

A regular meeting of the City Council of the City of Newburgh was held on Monday, February 8, 2016 at 7:00 PM in the third floor Council Chambers at City Hall, 83 Broadway, Newburgh, NY.

Prayer/Rezo

The Prayer was led by Rev. Nelson McAllister followed by the Pledge of Allegiance.

Pledge of Allegiance/Juramento a la Alianza

Roll Call/ Lista de asistencia

Mayor Kennedy presiding; Councilwoman Abrams, Councilwoman Angelo, Councilman Harvey, Councilwoman Holmes, Councilwoman Mejia, Councilwoman Rayford - 7

COMMUNICATIONS

Approval of the minutes of the meeting of January 25, 2016

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Carried**

City Manager Update/ Gerente de la Ciudad pone al día la audiencia de los planes de cada departamento

City Manager, Michael Ciaravino gave an update on some key highlights and progress in City Departments.

PRESENTATIONS

Certificate of Recognition will be presented to the Newburgh Free Academy Track and Field Team

The City Council presented Certificates of Recognition to the Newburgh Free Academy Track and Field Team.

COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Nelson McAllister, Liberty St., thanked the Council for supporting the youth. He feels that having *Comments from the Council regarding the Agenda* is a redundancy and suggested the Council might consider removing it. Sometimes when there are topics that ignite the

crowd it keeps things going instead of coming to a nice peaceful resolution.

Charlotte Mountain, Liberty St., thanked the Council for taking the time to look at the Rental Registry inspections. She was notified by her landlord that her home is going to be inspected so she sent an e-mail to the Council letting them know that she is not consenting to that search. She feels that the way the Code is written it does not allow you to search every occupied rental unit in the City without consent from the occupant or a reasonable basis. If there is nothing in the records showing that there is a reason to be there then the government should never be in a persons home. She was dismayed that some Council members responded to her that this is just an inspection for safety but it is not. She works as a Code Enforcement Officer and if you consented for her to do a thorough inspection of your unit then she could be in places that you would never dream. When you say that a Municipal Officer can inspect without a Warrant there has to be some limits to that. She feels that this is very unfair and she is glad that they are revisiting and discussing it.

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

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

There were no comments.

CITY MANAGER'S REPORT

Resolution No.29-2016 - SEQRA Unlisted Action Vacant Historic Demolition Project

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 30-2016 - SEQRA Unlisted Action for Vacant Non-Historic Building Demolition

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 31-2016 - Public Hearing for Presentation of CDBG Budget

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 32-2016 - Purchase of 57-58 Williamsburg Drive

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 33-2016 - Purchase of 15 1/2 Overlook Place

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 34-2016 - GOVDeals Contract

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 35-2016 - Donation from the City of Newburgh Police Benevolent Association

**Councilwoman Abrams moved and Councilwoman Angelo seconded.
Ayes: Abrams, Angelo, Harvey, Holmes, Mejia, Rayford, Kennedy - 7
Adopted**

Resolution No. 36-2016 - 2016 Non Bargaining Unit

Councilwoman Holmes said that this is for a 2.5% step increase and she will be voting no on this resolution because we just passed a Budget two months ago. The Police are getting 1% from arbitration, Non-Bargaining will be getting 2.5% and no one has explained to her where this money is coming from. They were just given this last week and the public has not had enough time to examine this resolution so she will be voting no.

Mayor Kennedy noted that Non-Bargaining took at 5% pay cut back in 2011 and 2.5% was restored in 2014 so they are now asking that the other 2.5% be restored. They have had no step or other increases so in essence we have asked our Non-Bargaining employees to take the brunt of the fiscal disaster that we had back in 2009 and we haven't brought them back up to parity yet. They continue behind the curve every year and she thinks that it is an unfair burden on them when there are members of this Council who champion bargaining units for all sorts of things but don't support the Non-Bargaining people. They are the Managers and leaders who stay and work extra hours without any overtime or extra pay. She feels that they are being unfair to the Non-Bargaining Unit by not bringing them back to parity with the rest of the employees in the City.

Councilwoman Holmes asked again where is the money coming from?

John Aber, City Comptroller, noted that this is to restore the 2.5% from 2011 and also eliminates Lincoln's Birthday so we will be giving up a Holiday. It also increases new employee contributions for Health Insurance from 10% to 15%. As for where the money is coming from, right now we have so many vacancies in the 2016 Budget that there is enough to cover this and the actual amount for this year would be around \$40,000.00 because it is not retro back to January 1st.

Councilwoman Holmes asked if this is coming from the vacancies that we need to fill.

Mr. Aber explained that it is coming from the vacancies that have been vacant since January 1st so it will not stop any hires going forward. The way our Budget is set up is that every position is fully funded from January 1st so if there is a vacant position it is

building up surplus every month.

Councilwoman Holmes noted that the vacancies still have to be filled.

Mr. Aber noted that when the position is filled it will be pro-rated from when they come on board through the rest of the year. The money that has been sitting there since January 1st is called surplus.

Councilwoman Rayford said that it is her recollection that back in November Council passed a resolution stating that there would not be any raises and the only salary that was amended was for Deirdre Glenn.

Mr. Aber said that in the 2016 Budget there were increases and decreases for specific staff but what this does is modify the overall contract which was not discussed in the 2016 Budget.

Mayor Kennedy said that the Budget discussions they had only pertained to specific individuals in a specific department.

Councilwoman Mejia said that if this does not pass then on the Holiday this Friday half of the first floor of City Hall will be open and the other half will be closed so to her this is an attempt to try to balance. She doesn't think it will balance all of the different pay rates but at least have some form of comparison that needs to start to happen. The increase in the contributions to health benefit plans is what a lot of businesses and organizations are doing to bring their staff up to speed and right now the Non-Bargaining Unit is not impacted by that. Most of our bargaining units have increased contributions to their health care plans so for her this was a discussion on how we start to level some of those differences. For it to cost between \$40,000.00 and \$50,000.00 to do that to her is worth the investment.

Mayor Kennedy said that new hires to the Non-Bargaining Unit will contribute to health insurance and they will give up a Holiday and be the same as the other bargaining units.

We have two Presidential Holidays that the bargaining units have agreed to combine into one but the Non-Bargaining Unit still has two so they are not in parity. The staff will show up but none of the Department Heads will be here on Friday as it sits right this minute.

Councilman Harvey asked for a clarification on Section 10. Under Health Insurance it says that the City shall continue to participate in the New York State Health Insurance Plan and contribute one hundred percent of the premiums for employees and their dependents. He is hearing that the employees are going to contribute but on paper it states something different.

John Aber, City Comptroller, said that the employees hired prior to 2003 don't have to contribute. Employees hired after 2003 contribute ten percent and for new employees going forward they will contribute fifteen percent.

Councilwoman Holmes asked if this step increase will continue every year?

Mayor Kennedy said that part of it is to take away something and the other is to give something by trying to be fair and bring parity to our Non-Bargaining employees and

restore wages that were taken away back in 2011. This is not really an increase in their wages it's just to restore them to where they were.

Councilwoman Mejia noted that the step increase doesn't go into effect until 2017.

Mayor Kennedy asked, "*Why do we keep discriminating against the Non-Bargaining people? Why are we so punitive with them?*" She doesn't understand why this Council wants to go down that road when we are trying so hard to pull people together. When they are putting in extra hours, time and labor to help us move forward why do we want to discriminate them and be punitive?

Councilwoman Holmes said she is not being discriminatory at all she just wants to know where the money is coming from. We don't have anything that brings good solid revenue to this City but we are going to give out raises? She understands about the Holiday but she doesn't understand about the 2.5%. She feels that in the end this will be a burden on the taxpayers.

Councilman Harvey said "*discriminate*" is a pretty strong word. Councilwoman Holmes is just questioning this and he thinks the questions were good and informative.

Councilwoman Abrams said that what sold this for her is that now the Managers will be paying fifteen percent towards their health insurance like the peons; the lower paid people.

Mayor Kennedy has been fighting the taxes for years so she sympathizes with the taxpayers as she is one too. She feels like this is a bargain, however, with give a little and take a little to bring parity which is why she supports it.

Councilwoman Rayford is grateful that they have jobs but every salary comes off of the taxpayers' dollar so giving them increases this year and then something else next year still comes from the taxpayer and we can't afford it any more. It's a good thing that they have jobs and if they don't like their jobs with the salaries that they are making then they can go somewhere else. As the governing body we see that our citizens have to be justified. What are we giving them?

Councilwoman Mejia said that to her this is a \$50,000 investment. She doesn't look at it as an increase because if they were unionized these are not the figures that we would be discussing. The 2017 step increase is still up for discussion and future employees hired will be contributing fifteen percent for their health benefits so she is supportive of this.

Councilwoman Abrams moved and Councilwoman Angelo seconded.

Ayes: Abrams, Angelo, Harvey, Mejia, Kennedy - 5

Nays: Holmes, Rayford-2

Adopted

NEW BUSINESS

Mayor Kennedy said that she is looking for a date for the State of the City.

City Manager, Michael Ciaravino said that they just secured a couple of dates with SUNY Orange and they are looking at the third week in March.

There being no further new business to discuss this portion of the meeting was closed.

OLD BUSINESS

There was no old business to discuss.

PUBLIC COMMENTS REGARDING GENERAL MATTERS OF CITY BUSINESS

Paul Flippin, City of Newburgh, reintroduced himself as he hasn't been here in a while but he wants to come back and throw his name in for Fire Chief. He worked for the City of Newburgh Fire Department for twenty-three years and retired in 2003. He knows that there will be a process and he feels his resume will speak for itself. He loves this city and wants to come back to it as he has a vision and he wants to help.

Helen Murphy Drye, former Tax Collector wonders what the status is of the last meeting. Mr. Harvey was interested in hearing her side of the story on her wrongful termination and they suggested investigating this as she wants her job back. She is not incompetent and she had been doing the job with the training and the resources that were available. Her resume showed that she had no experience with municipalities but what made them decide to choose her was her corporate experience. She wants her job back and she will fight to the end to get to the truth because there is no reason why she should have been fired. On January 19th she was told she was going to have a performance review at 10:30 a.m. and then was told it was changed to 4:00 p.m. but it never crossed her mind that she was being terminated. She was not properly trained and admitted that there were mistakes but with the right training she can and will do her job. She is asking for support of the Council to do a Forensic Audit where the truth will come out.

Mayor Kennedy read a letter out loud that she sent to three Pastors, the City Manager, Corporation Counsel and the City Council. *"Dear all, I have not seen an update from anyone concerning the situation with Helen Murphy so in the interest of getting communication going I am sending this e-mail. After having a conversation with legal counsel and getting a better understanding of the term Forensic Audit I realize that I and others are using that term incorrectly. A Forensic Audit refers to an accounting audit process and since we are under State overview for the last five years with a mandatory State review to the Comptroller's Office on a quarterly basis we do not need a Forensic Audit, however, we do need two investigations concerning the situation with Helen Murphy. One for an investigation into the competency issue of a City employee and two, an investigation on how this employee was treated. I have been told that legal counsel is pursuing both of these investigations so we need to proactively keep everyone concerned in the loop on this particular issue. My understanding was that a meeting was going to be set up with the Pastors and City*

representatives and I have not heard that such a meeting was set up yet." It is her expectation that a meeting will be set up shortly with Pastor Bruce Davis, Pastor Jeff Woody and Pastor Nelson McAllister and she told Ms. Murphy that she will have to sign a document agreeing to have information from her personnel records shared with those Pastors. This information will not be shared with everyone as it is a personnel issue but the public will be informed when the process is completed.

Councilman Harvey feels a little offended where the letter states some of them were using this term incorrectly. He believes that the entire Body knows what a Forensic Audit is but he believes that in general if someone is terminated from a position such as a Tax Collector position then there would have to be some gross negligence and incompetence. If that person is in a position where there are fiduciary responsibilities and a Council person asks for a Forensic Audit then he thinks that would be justifiable. He doesn't think it was used incorrectly.

Mayor Kennedy said that she did not mean to offend and in her conversation with legal counsel it was explained to her that a Forensic Audit was primarily focused on a whole review of the books for the City of Newburgh. Since 2009 we are under the Newburgh Fiscal Recovery Act and our books are reviewed by the State every three months to ensure that we are staying on track and our books are in order and once a year we have to go through a complete audit to the State Comptroller.

Councilwoman Holmes said that she has been in touch with the New York State Comptroller's Office in New Windsor and they told her that an audit can be done. She was told that all they have to do is write a letter so she doesn't understand why an audit cannot be done. These are our tax dollars so she wants someone who is competent and trained correctly to do the job and if they weren't then we need an audit.

Councilman Harvey said that if someone is terminated in an accounting position for gross negligence or incompetence where people are paying taxes and the termination was justifiable with proof then it would only make sense for an independent Forensic Audit to be done. This is due diligence on behalf of the Council to look out for the taxpayers and the homeowners in the City of Newburgh.

Mayor Kennedy said that they are asking for an investigation on competency, how she was treated and an audit on the money trail. She sees nothing wrong with doing that and she will follow up with the State offices on this.

Councilwoman Mejia added that she is very comfortable and appreciative with the Fiscal Recovery Act which was enacted back in 2009. For her the value in a Forensic Audit would be to see what happened prior to 2009 which is when the City was flush with more cash than we have now. Ms. Murphy's case is separate and a personnel issue that they need to discuss but she dislikes discussing that at this table which is why we need the Human Resource position so badly.

Councilwoman Abrams does not want to discuss any personnel issues in public. She feels that it is wrong and an unethical action by the City Council so she will not do it.

Councilwoman Holmes doesn't feel it's unethical when the prior employee is here asking

for their support. They need to set a date to have a meeting and get this done because this lady has waited long enough.

Councilwoman Rayford added that they are talking about two separate dates. One with Helen Murphy and the Council and then this Forensic Audit. We need to find out immediately what is going on in the Finance Department. Who is doing that job and are they qualified because these are taxpayer dollars. She requested that a Forensic Audit be done as soon as possible.

Mayor Kennedy said that they can request that from the State and the date will depend on their resources.

Councilwoman Rayford asked if the Council needs to vote on this?

Mayor Kennedy said that she will need a motion on the table to request an audit from the State Comptroller's Regional Office to do an audit for the period of time that has happened in the last year. She doesn't know what the State would do and we need to find out what the cost will be associated with that. At the very minimum they want to understand what has happened in the last year with the tax collection. That would be the minimum of this request.

Councilman Harvey said that he agrees.

Mayor Kennedy asked for a motion to have a minimum audit done for the last year in the Tax Collector's Office.

Councilwoman Rayford moved and Councilman Harvey seconded the motion.

Ayes - Councilwoman Angelo, Councilman Harvey, Councilwoman Holmes, Councilwoman Rayford - 4

Nays - Councilwoman Abrams, Councilwoman Mejia, Mayor Kennedy - 3

MOTION PASSED

****PUBLIC COMMENTS CONTINUED**

Herman Hubbard, City of Newburgh said that he has been involved in this community for a long time and he is here to support Helen Murphy Drye.

Belinda Reed, Town of Newburgh said that a search warrant was executed on her residence in 2014 and her door was damaged. She sent letters to the Mayor, Police Chief and District Attorney about getting her money back for the damaged door.

Corporation Counsel, Michelle Kelson said that her claim was approved months ago and as soon as they get a signed release they can give her the money. She wrote down her name and telephone number for Ms. Reed.

Kippy Boyle, Grand Street, said that we have seven Council people but she did not realize that we also have seven human resource experts who are able to interview, hire, do

performance reviews, promote from within and fire if needed. She feels it is totally inappropriate and unethical for the City Council to do this and that's why we need an HR person. It has been brought up before that the Civil Service Commission could be disbanded here and moved to the County freeing up funds for a professional HR department.

Ms. Garner, 33 S. Miller St. reminded everyone that on Saturday, February 13th they will be collecting water for Flint, Michigan and she asked for support from the community.

Beatrice Harris, Heights, is concerned for the youth. There are multiple programs that are supposed to promise beneficial results but unfortunately not many of them here do that. She worked at the Youth Empowerment Center for two months in 2015 and saw little effort. She and her husband spearheaded dance, exercise, and mentoring but the person overseeing the program was so disrespectful to their efforts that she is asking the Council to look into the Youth Empowerment Center because those children are not safe.

Charlotte Mountain, Liberty Street, is sad that she heard in an earlier discussion as to whether or not any City employee should have a step increase or a raise words like "*peon*" from the Council. She also heard, "*If you want more money someone else can do your job*". She told the Council that they have people who are skilled and do their jobs well. They come to work with a purpose and this is one of the most underfunded cities in the World as far as paying their employees. They should be thanking them and baking cakes for them. If you cannot pay them, thank them because they work hard in a thankless place. She agreed that it is a good idea to get rid of Civil Service in Newburgh and combine with the County and suggested that they look into that. If they want better and more candidates to choose from they should think about combining with Orange Council Civil Service.

Dawn Wilkin, Team Newburgh Coalition, thanked everyone who contributed in the drive they did last December for the Newburgh Enlarged City School District where they raised over \$8,000 in products and opened a hygiene closet to distribute these products in the District. She wanted to add that with Acting Chief Cameron they have received positive collaboration, transparency and a willingness to communicate so that they can do their job a little better. They thanked the Chief for all that he has done and everyone in the community for their generosity.

Kimberly Owens and Erica Cardona, members of the World Mission Society Church of God, said that they are new to the area in New Windsor and they want the City of Newburgh to know that they are here as a helping hand. They have the manpower and the willpower so they would like to speak with the Council on ways that they could possibly help in whatever way needed.

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

FURTHER COMMENTS FROM THE COUNCIL

Councilwoman Abrams said that she owes people an apology for using the word "*peon*" but was referring to "*us low paid people.*" She is hopeful that this is the year of the big clean up as she has noticed a lot more graffiti and gang tags. A woman who is an artist turned some graffiti into very beautiful flowers and then Codes gave her a ticket for painting on her house so something is wrong here. Codes is going to rise to the top of their priority list real soon as she is not going to let this drop.

Councilwoman Angelo announced a new restaurant opening this weekend called Hurricane Grill and Wings. She noted some events happening at the Library for Black History month and encouraged everyone to participate. There are eighteen job vacancies throughout our departments and she has a list with their salaries that she will post on the bulletin board. Also Deirdre Glenn gave them some literature on properties that are for sale. She thanked everyone for coming tonight and added that the Warming Center needs help and donations.

Councilman Harvey announced that the NFA Excelsior Academy held a Modern Day Slavery Project last week that went well. The children did research on this and they did a great job. They are embarking on a new school project called The Environmental Issues Project (EIP) which includes a lot of the issues environmentally that have to be addressed locally. The students have already outlined about fifty local issues so they now have to come up with recommendations and solutions on how to address these issues. At the Mayors request he has started a sign up sheet for students to volunteer and earn extra credit to present some Black History Month facts for the last meeting at the end of this month and he had an overwhelming response of students who want to participate. Ms. Boyle suggested expanding the Civil Service and letting the County take over and he agrees with that. They need an HR Department so he looks forward to moving on with what that might look like. He has tried to stay out of the Police Chief issues as he was not on the Council when that started and the Civil Service Commission is a separate entity set up outside of elected positions so they don't get involved with HR issues because things can get very highly political. Civil Service is there for a reason but he would hate to see the Chief leave as he has done a good job here and he thanked him for his service.

Councilwoman Holmes thanked Coach Burks for bringing the Track Team tonight as she is proud of them and appreciates what they do. She told Ms. Boyle that she appreciates her comments and agrees that we do need an HR person but she was a previous Civil Service Commissioner and two thirds of the Civil Service Administrator's salary is paid by the school district. The Commissioners do try to follow the rules and regulations and as Councilman Harvey noted they are a separate entity. She doesn't feel it should go to Goshen but agrees that we do need an HR person. she thanked everyone for coming tonight.

Councilwoman Mejia thanked everyone for coming and noted that preserving the City's assets is a priority. Not just the physical assets like our buildings, roads and our sewer systems but also the human assets such as the residents, tourists and workers who are both

city and non city residents. She celebrates the construction of the First Street Pier making sure that our residents have access to clean safe green spaces. Kudos to George Garrison and his team for all that they do with making sure that our spaces are maintained during the winter months. Taxes and bills are our first interaction with the government and we have to figure out how individual homeowners who work hard to improve their homes pay a certain amount of taxes when other properties around them are not kept up impacting their property value. If Grants are out there we need to take advantage of them and one that was just released is the Municipal Restructuring Fund which is a new program and funding structure available through the New York State Department of State to support local government and school officials to develop transformative efforts that will lead to property tax reductions. She feels that this is something that they need to aggressively tackle. Servicing our youth is very important and it concerns her a great deal to hear people speak about the condition of the services for them so they have to prioritize and asses what is actually happening. She noted that in Ward 1 the Boys and Girls Club has done a phenomenal job of servicing the youth in our community and on Fridays and Saturdays they have a program for young adults ages sixteen to twenty-one where they can come in after 6:00 p.m. and stay until after 11:00 p.m. so that they are in a safe environment. We have a lot of these programs but we don't know enough about them or when they take place so we have to ask more questions and be more informed. She looks forward to what they can accomplish in 2016.

Councilwoman Rayford noted that February is Black History Month and the committee is holding a Hip Hop Program on Friday at Kaplan Hall starting at 5:00 p.m. and it is free of charge. She reminded everyone that Ms. Garner is spearheading a water collection for Flint, Michigan's water problem at the Activity Center on Saturday the 13th. She agrees with Ms. Boyle on the HR person and the reason she requested a Forensic Audit is because when it deals with the taxpayers money then they have to get to the bottom of it. On the youth program she hopes that they are going to meet with the person in charge soon to see what is going on there. Councilwoman Mejia noted that there are different youth programs in the City of Newburgh which is true but they have to make sure that they are all legitimate programs that have proper insurance and background checks. To address Ms. Mountain's comments she said that she is proud of the workers here in the City of Newburgh but according to statistics we are the fourth poorest city in the Nation according to our population, crime and jobs. She never said that they weren't qualified she said that there are people who would like those jobs if they didn't want them. She added that they want to keep everyone here and thanked the Police Chief, Acting Chief and George Garrison for the work that they do because they do a tremendous job. She thanked the World Mission Church of God for their helping hand because we need their help and Prayers. She added that she had the opportunity to go to NFA to see the Modern Day Slavery Program and noted that the students did a tremendous job. We have to keep abreast of what is going on in our community and keep informed so that we can keep moving forward.

Mayor Kennedy said that there are lots of things going on here. Newburgh Illuminated number four is planning a meeting on the 15th at 6:00 p.m. at Safe Harbors which is run by volunteers and the money raised is private. Last year over six thousand people came from all over to experience Newburgh and see it in a new light. She invites anyone with a passion to move Newburgh forward to be a part of this to make it bigger and better. We had an event here last Saturday and the number of people who came from all over speaks

to the shift that is happening. In regard to youth opportunities, there are many programs such as the Boys and Girls Club, the Center for Hope, the Newburgh Armory, our own Recreation Department and Zion Lions. There are many youth programs in this City and each of them are their own non-profit organization. The Youth Empowerment Center is not a city run program although they use one of our buildings. They are supposed to have a meeting with her soon to make sure that she is fulfilling the license agreement specifications. She agrees that they need an HR person and has been asking for one since she was elected. We need professional HR people to interview and follow proper procedures when being reprimanded and trained. This has to be a top priority as money is in the Budget and we have to get this done. Our employees are our most valuable resource so we need to support them and keep them when we have them. She thanked the World Mission Church of God and suggested combining their helping hand with Councilman Harvey's Project at NFA and materials management on how to manage waste. We have to find a way to save the city money on the trash we throw out all the time. We don't understand what recycling is about and we have to teach the children so they can then teach the parents. With a proper recycling program we can reduce the amount of trash that now costs us \$85.00 per ton every week for garbage. If we would recycle properly, we could cut that amount in half. She went to the Tuskagee Airmen Gala on Saturday night which was such a blessing. There were five Veterans there who brought tears to her eyes with their stories. She thanked Councilman Harvey for bringing students to the next meeting and she is happy about the First Street Pier and South Street Park moving forward. They have to press forward on Economic Development which will bring our taxes under control. We have developed property on the waterfront and they are working with everyone interested to put together projects that they can take to the State in order to bring economic development and jobs here in the City. Lastly she will be attending a hearing in Albany on infrastructure as there is money available and we have to find a way to get help here in the city to turn it around. She thanked everyone for coming and told them that she loves their ideas.

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

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 9:25 P.M.

LORENE VITEK
CITY CLERK

RESOLUTION NO.: 29 - 2016

OF

FEBRUARY 8, 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
DECLARING ITS INTENT TO BE LEAD AGENCY UNDER STATE
ENVIRONMENTAL
QUALITY REVIEW ACT (SEQRA) FOR THE VACANT HISTORIC DISTRICT
DEMOLITION PROJECT, DECLARING THE PROJECT TO BE A TYPE I ACTION,
CONSIDERING AN ENVIRONMENTAL ASSESSMENT FORM (EAF) AND
REFERRING SAME INVOLVED AND INTERESTED AGENCIES**

WHEREAS, by Resolution No. 182-2015 of July 13, 2015, the City Council of the City of Newburgh approved the 2015 Capital Plan as proposed and further authorized the City Manager and the City Comptroller to take appropriate action to secure financing and to implement the 2015 Capital Plan; and

WHEREAS, the City of Newburgh proposes undertake the financing of several capital improvement projects including the Vacant Historic District Building Project (the "Project") which includes the demolition of the buildings located at 115, 139, and 169 Johnston Street, 191 South Street, 68 Campbell Street, 2 and 254 Liberty Street, 161 Lander Street, and 140 and 251 Third Street; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA), the City Council of the City of Newburgh wishes to declare its intent to assume Lead Agency status, classifies the Project as a Type I Action, proposes to accept an Environmental Assessment Form ("EAF") and refer same to the involved and interested agencies;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York as follows:

1. That the City Council of the City of Newburgh hereby declares its intent to assume Lead Agency status for the environmental review of the action pursuant to 6 NYCRR 617.6; and
2. That this Council classifies the action as a Type I Action; and
3. That this Council proposes to accept the Environmental Assessment Form ("EAF") attached hereto; and
4. That this Council authorizes the City Manager to circulate said Long Environmental Assessment Form to other "Involved Agencies" and "Interested Agencies".

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Vacant Building Demolition		
Project Location (describe, and attach a general location map): Multiple Properties throughout the City of Newburgh		
Brief Description of Proposed Action (include purpose or need): Demolition of vacant dilapidated buildings located at 115, 139, and 169 Johnston Street, 191 South Street, 68 Campbell Street, 2 and 254 Liberty Street, 161 Lander Street, and 140 and 251 Third Street. It has been determined that the buildings are structurally unsafe and pose a threat to public safety.		
Name of Applicant/Sponsor: City of Newburgh	Telephone: (845) 569-7301	E-Mail:
Address: 83 Broadway		
City/PO: Newburgh	State: New York	Zip Code: 12550
Project Contact (if not same as sponsor; give name and title/role): Jason Morris, P.E. - City Engineer	Telephone: (845) 569-7447	E-Mail: jmorris@cityofnewburgh-ny.gov
Address: 83 Broadway		
City/PO: Newburgh	State: New York	Zip Code: 12550
Property Owner (if not same as sponsor): See Attached	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ARC	
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SHPO	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Broadway Corridor, Downtown Neighborhood, Medium Density Residential
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action?
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Newburgh Enlarged School District
- b. What police or other public protection forces serve the project site?
City of Newburgh Police Department
- c. Which fire protection and emergency medical services serve the project site?
City of Newburgh Department, Mobile Life Support Services, Inc.
- d. What parks serve the project site?
Downing Park, Audrey Carey Park, Tyrone Crab Park, Courtney Avenue Park

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? building demolition and greening of the vacant parcel.
- b. a. Total acreage of the site of the proposed action? _____ 0.69 acres
b. Total acreage to be physically disturbed? _____ 0.55 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ n/a acres
- c. Is the proposed action an expansion of an existing project or use?
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____ Yes No
- d. Is the proposed action a subdivision, or does it include a subdivision?
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ Yes No
ii. Is a cluster/conservation layout proposed?
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____ Yes No
- e. Will proposed action be constructed in multiple phases?
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) April month 2016 year
• Anticipated completion date of final phase March month 2018 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
The demolition shall commence as funding is available and will continue as funding is available.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

• If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Excavator, skidsteer, and/or other equipment necessary to knock down and remove debris. _____
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 n/a _____
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 n/a _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 a.m. to 7:00 p.m. _____ • Saturday: _____ by permit only _____ • Sunday: _____ n/a _____ • Holidays: _____ n/a _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ n/a _____ • Saturday: _____ n/a _____ • Sunday: _____ n/a _____ • Holidays: _____ n/a _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:
i. Provide details including sources, time of day and duration:
Ambient levels will likely be increased to excavator, skidsteer, and/or other equipment necessary to knock down and remove debris.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n.. Will the proposed action have outdoor lighting?
If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
_____ Yes No

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day?
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ Yes No

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:
i. Product(s) to be stored _____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)
iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:
i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:
i. Describe any solid waste(s) to be generated during construction or operation of the facility:
• Construction: _____ 25 tons per _____ month (unit of time)
• Operation : _____ n/a tons per _____ n/a (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
• Construction: Onsite recycling or reuse of demolished materials is not proposed.
• Operation: n/a

iii. Proposed disposal methods/facilities for solid waste generated on-site:
• Construction: licensed/permited facility chosen by the contractor and/or their hauler.
• Operation: n/a

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.55	0	- 0.55
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Landscape _____	0.14	.69	+ 0.55

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): B00189, 336042, 546031, 336031, 336055, B00188
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

Several sites in current stages of remediation are relatively proximate to the sites. None are adjacent. None will have any effect, positive nor negative, on those existing remediation sites.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 6.56 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

MdB - Mardin Gravelly Silt Loam	58 %
MdC - Mardin Gravelly Silt Loam	42 %
_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ 1.41 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ 100 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 85 % of site
 10-15%: _____ 15 % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name Polly Pond Classification C _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 squirrels _____ woodchucks _____ birds _____
 rats _____ cats _____ _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 Known occurrences are documented within the vicinity of the project site. The project site is consistent with dense urban development and no impact is anticipated to occur.

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: East End Historic District, US Post Office - Newburgh, Dutch Reformed Church, Old Town Cemetery and Palatine Church Site

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

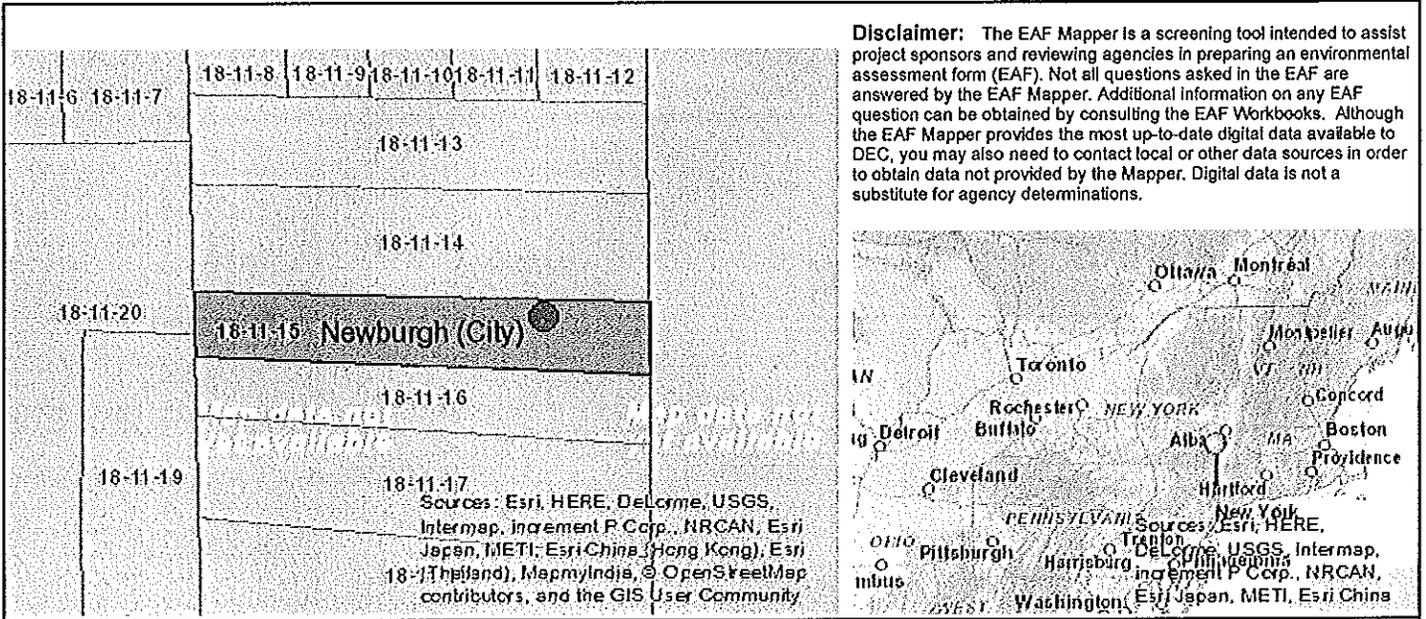
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael G. Claravino Date _____

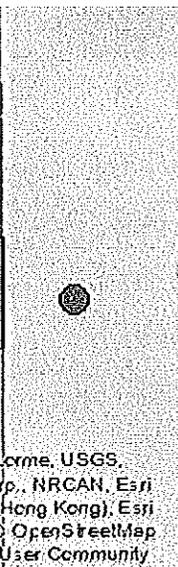
Signature _____ Title City Manager

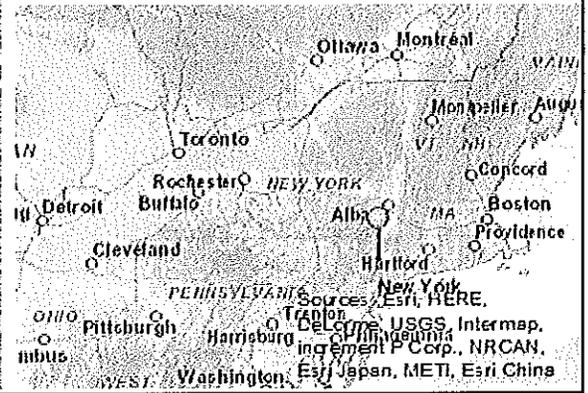


B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

18-2-28	18-2-13	
	18-2-14	
18-2-27	18-2-15 Newburgh (City)	
	18-2-16	
18-2-26	Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community	



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

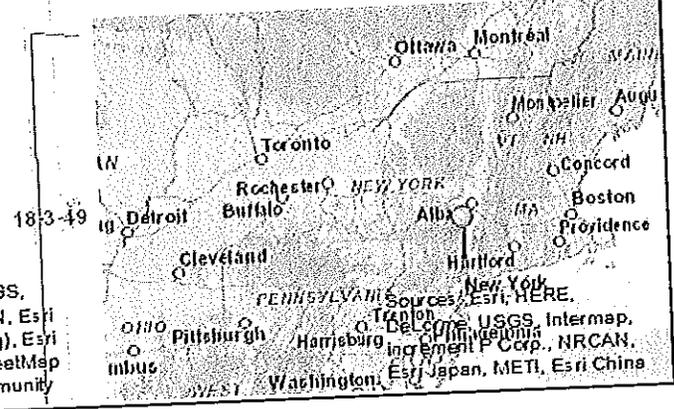
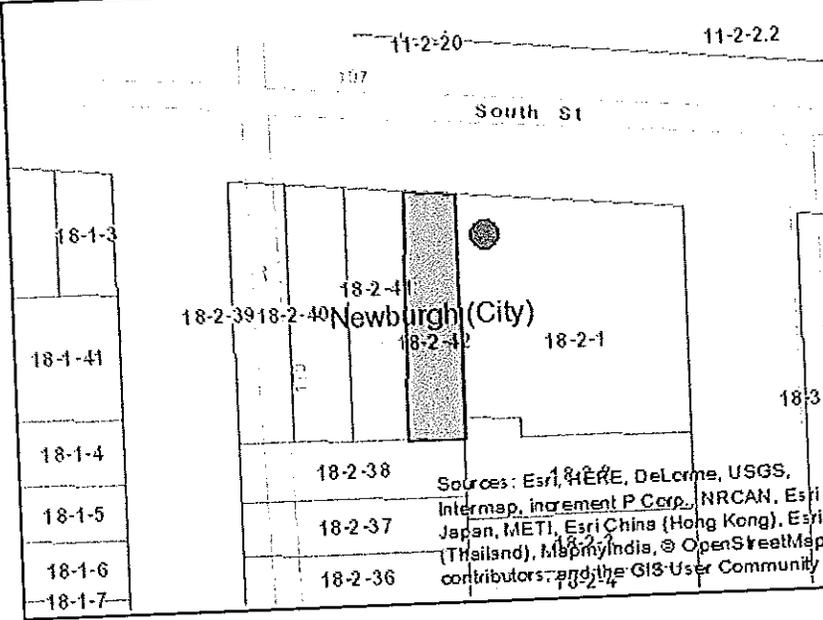
B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

EAF Mapper Summary Report

Thursday, January 28, 2016 4:23 PM

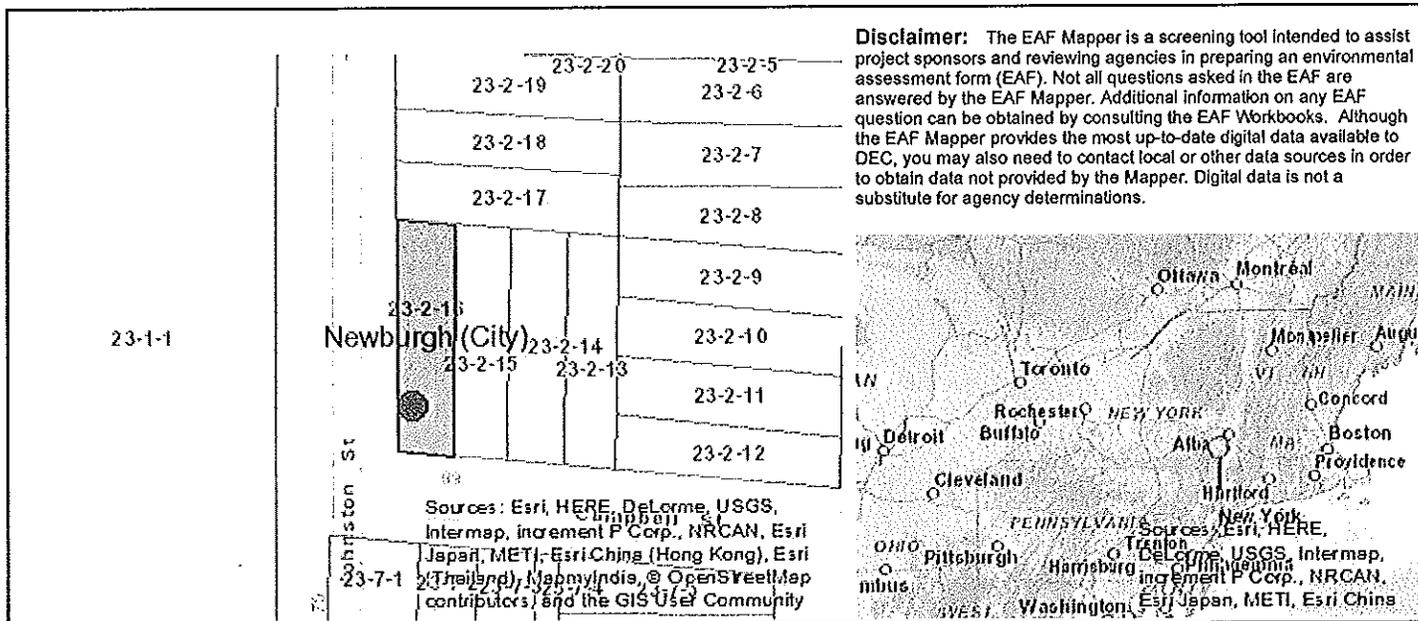
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), Swire, and the GIS-User Community

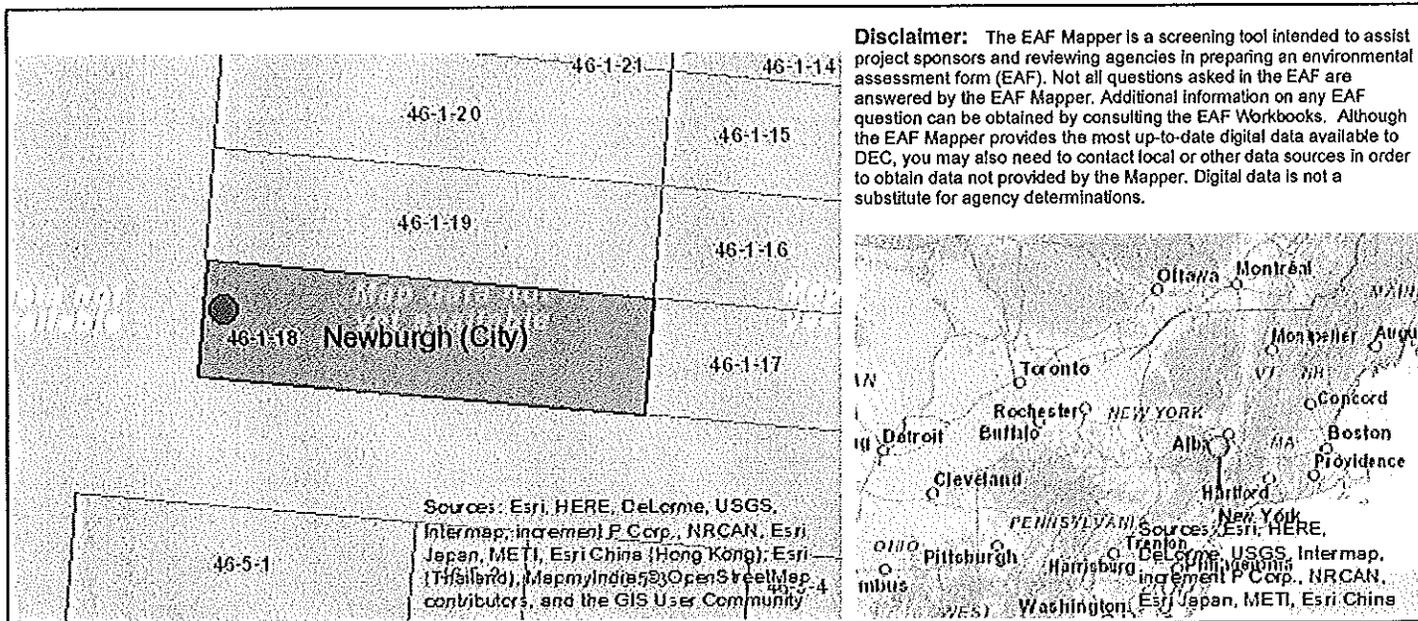
- B.i.i [Coastal or Waterfront Area] Yes
- B.i.ii [Local Waterfront Revitalization Area] Yes
- C.2.b. [Special Planning District] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
- E.1.h [DEC Spills or Remediation Site - Potential Contamination History] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
- E.1.h.i [DEC Spills or Remediation Site - Listed] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
- E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
- E.1.h.iii [Within 2,000' of DEC Remediation Site] Yes
- E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] B00189
- E.2.g [Unique Geologic Features] No
- E.2.h.i [Surface Water Features] No
- E.2.h.ii [Surface Water Features] No
- E.2.h.iii [Surface Water Features] No
- E.2.h.v [Impaired Water Bodies] No
- E.2.i. [Floodway] No
- E.2.j. [100 Year Floodplain] No
- E.2.k. [500 Year Floodplain] No
- E.2.l. [Aquifers] No
- E.2.n. [Natural Communities] No
- E.2.o. [Endangered or Threatened Species] Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



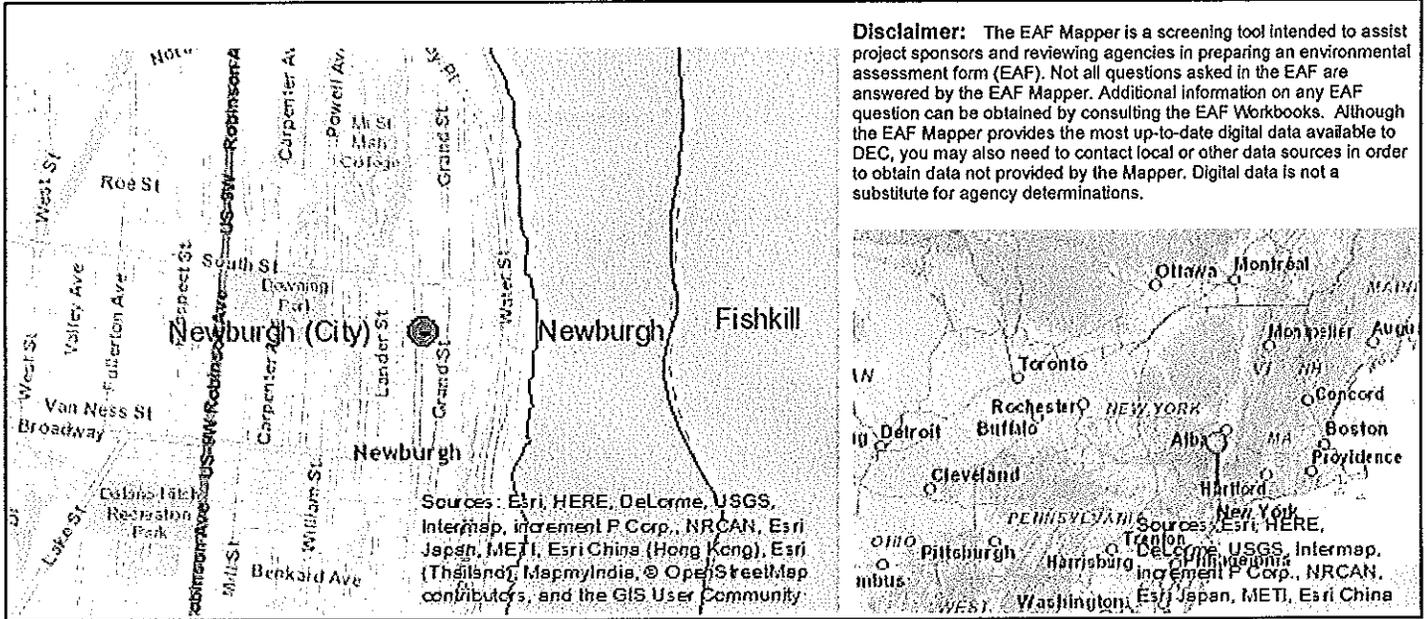
B.1.i [Coastal or Waterfront Area]	Yes
B.1.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	336042
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, US Post Office--Newburgh
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031 , 336031 , 336055 , B00188
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031 , 336042 , B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

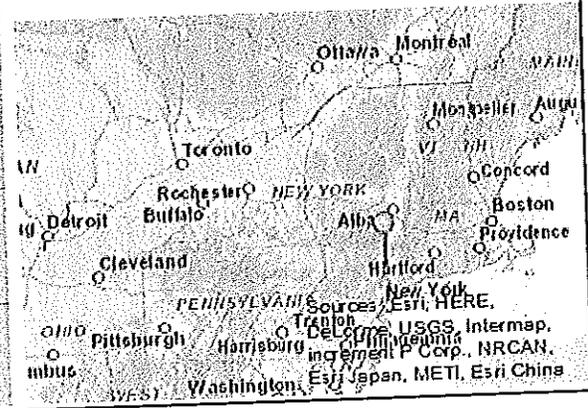
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, Dutch Reformed Church, US Post Office--Newburgh
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

EAF Mapper Summary Report

Thursday, January 28, 2016 4:41 PM

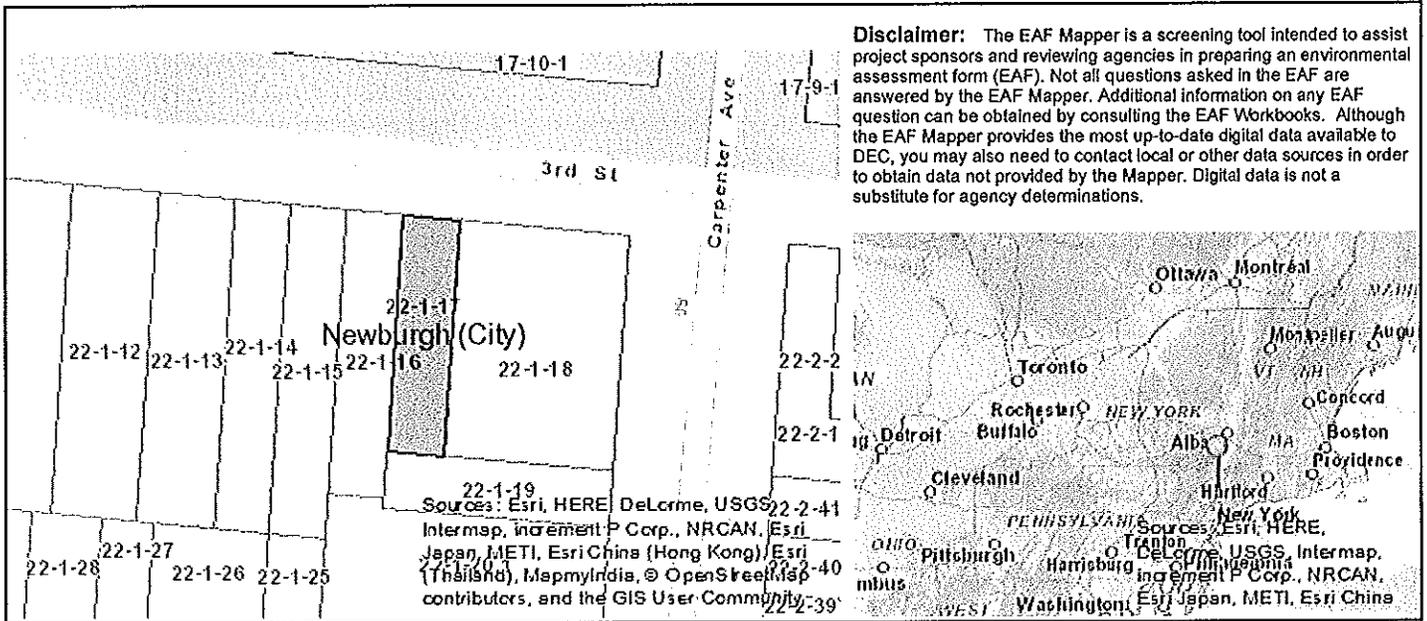
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

18-4-50	18-4-5
18-4-49	18-4-6
18-4-48 Newburgh (City)	18-4-7
18-4-47	18-4-8
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community	



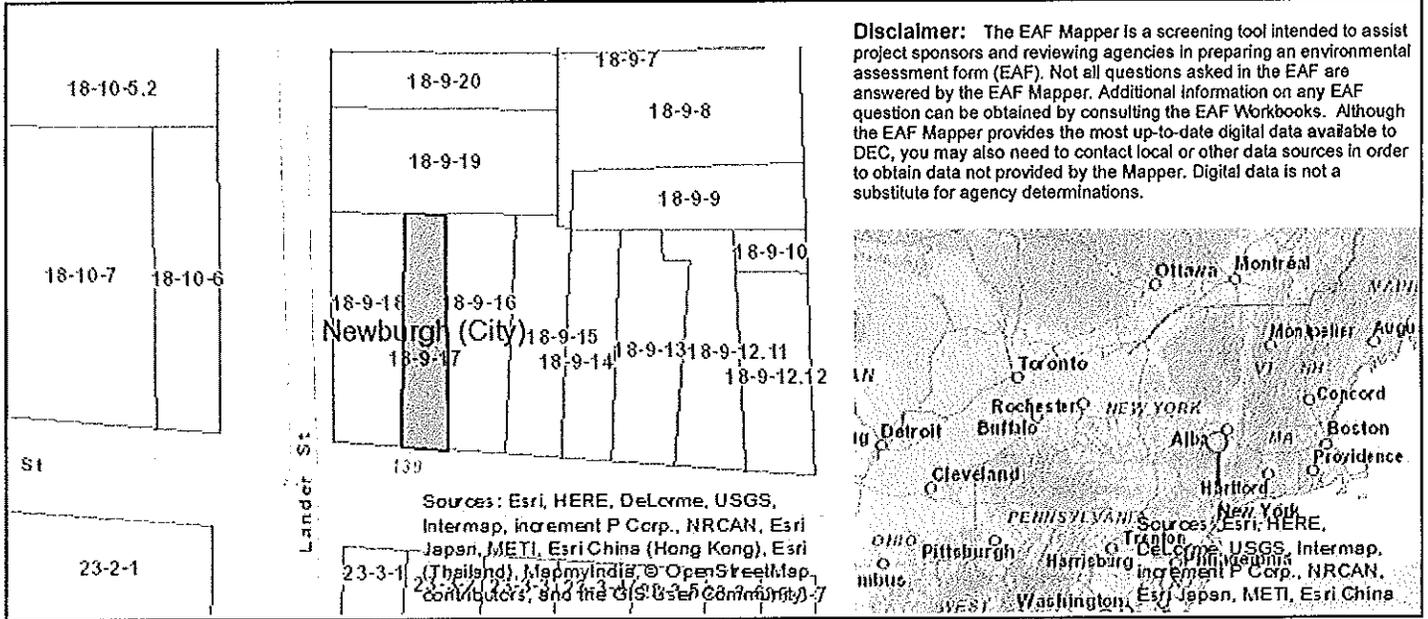
B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	546031 , B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, Old Town Cemetery and Palatine Church Site
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	336042 , B00189
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	East End Historic District, US Post Office--Newburgh
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

RESOLUTION NO.: 30 - 2016

OF

FEBRUARY 8, 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH
ASSUMING LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL
QUALITY REVIEW ACT (SEQRA) FOR THE VACANT NON-HISTORIC DISTRICT
BUILDING DEMOLITION PROJECT, DECLARING THE PROJECT TO BE AN
UNLISTED ACTION, ADOPTING PART I, PART II AND PART III OF THE
ENVIRONMENTAL ASSESSMENT FORM AND ISSUING A NEGATIVE
DECLARATION**

WHEREAS, by Resolution No. 182-2015 of July 13, 2015, the City Council of the City of Newburgh approved the 2015 Capital Plan as proposed and further authorized the City Manager and the City Comptroller to take appropriate action to secure financing and to implement the 2015 Capital Plan; and

WHEREAS, the City of Newburgh proposes undertake the financing of several capital improvement projects including the Vacant Non-Historic Building Project (the "Project") which includes the demolition of the buildings located at 16 Maple Street, 187 Carson Street and 251 First Street and 253 First Street; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA), the City Council of the City of Newburgh wishes to assume Lead Agency status, declare the action to be an unlisted action, approve and adopt Part I, Part II and Part III of the Short Environmental Assessment Forms and find that the Project will not have any significant adverse environmental impacts; and issue a negative declaration;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York as follows:

1. That the City Council of the City of Newburgh hereby declares itself as the Lead Agency for the environmental review of the action pursuant to 6 NYCRR 617.6; and
2. Classifies the action as an unlisted action; and
3. Adopts Part I, Part II and Part III of the Short Environmental Assessment Form; and
4. Issues a Negative Declaration with respect to the Project; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and hereby is authorized to sign and file any/and all other documents that may be necessary in connection with this SEQRA classification of the Project listed in this resolution.

Short Environmental Assessment Form

Part I - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I - Project and Sponsor Information			
Name of Action or Project: Vacant Building Demolition			
Project Location (describe, and attach a location map): Multiple Properties throughout the City of Newburgh			
Brief Description of Proposed Action: Demolition of vacant dilapidated buildings located at 16 Maple Street, 187 Carson Street, and 251 and 253 First Street It has been determined that the buildings are structurally unsafe and pose a threat to public safety.			
Name of Applicant or Sponsor: City of Newburgh		Telephone: (845) 569-7301	
		E-Mail:	
Address: 83 Broadway			
City/PO: Newburgh		State: New York	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?			0.44 acres
b. Total acreage to be physically disturbed?			0.30 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			n/a acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>187 Carson Avenue near Provan - currently undergoing remediation through the NYSDEC Environmental Remediation Program</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Michael G. Ciaravino</u> Date: _____</p> <p>Signature: _____</p>		

Project: Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action has the potential to significantly impact the intensity of land use in the area. The demolition of existing structures is significant, however, due to the extremely blighted and distressed nature of these structures, and the following planned mitigation, the action will have a neutral or positive environmental impact.

The structures will be demolished, including any foundation. Each site will be cleared and graded. Each site will be fenced to deter dumping. The cleared and stabilized lots have been offered to Habitat for Humanity for new construction of housing for their homeownership program. Any parcel that Habitat is not interested in, and cannot be transferred to a similar, known, not-for-profit homeownership development company, will be offered to adjacent property owners for ownership and use as a side yard.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Newburgh

2/8/2015

Name of Lead Agency

Date

Michael Ciaravino

City Manager

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

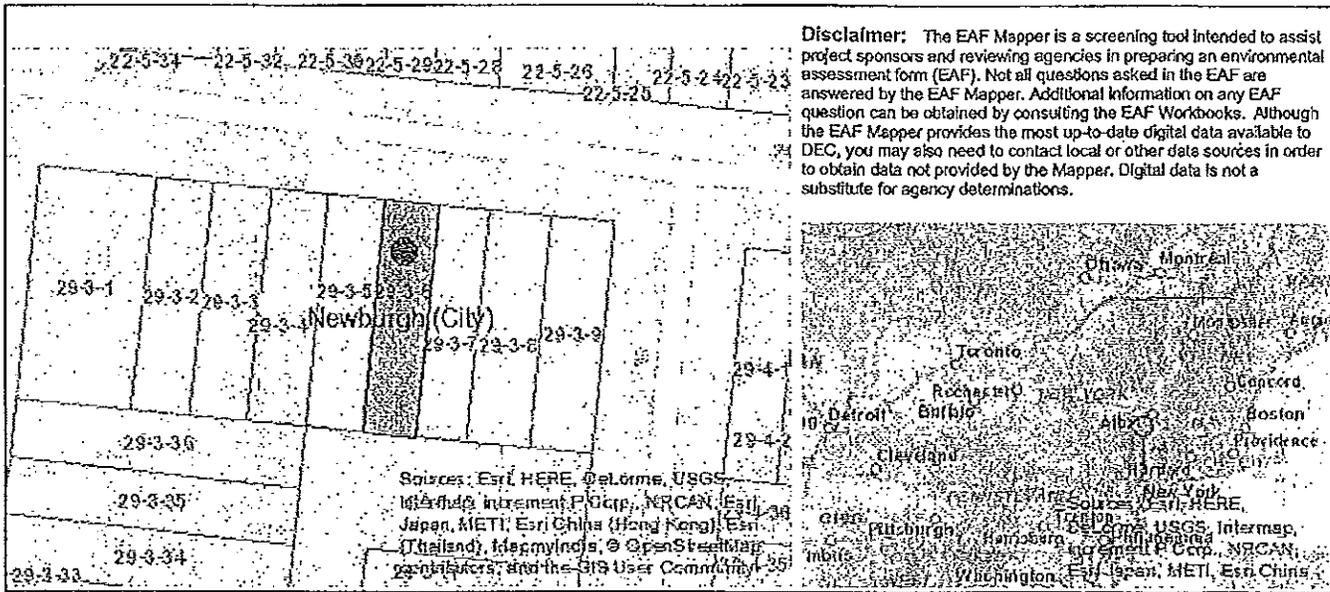
EAF Mapper Summary Report

Friday, January 29, 2016 10:43 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Corp., GEBCO, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), Swisstopo, © OpenStreetMap contributors, and the GIS User Community

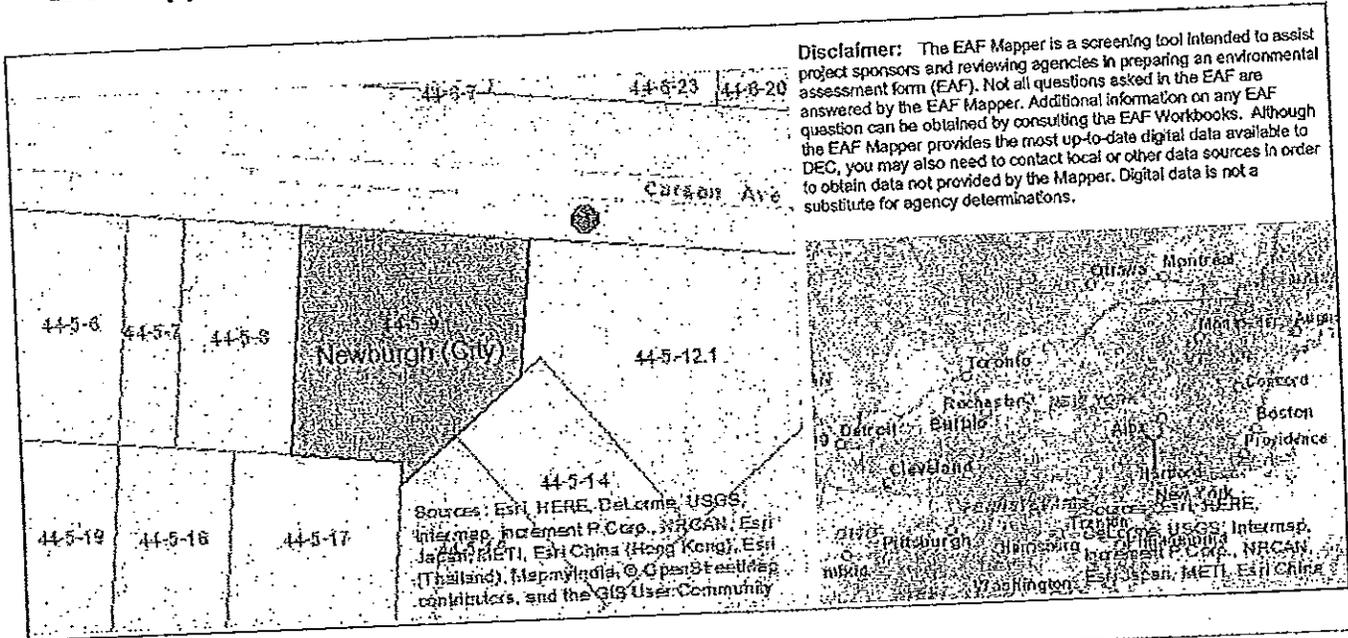
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

EAF Mapper Summary Report

Friday, January 29, 2016 10:46 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

EAF Mapper Summary Report

Friday, January 29, 2016 10:52 AM

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

RESOLUTION NO.: ³¹ _____ - 2016

OF

FEBRUARY 8, 2016

**RESOLUTION SCHEDULING A PUBLIC HEARING
FOR FEBRUARY 22, 2016 TO HEAR PUBLIC COMMENT
REGARDING THE CITY OF NEWBURGH'S FIVE YEAR CONSOLIDATED
HOUSING AND COMMUNITY DEVELOPMENT STRATEGY
AND ACTION PLAN FOR FISCAL YEAR 2016**

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments regarding the City of Newburgh's Consolidated Housing and Community Development Strategy and Action Plan for fiscal year 2016; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 22nd day of February, 2016, in the third floor Council Chambers located at 83 Broadway, City Hall, Newburgh, New York.

RESOLUTION NO.: 32 - 2016

OF

FEBRUARY 8, 2016

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN
AS 57-58 WILLIAMSBURG DRIVE (SECTION 1, BLOCK 2, LOT 29)
AT PRIVATE SALE TO JOHN TEIXEIRA FOR THE AMOUNT OF \$50,000.00

WHEREAS, the City of Newburgh has acquired title to several parcels of real property by foreclosure *In Rem* pursuant of Article 11 Title 3 of the Real property Tax law of the State of New York; and

WHEREAS, pursuant to Section 1166 of the Real Property Tax Law the City may sell properties acquired by foreclosure *In Rem* at private sale; and

WHEREAS, the City of Newburgh desires to sell 57-58 Williamsburg Drive, being more accurately described as Section 1, Block 2, Lot 29 on the official tax map of the City of Newburgh; and

WHEREAS, the prospective buyer has offered to purchase this property at private sale; and

WHEREAS, this Council has determined that it would be in the best interests of the City of Newburgh to sell said property to the prospective buyer for the sum as outlined below, and upon the same terms and conditions annexed hereto and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the indicated purchase price in money order, good certified or bank check, made payable to THE CITY OF NEWBURGH, such sums are to be paid on or before May 9, 2016, being ninety (90) days from the date of this resolution; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>	<u>Purchase Price</u>
57-58 Williamsburg Drive	1 - 2 - 29	John Teixeira	\$50,000.00

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the parcel is not required for public use.

Terms and Conditions Sale

57-58 Williamsburg Drive, City of Newburgh (1-2-29)

STANDARD TERMS:

1. City of Newburgh acquired title to this property in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The property is sold subject to unpaid 2015-2016 School Taxes and any subsequent levies. Upon the closing the property shall become subject to taxation. Payment of the 2015-2016 School Taxes shall be made as of the date of closing. Water and sewer charges and sanitation fees will be paid by the City to the date of closing except that where the water meter reading nets a usage to the purchaser of less than 6 units for the quarterly bill, the purchaser shall be responsible for a minimum water and sewer bill of six units.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within (18) months of the date of the deed. Within such eighteen (18) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the eighteen (18) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the eighteen (18) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. Notice is hereby given that the property is occupied. This parcel is being sold subject to the City's Rental License Ordinance and all provisions of law applicable thereto. At closing, the purchaser will be required to register the property and remit the rental license fee. It is the sole responsibility of the purchaser to redevelop such parcel in accordance with same.
7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property

located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.

9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receipt of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before May 9, 2016. *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
11. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
12. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
13. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the City upon payment in full of the purchase price, buyer's premium, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**
14. Upon closing, the City shall deliver a quitclaim deed conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.
15. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least ten (10) days in advance of closing title and approved by the City's Engineer.
16. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.

17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the auction date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

RESOLUTION NO.: 33 - 2016

OF

FEBRUARY 8, 2016

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY
KNOWN AS 15 1/2 OVERLOOK PLACE (SECTION 48, BLOCK 3, LOT 9)
TO THE NEWBURGH COMMUNITY LANDBANK AT PRIVATE SALE**

WHEREAS, the Newburgh Community Land Bank was incorporated pursuant to Article 16 and Section 402 of the Not-for-Profit Corporation Law and is a Type C Not-For-Profit corporation as defined in Section 201 of the Not-For-Profit Corporation Law; and

WHEREAS, the mission of the Newburgh Community Land Bank is to stimulate planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner in collaboration with community stakeholders, developers and other governmental agencies in order to improve the quality of life in Newburgh; and

WHEREAS, the Newburgh Community Land Bank is ready to acquire City-owned properties consistent with its mission to stimulate planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner in collaboration with community stakeholders, developers and other governmental agencies in order to improve the quality of life in Newburgh; and

WHEREAS, the Newburgh Community Land Bank has requested real property known as 15 1/2 Overlook Place, more accurately described as Section 48, Block 3, Lot 9 on the official Tax Map of the City of Newburgh; and

WHEREAS, this Council has determined that transferring title to 15 1/2 Overlook Place (Section 48, Block 3, Lot 9) is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh, New York that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>
-------------------------	----------------------------	------------------

15 1/2 Overlook Place

48 – 3 – 9

Newburgh Community Land Bank

BE IT FURTHER RESOLVED, that the City Council of the City of Newburgh the properties are to be transferred to the Newburgh Community Land Bank subject to the Disposition Policies of the Newburgh Community Land Bank annexed hereto and made part hereof as Schedule "A"; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York, that the parcel is not required for public use.

“SCHEDULE A”

**Priorities Concerning the Disposition of Properties
Newburgh Community Land Bank**

The acquisition, use, and disposition of such properties shall at all times be consistent with the authority granted by the City of Newburgh, the laws of the state of New York, the articles of incorporation and bylaws of the City of Newburgh Land Bank, and the public purposes set forth therein.

As approved by the Board of Directors on September 19, 2012.

1. Priorities Concerning the Disposition of Properties

The disposition of properties shall be based upon a combination of three different factors. The first factor involves the intended or planned use of the property. The second factor considers the nature and identity of the transferee of the property. The third factor addresses the impact of the property transfer on the short and long term neighborhood and community development plans. Within each factor is a ranking of priorities. The disposition of any given parcel will be based upon an assessment of the most efficient and effective way to maximize the aggregate policies and priorities. The Board and Staff of the Land Bank shall at all times retain flexibility in evaluating the appropriate balancing of the priorities for the use of property, priorities as to the nature of the transferee of properties, and priorities concerning neighborhood and community development.

Priorities for Use of Property

1. Quality housing.
2. Return of the property to productive tax paying status.
3. Commercial and mixed use development.
4. Long term "banking" of properties for future strategic uses.
5. Provision of financial resources for operating functions of the Land Bank.

Priorities as to the Nature of the Transferee

1. Individuals who will own and occupy the residential property.
2. Qualified Landlords or real estate investors.
3. Qualified real estate developers; Entities that are a partnership, limited liability corporation, or joint venture comprised of a private nonprofit corporations and a private for-profit entity.
4. Businesses that will own and occupy commercial property.
5. Qualified nonprofits corporations that will hold title to the property on a long-term basis (primarily rental properties) or hold title to the property for purposes of subsequent redevelopment and re-conveyance to private third parties for homeownership.
6. Local government entities for public purpose use.

2. Land Disposition Policies

These policies pertain to transfers of property that may be vacant, improved or ready to occupy.

1. Individuals and entities that were the prior owners of property at the time of the tax foreclosure which transferred title to the Treasurer shall be ineligible to be the transferee of such property from the Treasurer.
2. The transferee must not own any real property that: a) has any un-remediated citation or violation of the state and local codes and ordinances; b) a history of chronic code citations or violations of the state and local codes and ordinances; c) is tax delinquent; d) was transferred to a local government as a result of tax foreclosure proceedings.
3. The transferee must not have any judgments against them during the past 5 years regarding a landlord/tenant issue.
4. All tax incentives and financing necessary for the development to be completed must be committed for the development prescribed in the development agreement prior to actual disposition.
5. Options to purchase real estate may be available for a specified percentage of the purchase price with a negotiated time frame to be determined by the Land Bank. This fee will be credited to the parcel price at closing. If closing does not occur, the fee is forfeited. All option agreements are subject to all policies and procedures of the Land Bank pertaining to property transfers.
6. A precise narrative description of future use of the property is required. The future use must be in-line with local development plans. The development agreement shall apply to stated use.
7. The proposed use must be consistent with current zoning requirements or a waiver for non-conforming use is a condition precedent to the transfer.
8. Transactions shall be structured in a manner that permits the Land Bank to enforce recorded covenants or conditions upon title pertaining to development and use of the property for a specified period of time. Such restrictions may be enforced, in certain cases, through reliance on subordinate financing held by the Land Bank.
9. Any non-local residents or entities with a local agent may acquire Land Bank property only with an enforceable plan to place the property into immediate productive use (meaning the property is to be occupied immediately or with the immediate commencement of some form of development project that fits the stated mission of the Land Bank). This applies to all real property.
10. Any exception to the policies governing disposition shall be taken to the governing body of the Land Bank for approval.
11. If code or ordinance violations exist with respect to the property at the time of the transfer, the development or transfer agreements shall specify a maximum period

of time for elimination or correction of such violations, with the period of time be established as appropriate to the nature of the violation of the anticipated redevelopment or reuse of the property.

12. The subject property must not have been used by the transferee or a family member of the transferee as his or her personal residence at any time preceding the submission of application (except in rental cases).
13. The Land Bank will consider 'Land Leasing' as a method of disposition in any transactions.
14. Where part or all of the consideration for the transfer is the prospective affordability of the housing units, affordability requirements may be set forth in the transfer agreement and enforceable through recorded covenants, conditions or limitations upon title.

The following additional policies shall apply to properties to be transferred to individual transferees as part of a homeownership program.

1. The owner-occupant must complete renovations and move into the structure within a time frame negotiated by the Land Bank.
2. The property may not be used solely as rental property.
3. For properties transferred for cash consideration below full fair market value of the property, the owner-occupant must reside in the property as his or her primary residence for at least a 5-year period. If the property is sold prior to the 5-year period, the transferee must either: a) sell the property for no more than the purchase price from the Land Bank plus all cost of property improvements; or b) repay the land bank the difference between the purchase price and the initial fair market value.

RESOLUTION NO.: 34 - 2016

OF

FEBRUARY 8, 2016

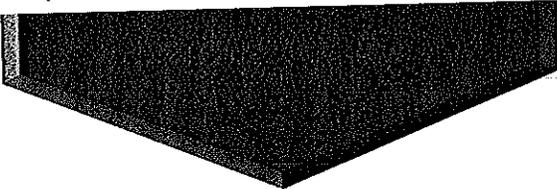
**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A NEW AGREEMENT WITH GOVDEALS.COM
TO PROVIDE LIQUIDATION SERVICES TO THE CITY OF NEWBURGH**

WHEREAS, by Resolution No. 107-2011 of May 23, 2011, the City Council of the City of Newburgh authorized the City Manager to enter into an agreement with GovDeals.com to provide liquidation services to the City of Newburgh for the purpose of disposing of surplus City equipment which is no longer needed for City purposes; and

WHEREAS, the City wishes to modify the Financial Settlement Services Election to eliminate the cost of the services to the City and shift the cost to buyer in the form of a 12% Buyer's Premium paid by the winning bidder; and

WHEREAS, this Council finds that modifying the Financial Settlement Services Election 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 of the City of Newburgh be and he is hereby authorized to enter into a new agreement with GovDeals.com modifying the Financial Settlement Services Election to a 12% Buyer's Premium for providing liquidation services to the City of Newburgh, with such other terms and conditions as may be required by Corporation Counsel.



GovDeals

FINANCIAL SETTLEMENT SERVICES

How would you like to streamline your processes, reduce expenses, and save money? GovDeals' Financial Settlement Services offers to its clients the option of allowing GovDeals to collect your government's auction proceeds, remit these proceeds weekly based on assets paid for and picked up and withhold GovDeals fees. By electing to use these two services, you will no longer need to collect money from the bidder or write a check to remit payment to GovDeals.

In order to get started using this new feature, complete the forms in this packet.

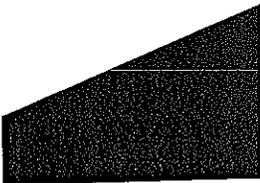
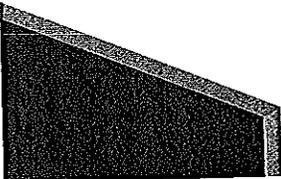
The combined benefits of using the GovDeals Financial Settlement Services are:

- Increased bidder base due to easy payment options
- Higher prices for your assets due to more bidders having the opportunity to bid
- No additional cost to your government
- Fully transparent as to funds collection
- Potential for reducing the number of bidder defaults due to easy payment options
- GovDeals absorbs any charge backs
- Enhanced record keeping and reporting offered with these new services
- Reduced labor cost and accounting for bidder proceeds
- Reduced labor and material costs in writing checks to GovDeals

Let us help make things easier for our online auction community!

Please remember, you may choose the full Financial Settlement Services option which includes GovDeals withholding its auction fees from your proceeds, thus eliminating the writing of a monthly check to GovDeals. If you do not want GovDeals to withhold the fee, you may choose to only allow GovDeals to collect auction proceeds and pay GovDeals its auction fees monthly.

Accepted Payment Options



GovDeals.com[®]
Online Government Surplus Auctions

GovDeals

Financial Settlement Services (FSS) Addendum

This Addendum is between GovDeals, Inc. (GovDeals), having its principal place of business at 5907 Carmichael Place, Montgomery, Alabama 36117, and _____
(Client) having its principal place of business at _____.

It is understood the Client elects GovDeals to collect all proceeds due the Client from the winning bidder and remit the proceeds to the Client less the GovDeals fee. Optionally, the Client may elect to not have GovDeals withhold the fee by electing the appropriate section on the following page of this exhibit.

GovDeals will charge the winning bidder a "Buyer's Premium", therefore, the Client is not allowed to charge the winning bidder an additional "Buyer's Premium".

GovDeals will collect all proceeds from the winning bidder, including the "Buyer's Premium" through PayPal, credit card or wire transfer. This is the only means of payment by the bidder.

The Client will not release an asset to the winning bidder until the Client has received verification from GovDeals that payment has been received from the winning bidder. Prior to an item being released to the winning bidder, the Client will ensure the winning bidder or his/her agent has signed a "Bill of Sale" containing the following notation: "Asset is sold as is, where is and without warranty. Once the asset is removed from the seller's premises there is no refund of monies previously paid". The Bill of Sale must be printed from the Client Asset Server (CAS). Any other "Bill of Sale" used by the Client must be submitted to GovDeals for approval.

No proceeds will be remitted to the Client for any asset sold without verification of payment from GovDeals and verification from the Client the item has been picked up by the winning bidder. Approved payment from the winning bidder through PayPal, credit card or wire transfer will be noted in CAS. It is the Client's responsibility to notify GovDeals when an item has been picked up, which is accomplished by the Client accessing CAS and selecting the "Picked Up" option from the "Paid, not picked up" report.

GovDeals will remit all proceeds collected, less the "Buyer's Premium" and the GovDeals fee to the Client on a weekly basis for all assets marked in CAS as 'Picked Up'. However, if you choose to be invoiced for the GovDeals' fee, GovDeals will remit all proceeds collected, less the "Buyer's Premium" only. All proceeds will be remitted electronically by Automatic Clearing House (ACH) unless elected on the following page of this exhibit to receive a paper check. Whether proceeds are remitted electronically via ACH or via paper check, a detailed backup will be submitted to the Client to support the amount remitted.

Under no circumstance will the Client collect any proceeds directly from the winning bidder and if requested to do so, the Client should refer the winning bidder directly to GovDeals for payment instructions.

GovDeals will absorb all costs of Charge Backs by PayPal or a credit card company where an item is released to the winning bidder after the Client receives proper payment notification from GovDeals. GovDeals receives proper pickup notification from the Client and the Client obtained and retained a signed "Bill of Sale" from the winning bidder.

GovDeals will refund proceeds collected to the winning bidder in those rare occasions where the winning bidder pays for an asset but never picks it up and subsequently convinces PayPal or the credit card company to withdraw the amount from GovDeals' bank account. It is the Client's responsibility to request a credit on the asset paid for but not picked up as soon as the allowable pick up time passes. By taking the credit, it insures GovDeals will not charge the Client a fee and will allow the Client to resell the asset. If the asset is mistakenly placed in 'picked up' status by the Client and GovDeals has remitted payment, the Client agrees to refund this amount back to GovDeals.

A GovDeals' Client Services Representative or a GovDeals Help Desk Representative will train the Client on how to effectively use the Financial Settlement Services feature and provide ongoing support as needed. There are no additional costs to the Client for training and support.

GovDeals is covered by a Crime Insurance Policy with a limit of \$5,000,000, which will protect the Client against any loss of funds.

Financial Settlement Services (FSS) Election and Information

Please complete payment instructions below:

If client elects FSS, this section must be completed prior to submitting form back to GovDeals.

Accounting Contact: _____
(Person to receive checks and invoices) Name and Title

E-Mail Address: _____

Phone Number: _____

Option B: Client elects for GovDeals to collect all proceeds from the buyer:

Option B1 Option B2 Option B3 Option B4

(Please choose only one option for payment)

If payment will be made by ACH, please provide the following information:

Name of Bank	
County of Bank	
Name of Client: (Name on bank account)	
Bank Routing Number	
Bank Account Number	
Checking/Savings	

OR:

If payment will be made by paper check, please provide the following information:

Make check payable to: _____
Client's Legal Name

Mail check to: _____
Street Address / P.O. Box Number

City, State and Zip Code

Approved for GovDeals:

President
Title Date

Approved for Client:

Title Date

Please check here only if Client elects to NOT allow GovDeals to deduct the GovDeals fees from proceeds due the client.

GovDeals

Flexible Pricing Options (FPO)

The Client has the option to choose from the following alternative plans:

B - Client Elects GovDeals Financial Settlement Services (FSS) allowing GovDeals to Collect Proceeds. Only one option below can be used and once this option is chosen, it cannot be changed for twelve (12) months.

Option B1: The Client pays a 7.5% fee, but not less than \$5.00, and the winning bidder pays a 5% Buyers Premium. *

Option B2: The Client pays a 5% fee, but not less than \$5.00, and the winning bidder pays a 7.5% Buyers Premium.

Option B3: The Client pays a 2.5% fee, but not less than \$5.00, and the winning bidder pays a 10% Buyers Premium.

Option B4: The Client pays a 0% fee and the winning bidder pays a 12.50% Buyers Premium.

*If the Client chooses to pay the full 7.5% fee (Option B1), they will have access to the **Tiered Fee Reduction Schedule**.

Tiered Fee Reduction Schedule (Only applies to Option B1)

GovDeals' **Tiered Fee Reduction Schedule** below explains how the base auction fee of 7.5% is reduced for assets that sell in excess of \$100,000 on www.govdeals.com.

1. **When an asset sells for up to \$100,000 in a winning bid, the GovDeals fee is seven and one-half percent (7.5%) of the winning bid, but not less than \$5.00.**
2. **Where an asset sells for more than \$100,000, but less than \$500,000 the GovDeals fee is seven and one-half percent (7.5%) of the winning bid up to \$100,000, plus five and one-half percent (5.5%) of the winning bid for auction proceeds in excess of \$100,000 up to \$500,000.**
3. **Where an asset sells for greater than \$500,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the bid amount in excess of \$500,000.**
4. **Where an asset sells for greater than \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the next \$500,000 of the winning bid, plus a fee of two and one-half percent (2.5%) of the bid amount in excess of \$1,000,000.**

GovDeals Financial Settlement Services Frequently Asked Questions

Are there any additional fees to use GovDeals Financial Settlement Services (FSS)?

There are no additional fees for Sellers who use FSS. Sellers are charged their normal GovDeals fees. The winning Bidders of FSS auctions are charged a 5% Buyer's Premium to cover GovDeals costs of payment collection.

What are the Flexible Pricing Options (FPO)?

You now have the ability to pass on all (or a portion) of your GovDeals Fees to the Buyer through our Flexible Pricing Options.

What are the most popular Flexible Pricing options that client's elect?

GovDeals clients utilize all four of the Flexible Pricing Options; however, the options most commonly selected are B1 & B2.

How many GovDeals Clients are using the Financial Settlement Services?

Since 2009, more than 82% of new GovDeals Clients have utilized FSS. Across GovDeals, over 63% of GovDeals clients now use FSS and this number grows daily.

What do the bidders think about paying online?

GovDeals has surveyed our top bidders about Financial Settlement. Overwhelming, these bidders liked & preferred the convenience of paying online with a Credit Card and PayPal.

Does the Buyer's Premium affect my results?

Almost all of our Sellers, who have switched to FSS, have noticed no change in the results of their auctions with the Buyer's Premium. Any bidder lost because of the Buyer's Premium is made up with one who wants or needs to use the convenience of a Credit Card and PayPal to purchase your Surplus Property.

Are Sellers charged fees on the Buyer's Premium?

No, as with Sales Tax, the Buyer's Premium is not included in GovDeals calculation of our fees.

How is Sales Tax collected?

If a Seller is required to add sales tax to an auction, GovDeals will collect the sales tax from the winning bidder and remit the full amount to the Seller. Winning Bidders who are tax exempt must notify the seller immediately, and the seller can remove the tax charged prior to the Bidder making their electronic payment.

Do Winning Bidders have the option to pay onsite via Money Order, Cash, or Certified Check?

No. All winning Bidders must pay through the GovDeals website prior to making arrangements for removal. Credit Card and PayPal payments are usually processed and marked as "Paid" in less than one hour. Wire Transfer payments may not show as "Paid" for 24 hours from the payment date.

Can a Seller return to collecting their own payments if they are unhappy with the Financial Settlement Services?

Yes, a seller may return to collecting their own payments, but GovDeals asks Sellers to give FSS a 12 month trial before making that decision.

Does FSS change the way that the Seller lists an asset on GovDeals?

No. Although the Seller's Client Service Representative will update the Client's Instruction Fields to reflect the changes in payment options, the changes with auctions using FSS occur once the auctions have closed.

How does GovDeals notify the Seller that a winning Bidder has paid for an item?

GovDeals notifies Sellers that payment has been received via the Paid For/Picked Up Report in the "Reports" section of the www.govdeals.net site. Sellers and Buyers are still issued a Certificate as normal. On this certificate, in the Special Instructions section, the winning Bidder is given instructions on how to make payment via the GovDeals website.

What is my liability if a winning bidder disputes a charge to their Credit Card or PayPal account?

A Seller will have each Buyer sign a Bill of Sale prior to removal of the assets purchased. As long as the Seller has a copy of this signed Bill of Sale, GovDeals takes on all liability of charge-backs by Buyers.

What would happen if a stolen credit card were used to make a payment? Do you have any fraud provisions?

PayPal is our service provider for processing all electronic payments including credit cards. PayPal and GovDeals are both PCI compliant and have security standards in place to ensure the authenticity of the buyer and credit card/bank account holder. Since the implementation of FSS, there have been transactions that have been fraudulent, but GovDeals absorbed all costs to the card holder and monies paid to the seller.

How does GovDeals remit payment to our municipality?

GovDeals remits payment each week, via check or Direct Deposit (ACH/EFT), for all Assets marked as "Picked Up" in the previous Monday-Sunday time period. Checks are mailed on each Thursday. Clients who elect to have their payments remitted via Direct Deposit (ACH/EFT) receive payment on Thursdays.

Can GovDeals withhold their fees prior to issuing payment?

Sellers have the option to have all of GovDeals fees removed prior to payment being remitted. Sellers who have their fees withheld never have to pay another GovDeals invoice. This eliminates the need & extra work involved in issuing payment to GovDeals.

Will I continue to receive a monthly invoice from GovDeals?

Yes, a monthly invoice will be emailed from GovDeals; however, if you have elected to have GovDeals withhold your fees, the invoice will not reflect a balance due amount. It will list all of the items sold for the previous month along with the sold amount and the fees withheld by GovDeals.

How does GovDeals help Sellers reconcile the payments remitted to their municipality?

Each check stub includes a statement of what was included in the payment. For ACH payments, an itemized statement of what was included in the deposit will be emailed to the Accounting Contact that was setup when the Seller sets up FSS. The Deposit ID# and Check # can be searched for on a client's Paid For/Picked Up report to pull up a more detailed report of what was included in the deposit/check.

How do I get started?

In order to start using the Financial Settlement Services a signed copy of the FSS Addendum will need to be faxed to GovDeals Sales Support at 334-387-0519 or emailed to her at salesupport@govdeals.com. Clients can also log on to www.govdeals.com and complete the "Become a Seller" document (located under "Contact Us").

Once GovDeals receives your FSS Addendum or the completed online form, your CSR will work with you to complete the setup of FSS on your account.

RESOLUTION NO.: 35-2016

OF

FEBRUARY 8, 2016

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ACCEPT A DONATION OF UP TO \$8,000.00 FROM THE
PATROLMEN'S BENEVOLENT ASSOCIATION OF NEWBURGH NEW YORK, INC.
TO PURCHASE A NEW POLICE DOG**

WHEREAS, the City of Newburgh Police Department will be retiring a police dog and requires a new police dog for its K-9 unit; and

WHEREAS, the Patrolmen's Benevolent Association of Newburgh, New York, Inc. (PBA) has offered to donate up to \$8,000.00 to the City of Newburgh toward the purchase of a new police dog for the Police Department's K-9 unit; and

WHEREAS, this Council deems it to be in the best interests of the City of Newburgh to accept the donation of funds from the PBA for the purpose of purchasing a new police dog to replace the dog to be retired;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager of the City of Newburgh be and he is hereby authorized to accept a donation of up to \$8,000.00 from the Patrolmen's Benevolent Association of Newburgh, New York, Inc. for the purpose of purchasing a new police dog for the City of Newburgh Police Department K-9 Unit.

Police Benevolent Association

Of The City of Newburgh
P.O. Box 871 Newburgh, NY 12551
(845) 569-7529

The Newburgh City Council and City Manager Michael Ciaravino,

This letter is being written on behalf of the members of the "PBA" union to seek approval on purchasing a new canine (K-9) for the police department.

The PBA and its members are willing to donate up to \$8,000 dollars for the purpose of replacing K-9 "Ruger" who will be retired from service.

If you require further, or have any questions, please feel free to contact me.

Thank you for your time with this matter.

Detective Mike Pitt
President, PBA

RESOLUTION NO. 36 - 2016

OF

FEBRUARY 8, 2016

A RESOLUTION TO AMEND AND RESTATE THE BENEFIT PLAN
FOR NON-BARGAINING UNIT EMPLOYEES

BE IT RESOLVED, by the Council of the City of Newburgh, New York, that Resolution No. 163 -2007, which amended Resolution No. 33-2003 establishing a benefit plan for non-bargaining unit employees is hereby amended and the Benefit Plan For Non-Bargaining Unit Employees is hereby restated as follows:

Section 1: Covered Employees

This resolution shall apply to all salaried officers and salaried permanent employees of the City of Newburgh who work regular hours of no less than 35 hours per week and who are not members of any collective bargaining unit.

Section 2: Holidays

- (a) Employees covered by this resolution shall be granted leave with pay for the following holidays:

New Year's Day	Columbus Day
Martin Luther King's Birthday	General Election Day
Presidents Day	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Friday following Thanksgiving Day
Labor Day	Christmas Day

Section 3: Vacation

- (a) All new employees must work one full year from their date of appointment before being eligible to take a vacation.
- (b) Vacation may only be taken with the prior approval of the department head or the City Manager. Approval shall not be unreasonably withheld.
- (c) Employees shall earn vacation time in accordance with the following schedule:
- I. City Manager and Department Heads upon completion of

1 year	20 working days
2 years	21 working days
3 years	22 working days
4 years	23 working days
5 years	26 working days
6 years	28 working days
7 years	29 working days
8 years	30 working days
9 years	31 working days
10 years	32 working days
11+ years	33 working days

II. Deputies and Assistants upon completion of

1 year	15 working days
2 years	16 working days
3 years	17 working days
4 years	18 working days
5 years	20 working days
6 years	21 working days
7 years	22 working days
8 years	23 working days
9 years	24 working days
10 years	25 working days
11 years	26 working days
12 years	27 working days
13 years	28 working days
14 years	29 working days
15 years	30 working days

III. Administrative/Confidential Employees upon completion of

1 year	10 working days
2 years	15 working days
3 years	16 working days
4 years	17 working days
5 years	18 working days
6 years	20 working days
7 years	21 working days
8 years	22 working days
9 years	23 working days
10 years	24 working days
11 years	25 working days

12 years	26 working days
13 years	27 working days
14 years	28 working days
15 years	29 working days
16+ years	30 working days

Section 4: Sick Leave

- (a) All employees shall receive 15 sick days per year.
- (b) Employees shall be granted sick leave at half-pay for personal illness after all sick and vacation time has been exhausted but such sick leave at half pay shall not exceed one week for each complete year of service.
- (c) When an employee is off the job due to illness, the City will continue to pay health insurance premiums for a maximum period of three months until a waiver of premium is executed.
- (d) The City Manager may request an employee using sick leave to provide a doctor's certificate for an absence of more than three days.
- (e) Commencing January 1, 2008, a non-bargaining unit employee with at least eight (8) years of employment with the City may seek to convert accrued and unused sick leave to a cash payment subject to the approval of the City Manager and the terms stated herein. The City Manager shall have sole discretion to approve or disapprove the employee's request, and the decision shall be non-reviewable. In addition to the requisite years of employment with the City, the employee must have no less than fifty (50) sick leave days accrued and unused remaining after the requested number of sick leave days is deducted from the employee's sick leave balance.

The employee shall be paid at 75% of the employee's daily rate of pay based on the employee's annual salary at the time of payment for each day of sick leave approved by the City Manager for conversion. The number of sick leave days converted to cash payment shall be deducted from the employee's sick leave balance.

An employee may request and/or receive payment for accrued sick leave no more frequently than once in a five (5) year period. An employee shall not be eligible for conversion of sick leave to cash payment for a five year period after the employee receives the payment provided herein.

Section 5: Personal Leave

All employees shall receive the following personal leave days:

During the first year of employment	1 day
During the second, third and fourth year of employment	2 days
During the fifth and each subsequent year of employment	4 days

Section 6: Bereavement Leave

Employees shall be entitled to four (4) consecutive work days leave of absence with pay between the dates of death and funeral when a death occurs in the immediate family which shall include a grandparent, a grandparent-in-law, parent, mother-in-law, father-in-law, spouse, child, brother, sister, brother-in-law, sister-in-law and grandchild. Provided that uniformed members of the police and fire departments covered by this Resolution shall receive the bereavement leave as is provided to subordinate members of their departments.

Section 7: Jury Duty Leave

Time off with full pay will be allowed for jury duty provided that any reimbursement check for said jury duty is submitted to the City. Payment received for mileage and meal allowance shall belong to the employee.

Section 8: Maternity Leave

Employees shall receive maternity leave to the same extent as it is granted to other employees of the City.

Section 9: Uniform Allowance

Employees covered by this Resolution who are uniformed members of the Police and Fire Departments shall receive the same clothing allowance as is provided to subordinate members in their respective departments.

Section 10: Health Insurance

- (a) The City shall continue to participate in the New York State Health Insurance Plan and contribute one hundred percent (100%) of the premium for employees and other dependants and continue the present policy upon retirement.
- (b) Health Insurance Waiver - an employee who is covered by another health insurance plan may decline the coverage provided herein on or before the 1st day of December of each year by executing a waiver on a form established by the Comptroller. An employee declining and waiving coverage shall receive a payment equal to 25% of the savings to the City on or before January 30 of the following year.

- (c) All employees hired on or after February 10, 2003 shall contribute 10% of the cost of health insurance for the like of their employment with the City.
- (d) All employees hired after February 8, 2016 shall contribute 15% of the cost of health insurance for the like of their employment with the City.
- (e) Employees must have a minimum of ten (10) years of service with the City of Newburgh to be eligible to receive health insurance upon retirement.

Section 11: Dental and Optical Insurance

Effective January 1, 2008, employees shall be included in the CSEA Sunrise Dental Plan and the CSEA Platinum Vision Plan on the same terms and conditions as provided to City employees covered by the CSEA collective bargaining agreement in effect for the period January 1, 2014 through December 31, 2016. This provision is subject to the approval by the CSEA Sunrise Dental Plan and the CSEA Platinum Vision Plan of inclusion of non-bargaining unit City employees in said plans.

Section 12: Retirement

The City shall continue to participate in the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.

Section 13: Severance

Upon the effective date of separation, retirement or death, the employee or the employee's beneficiary shall receive cash payment for seventy-five percent (75%) of unused sick leave at the employee's current salary, plus the cash value of all accrued but unused vacation leave.

Section 14: Longevity Schedule

A longevity payment is to be made on the anniversary date of the employee's hiring and annually thereafter in accordance with the following schedule.

Upon Completion of Stated Years of Employment	January 1, 2016
5 years of employment	1,375
10 years of employment	2,025
15 years of	2,375

employment	
18 years of employment	2,725
20 years of employment	2,850

Section 15: Life Insurance

The City shall provide to each employee a life insurance policy in the amount of two times the employee's annual salary.

Section 16: Deferred Compensation Plan

The City shall adopt the Deferred Compensation Plan for employees of the State of New York and other participating public jurisdictions open to employees covered by this resolution, pursuant to Section 5 of the State Finance Law. Employees may on one occasion during their employment contribute unused sick or vacation time to the deferred compensation plan at the rate of 75% of its cash value provided that such contribution is consistent with the rules of the plan and applicable to State and Federal statutes and regulations.

Section 17: Salary Increases

The annual salaries of all employees covered by this Resolution are to be increased by 2.5% over the 2015 salaries and shall be effective in the first pay period after the date of this resolution. Step increases as reflected on Schedule B attached hereto and shall be effective January 1, 2017.

Section 18: Fair Labor Standards Act

Employees subject to the Fair Labor Standards Act and covered by this Resolution shall receive compensatory time as required by the Fair Labor Standards Act for time worked in excess of 40 hours per week.

Section 19: Education

Subject to prior course approval by the City Manager, the full cost of tuition, books and school, not to exceed the tuition rate per credit hour as established by the State University of New York (New Paltz), incurred by any officer or employee covered by this resolution attending a certified educational institution or course which is related to said officer's or employee's duties shall be paid upon successful completion of said course and the submission of official grade reports to the City Manager. The cost of courses or education unrelated to an officer's or employee's duties or employment by the City shall not be paid by the City.

Section 20: Fitness for Duty

The City of Newburgh and its officers and employees recognize that the public has the absolute right to expect that persons employed by the City in the exercise of their duties will be free from the effects of alcohol and controlled substances. The City, as the employer, has the right to expect its employees to report for duty and to set a positive example for the community. The non-bargaining unit employees, by acceptance of the benefits conferred by this Resolution, recognize and agree that the City Manager has the right to adopt rules, regulations, policies and procedures to implement random testing of employees for the use of alcohol and controlled substance as to all employees who exercise public safety functions, operate City vehicles or equipment, have access to confidential information or information the divulgence of which would adversely affect public security or who exercise a public trust.

Section 21: Intent of the Council

It is the intent of this Council that

- (a) the following are to be classed as Department Heads under this resolution:

City Manager, Comptroller, Police Chief, Fire Chief, Director of Business and Industrial Development, Code Compliance Supervisor, Director of Community Development, Corporation Counsel, Superintendent of Public Works, Superintendent of Water, Recreation Director, City Clerk/Registrar, Assessor, Collector, City Engineer and Civil Service Administrator.

- (b) the following are to be classed as Deputies and Assistants under this resolution:

Assistant Corporation Counsel, Deputy Fire Chief, Deputy Police Chief, Deputy City Clerk/Registrar, Deputy City Clerk, Deputy Superintendent of Public Works, Deputy Superintendent of Water, Executive Assistant and Crime Analyst.

- (c) the following are to be classed Administrative/Confidential Employees under this resolution:

Business Services Coordinator, Secretary to the Director of Business and Industrial Development, Economic Development Specialist, Administrative Assistant to the City Manager, Secretary to the City Manager, Secretary to the Corporation Counsel, Secretary to the Police Chief, Secretary to the Fire Chief, Secretary to the Water Superintendent, Secretary to the Engineer and Secretary to the Superintendent of Public Works, Accountant and Grants Coordinator.

It is further the intent of this Council to preserve its discretion to enter into agreements for the employment of the City Manager outside the scope of this resolution as authorized by City Charter Section C5.00(A).

SCHEDULE A

<p><u>Grade 1</u></p> <p>Secretary to the Police Chief Secretary to the Superintendent of Public Works Secretary to the Director of Business and Industrial Development Secretary to the Corporation Counsel (I) Deputy City Clerk</p> <p><u>Grade 2</u></p> <p>Secretary to the Engineer Secretary to the Fire Chief Secretary to the Corporation Counsel (II) Secretary to the Water Superintendent Administrative Assistant to City Manager Deputy City Clerk/Registrar</p> <p><u>Grade 3</u></p> <p>City Clerk/Registrar Executive Assistant to City Manager Business Services Coordinator Grants Coordinator</p> <p><u>Grade 4</u></p> <p>Accountant Collector Civil Service Administrator Code Compliance Supervisor Recreation Director Director of Community Development</p>	<p><u>Grade 5</u></p> <p>Deputy Superintendent of Public Works Deputy Superintendent of Water Assessor Crime Analyst</p> <p><u>Grade 6</u></p> <p>Assistant Corporation Counsel</p> <p><u>Grade 7</u></p> <p>Superintendent of Water Superintendent of Public Works Director of Business and Industrial Development Deputy Fire Chief City Engineer</p> <p><u>Grade 7B</u></p> <p>Deputy Police Chief</p> <p><u>Grade 8</u></p> <p>Corporation Counsel Comptroller Fire Chief Police Chief</p> <p><u>Grade 9</u></p> <p>City Manager** **The salary for the City Manager position is further subject to terms provided in an employment agreement between the City and the City Manager.</p>
---	--

**City of Newburgh
Non-Bargaining Salary Schedule
FY2016**

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
1	\$ 33,087	\$ 35,941	\$ 38,796	\$ 42,429	\$ 44,765	\$ 47,619
2	\$ 43,467	\$ 46,270	\$ 48,917	\$ 51,688	\$ 54,549	\$ 57,485
3	\$ 54,517	\$ 56,598	\$ 57,756	\$ 59,698	\$ 61,533	\$ 64,232
4	\$ 64,584	\$ 66,391	\$ 68,038	\$ 69,765	\$ 71,789	\$ 73,949
5	\$ 73,192	\$ 76,108	\$ 79,022	\$ 81,829	\$ 84,744	\$ 86,970
6	\$ 80,965	\$ 82,666	\$ 84,420	\$ 86,121	\$ 87,982	\$ 90,681
7	\$ 91,288	\$ 92,739	\$ 94,186	\$ 95,608	\$ 97,084	\$ 98,533
7B	\$ 95,843	\$ 97,365	\$ 98,887	\$ 100,407	\$ 100,987	\$ 101,567
8	\$ 104,138	\$ 105,790	\$ 107,443	\$ 109,096	\$ 112,586	\$ 116,076
9	\$ 114,817	\$ 116,539	\$ 118,262	\$ 119,985	\$ 121,708	\$ 121,994