

A regular meeting of the City Council of the City of Newburgh was held on Monday, November 8, 2010 at 7:00 P.M. at the City of Newburgh Activity Center, 401 Washington Street, Newburgh, NY 12550

The Prayer was led by Cynthia Fountain and the Pledge of Allegiance was led by Councilwoman Bell.

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

Councilwoman Angelo moved and Councilwoman Bello seconded that the minutes of the regular meeting of October 25, 2010 be approved.

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

CARRIED

PROCLAMATION

The City Council designated the month of November as Native American month in the City of Newburgh.

COMMUNICATIONS

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

CARRIED

PUBLIC HEARING

Mayor Valentine called a public hearing that was advertised for this meeting to receive comments regarding the adoption of the 2011 Budget.

Al Fracasse, 10 Arlington Place said that he has heard that there are to be reductions and lay-offs in the Fire Department. He understands that there are currently only ten people per shift now so if these lay-offs go through then there will only be seven people per shift. Everyone in the City depends on the Fire Department for their home safety in case of a fire but seven people won't cut it. This will also increase the probability of these employees getting hurt on the job because they will be working harder and they will be trying to do more jobs than they can handle. With that there will be more lawsuits and more workers compensation so he thinks that they should leave the Fire Department alone. It seems like they have made fair concessions and he asked if City Hall is also looking at reductions.

Mayor Valentine answered that every department in the City of Newburgh has made cuts.

Mr. Fracasse continued by saying that his main concern is that he doesn't want to lose his house and he doesn't feel that seven men on a shift can handle it.

Barbara Smith, Powell Avenue said that it is difficult to comment on something that they don't know about. The Council has been working for several weeks on this Budget and she is sure that changes have been made already so is there any way that the public could be brought up to date as to what they have done already before they make comments.

Acting City Manager, Richard Herbek said that he is only aware of some items such as a copier in the City Clerk's Office that was removed that shouldn't have been but he is not aware of any other items at the moment.

Mayor Valentine said that the only other discussion was for the Tax Collector who took the early retirement so now there is an opening. They discussed the possibility of hiring from within rather than announcing and hiring someone new.

Acting City Manager, Richard Herbek stated that he further discussed that with Marie Gida and Dwight Hadley this afternoon.

Councilman Dillard said that we have had several meetings about the Budget and asked if they are condensing all of the comments for the meeting tomorrow night.

Acting City Manager, Richard Herbek responded with a "yes" and said that that is the reason for the meeting tomorrow night. Right now the Budget is with the Council so they need to spend more time with them concerning any changes that they would like to make.

Councilwoman Bell said in answer to Ms. Smith's question that there have been numerous suggestions made but none have been taken and put into a change form. She doesn't know why that hasn't been done.

Mayor Valentine said that he has an entire folder of possible changes and ideas as well as personnel changes that they have gone back and forth on. We know that there are ongoing discussions concerning lay-offs with the Fire Department but the decision happens when we as a Council say with a consensus of three people that this is a change that they want to make and this is how they are going to pay for it. They cannot create revenue. They cannot change the sales tax revenue from the County and the property tax is a change that we will do as a City Council. We are in a give and take situation as a voting Body

Jeff Wallace, Broadway asked how much influence the State Comptroller's Office has over all of this.

Acting City Manager, Richard Herbek said that we will be receiving comments back from the State Comptroller's Office any day now and then the City will need to provide a written response back to them on those comments.

Billy Riccaldo, CSEA Southern Region President in Beacon said that CSEA is always happy to sit down with the City Manager and discuss alternatives for cost cutting and he urged the Council to not move forward with these job cuts. The City workforce is already a lean workforce and they are stretched as far as they can go. The City of Newburgh taxpayers, many of whom are CSEA members have every right to expect basic city services and these services are going to take a huge hit if these cuts go through. The city services performed by CSEA members here in the City of Newburgh go a long way in contributing to the quality of life. Over the past few weeks we saw the importance of the workforce on Washington Street which has been redone with the help of the DPW crew. Our members work to collect the revenue that keeps this city running and cutting clerks in City Hall will make it tougher to process incoming revenue. The Code Compliance Department is already working with a skeleton crew and cutting Code staff will hurt the efforts to

improve the quality of life and public safety. Cutting civilian staff at the Fire Department will make that department function less efficiently. Newburgh is a great city with so much potential but it will be pretty tough to reach that potential if you don't invest in the basic services. He said that they are willing to discuss cost saving alternatives with the City but he strongly urged the Council to keep these jobs in the Budget.

J. Carlstrom, 83 Larter Avenue said that he has been a resident of the City of Newburgh for over 83 years and he has seen many things happen but he can't believe what this governing body is doing to the citizens of this City. Seven men answering calls at St. Luke's Hospital, St. Mary's College and Newburgh Free Academy with thousands of people? There is also the possibility of a crash at Stewart Field and he can't believe what they are doing.

Aquanetta Wright, 197 N. Miller Street questioned that the Ferry Lease is blank with no dollar amount and wonders if that means their obligation is up.

Mayor Valentine answered that it was just moved to a different column because they readjusted expenditures and revenues.

Ms. Wright continued that there is a line concerning doctor fees for \$160,000.00 and asked what that is for.

Acting City Manager, Richard Herbek said that it is for medical fees for the police and fire departments.

Ms. Wright said that we pay medical fees separate from what their insurance coverage would cover? On the job injuries are not covered by their insurance policy so it is covered separately. She asked if that is normal operating procedure when it comes to on the job injuries.

Judy Kennedy, 162 Grand Street said that she knows there are a lot of people here tonight that are petitioning for their jobs and she understands that. She also knows that there is a lot of pain associated with the taxpayers having to pay a 41% tax increase because we can't afford those services. The largest portion of any budget is for labor and every company in this Country is facing the same thing. As of right now, this City has outgrown its revenue and it cannot afford to deliver the services that it has been. She is sorry that there are jobs on the line and that the Unions are upset but that is reality and we have to deal with it.

Jesse Blackman, 213 N. Miller Street said that he was born and raised in Newburgh and he is fortunate enough to own his own home here but it is

being taken away from him. He cannot afford more taxes because he is already behind now. There is no way at \$7.25 per hour that he can afford the taxes he pays now. He said that the taxpayers cannot afford to pay another dime in taxes and that maybe some of them should be fired. The City offers nothing and they want more from us. This is a Depression so they have to find money from someplace else because we don't have it. We are already struggling to pay taxes so where are we going to get more money? There is nothing to say except that there is no money. We have to get more jobs here but the ones that are here are going to leave with this tax increase. He said to please help him and don't take his home.

Janet Gianopoulos, City of Newburgh said that she purchased a home here about a year ago and the taxes went up then and they might go up again now. She heard Curtis Sliwa say at the Guardian Angels Graduation that sometimes there comes a time when we have to make do with less and she thinks that this is one of those times. She thinks that the Council has a tough job ahead. She would hate to pay twice in taxes than what she started with a year ago so she hopes that this will be looked at very carefully. She added that there are jobs available here in Orange County and she chose to live here so she hopes that the Council can handle this.

Brian Flannery, 5 Norton Street said to clarify that when people are referring to the 41% tax figure, that is actually for the tax levy. The figure for the increase for individual property owners will actually be 69% correct?

Acting City Manager, Richard Herbek responded that he is correct. Assessments have gone down a few years in a row so the levy increase is 41% but the percentage increase is higher for both homestead and non-homestead.

A resident on Carpenter Avenue said that 69% is very high. He asked why the City won't take the offer that the Fire Department has made. There are other ways to make money here. He sees a lot of empty warehouses and no one is going to come here if we keep increasing taxes. We have too many not-for-profits here and they should have to pay a fee for services to give back to the community. We need to come up with some ideas because 69% is too much.

Yaakov Sullivan, 21 Overlook Place asked if it was correct to understand that for homeowners the property tax rate that they are currently paying will go up another 69%.

Acting City Manager, Richard Herbek explained that there is a certain amount of assessed valuation in the City and it has gone down so the pie has

shrunk. The levy increase is 41% so it is dollars that are being distributed to a smaller pie.

Mr. Sullivan said that our property taxes went up considerably last year and most people in his neighborhood understood and paid that increase. If your intention is to raise property taxes this drastically because we are in dire financial straits and you need to raise revenue, how do you raise revenue if you are increasing the number of homeowners who will either have to foreclose or they will get that bill and against what they are earning monthly will not be able to pay it.

Acting City Manager, Richard Herbek said that the State of New York mandates that municipalities have structurally balanced Budgets. When the 2009 Budget was being formulated, projected revenues were for thirty million dollars but the amount of revenue that came in was twenty four million which was six million dollars short. He thinks that what has happened is that Budgets were being developed that were not accurate and it has caught up to us. In September, 2009 we ran out of funds and were a few weeks away from not meeting the payroll so we took a series of steps including issuing Tax Anticipation Notes and Bond Anticipation Notes and getting advanced state aid money from the State of New York in order to get through 2009. In 2010, we have a deficit in the range of twelve to fifteen million dollars which is the reason that the City went to the State Legislature and have special legislation approved known as the Newburgh Fiscal Recovery Act that allowed the City to issue deficit bonds in the amount of up to fifteen million dollars and thus far we have borrowed twelve million dollars. This is not a good financial picture for the City of Newburgh but the reality is that we know what the revenues are and in this Budget we have tried to project accurate revenues and we know that we are going to hear back from the State Comptroller's Office shortly on their reaction. On the other side you have the expenditures for all of the services that the City provides. We have made available a document which explains in detail the revenues and expenditures so you can see where the money is going. The bulk of the money in the city is provided for police and fire services. They are essential services that are needed by the residents and in addition to that there is a public works service. Those three departments comprise the bulk of the expenditures in the Budget. When he was working on the 2010 Budget with Mr. Vanacore, he was told that this problem was not just created and it goes back a number of years where the tax rate should have been rationing itself up instead of kept so low. We have a situation now where that wasn't done so you have a massive increase that is necessary to provide a balanced Budget. We also had a City Court that was being constructed that ended up costing somewhere in the range of twenty-two million dollars where twelve million was originally bonded for that. We had a Brownfield's clean-up site at Consolidated Iron which cost the City another

two and a half million dollars. The City went through a full value assessment a few years ago so all of the assessments have been brought up to market rates which has to be adjusted each year. Last year we had a 16% decrease in assessed valuation because of market decreases and this year it is another 13%. He said that they have tried to be very upfront with everyone and the entire City Budget is on the website. They have had Budget Work Sessions with each of the major departments and two Budget Roundtables and they have tried to explore all ideas but some ideas that have been expressed can not be reflected in this current Budget.

Deborah Dresser, Bay View Terr. thinks that everyone knows that we have to have a balanced Budget and that there have been mistakes in the past but there is a sense that as a city we need to know that there is a light at the end of the tunnel and that we are not just going down a hole. We need to know that along with expenses there are plans and reality afoot so that we can see real income coming into this city and know that the taxes that we are dealing with right now are not going to increase again next year and the year after that because there is no way we can do this. They want to know what the City Council is going to do to promote the City of Newburgh to encourage investors. They need to hear some type of positive message that this is not going to be a negative year after year.

Tim Dexter, 367 Ann Street said that he has been a professional firefighter for seven years, four of which have been here in the City of Newburgh. He loves this City but these cuts will devastate the Fire Department's ability to fight fires. As a taxpayer and someone who lives in this city, that scares him. The Council is asking for a certain amount of money for the Budget and the Union has reached into our pockets and pulled out nine tenths of that. We are giving everything that we can while trying to support the citizens and keep our services the way that they are. These give backs will hit him in the pocket substantially as well as increase his taxes. He thinks it is ludicrous for the Council not to take what they are offering.

Ariyike Diggs, 10 Bay View Terrace said that one year ago we had a crisis and we came together and talked about how critical it was to get things together financially because we cannot afford to keep increasing taxes the way that we have been. At that time, people came forward with ideas to generate revenue that weren't just about raising taxes so she would like to know what they have been doing for the last twelve months and what were the revenue generating strategies. She sees the same thing in the Budget that they saw before; raise taxes, lay off people and increase fees. They had suggested meters at the waterfront to charge for parking but nothing has been done. We had a summer and a fall where that waterfront was booming and we missed that opportunity again, which she doesn't understand. They have been asked

again to think outside the box and give ideas but what guarantee do they have that their ideas will be implemented this time around. Last year the City Council should have hit the ground running at full speed to figure some things out between now and then. They are creating a conundrum where this City continues in a downward spiral which is very frightening because they haven't had any real solutions in the last twelve months and it makes her wonder about the competency of the people that we have in charge.

Barbara Smith, Powell Avenue asked what are we willing to give up to get what we want including the workers of the City and people who are forced to pay an increase in taxes. What are we willing to give up to remain in this City? She gives up things like lawn care and water delivery because she knows what her income is and she must live within that income. The City has to do the same thing and must learn to live within that Budget. You cannot give extra things away and people have to learn to give up something to get what they want.

Denise Ribble, Montgomery Street said that she is a little disappointed after two Round Table Discussions and another public hearing that the citizens couldn't have a brief outline of what suggestions were possibly doable in this Budget and what should we be looking to work on immediately for the next Budget. For example, the idea of a tax repayment plan for people losing their homes; would that have an effect if passed on having the city be able to collect more revenue in taxes? She believes that it would. We give ideas and there is no follow up which is the most disappointing. We talk about all of the City departments being cut and she would like to know if the City Manager will be taking a salary cut. What about the department heads? Are people staying stable in their salaries or getting increases while other people are losing their jobs? Why wouldn't we be looking at coming to contract with the firefighters because if we don't it will mean a loss of services, a loss of jobs and about \$948,000.00 in give backs for a two year contract that the firefighters are willing to put on the table. Negotiations haven't been started with the Police Department yet and that is the department that has the most money going out in overtime. It becomes very frustrating for the people that are trying to save the city to be positive and it scares the hell out of her that the solutions will be things like another Auction, fire sale or just give it away which won't generate any community benefits or jobs and doesn't fit with the plan. She encouraged the Council to really look at the resolutions for distressed and abandoned properties tonight because it has the potential to be a plan to get us out of that particular area of our problems. Will it be a plan that is followed? Will the Council make a commitment to take that plan and its resources to do something for the betterment of the City? So many times we don't plan or have strategy and then we end up in a hole and make bad decisions where nobody benefits.

Karen Mejia, Montgomery Street echoes what Ms. Diggs said about it seeming like we were here before with these discussions. She feels that we have moved in bits and increments but we are only hearing the negative. Some of the things we talked about last year were the parking permits for Broadway business owners and overnight parking permits that we haven't heard anything more about. It was estimated that this would bring in over one million dollars. Feedback has been that some of the suggestions made are not legal and she suggested having a discussion so that if it doesn't work within the current legal structure then how can we amend that. She thanked the City Council for their service and said that she looks forward to hearing about a revenue strategy plan that they have in store for the city without an addition to the tax increases, fees and layoffs because it hasn't worked in the past.

Bill Horton, City of Newburgh Fire Department said that for the last two years their Union has been talking with the last three City Managers to enter into a collective bargaining agreement that would keep services and would be one of the first steps to financial stability in the city. A year ago the City Manager implored the department to think outside the box and Local 589 met that challenge. They agreed to salary cuts this year and to work changes. They agreed to work two hours a week in overtime for the next two years for free. They agreed to lower salaries for starting firefighters and to contributions towards their health care. They also agreed that there would be no salary increases for the next two years. All of these concessions totaled \$948,000.00 in savings to the city for 2011 and 2012. Additionally, they proposed two measures in increasing revenue; creating an EMS and enhancing the code enforcement services within the city. Both of these proposals were blatantly turned down. Many times the City Manager has noted in the newspaper that the Firefighters Union has been the only union looking to come up with a solution. The City's response is that they need 1.1 million dollars or they will lay-off twelve firefighters, close the west end firehouse, demote five Officers and increase public jeopardy. Since 2000 you have had a 20% reduction in firefighters. We have lost seven positions between 2000 and 2008 and we lost another seven positions in 2009 and 2010 and now they are looking at another twelve positions. Over the last ten years that's a 37% cut of fire department personnel. The remaining fifty-six members area dedicated to providing the best services that they can to the City of Newburgh but reducing staff will result in unnecessary loss of property and possibly lives. The Mayor has stated that a few extra minutes in response time will have little impact but he disagrees because three or minutes can be a lifetime when you are stuck in a burning house. The Mayor has also stated that any shortfalls in firefighters will be easily made up with assistance from neighboring volunteer departments but again he disagrees. Neighboring volunteer fire departments are struggling to maintain services in their own communities. We have

offered \$950,000.00 in concessions and hundreds of dollars in long term increased revenue. We can't grow without safety.

There being no further comments, this public hearing was closed.

ANNOUNCEMENT

Mayor Valentine announced that there will be Veterans Day services in the City of Newburgh on November 11, 2010 at the Orange County Veterans Memorial, corner of LeRoy Place (Marine Drive) and Park Place beginning at 11:00 a.m. and the public is welcome to attend.

COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Brigidanne Flynn, City of Newburgh said in regard to resolution #255-10 that she is concerned with the city's commitment with regard to staffing. Pace is probably counting on a 75 - 80% full-time staff and with the Budget cuts Code Compliance is already working with a skeleton crew. You are now asking an overly stretched department to do more without giving them a lot of resources. She knows that Pace will come up with solutions but who will implement these things. Are the good people of Pace going to bring us great ideas that we as a City will not be able to fulfill? She doesn't think it is right for the Council to vote on something that they will not be able to follow through with.

Mayor Valentine commented that we have been assured that we will receive assistance with funding. They are very creative at doing this as they have done it in other cities. If it is difficult, why do we do anything? This is a concrete plan to put properties back on the tax rolls.

Brigidanne Flynn said that she has no problems with the plan. What she has a problem with is city staffing.

Mayor Valentine said that they will have to depend on other support to do this.

Ms. Flynn said that we have tried to do that in the past with many other projects where we get to a certain point and it is forgotten and it never gets done. It is never followed through and there are no results. Quality of life issues are the number one complaint at these Council meetings. She thinks that this is a good plan but her concern is how you are going to ask an overburdened city department to implement this. You may get the funds, which is great but who will do it all. This needs to be seriously thought about.

Denise Ribble, City of Newburgh also said in regard to resolution #255-10 that at the last Work Session there was a presentation about the demolition component of the abatement ordinance. She thinks that she heard a pretty good out of the box statement to take a look at the different strategies that could be used to accomplish the abatement, the demolition, the remediation of properties using an existing funding source and how we will promote job creation for local residents in the process of doing that abatement. She asked Corporation Counsel about the exclusion of the mid-Broadway property because it is not likely to be for residential or housing purposes and the New York State Law only allows us to deal with residential properties in our Land Bank. She was told that an RFP was going to be put out shortly for this

property which is very concerning to her. We haven't created the Land Bank yet and we haven't started to work on the processes that Pace put out. In the September presentation they recommended that the mid-Broadway site be redeveloped as part of Phase II and now we are talking about an RFP.

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

RESOLUTION NO.: 244 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION APPROVING THE CITY OF NEWBURGH'S
CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT
STRATEGY AND ACTION PLAN FOR FISCAL YEAR 2011**

WHEREAS, the City of Newburgh has prepared a five-year Consolidated Housing and Community Development Strategy and Plan in accordance with the planning requirements of the Cranston-Gonzalez National Affordable Housing Act; and

WHEREAS, this Consolidated Plan was prepared in accordance with all statutory requirements, including those related to citizen participation; and

WHEREAS, this plan was submitted to and approved by the U.S. Department of Housing and Urban Development; and

WHEREAS, the City has now prepared a one-year Action Plan in order to implement various elements of the strategies identified in its Consolidated Plan during the second year it is in effect; and

WHEREAS, this one-year Action Plan contains the following proposed activities and budget for the City's 2011 Community Development Block Grant Entitlement Program;

2011 Budget	
Administration	\$ 170,866
In Rem Stabilization Program	\$ 153,676
Rental Housing Activities	\$ 165,000
Housing Services	\$ 100,000
A Brush With Kindness	\$ 50,000
Housing Rehabilitation	\$ 200,000
Demolition	\$ 50,000
Scattered Sidewalk/ Street Improvement Project	\$ 350,000
Small Business Rental Subsidy	\$ 30,000
Small Business Loans	\$ 50,000
Youth Violence Reduction/ Promising Neighborhoods Program	\$ 50,000
Section 108 Repayment	\$ 85,000
Total Funding Requests	\$ 1,454,542

Revenues		
Anticipated FY 2011 Funding		\$ 860,000
Program Income		\$ 50,000
<i>Total Entitlement Funding</i>		\$ 910,000
<i>Reallocated Funding</i>		
	2005	\$ 10,000
	CDBG-R 2009	\$ 88,072
	2009	\$ 40,000
	2009	\$ 25,000
	2009	\$ 5,000
	2009	\$ 10,000
	2009	\$ 34,000
	2009	\$ 77,000
	2009	\$ 30,515
	2010	\$ 140,000
<i>Total Reallocated Funds</i>		\$ 459,587
2010 Unprogramed Funding		\$ 84,955
Grand Total Funding for FY 2011		\$ 1,454,542

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York does hereby approve the attached one-year Action Plan, subject to further revisions as may be necessary to meet federal requirements; and

BE IT FURTHER RESOLVED, that the City Manager be and is hereby designated the official representative of the City of Newburgh and she is hereby authorized to submit the one-year Action Plan and execute the Standard Form 424 (Application for Federal Funds) and certifications attached thereto; and she is further directed and authorized to act in connection with the submission of a one-year Action Plan and to provide such additional information as may be required; and

BE IT FURTHER RESOLVED, that the Secretary of Housing and Urban Development be and hereby is assured full compliance by the City of Newburgh with the certifications attached hereto and made a part hereof.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 245 - 2010

OF

NOVEMBER 8, 2010

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

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

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

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

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

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

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

**RELEASE OF COVENANTS AND
RIGHT OF RE-ENTRY**

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

Dated: _____, 2010

THE CITY OF NEWBURGH

By: _____
RICHARD F. HERBEK,
Acting City Manager

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

On the ____ day of September in the year 2010, before me, the undersigned, a Commissioner of Deeds in and for said State, personally appeared RICHARD F. HERBEK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

RESOLUTION NO.: 246 - 2010

OF

NOVEMBER 8, 2010

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

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

Lisette Acosta-Ramirez
351 Third Street
Newburgh, NY 12550

Ann Kuzmik
45 Cromwell Hill Rd.
Monroe, NY 12584

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

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

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

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

Katrina Cotten
25 Clark Street
Newburgh, NY 12550

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

Elizabeth Evans
390 Angola Road
Cornwall, NY 12518

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

Nancy Evans
4 South Searsville Rd.
Montgomery, NY 12549

Lorene Vitek
8 Continental Dr.
New Windsor, NY 12553

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

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 247 - 2010

OF

NOVEMBER 8, 2010

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

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

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

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

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

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 248 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION TO AUTHORIZE THE AWARD OF A BID
AND THE EXECUTION OF A CONTRACT WITH INTEGRATED MICRO
SYSTEMS IN CONNECTION WITH THE PROJECT TO REWIRE
THE PUBLIC SAFETY BUILDING'S NETWORK INFRASTRUCTURE
WITH A BASE BID IN THE AMOUNT OF \$45,100.00**

WHEREAS, the City of Newburgh has duly advertised for bids for the rewiring of the Public Safety Building's network infrastructure; and

WHEREAS, bids have been duly received and opened; and

WHEREAS, upon such review of the submitted bids it has been determined that the lowest responsible bidder is Integrated Micro Systems; and

WHEREAS, said project is a key component in technology improvements that will provide the foundation needed to support future endeavors; and

WHEREAS, funding for such project shall be derived from the IT Capital Budget which was established by Resolution No. 209-2010 of September 7, 2010; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the bid for the rewiring of the Public Safety Building's network infrastructure be and is hereby awarded to Integrated Micro Systems for the base bid amount of \$45,100.00 to be provided from the IT Capital Project Budget, and that the City Manager is hereby authorized to enter into a contract for such work in this amount.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

048-10

TO: ANNA MARIE CALLI, ACTING CITY COMPTROLLER
FROM: GLENN KURCON, INFORMATION SYSTEMS MANAGER
SUBJECT: BID AWARD RECOMMENDATIONS FOR BID NO. 15.10 – STRUCTURED CABLING
DATE: 11/3/2010
CC: LIZ GARRISON, SECRETARY TO CITY COMPTROLLER

Sealed bids were due on Tuesday, October 26, 2010 by 10:00 a.m. for structured cabling. This project previously approved by through Resolution No. 209-2010 for funding, was solicited for rewiring the Public Safety Building's network infrastructure and is a key component of our technology improvements that will provide the foundation needed to support future endeavors. Sealed bids were received by the following six vendors:

- Integrated Micro Systems - Haledon, NJ \$45,100.00
- Perreca Electric Co., Inc. – Newburgh, NY \$47,700.00
- Voicecom Plus – Mahwah, NJ \$49,850.20
- ARC Networks – Farmingdale, NY \$53,971.74
- Camelot Communications, NY, NY \$61,253.00
- Fanshawe Inc. – Nanuet, NY \$63,000.00

After careful review of the proposals, it is my recommendation that the City select Integrated Micro Systems at the base bid amount of \$45,100.00, which was the lowest bid received. I have contacted multiple references and all have stated that Integrated Micro Systems has met or exceeded their project requirements and delivered their services on time and on budget.

Attachments

RESOLUTION NO.: 249 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION IN OPPOSITION
TO ORANGE COUNTY BOARD OF ELECTIONS
CHARGE BACK ITEMS**

WHEREAS, the City Council of the City of Newburgh would like to express its concern regarding the increased number of charge back items to be assessed upon the Towns, Villages and Cities by the County of Orange due to increased expenditures by the Orange County Board of Elections, resulting in an increase of approximately 36%; and

WHEREAS, this is an additional mandate from the County of Orange that we at the City of Newburgh can ill afford; and

WHEREAS, the City of Newburgh is already struggling to meet the demand of unfunded mandates from the State and Federal Governments in its 2011 budgets, which is already creating a burden and hardship on our residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York does hereby express strong opposition to this increase in charge backs and does hereby prevail upon the Orange County Executive, the Orange County Legislature and the Orange County Board of Elections, to remove these charge backs from assessment upon Towns, Villages and Cities in the 2011 Budget; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Orange County Executive, Edward A. Diana; Chairman of the Orange County Legislature, Michael Pillmeier; members of the Orange County Legislature and the Orange County Board of Elections.

Mayor Valentine said that with the changes in the election process the City of Newburgh no longer runs it as an independent municipality because it is now run by the County of Orange. They took over all of the responsibility and now are charging us more than they did before to do the work that they are doing. They are the County and if they want to run the Board of Elections then they should pay for it; not us. This is a resolution that is being brought up in every municipality in Orange County to fight and resist these charges. This is especially unfair when we have such a Budget crises going on and the County of Orange is in very good shape.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

249-10

CHARGE BACK ITEMS FOR
2011

Items	Amount - How we anticipate configuring	Previously charged back
Inspectors	\$200.00 per Inspector	Yes
Machine Operators	\$225.00 per Machine Operator	Yes
Chairman	\$25.00	Yes
1 Inspector each district for cell phone use	\$25.00	Yes
Training - 2 trainings again for the 2011 year - 1 procedural/one machine	\$35.00 each	No
Trainers - for inspector and machine classes	Will be prorated to each Town based on number of inspectors trained	No
Polling Place set up and take down - two individuals in each town to set up booths and position equipment for Election Day morning. Commissioners felt too much complication/confusion for Inspectors to set up booth at 5:15 a.m.	\$20.00 per person per polling place so for take down and set up it would be \$80.00 per polling place	No
Ballot Bag and Security Envelope return pair - 1 Dem 1 Rep due to Ballot chain of custody requirement along with Security Envelope that contains memory card with election results.	\$60.00 X 2 drivers - \$120.00 per Town/per election	No
Machine Technicians both set up of machines and election day calls. These individuals replace the machine custodians that you were charged back for last year - just the custodians not the Technicians	\$20.00/hour/person - The total hours divided by the number of machines - that total would then be multiplied by the number of machines per town	No
Machine Transportation - Both the company that transports the machines as well as the people that accompany the truck to get them in the buildings	\$20.00/hour/person - 1 person on each delivery - the truck costs are \$60.00 per machine and \$60.00 per cart at each polling place. That contract holds through the end of 2011 We have attached a copy of the consolidated delivery list that shows the number of machines and carts.	No

RESOLUTION NO.: 250 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION REQUESTING AN EXEMPTION FROM TOWN
TAXES WITHIN THE TOWN OF NEWBURGH FOR THE CITY'S
RESERVOIR
AND FILTER PLANT PROPERTIES FOR THE YEAR 2012**

BE IT RESOLVED, by the Council of The City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to request a real property tax exemption from real property taxes to be levied by the Town of Newburgh on all of the City's reservoir and filter plant properties, and the buildings and improvements thereon, and to be constructed thereon in the Town of Newburgh, pursuant to the provisions of Section 406, subdivision 3, of the Real Property Tax Law of the State of New York.

The requested exemption would include exemption from all taxation, special ad valorem levies and special assessments through December 31, 2012, so long as the subject premises are used for the aforesaid purposes.

The specific properties involved are as follows:

<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>TAX PARCEL NO.</u>
CITY OF NEWBURGH	TOWN OF NEWBURGH	75 - 1 - 17
		97 - 3 - 17
		97 - 2 - 22.1
		97 - 3 - 10
		97 - 1 - 44

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 251 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION REQUESTING AN EXEMPTION FROM TOWN
TAXES WITHIN THE TOWN OF NEW WINDSOR FOR THE CITY'S
RESERVOIR
AND FILTER PLANT PROPERTIES FOR THE YEAR 2012**

BE IT RESOLVED, by the Council of The City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to request a real property tax exemption from real property taxes to be levied by the Town of New Windsor on all of the City's reservoir and filter plant properties, and the buildings and improvements thereon, and to be constructed thereon in the Town of Newburgh, pursuant to the provisions of Section 406, subdivision 3, of the Real Property Tax Law of the State of New York.

The requested exemption would include exemption from all taxation, special ad valorem levies and special assessments through December 31, 2012, so long as the subject premises are used for the aforesaid purposes.

The specific properties involved are as follows:

<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>TAX PARCEL NO.</u>
CITY OF NEWBURGH	TOWN OF NEW WINDSOR	4 - 1 - 38
		4 - 1 - 35
		4 - 3 - 1.1
		4 - 1 - 12.2
		4 - 1 - 9.21
		4 - 1 - 10
		32 - 2 - 53

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

**Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5
ADOPTED**

RESOLUTION NO.: 252 - 2010

OF

NOVEMBER 8, 2010

A RESOLUTION REQUESTING AN EXEMPTION FROM NEWBURGH ENLARGED CITY SCHOOL DISTRICT TAXES WITHIN THE TOWNS OF NEWBURGH AND NEW WINDSOR FOR THE CITY'S RESERVOIR AND FILTER PLANT PROPERTIES FOR THE YEAR 2011-2012

BE IT RESOLVED, by the Council of The City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to request a tax exemption from school taxes to be levied by the Newburgh Enlarged City School District on all of the City's reservoir and filter plant properties, and the buildings and improvements thereon, and to be constructed thereon in the Towns of Newburgh and New Windsor, pursuant to the provisions of Section 406, subdivision 3, of the Real Property Tax Law of the State of New York.

The requested exemption would include exemption from all taxation, special ad valorem levies and special assessments through June 30, 2012, so long as the subject premises are used for the aforesaid purposes.

The specific properties involved are as follows:

<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>TAX PARCEL NO.</u>
CITY OF NEWBURGH	TOWN OF NEWBURGH	75 - 1 - 17
		97 - 3 - 17
		97 - 2 - 22.1
		97 - 3 - 10
		97 - 1 - 44
CITY OF NEWBURGH	TOWN OF NEW WINDSOR	4 - 1 - 38
		4 - 1 - 35
		4 - 3 - 1.1
		4 - 1 - 12.2
		4 - 1 - 9.21
		4 - 1 - 10

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 253 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION REQUESTING AN EXEMPTION FROM
CORNWALL SCHOOL DISTRICT TAXES WITHIN THE TOWN OF NEW
WINDSOR FOR THE CITY'S RESERVOIR AND FILTER PLANT PROPERTY
FOR THE YEAR 2011-2012**

BE IT RESOLVED, by the Council of The City of Newburgh, New York, that the City Manager be and he is hereby authorized and directed to request a tax exemption from school taxes to be levied by the Cornwall School District on the City's reservoir and filter plant property, and the buildings and improvements thereon, and to be constructed thereon in the Town of New Windsor, pursuant to the provisions of Section 406, subdivision 3, of the Real Property Tax Law of the State of New York.

The requested exemption would include exemption from all taxation, special ad valorem levies and special assessments through June 30, 2012, so long as the subject premises are used for the aforesaid purposes.

The specific properties involved are as follows:

<u>OWNER</u>	<u>MUNICIPALITY</u>	<u>TAX PARCEL NO.</u>
CITY OF NEWBURGH	TOWN OF NEW WINDSOR	32 - 2 - 53

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 254 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A STIPULATION OF SETTLEMENT AND
CHANGE ORDER IN THE AMOUNT OF \$169,597.00 IN
CONNECTION WITH THE SETTLEMENT IN THE MATTER OF
DOYLE CONTRACTING, INC. AGAINST THE CITY OF NEWBURGH**

WHEREAS, Doyle Contracting, Inc. has brought various actions against the City of Newburgh; and

WHEREAS, the parties have reached an agreement for the payment of the settlement of such actions in the amount of One Hundred Sixty Nine thousand Five Hundred Ninety Seven Dollars (\$169,597.00) in exchange for a release to resolve all claims among them; and

WHEREAS, such settlement shall require the execution of a Stipulation of Settlement and Change Order; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City's attorneys are hereby authorized to settle the claims of Doyle Contracting, Inc. in the total amount of One Hundred Sixty Nine Thousand Five Hundred Ninety Seven Dollars (\$169,597.00); and

BE IT FURTHER RESOLVED, that City Manager be and he hereby is authorized to execute a Stipulation of Settlement and Change Order, with such terms and conditions as the City's attorney and Corporation Counsel may require, to effectuate the settlement as herein described.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 255 - 2010

OF

NOVEMBER 8, 2010

**RESOLUTION OF THE CITY COUNCIL ADOPTING A DISTRESSED
PROPERTY REMEDIATION POLICY FOR THE CITY OF NEWBURGH**

WHEREAS, the Pace Law School Land Use Law Center, in coordination with the Center for Community Progress, has met with community stakeholders, made presentations, and submitted report to the City Council, in furtherance of Addressing Distressed Properties in the City of Newburgh; and

WHEREAS, the City Council, as a next step, wishes to adopt a Distressed Property Remediation Policy for the City; now, therefore

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh, New York hereby adopts the following Distressed Property Remediation Policy:

1. The City Council hereby accepts the Addressing Distressed Properties report, in the form attached hereto, of the Pace Law School Land Use Law Center in conjunction with the Center for Community Progress, including its general policy recommendations regarding the improvement of the City's code enforcement process, the creation of a land bank, and the creation of a system of development readiness. In implementing the distressed property remediation program, all practical means of ensuring that local workers are hired to conduct building improvements and property rehabilitation shall be pursued. The City's workforce initiative shall be based on the most successful examples of such efforts elsewhere in the nation. Research on these programs shall be conducted and a report presented to the City Council recommending steps necessary to adopt best practices in the City;

2. The City Council hereby creates a Property Remediation Task Force, consisting of the following persons, to develop a step-by-step process for implementing the recommendation of the Addressing Distressed Properties report:

City Manager
Corporation Counsel
Director of Planning and Development
Fire Chief
Building Inspector
Superintendent of Public Works
Assessor; and

3. The City Council hereby authorizes the City Manager to take such steps as are necessary to create a City of Newburgh Land Bank, under the Private Housing Finance Law, to take title to certain City-owned improved and vacant properties in the targeted area generally bounded to the North by South Street, to the East by the Easterly rear property lines of properties adjoining Chambers Street, to the South by Broadway, and to the West by the Westerly rear property lines of properties adjoining Dubois Street, excepting those properties generally known as the Mid-Broadway Redevelopment Parcels, and to hold, manage, and restore these properties to the property tax roll.

Mayor Valentine said that these are some really good ideas from intelligent people and to implement them will take a little extra effort on our part. We have to understand that we don't have a very good formula for putting our city owned properties back into private hands. We are not good at being landlords, real estate and auctions so what is left? We are now paying for the school taxes, county taxes, upkeep and boarding up and if tenants are in them there is no rent being collected. DPW crews take care of these properties by plowing and shoveling the now. Pace came to us and asked what our most difficult problem is in our city next to crime and we told them that it is the vacant and abandoned buildings that we own. We don't know what to do with them. They told us that they could do this because they have done it in other communities. We had open meetings where we saw the work that they have done and they came up with the Land Bank. We will put together a committee and deed over these properties to an entity who is then in charge of getting these properties into private hands. For the time that they are in private hands, taxes are suspended. This should move along at a fairly rapid pace although some components will take longer than others. This is very exciting for us and we have the support of Pace who has said that they will not leave us hanging. They are in White Plains and the Centers For Communities Progress has made us one of their next cities to work with and they have resources and money because they get the grants. Does this involve the support of the City Manager, Corporation Counsel, Planning & Development, Fire Chief, Building Inspector, Public Works and Assessor? Yes. Does it involve Code Enforcement? Yes. But we are hoping that we can also get some support from Code Enforcement in the implementation of this to

make it a success. It has a designated area because if you don't then no one will see the difference. Let's make this work and let's let the people in this City see a visible change. We have a partner that has taken on the city and said that they will help. As these properties are transferred to private ownership, then they will be back on the tax rolls. Similar to the way Habitat works with us. If we can make a difference in that part of Newburgh then it can grow by itself to other parts. The other reason why this location was chosen is because there are three anchors close to where these blocks are. We have Orange County Community College, the Hospital and Mt. St. Mary's College. This is important and if we don't try it then there isn't anything else down the road. There isn't any other creative thing that we have come up with as a city to get these buildings fixed. This is not an easy process because these are tough properties that we own and the only way to do this is to partner with people who have the expertise and the track record of having done it before. He has no hesitancy in voting for this and is actually looking forward to how quickly they will start. Their promise to us is that if we pass this resolution tonight then they will be here within weeks. They have a timeline that starts in December. This is what we need right now to show visible change. He added that the mid Broadway property is not residential; it is commercial. We have been sitting with this property empty for about twenty-five years so at what particular point do you study it to death and find out that somebody would like to build on it. The College didn't want it because they were afraid to be in that neighborhood. We would be looking at a different downtown if they had had the guts to do it but they didn't. That is a vote that he regrets even though he loves the fact that they are here but they should have been in mid-town. That is now water under the bridge but how long do we sit and look at that vacant lot? It is not part of this tonight so that is not what we are voting on.

Councilwoman Bell wished to publicly acknowledge the Ford Foundation who brought Pace here.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 256 - 2010

OF

NOVEMBER 8, 2010

**A RESOLUTION AUTHORIZING THE APPLICATION TO THE
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT
AUTHORITY ("NYSERDA") AND DAYLIGHT SAVINGS FOR A GRANT
FOR THE PURPOSE OF PROVIDING AN ENERGY AUDIT
AT AN APPLICATION COST NOT TO EXCEED \$9,600.00**

WHEREAS, the City of Newburgh wishes to make an application to the New York State Energy Research and Development Authority ("NYSERDA") and Daylight Savings for a grant for the purpose of providing an energy audit; and

WHEREAS, the audit results will include building and equipment inventory, analysis of historical energy usage and costs, and energy cost reduction opportunities which will help the City of Newburgh reduce its energy and operating costs and improve efficiency; and

WHEREAS, said grant application fee for the related City buildings should not exceed \$9,600.00; and

WHEREAS, this Council has determined that making such application is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to submit an application to the New York State Energy Research and Development Authority ("NYSERDA") and Daylight Savings for a grant for the purpose of providing an energy audit at an application cost not to exceed \$9,600.00.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

RESOLUTION NO.: 257 - 2010

OF

NOVEMBER 8, 2010

**RESOLUTION DELEGATING TO THE ACTING CITY
MANAGER AND DIRECTOR OF FINANCE THE POWERS TO
AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$5,251,000
TAX ANTICIPATION NOTES OF THE CITY OF NEWBURGH,
NEW YORK, IN ANTICIPATION OF THE COLLECTION OF
TAXES LEVIED FOR CITY PURPOSES OR RETURNED TO THE
CITY FOR COLLECTION FOR THE FISCAL YEARS
COMMENCING JANUARY 1, 2006, 2007, 2008, 2009 AND 2010,
AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS,
AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT
OF SUCH NOTES**

**THE CITY COUNCIL OF THE CITY OF NEWBURGH, IN THE
COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Pursuant to the provisions of the Local Finance Law,
constituting Chapter 33-a of the Consolidated Laws of the State of New York
(herein called the "Law"), the power to authorize the issuance of Tax
Anticipation Notes (herein called the "Notes") of the City of Newburgh, in the
County of Orange, New York (the "City," "County" and "State", respectively),
in the aggregate principal amount of not to exceed \$5,251,000, and any notes in
renewal thereof, is hereby delegated to the Acting Director of Finance, as chief
fiscal officer of the City.**

**Section 2. The following matters are hereby determined and
declared:**

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for City purposes or returned to the City for collection for the fiscal years commencing January 1, 2006, 2007, 2008, 2009 and 2010.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes, other than a \$5,273,179 portion of the \$5,609,750 Tax Anticipation Note, Series 2009A, dated and issued on December 22, 2010.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the powers to

enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the Acting City Manager and Director of Finance, as chief fiscal officer of the City.

Section 5. This resolution shall take effect immediately.

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

Ayes - Councilwoman Angelo, Councilwoman Bell, Councilwoman Bello, Councilman Dillard, Mayor Valentine - 5

ADOPTED

OLD BUSINESS

Mayor Valentine noted that the items under Old Business are not being discussed tonight.

GENERAL PUBLIC COMMENTS

George Garrison, 99 West VanNess Street, Superintendent of Public Works said in regard to the Budget that last year he lost twelve people. There are five vacancies that he is losing, some employees have retired whose positions won't be filled and he is scheduled to lose six more people to layoffs this year. He wished to paint a picture in everyone's head and said to stand on the corner of South Street and Route 9W. Walk down South Street to Dubois Street then make a right and go down Dubois Street to Third Street. Now make another right and go up Third Street to Route 9W and yet another right and go back to where you started. Now imagine doing that with a shovel in your hand and a foot of snow on the ground because that is what his men do when it snows and that's just for one property out of about three hundred. They have been asked to think out of the box and his guys are willing to give up overtime for one year to not have any layoffs. If the other Unions would do this, you wouldn't have to have layoffs. The overtime for the Police Department, Fire Department and DPW is probably about three million dollars so we should make an agreement for one year that everybody has a rotate shift that they have to do their turn. Do this for one year and then do another contract in 2012 for everyone. If everyone wants to keep their jobs and benefits and they care about this City then that is out of the box thinking.

James Marley, 41 Poplar Street said that the Council has to listen to the Union because time does count. The fires today are different than in the past and minutes do count. He lives in the west end and time matters.

Kippy Boyle, 400 Grand Street said in regard to the Fire Department negotiations that she understands the city is asking for 1.1 Million dollars and they have come up with \$948,000.00. There is a difference there of \$152,000.00 and she asked why they can't just split that. It seems like if we are only talking about \$152,000.00 then we should be able to do something about it. When the Chief was at the Work Session defending the Fire Department Budget, he said that there were approximately five hundred false alarms and when a Council member suggested removing the fire alarms he was not very responsive to that. This has been an issue that has been going on for over a year and it seems to her that that kind of thinking should have come from a department head and not a Council member. She thinks that staff and the Unions need to go back and look at some of these things because she believes that there are more solutions out there. Secondly, in regard to the County sales tax and election expenses, she would like to know what our County Legislator is doing for us. Have they been advocating for us in any way? Do we ever hear from them? We voted these people in and we need to know where they are right now because they are not helping us. She asked what happened to

the Vacant Building Registry. There were supposed to be revenues from that. Who is on that Vacant Registry? On Saturday she drove past the Broadway School/Courthouse and all of the lights on the second floor were on which we have to pay for so this kind of thing has to stop.

Aquanetta Wright, 197 N. Miller Street said in response to our County Legislator and the fact that the College is not on Broadway that we have to go back the fact that it is a part of our Legislator's responsibility to have advocated for what the people wanted but how can our Legislator advocate for anything when you never see him at anything ever. She is so disappointed in the process here because our Party backed someone that they new could not fulfill the job. As we know, the Economic Development Committee is responsible for what happens to any money that comes in and Harvey Burger has not attended one meeting and he never attended a meeting in 2009 either. For those who voted for him they got what they paid for because they didn't do their homework. At the Recreation Center she hears that the City is considering giving the pool to the YMCA and would like to know if there will be an RFP for that. There are a lot of agencies out there that would probably appreciate the opportunity to bid on that. Will we receive any money from that and who will be paying for the maintenance and chemicals? A lot of our kids get hired for the programs that originate at the Rec so will the YMCA or an organization that takes over this component hire them as well? She only sees two jobs listed in the Budget at the Rec which are for the secretary and the waterfront bathroom attendant. Who will be overseeing the happenings of the Rec Center? Will there be any happenings and will our children be able to get those twenty-five plus jobs that are usually employed over the summer months?

Barbara Smith, Powell Avenue suggested in regard to resolution #249-10 opposing the election charge back items that we do a deal with them saying that if they want their election booths here then they will have to pay us rent and balance this out. When we look at the departments in our administration, do we have any departments that function but bring nothing in? What has Economic Development brought in with regard to development and money to the city's coffers? If they have given us nothing, why don't we do away with that department and ask the County if they have economic development that they can share with us and help the City of Newburgh grow economically. Does the County do CDBG funding? Do we pay out of our pocket for benefits for the people who are getting paid administrative salaries through CDBG funding? If so, what is that costing us?

Denise Ribble, City of Newburgh said she would like to see a time line on the mid-Broadway property because in February, 2010 the second round of RFP's were rejected for a flawed process so that the area could be studied.

Despite what the Mayor just said, she has never seen a study. She knows that it is too small for the O.C.C.C. Campus and that we really wanted O.C.C.C. to go there so we sold it for \$150,000.00 to a developer who wanted to do a turn key arrangement which was not legal. She knows that there was a presentation by City staff on the suggested usage for this site and its development and she would like to get a copy of that study. She also missed the presentation on the pros and cons of following and not following a process and the decision by three Council members to not study this. She also missed the discussion of advantages and disadvantages of an RFP for land disposition at this time in this market. She would like to know the number of that resolution and who voted for it and she would also like to get a copy of those minutes. It is not clear to her how the Council would have had the necessary information to evaluate this course of action let alone endorse it.

Janet Gianopolous, City of Newburgh said that she has noticed at these meetings that some great opportunities come forward but she doesn't always see them seized upon by the City Council. She thinks that we haven't been on our toes and maybe we haven't seen all of the good opportunities as clearly as we should have. This City is capable of progressing and we have to look carefully and not miss opportunities. She has seen some opportunities brought forth by this City Manager and she appreciates that but she thinks that moving forward we need to expect a lot more.

Judy Kennedy, City of Newburgh said that she was impressed by what the Fire Department has done to try to negotiate with the City and asked the Police Chief if they are doing the same thing.

Mayor Valentine said that he does not appreciate a blind sided question to a department head and the Police Department and CSEA have not been in negotiations.

Ms. Kennedy continued by saying that she appreciates the Pace study and commends the move ahead on that. We have to try to stop being perfect so how do we support this effort both from a community and as a city. Same question in regards to the Armory. She hopes that the City goes to every length to figure out how they will support that non-profit organization to run that Armory and move forward. We have to stop finding reasons as to why it won't work. Lastly she said that for the last two and a half years she has been asking for performance reviews in the City and would like to know why we haven't moved on that yet.

Meredith Ingram, City of Newburgh asked where is the revenue strategy, what is the status on developing one and if we don't have one then why don't we have one yet. Property tax increases, service fee increases and

staff cuts are short term strategies. She is looking for the long term view. Many suggestions have been made over the past twelve months and if they are reasonable suggestions and the law doesn't support them then where are we at in changing the law so that it will support them. If we can't come up with ideas, then we need to hire a consultant who can. If we can't afford to hire someone, then the citizens need to know that we can't afford it and we need to know what it will cost to afford to hire someone so that we can be given the option of coming up with private funding that might be able to bring someone in. She can't believe that in the entire United States there isn't one place that hasn't faced this kind of municipal crisis and been tasked with coming up with ways to generate revenue in a creative and effective way over a long period of time. She does not quite understand why this hasn't been communicated to the residents.

Acting City Manager, Richard Herbek told Ms. Ingram that there was a meeting scheduled with her group and he and Dwight Hadley waited patiently for her group. They were prepared to go through all of their suggestions but most of them just won't work for one reason or another.

Ariyike Diggs, Bayview Terrace said that if our suggestions won't work then what will.

Acting City Manager, Richard Herbek said in regard to the parking permits at the waterfront to please understand that the City doesn't own that property.

Ms. Diggs said that they weren't talking about permits but paying for parking.

Acting City Manager, Richard Herbek said that we don't own those parking areas.

Councilwoman Bell responded that they were given away.

Acting City Manager, Richard Herbek said that it is one thing to throw things out like we didn't follow through on parking permits at the waterfront but he has looked into it actually. Those parking lots are owned by Mr. Kaplan and he has discussed with him making an agreement with all of the parking areas whereby the City would maintain them in exchange for the ability to put in park and pay meters but he hasn't been able to convince Mr. Kaplan to do that. He doesn't think that this is something that we should give up on because there is a lot of money that could be made from the waterfront but we don't own it. It is owned by someone else and until we end up in an agreement for the use and the ability to do that, we can't just go down there

and collect revenue. He is willing to meet again with the Mothers and Others Group because he thinks that they are all very intelligent and they have some good ideas but we need some time to sit down to try to develop a revenue strategy for the City.

Ms. Diggs asked what they have been doing for the last twelve months to make things happen. She said that the City Manager stated that this is not the Budget that he would prefer to propose in that it does not contain any growth in city services or initiatives that are so desperately needed to improve the quality of life in this city. This Budget reduces services to the people of Newburgh with workforce reductions including many lay-offs. These are real services that our residents depend on performed by real people who depend on their jobs for their livelihood. She feels that the City Council does not work as a team. It is publically known that there is a division and she has attended many meetings where one Council member has suggested something that has just been ignored. She doesn't get the sense that they are working together to move the City forward and we are all paying because of that.

Sammy Contes, Local 589 said that for two and a half years he has been meeting with the City Council and all of the City Managers and here we are again with a small window of opportunity of two weeks to get this done. He has been with the City for eighteen years and back in 1994 the city workforce took zeroes for two years when we were in a financial crisis. Now the Fire Department is talking about entering into a contract where for three and a half years there will be no pay increases and there will be pay decreases that will bring us back to the 2007 pay levels. It wasn't the taxpayer's fault then and it is not the taxpayer's fault now. It is not the city workforce that made the problem years ago or now so what we are asking is for the City Council to partner with us so that we can get this done and give a ray of hope and opportunity to the citizens and the workforce here in the City of Newburgh.

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

GENERAL COMMENTS FROM THE COUNCIL

Councilwoman Angelo said that we have been losing revenue with the parking lot by the Library and with our parking garage because it is free parking for the College students. She thanked George Garrison for his suggestions and noted that Public Works has lost thirty-two people between last year and this year alone. This is going to be very difficult because some of the employees that are scheduled to be laid off this year have almost twenty years with this City. In the past, it was always the last person in would be the first to go so she doesn't know how we got to this point but this is a very serious situation. We have a very serious problem and a decision to make about the West End Firehouse and hopefully tomorrow we will finalize it when we meet at 6:00 p.m. She thinks that they will have to buckle down and make more cuts as well as lay off more people unfortunately. We have firemen living in the city now with their families and that is a great thing because we need to have more city residents living in this city who are working here. She had said previously that she and Councilman Dillard were going to go on a tour of the city to look at every building and make a list of every one that could be marketed. She added that all of the advertising posters up and down Broadway and it make the city look bad. She commended the firefighters for the \$948,000.00 that they brought forward and they will proceed with that tomorrow. She thanked everyone for coming tonight and said to realize that they are all also taxpayers and they are going through the same thing as everybody else.

Councilwoman Bell said that for the last year she has been talking very candidly and openly about the fact that they need more creativity in our management but some didn't think that her comment was relevant or timely and now we are looking at 69%. For all of the ideas that have come up the energy has to be there. To move a plan you have to have energy because there is no other way and if the vision is not there then where is it going to come from. She noted that she is personally standing with the firefighters in this because public safety is a number one priority so before she would vote to cut twelve guys she would have to go through the non-essential in terms of health and safety and see where those positions could be cut. We talk about not spending money that we don't have and she has argued about the job description that was posted to fill the position of the Tax Collector for \$65,000.00 when we have employees that have been in that office for eighteen years. If we don't appoint them in a permanent way, at least appoint them on an interim basis and give them a chance to see if they can do the job. We really have to think out of the box and perhaps we should have job sharing and make more people part-time rather than laying them off and cutting them

off completely. In this environment sometimes a little is better than none at all and it would be a way to make a clear cost savings for the City and still give people a job. Like everyone here she doesn't know what she is going to do if this kind of an increase goes through because her properties are non-homestead which means she pays a much higher rate that she can't pay already. She doesn't know how she is going to do it. She thinks that the projection from revenue from taxes will be slashed because it is not going to happen and no businesses are going to come here and pay these taxes. There was a time when we had people coming from New York City with their businesses but now they are being forced to move back because the rent in Manhattan will be cheaper there than it will be here. She thanked everyone for coming tonight and added that there was an earlier comment made about no performance reviews. There are no performance reviews because there is no Human Resources. She reminded everyone to celebrate the Veteran's and all of their contributions to keep us free.

Councilwoman Bello thanked everyone for their comments and said that she truly appreciates them most especially the homeowners that are very concerned about losing their properties. She said that all day today on three phone lines she had senior citizens calling her because they had been told by firefighters that they are going to be doing without fire protection. She feels that this was unnecessary and irresponsible in her opinion because our senior citizens, many of whom are living hand to mouth, do not need this additional stress. For the members of the City Council safety is our top priority and our main goal and there is not one of us that would leave the city residents unprotected. There are ways in which we can provide public safety, especially fire safety, in a much more cost effective manner. She has proposed to the Council that they begin using paid call back men. This would increase manpower in the Fire Department, create jobs locally and eliminate if not seriously reduce overtime. It would reduce the Budget and it would reduce the existing stress on mutual aid. This is not new. This is something that was used right up until 1970 in the City of Newburgh and it was used extremely effectively. It is not welcomed by the firemen but this is what you call doing more with less. She truly feels that if we do not entertain this possibility then we are being remiss in our responsibility to the people. The City Council does not do the negotiating. The City has a paid negotiator and the firefighters have a paid negotiator. For a firefighter or a member of the department to stand up here tonight and list everything that they have offered to this City she feels is unethical at the very least. Negotiations are confidential until they are ratified by the Union and approved by this Council. Throughout her tenure she has consistently put forward revenue generating ideas and cost saving measures and everyone must understand that she will do what she has to do to make ends meet. As a business owner, she has had to make do with very little and necessity is the mother of invention. You have to live within

your means. The reality is that we are not using manpower effectively. When we are spending two million dollars just in police and fire department overtime, then there is a problem with the use of manpower. We need to reorganize. We might have too many Chiefs and not enough Indians. We need to take some of the money saved to keep our Code Enforcement Officers and our Laborers. She agrees that police and fire are very important but without the laborers at DPW then fire and police will not get through the roads in the winter time. We have got to manage much more effectively. We can't have the tail wagging the dog and that is what is happening here. The problem is that you can put forward all of the cost saving measures that you want and it is like anything else because you need three people on the Council to support it and if they are afraid of Unions then it is not going to happen. The trouble is that this is not anti-union; this is reality because we don't have the money. Whatever the Fire Department has offered us if it is short \$200,000.00, \$300,000.00 or \$400,000.00 to maintain those firemen and in order for us to keep the firemen it means an additional percentage increase to the taxpayers. The average income for the taxpayers here is between \$30,000.00 and \$35,000.00 and we are asking them to pick up the tab for salaries of anywhere from \$90,000.00 to \$130,000.00. This is not feasible and it is unreasonable to expect that people are going to be able to support this tax increase. If we implement this Budget with these high tax increases, it will be self defeating. When you have three deterrents to growth; high taxes, high crime and poor quality of life then you have a recipe for disaster. We have got to use and manage more effectively and entertain the thought of part-time employees instead of kicking it to the curb. With part-time in the police department we could eliminate or seriously reduce overtime and we would have boots on the ground. She said that the Town of Fishkill runs their whole department on part-time and they pay 1.7 million dollars for their entire department of fifty officers. We pay 1.2 million dollars here in just overtime and there is something wrong with that. She hopes that her fellow Council members will be willing to entertain other ideas because it is a dire necessity at this point. We will not and can not leave the people unprotected but we have to provide public safety in the most cost efficient manner possible and to do more with less. She thanked everyone for coming.

Councilman Dillard said to Sammy Contes that he agrees with Councilwoman Bell and he is committed also so now he has two and just needs one more. Concerning the meeting tomorrow he would like the Fiscal Advisory Committee to be involved in that meeting also to share ideas. He said that it will be a long meeting and they will not be leaving until they have something accomplished in terms of dollars. He thanked everyone for coming tonight.

Mayor Valentine said that we are waiting to hear from the New York State Comptroller's Office on the Proposed Budget with their recommendations. Keep in mind that whatever Budget we come up with will be reviewed by the New York State Comptroller's Office. We could come up with a lot of ideas but they have the final say. It was asked earlier how do you get to where you are and the point was made that for three, four and five years we were doing Budgets with 1%, 2% and 3% increases which were unrealistic. The problem is that we were falling behind on revenues and we didn't even know how far we were falling behind. Prior to getting the current accounting firm to do our audits we had one year in which we had a lousy audit and then one year in which the new auditor had to put it all together and almost lost a year doing that. Now we are where we are supposed to be but if we had that two or three years ago then we would be dealing with a different set of numbers. One idea brought up at last week's round table was something that he has brought up numerous times before which has to do with health insurance. We are a very generous city with employee health insurance and by contract we cannot even shop for another provider. The problem is that our provider is not the Cadillac of providers it is the Rolls Royce of providers which is the most expensive one out there. We can't even ask employees and retirees to pay a portion of it. This is not the 70's, 80's or 90's when you could have those types of contracts. No municipality goes into contracts without having some share of that health insurance. Right now the city is paying \$6,114,000.00 in health insurance benefits which is a fixed cost that is etched in stone and can't be touched. Just because it was that way doesn't mean that it continues to be that way. We can't bankrupt ourselves but what we are doing is pricing ourselves out of even employing people. Twenty six million of the thirty nine million dollars is what the city uses to run its personnel. If that cost cannot be tweaked in some way, then we are dead. Our problem is not just now but in 2013 because this is a two year deal and in 2013 we get it all back. Where are we going to come up with a million dollars to give back in 2013? This is not easy for any of them and they do not take this lightly. It is tough to hear that someone can barely pay their taxes and it is tough for the employee that may lose their job so it is tough all the way around. It falls literally down to the dollars and cents. To the numbers that are here and the numbers that we can generate and how we spend them. Some of the other items that he thinks we don't take advantage of enough are some things that we pay for that we shouldn't. By tomorrow he has been promised a listing of the courthouse expenses that we pay for to run that free building. We paid the mortgage on it but someone else occupies it and we get billed to clean, maintain and run the lights which is ridiculous. When we were pressured to build a courthouse, the threat from the State of New York was that they would take our assistance money. They take \$250,000.00 of it every six months and we are down another half a million in what we get in "A" money so maybe we should have said, "The Hell with you, take our "A" money". We would have been twenty-two

million dollars ahead and there still would have been a courthouse down on Broadway even if it was lousy. Now he knows why past City Manager's and Administrations held off on that for twenty years. Maybe they knew that it would literally be the Black Hole. Yes, we have a beautiful building and an impressive courthouse that has literally sucked us dry and taken everything away from us. Everything we had is gone in that building and it is mortgaged out and we pay. We get 33% of the interest on the mortgage and isn't that wonderful; the State is so generous to us. The Judges don't care and they are the ones that probably left the lights on at the second floor because they were working out in the gym. He thinks that the other thing they should be aggressively looking at is that we need to sell and market properties that we currently own. We have to be very creative in getting people to buy our real estate that we don't know what to do with. It may not be the best approach but right now we have to look at every approach. We can't have auctions in which there are so many conditions to the people that come here that they walk out the door. We are in some desperate times and the revenue and lost revenue cannot be ignored. There are lost revenues when you decide to set your standards so high that you don't sell anything. I have been at auctions where a million and a half dollars was generated and let the private market take it. At an auction last year, there were much fewer ties to what a person had to do. There was a dilapidated building at the corner of South and Roosevelt across from the tennis courts one block from N.F.A. This building was disgusting and filled to the ceiling with garbage but a couple of young men said that they were going to buy that property and fix it up. If you go by that building now, you will be amazed. They didn't ask us for any money; they paid us around \$30,000.00 to \$40,000.00 to get that property. There was no home ownership component. Everyone should go look at that property and tell him that we can't do that with one hundred other properties in this city because he believes that we can. There are people that still want to come here but they can't come here if their hands are tied. They have to be given the opportunity to be entrepreneurs still. We keep hearing "this is hopeless, this is difficult and this is the end of the world" and yet a gentleman approached him recently and said that he really wants to look at 201 South Street because he says that he can do that building. Nobody else wants to do that building. He is just someone who met him on Election Day and said that he wants to do a building here in Newburgh. We need to have some vision and raise the revenue from properties as well as the taxes that they will accumulate and we need to be a little more business friendly. Four of the Council members are business owners and speaking for them he said that if they ran their businesses the way they run government then we would be closed. Government is different than the private sector. They are the lousiest real estate people in the entire planet because they don't know how to do it and they are not trained to do it. It is not our expertise. He noted that there is a developer that is ready to move forward on a property on Colden Street, which

is the partnership of the DiBrizzi and Yannone families. They have all of their approvals and hopefully by next spring they will be breaking ground. There is also a brewery that wants to come here and buy a building. They want to develop that building and then open it up on a street that nobody would want to open a building on. He is successful and he wants to do this so we don't need to be in his way. The Broadway block has been talked about until the cows come home. Sooner or later he hopes that something will be built there. He talked to another developer who is looking seriously at the lot adjacent to the Ritz Theatre and they are talking about doing the entire block. We are still talking at this time and this would have a price tag of almost twenty-five million dollars of development. We have a condo project that they would like to get going at the base of Snake Hill. This is on private land and they have their own money and we have a plan that we are tweaking. Hopefully we will be done with that soon and they can also move forward. He is not asking for anything because he has money and he wants to build this. We need Condos because they are second to homeownership and they would be independent tax paying people in this City. We have a capital waterfront property that is moving ahead and should break ground by spring. This will be their own development on their own land with nothing from us. We have a waterfront piece of property that we have done an outlay of two and a half million dollars and the only way we will get that money back is to develop that property. Lastly we have been approached by a group that wants to do veteran housing for returning vet's that now have the ability to go to school with the benefit packages that they have from a GI loan and they want to build in the east end adjacent to the College. He feels that this is a winner. They don't want a tax break. They want the ability to get properties that they can transform and their tenants will be college students that are returning veterans. That would be a plus for this City. We are not dead in the water but we are in a very tough time. Everyone that he just mentioned could go anyplace but they want to come to Newburgh so there must be a reason. He hopes it is because they see in the future this city being a better place for everyone to live in.

There being no further business to come before the Council, the meeting adjourned at 10:00 p.m.

LORENE VITEK
CITY CLERK

