year. She feels that putting the stimulus money into this project will be wasted money once again because it will not help the low to very low income residents. She wants a chance to use the money in the CDBG fund that is supposed to be for the low income residents. The Committees formed are great but at the same time the language is never there that says this is for low to very low income residents.

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

## COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

There were no comments.

OLD BUSINESS

RESOLUTION NO.: 81-2009

OF

MAY 26, 2009

**A RESOLUTION APPROVING AND ADOPTING THE  
2008 ACTION PLAN AS AMENDED  
CONCERNING COMMUNITY DEVELOPMENT BLOCK  
GRANT RECOVERY PROGRAM (CDBG-R) FUNDS**

**WHEREAS**, the United States Department of Housing and Urban Development ("HUD") offers to local communities Community Development Block Grant ("CDBG") funds, including CDBG-R (Recovery Program) funds; and

**WHEREAS**, the City of Newburgh is required to submit an Action Plan to HUD no later than June 5, 2009 setting forth and describing the proposed use of said funds; and

**WHEREAS**, the City has prepared a substantial amendment to the 2008 CDBG Action Plan concerning CDBG-R funds; and has scheduled a public hearing to receive comments on same; and

**WHEREAS**, the City has proposed a Housing Affordability Program as a strategy to fund and redevelop distressed properties and provide low income homeowners with rehabilitation financing; and

**WHEREAS**, this Council finds that approving and adopting said 2008 Action Plan as amended for the purposes and program described herein is in the best interests of the City of Newburgh and its residents;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the 2008 CDBG Action Plan as amended is hereby approved and adopted; and the City Manager be and he is authorized to execute and implement same on behalf of the City of Newburgh, and to carry out all actions necessary to receive and expend such funds as may be appropriate and necessary to carry out the provisions of said program.

Councilwoman Bell said that this is not perfect; however, she thinks it is great because residents were able to provide input that was considered for changes in this program. The initial program was only for sealed bids and the addition was added for homeowners to be able to get \$20,000 each to fix up their homes with energy efficiency being focused on. She thinks that this is really empowering because this shows people how it has worked and how it should and will work.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilwoman Dickinson, Mayor Valentine - 5

**ADOPTED**

# TIMES HERALD-RECORD

P.O. Box 2046 , 40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

**Patricia A. Foddrill**

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

**Legal Advertising Rep.**

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

**Public Notice**

a true printed copy of which is attached, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit:  
In its issues of

5/25/09

Signature of Representative:

*Patricia A. Foddrill*

Sworn in before me this 27

Day of May 2009

*Lorraine A. Twitty*  
Notary Public, Orange County

LORRAINE A. TWITTY  
Notary Public, State of New York  
No. 01TW6138930  
Qualified in Orange County  
Term Expires December 27, 2009

### Notice of Sale

**SUPREME COURT: ORANGE COUNTY, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ABC FARGO BANK TRUST, Plaintiff, vs. EILEEN F. M. WEDENKOP, et al; Defendant(s)**  
ASSOCIATES, P.C., 51 E. Belpage Road, Plainville, New York, 11803, 516-741-2588  
Pursuant to judgment of foreclosure and sale granted herein on or about March 12, 2009, I will sell at Public Auction to the highest bidder at Orange County Courthouse Lobby, Orange County Government Center, 255-275 Main Street, Goshen, New York.  
On June 9, 2009 at 10:00 AM  
Premises known as 6 Lark Street, Washingtonville, NY 10992, Section: 107 Block: 1 Lot: 9  
ALL THAT CERTAIN PLOT, PIECE, OR PARCEL OF LAND, situate, lying and being in the Village of Washingtonville, Town of Blooming Grove, Orange County, New York, known and designated as Lot Number 2 on "Map of Phillips Development, Washingtonville, N.Y.", dated December 17, 1923, made by Booth and Dickerson, Engineers, and filed in the Orange County Clerk's Office on December 22, 1923 as Map Number 522, being a lot on the westerly side of Lark Street, in said Village, 80 feet front and rear by 107.3 feet in depth, bounded on the north by Lot Number 3, now or formerly owned by Viola E. Phillips, and on the south by Lot Number 1 now or formerly owned by Gerow.

As more particularly described in the judgment of foreclosure and sale. Sold subject to all of the terms and conditions contained in said judgment and terms of sale.  
-Approximate amount of judgment: \$315,520.58 plus interest and costs. INDEX NO. 08-5667  
ANDREA DURGIN PAWLICZEK, Esq., REFEREE

### Notice of Sale

**SUPREME COURT - COUNTY OF ORANGE; COUNTRYWIDE HOME LOANS, INC., Plaintiff against RICK MCCONNELL, MONICA MCCONNELL, MICHAEL MCCONNELL and MEAGAN MCCONNELL Defendant(s)** Pursuant to a Judgment of Foreclosure and Sale duly entered 6/3/2009, I, the undersigned Referee, will sell at public auction at the lobby of the Supreme Court Wing of the Orange County Government Center, Goshen, New York on 06/04/2009, at 10:00am premises known as 23 West Conkling Avenue, Middletown, NY 10940; ALL that certain plot, piece, tract or parcel(s) of land with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange, and State of New York, Section 33; Block 9; Lot 6. Approximate amount of lien \$ 190,555.42, plus interest and costs. Premises will be sold subject to provisions of the filed judgment. Index 8423-2008. Louis Sherwin, Esq., Referee Pollack, Cooperman and Fisher, P.C. (Attorneys for Plaintiff) 5372 Merrick Rd., Massapequa, NY 11758, (516) 228-0033. Dated: 5-4-2009

**NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY. NAME: 28 IDELWILD REALTY LLC.** Articles of Organization were filed with the Secretary of State of New York (SSNY) on 04/02/09. Office location: Orange County, SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 353 East 55th Street, Apartment 1BC, New York, New York 10022. Purpose: For any lawful purpose.

### LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, May 26, 2009, at 7:00 p.m., the City Council of the City of Newburgh will hold a public hearing at City Hall, 83 Broadway to obtain all interested citizens' views on the draft Substantial Amendment pertaining to the Community Development Block Grant (CDBG-R) funds.  
Availability for Review: In addition to being posted on the City of Newburgh web site ([www.cityofnewburgh-ny.gov](http://www.cityofnewburgh-ny.gov)), copies of this announcement and proposed plan are available for review at the City of Newburgh, Office of Planning & Development, 83 Broadway, Newburgh, NY and the Public Library at 124 Grand Street, Newburgh, NY.

Comment Period: Questions or comments may be addressed to Lourdes Zapata, City of Newburgh Office of Planning & Development, 83 Broadway, Newburgh, NY 12550. All comments must be received no later than 4 p.m. on June 2, 2009.

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABC CAPITAL 1 INC. TRUST 2006-WMCC2, Plaintiff, AGAINST AMIN SHABAZZ, ET AL., Defendant(s)**, Pursuant to a judgment of foreclosure and sale duly dated 3/25/2009, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/8/2009 at 11:00 AM, premises known as 8 APPLE RIDGE COURT, CRAWFORD, NY 12549. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of CRAWFORD, County of Orange and State of New York, Section, Block and Lot: 20-1-14.21. Approximate amount of judgment \$434,935.11 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #645/08. Paul L. Marks, Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 5/5/2009

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - WELLS FARGO BANK, N.A., Plaintiff, AGAINST RICHARD J. SIEGEL, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 6/6/2008, I, the undersigned Referee will sell at public auction at the lobby of the Supreme Ct. Judicial Wing, Orange County Government Center, Goshen, New York, New York, on 6/15/2009 at 9:30 AM, premises known as 113 COUNTY ROUTE 61, WESTBROOK VILLE, NY 12785. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of DEERPARK, County of Orange and State of New York, Section, Block and Lot: 9-2-14. Approximate amount of judgment: \$96,205.51 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #6970-07. Howard Profter Esq., Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 5/8/2009

**NATIONAL CITY REAL ESTATE SERVICES LLC, SUCCESSOR BY MERGER TO NATIONAL CITY MORTGAGE, A DIVISION OF NATIONAL CITY BANK, Plaintiff, AGAINST YASER CABRAL, AK/A YASER I. CABRAL, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 1/14/2009, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/22/2009 at 9:45 AM, premises known as 14 BEERS DRIVE, MIDDLETOWN, NY 10940. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of MIDDLETOWN, County of Orange and State of New York, Section, Block and Lot: 43-5-39. Approximate amount of judgment \$330,466.07 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #271/08. Angelo J. Ingrassia, Esq., Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 5/19/2009

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET BACKED CERTIFICATES, SERIES 2006-8, Plaintiff, AGAINST THOMAS CARCHIETTA, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 2/24/2009, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/11/2009 at 9:00 AM, premises known as 31-33-35 CHAMBERS STREET, NEWBURGH, NY 12550. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of NEWBURGH, County of Orange and State of New York, Section, Block and Lot: 30-4-16, 30-4-17, 30-4-18. Approximate amount of judgment \$262,485.83 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #20/08. Angela G. McSweeney, Esq., Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 4/29/2009

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE STRUCTURED ASSET INVESTMENT LOAN TRUST, 2006-4, Plaintiff, AGAINST RONALD ROBERTS, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 1/10/2008, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/16/2009 at 1:30 PM, premises known as 115 Highland Avenue, MIDDLETOWN, NY 10940. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of MIDDLETOWN, County of Orange and State of New York, Section, Block and Lot: 16-5-26. Approximate amount of judgment \$406,862.48 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #2007-2481. Robert M. Rameeta, Esq., Referee, SHAPIRO & DICARO, LLP, Attorney for Plaintiff 250 Mile Crossing Boulevard, Rochester, NY 14624 Dated: 5/19/2009

**SEE AT FRONT SECTION ON THE GRASSES, COUNTY GOVERNMENT Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/22/2009 at 10:30 AM, premises known as 12 COLUMBINE COURT, MIDDLETOWN, NY 10940. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Wallkill, County of Orange and State of New York, Section, Block and Lot: 89-5-66. Approximate amount of judgment \$210,970.35 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #3078/08. David Gubits, Esq., Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 5/6/2009**

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - WELLS FARGO BANK, N.A., Plaintiff, AGAINST JAMES F. POWERS, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 2/9/2009, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Supreme Court Lobby, 255-275 Main Street, Village of Goshen, New York, on 6/2/2009 at 10:00 AM, premises known as 144 NEPTUNE DRIVE, MONROE, NY 10950. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of MONROE, County of Orange and State of New York, Section, Block and Lot: 44-1-6. Approximate amount of judgment \$247,984.16 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #4802/08. Tina Fassnacht, Esq., Referee, Steven J. Baum PC, Attorneys for Plaintiff, P.O. Box 1291, Buffalo, NY 14240-1291 Dated: 5/6/2009

### Notice of Sale

**SUPREME COURT: COUNTY OF ORANGE - PNH MORTGAGE CORP., Plaintiff, AGAINST DJELUSA DUSEVIC, ET AL., Defendant(s)**. Pursuant to a judgment of foreclosure and sale duly dated 7/14/2008, I, the undersigned Referee will sell at public auction at the Orange County Government Center, Judicial Wing Lobby, Village of Goshen, New York, on 6/15/2009 at 3:30 PM, premises known as 311 South Plank Road, WESTTOWN, NY 10998. All that certain plot piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of MINISINK, County of Orange and State of New York, Section, Block and Lot: Section 3 Block 2 Lot 44. Approximate amount of judgment \$112,567.46 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #2007-10335. Edward C. Bruno, Esq., Referee, SHAPIRO & DICARO, LLP, Attorney for Plaintiff 250 Mile Crossing Boulevard, Rochester, NY 14624 Dated: 5/12/2009

### Pine Hill Cemetery

The Annual Meeting of the Pine Hill Cemetery Association Inc. will be held on June 20, 2009 at 1:00 p.m. at the Cemetery.

GARY A. BENNETT, SR.  
PRESIDENT

ATTACHMENT B

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CERTIFICATIONS

# CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

(4) **Anti-lobbying.** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(5) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan.** The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan.** The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds.** The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It has complied with the following criteria:

**1. Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG-R funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

**2. Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

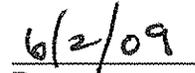
(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

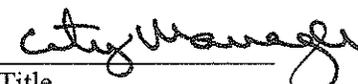
(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.

  
Signature/Authorized Official

  
Date

  
Title

ATTACHMENT C

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Spreadsheet for Reporting Proposed CDBG-R Activities

CDBG-R  
Activity Data Spreadsheet

Jurisdiction/Grantee Name: City of Newburgh, NY		CDBG-R Formula Grant Amount: \$225,632				Date: June 5, 2009	
Activity Name	Activity Description	Eligibility (Regulatory or HCDA Citation)	National Objective Citation	CDBG-R Project Budget (\$)	Additional Recovery Funds (\$)	Other Leveraged Funding (\$)	Total Activity Budget
Administration	Administrative management of CDBG-R program and related activities.	570.206	N/A	\$22,560			\$22,560
Loan Fund: Sealed Bid Financing Program	The Sealed Bid Financing Program would only be made available to property owners/redevelopers who will be making the units available to income eligible tenants or homeowners.	570.202	LMH	\$103,072			\$103,072
Loan Fund: Home Rehabilitation Loan Program	This program would provide forgivable loans or low interest loans to owner occupied applicants.	570.202	LMH	\$100,000			\$100,000

**Zapata, Lourdes**

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**From:** Zapata, Lourdes  
**Sent:** Wednesday, June 03, 2009 12:37 PM  
**To:** 'cdbg-r@hud.gov'  
**Subject:** City of Newburgh - CDBG-R Activity Data Spreadsheet  
**Attachments:** CDBG-R\_ACTIVITY DATA SPREADSHEET.xls

Lourdes Zapata  
Director  
Office of Planning & Development  
City of Newburgh  
83 Broadway, 3rd Floor  
Newburgh, New York 12550  
Phone: (845) 569-9400 ext. 203  
Fax: (845) 569-9700  
E-mail: lzapata @cityofnewburgh-ny.gov  
(PLEASE NOTE NEW E-MAIL ADDRESS)

**ATTACHMENT D**

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**Application for Federal Assistance SF - 424**

**Application for Federal Assistance SF-424**

Version 02

*1. Type of Submission: <input type="checkbox"/> Preapplication <input type="checkbox"/> Application <input checked="" type="checkbox"/> Changed/Corrected Application	*2. Type of Application <input type="checkbox"/> New <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Revision	* If Revision, select appropriate letter(s) A. Increase Award  *Other (Specify) _____
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3. Date Received:	4. Applicant Identifier:
-------------------	--------------------------

5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
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**State Use Only:**

6. Date Received by State:	7. State Application Identifier:
----------------------------	----------------------------------

**8. APPLICANT INFORMATION:**

\*a. Legal Name: City of Newburgh

*b. Employer/Taxpayer Identification Number (EIN/TIN): <u>14-6002329</u>	*c. Organizational DUNS: <u>966864456</u>
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**d. Address:**

\*Street 1: 83 Broadway  
Street 2: \_\_\_\_\_  
\*City: Newburgh  
County: Orange  
\*State: NY  
Province: \_\_\_\_\_  
\*Country: U.S.  
\*Zip / Postal Code: 12550

**e. Organizational Unit:**

Department Name: <u>Planning &amp; Development Department</u>	Division Name:
--	----------------

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: Ms. \*First Name: Lourdes  
Middle Name: \_\_\_\_\_  
\*Last Name: Zapata  
Suffix: \_\_\_\_\_

Title: Director

Organizational Affiliation:

\*Telephone Number: (845) 569-9400 Fax Number: (845) 569-9700

\*Email: lzapata@cityofnewburgh-ny.gov

**Application for Federal Assistance SF-424**

Version 02

**\*9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

**\*10 Name of Federal Agency:**

U.S. Department of Housing &amp; Urban Development

**11. Catalog of Federal Domestic Assistance Number:**

14-253 \_\_\_\_\_

CFDA Title:

CDBG-R \_\_\_\_\_

**\*12 Funding Opportunity Number:**

FR-5309-N-01 \_\_\_\_\_

\*Title:

Notice of Program Requirements for Community Development Block Grant Program Funding Under the American Recovery and Reinvestment Act of 2009 \_\_\_\_\_**13. Competition Identification Number:**

\_\_\_\_\_

Title:

\_\_\_\_\_

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

City of Newburgh, NY

**\*15. Descriptive Title of Applicant's Project:**

Housing Rehabilitation Loan Program for CDBG Program Funding under the American Recovery and Reinvestment Act of 2009

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\*a. Applicant: 26th

\*b. Program/Project: 26th

**17. Proposed Project:**

\*a. Start Date: 7/1/09

\*b. End Date: 7/1/2012

**18. Estimated Funding (\$):**

*a. Federal	_____	225,632
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	225,632

**\*19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on \_\_\_\_\_
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

**\*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes       No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

**Authorized Representative:**

Prefix: Mr.      \*First Name: Dwight

Middle Name: \_\_\_\_\_

\*Last Name: Douglas

Suffix: \_\_\_\_\_

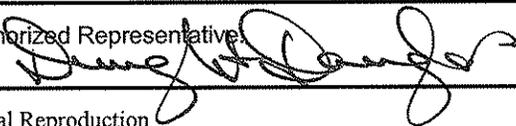
\*Title: Acting City Manager

\*Telephone Number: (845) 569-7300

Fax Number: (845) 569-7370

\* Email: ddouglas@cityofnewburgh-ny.gov

\*Signature of Authorized Representative:



\*Date Signed: June 4, 2009

**Application for Federal Assistance SF-424**

Version 02

**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

N/A