City of Newburgh Council Work Session
Sesion de trabajo del Concejal de la Ciudad de Newburgh
May 5, 2016
6:00 PM

Work Session Presentations

1. Central Hudson Update on Gas Replacement

   An update will be given by Matt Guthrie, Gas Foreman from Central Hudson regarding the gas line replacement.

   Se dará una actualización por Matt Guthrie, Jefe de Gas de "Central Hudson" con respecto al reemplazo de la línea de gas.

   Council Request for Action

2. Central Hudson Update on Pole Cameras

   An update will be given by Jessica Caserto, Director of Real Property Services - Central Hudson.

   Se dará una actualización por Jessica Caserto, Directora de Servicios de Bienes Raices –"Central Hudson"

   Council Request for Action

3. Water Conservation Measures/Update PFOA Washington Lake

   (Michael Ciaravino, Wayne Vradenburgh, Jason Morris, George Garrison & John Aber)

   Council Request for Action

Engineering/Ingeniería

4. LTCP Regulator#2 Upgrades Planning Proposal

   Resolution Authorizing the City Manager to Accept a Proposal and Enter into an Agreement for Professional Engineering Services with Arcadis of New

York, Inc. for the Regulator No. 2 Improvements Project as part of the Combined Sewer Overflow Long Term Control Plan in an Amount not to Exceed $72,000.00. (Jason Morris)

Una Resolución Autorizando al Gerente de la Ciudad a aceptar una propuesta y entrar en un Acuerdo para Servicios de Ingeniería Profesional con Arcadis de Nueva York, Inc. Para el proyecto de mejoras del Regulador No. 2 como parte del Plan de Control a Largo Plazo del Desbordamiento del Alcantarillado Combinado en una Cantidad que no Exceda $72,000.00. (Jason Morris)

Council Request for Action

Planning and Economic Development/Planificación y Desarrollo Económico

5. Purchase of 74 Benkard Avenue

   Resolution to Authorize the Conveyance of Real Property known as 74 Benkard Avenue (Section 45, Block 2, Lot 12) at Private Sale to Jessica Arias for the Amount of $5,000.00. (Deirdre Glenn)

   Council Request for Action

6. Little Free Library Unico Park

   Resolution Authorizing the City Manager to enter into a License Agreement with the Friends of the Newburgh Free Library, Inc. to Establish a Little Free Library Site in Unico Park (Deirdre Glenn)

   Una Resolución Autorizando al Gerente de la Ciudad a entrar en un Acuerdo Legal con los Amigos de la Biblioteca Libre de Newburgh, Inc. Para Establecer un área para una Pequeña Biblioteca Libre en el Parque "Unico". (Deirdre Glenn)

   Council Request for Action

Grants/Contracts/Agreements / Becas /Contratos/Convenios

7. Downtown Revitalization Initiative

   Resolution Authorizing the City Manager to Apply for and Accept if Awarded a New York State Downtown Revitalization Initiative Grant in an Amount not to Exceed $10 Million through the Hudson Valley Regional Economic

Development Council. (Deirdre Glenn)

Una Resolución autorizando al Gerente de la Ciudad a Solicitar y Aceptar si es Otorgada una Beca de Iniciativa para la Revitalización del Centro de la Ciudad por parte del Estado de Nueva York en un monto que no exceda $10 Millones a través del Consejo de Desarrollo Económico Regional del Valle de Hudson. (Deirdre Glenn)

Council Request for Action

Recreation/Recreacion

8. Elks Club Donation

A Resolution Authorizing The City Manager To Accept A Donation From The Elks Club Of Newburgh Local Lodge 247 In An Amount Not To Exceed $2,000.00 To Provide Funding For City Of Newburgh Recreation Department Sponsored Activities. (Derrick Stanton)

Una Resolución Autorizando al Gerente de la Ciudad a Aceptar una Donación del Club de Alces de Newburgh "Local Lodge 247" En Un Monto que no exceda $2,000.00 para proporcionar fondos para Actividades Auspiciadas por el Departamento de Recreación de la Ciudad de Newburgh. (Derrick Stanton)

Council Request for Action

Fire Department / Departemento de Bomberos

9. Port Security Grant

A resolution authorizing the City Manager to apply for and accept if awarded a fiscal year 2016 FEMA Port Security Program Grant in an amount not to exceed $25,000 to fund a training program and purchase equipment for the Fire Rescue Boat for the City of Newburgh Fire Department. (Acting Chief Ahlers)

Council Request for Action

Discussion Items/Temas de Discusión

10. CDBG Advisory Committee

Resolution Appointing Members to the Community Development Block Grant Advisory Committee. (Deirdre Glenn)

Una resolución nombrando a miembros para el Comité de Asesoría de Beca de Bloque de Desarrollo Comunitario. (Deirdre Glenn)

Council Request for Action

11. Nuisance Abatement Time Frames

Ordinance Amending Chapter 226 of the Code of Ordinances Entitled "Performance of Work by City; Abatement" Reducing the Time Frame in Abatement Notices.

Ordinance Amended Section 119-5 of the Code of Ordinances Entitled "Correction of Condition by City" To Allow the City to Abate Violations of Chapter 119 of the City Code Without Notice Where There Has Been Failure to Comply with a Previous Notice. (TIm Kramer)

Una Ordenanza Enmendando el Capítulo 226 del Código de Ordenanzas Titulado "Rendimiento de Trabajo por la Ciudad; Abatimiento" Reducir el tiempo en los Avisos de Abatimiento.

La Ordenanza Enmendó la Sección 119-5 del Código de Ordenanzas Titulada "Corrección de la Condición por la Ciudad" Para permitir que la Ciudad abata infracciones del Capítulo 199 del Código de la Ciudad Sin Previo Aviso Donde ha Habido Incumplimiento con un Aviso Previo. (Tim Kramer)

Council Request for Action

12. Licensing of Plumbers

Licenciamiento de plomeros
(Tim Kramer)

Council Request for Action

13. Disposition of Property of Evicted Tenants

Ordinance Amending Section 263-38 of the Code of Ordinances Entitled "Petitioner of Dispossess Warrant to be Responsible" to Provide for the

Immediate Removal of Evicted Tenants' Property from the Sidewalk or Highway. (Tim Kramer)

Una Ordenanza que modifica la Sección 263-38 del Código de Ordenanzas Titulada "Solicitante de Despojo Garantiza a ser Responsable" a proveer el retiro inmediato de pertenencias puestas en la Acera o Carretera de inquilinos que hayan sido desalojados. (Tim Kramer)

Council Request for Action

14. Dedication and Naming of South Street Waterfront Park
    Dedicación y nombramiento del Parque de la Marina de la Calle South

    Council Request for Action

Executive Session/ Sesión Ejecutiva

15. Pending Litigation, Collective Bargaining, Matters pertaining to the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; proposed, pending or current litigation.
    Litigación Pendiente, Negociación Colectiva, Cuestiones relativas a la atención médica, financiera, de crédito o historial de empleo de una persona en particular o corporación, o cuestiones conducentes al nombramiento, empleo, promoción, democión, disciplina, suspensión, despido o retiro de una persona o corporación; propuesto, pendiente o litigación actual.

RESOLUTION NO.: _____ - 2016

OF

MAY 9, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH ARCADIS OF NEW YORK INC. FOR THE REGULATOR NO. 2 IMPROVEMENTS PROJECT AS PART OF THE COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN IN AN AMOUNT NOT TO EXCEED $72,000.00

WHEREAS, by Resolution No. 219-2011 of October 24, 2011, the City Council of the City of Newburgh, New York authorized the City Manager to execute an Order on Consent with the New York State Department of Environmental Conservation ("NYS DEC") to resolve violations at the Wastewater Treatment Plant and for the development of the CSO Long Term Control Plan ("LTCP"); and

WHEREAS, the City has submitted its Phase I LTCP, the requirements for which will be deemed satisfied upon the approval of the NYS DEC and by Resolution No. 303-2015 of November 23, 2015, the City Council of the City of Newburgh authorized the City Manager to execute a Modification Order on Consent approving a Schedule of Compliance for Phase I through V of the LTCP; and

WHEREAS, the Regulator No. 2 Improvements Project is included in the Modification Order Schedule of Compliance for Phase I of the LTCP with a planning phase completion date of September 2, 2016; and

WHEREAS, Arcadis of New York, Inc. has submitted a letter proposal for professional engineering services to complete the planning phase of the Regulator No. 2 Improvements Project by the Schedule of Compliance completion date of September 2, 2016; and

WHEREAS, the scope of services will include Tasks 1 through 4 of the proposal, inclusive of a project kick-off meeting and site visit, site survey, the development of up to three alternatives to correct and improve the hydraulic flow issues previously identified, and a basis of design report for the selected alternative; and

WHEREAS, the cost of said services to be performed is an amount not to exceed $72,000.00 and funding for such project shall be derived from the 2015 Capital Plan BAN and Sewer Fund; and

WHEREAS, this Council determines that accepting the proposal and executing a contract with Arcadis of New York, Inc. in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept the letter proposal and execute an agreement with Arcadis of New York, Inc. for professional services to complete the planning phase of the Regulator No. 2 Improvements Project as part of the Phase I Long Term Control Plan for the City's Combined Sewer Collection System, with other provisions as Corporation Counsel may require, in an amount not to exceed $72,000.00.

ARCADIS Design & Consultancy for natural and built assets

Mr. Jason Morris, P.E.
City Engineer
83 Broadway
Newburgh, New York 12550

Arcadis of New York, Inc.
855 Route 146
Suite 210
Clifton Park
New York 12065
Tel 518 250 7300
Fax 518 250 7301
www.arcadis.com

Subject:
Proposal for Engineering Services
CSO LTCP Phase I
Regulator No. 2 Improvements

Water

Date:
March 23, 2016

Contact:
Robert Ostapczuk

Phone:
518.250.7300

Email:
robert.ostapczuk
@arcadis.com

Our ref:
660004881.0000

Dear Mr. Morris:

Arcadis is pleased to provide you with this letter proposal for engineering services for the Regulator No. 2 Improvements Projects, as required by the Order on Consent for the combined sewer overflow (CSO) Long Term Control Plan (LTCP).

As part of the LTCP Arcadis developed a hydraulic model which was utilized to identify a hydraulic bottleneck in Regulator No. 2 that was a factor in the failure of the West Trunk Sewer. The bottleneck results in flows not being able to enter the CSO outfall sewer and a resulting hydraulic grade line formed upstream. We will utilize the model develop to assess alternatives to correct this hydraulic issues for the City and provide more flow control. We have proposed the following scope of work:

SCOPE OF WORK

Task 1 Kick Off Meeting and Site Visit

Arcadis will conduct a kickoff meeting to discuss the project scope of work, schedule, and deliverables. Arcadis will prepare an agenda and develop meeting minutes. Arcadis will conduct a site visit to visually observe the structure and field check existing drawings

Task 2 Site Survey

Arcadis will subcontract with a local surveyor to complete a site survey that includes topographical features, surface improvements, utilities marked out by the City of Newburgh, property boundaries and/or ROWs, rims and inverts of sewer manholes, overhead utilities and stream boundaries. Based on the alternatives evaluated in Task 3, Arcadis will subcontract with a geotechnical driller to either perform two soil borings to 40 depth or refusal and/or to perform 12 foot deep geoprobes. Final geotechnical evaluations will be dependent on the feasibility of alternatives. Arcadis will subcontract with a NYS certified Minority or Women Owned Business (M/WBE) to complete the site survey and geotechnical drilling.

Task 3 Planning and Preliminary Engineering

Arcadis will utilize the hydraulic model developed for the CSO LTCP to assess corrective measures to improve flows to the CSO overflow sewer. We will evaluate existing system performance of Regulator No. 2, surrounding interceptors, and overflow pipe for the typical five year period (2000 - 2004). Using this five year simulation, determine the cause (regulator weir undersized suspected) and extents of surcharged interceptors impacted by backwater conditions. In consultation with the City, Arcadis will develop up to three improvement alternatives to eliminate hydraulic bottleneck at Regulator No. 2. We will assess the addition of real-time controls by integrating WWTP influent flows into the control systems of a modulating sluice gate. Arcadis will perform constructability and operability reviews on each alternative and assess long term options for regulator maintenance and bypassing.

Each alternative's system performance and ability to eliminate surcharging in surrounding interceptors for the typical five year period (2000 - 2004) will be evaluated. Arcadis will develop budgetary cost estimates for each alternative. Budgetary estimates will be prepared in accordance with the American Association of Cost Estimators (AACE) Class 4 Estimate with an expected accuracy range of +50% to -30%. Arcadis will summarize hydraulic findings of alternative analysis and select a preferred alternative during a workshop. Modeling staff will be included via skype.

After an alternative is selected during consultations with the City, Arcadis will optimize the alternative configuration for typical year (2002) and assess the impacts during 100 and 500 year storm events. We will summarize the analysis and conclusions in a 1-2 page technical memorandum with supporting graphics.

Task 4 Basis of Design Report

Based on the selected alternative outlined under Task 3, Arcadis will develop a Basis of Design Report to concisely summarize the improvements recommended at Regulator No. 2. The basis of design report will be prepared in accordance with NYS EFC guidance if the City elects to pursue CW SRF funding or financing and includes the preliminary engineering technical memorandum as a section on alternatives. Arcadis will outline permitting requirements including SEQR, including SHPO and endangered species, NYS DEC wastewater facilities approval, Joint ACE and NYS DEC stream disturbance (based on the proximity to the Quassaick Creek), and NYS EFC (if required). The Basis of

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Design Report will include conceptual site layouts, arrangement drawings, hydraulic profiles, P&IDs, and equipment and material selections.

Task 5 Prepare Bid Documents

Arcadis will prepare Bid Documents for regulatory approval and bidding purposes for the Regulator No. 2 improvements. The Bid Documents will be comprised of both Drawings and a Project Manual. They will be developed as a single prime contract in accordance with Wick's Law. Arcadis will provide the City with review submittals at 60% and 90% design development phases for review and comment.

Due to the unknown nature of the extent of structural improvements required to be completed at Regulator No. 2, we have included an allowance for structural engineering to be included if required. The extent of structural engineering efforts will be determined upon the finalization of Task 3.

Arcadis will update the cost estimate at the 60% (AACE Class 4) and 90% (ACEE Class 3) submittals.

Task 6 Regulatory Approval and Permitting

Pirnie/ARCADIS will submit three sets of half sized Bid Documents and Basis of Design Report to the NYS DEC and/or NYS EFC on behalf of the City. We will submit the 90% Bid Documents and upon receipt of comments from both the City and regulatory agencies, Arcadis will finalize the Bid Documents and prepare comment response correspondence. Only one comment response letter has been included in the budget. Arcadis will solicit a determination letter from the SHPO on cultural resources and the USFWS for endangered species in support of the preparation of a Short Form EAF for City Council action. If required, Arcadis will prepare and submit a Joint Application for Stream Bank Disturbance.

Task 7 Bidding Assistance

Arcadis will assist the City with bidding the project. We will prepare Bid Documents on CD-ROM media for electronic bidding. We will prepare an advertisement of bids for the City to advertise for their legal notification. We will submit the Bid Documents up to three construction plan rooms for advertisement. We will conduct a pre-bid meeting with prospective bidders. Arcadis will accept prospective bidders' requests for clarifications and prepare and distribute addenda as required. Arcadis will attend the bid opening, tabulate bids and make a recommendation of award.

Task 8 Construction Administration

Arcadis will consult with and advise City and act as City's representative throughout the construction of the Regulator No. 2 Improvements. All of City's instructions to Contractor will be issued through Arcadis who will have authority to act on behalf of City.

We will prepare agreements for the Contract for the City's execution with the Contractor. Arcadis will issue Notices to Proceed to the Contractor in accordance with the Contract Documents. We will schedule and conduct a pre-construction conference with the Contractor, representatives of the City, and any

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regulatory and/or funding agency representatives as required. We will prepare and distribute meeting minutes.

Arcadis will issue necessary interpretations and clarifications of the Contract Documents and in connection therewith prepare Change Orders for execution by City, if appropriate.

Arcadis will review and approve (or take other appropriate action) Shop Drawings, samples, and other data which the Contractor is required to submit. Such reviews shall be for conformance with the design concept of the Project as a functioning whole and compliance with the information given in the Contract Documents. Any approvals or other actions associated with the reviews shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto. Arcadis limits reviews of shop drawings to two reviews for all shop drawings in total. We will evaluate and determine the acceptability of substitute or 'equivalent' materials and equipment proposed by Contractor.

Based on on-site observations and on review of applications for payment and the accompanying data and schedules, Arcadis will:

- Recommend in writing payments to Contractor. Such recommendations of payment will constitute a representation to City that the Work has progressed to the point indicated and that, to the best of our knowledge, information and belief, the quality of the Work is generally in accordance with the Contract Documents subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendations.
- In the case of unit price Work, include final determinations of quantities and classifications of the Work in the recommendations of payment, subject to any subsequent adjustments allowed by the Contract Documents.

Arcadis shall not be responsible for the acts or omissions of the Contractor, or of any subcontractor or supplier, or any of the Contractor's or subcontractor's or supplier's agents or employees or any other persons (except Arcadis' own employees and agents) at the site or otherwise furnishing or performing any of the Work. However, nothing contained herein shall be construed to release Arcadis from liability for failure to properly perform the duties and responsibilities assumed by Arcadis in the Contract Documents.

Task 9 Progress Meetings and Periodic Site Visits

Arcadis will schedule and attend biweekly progress meetings at the site to facilitate coordination between Contractors, update construction schedules, discuss progress of the work, requests for information, and any proposed field or change orders. We will make visits to the site at intervals appropriate to the various stages of construction, as Arcadis deems necessary to observe, as an experienced and qualified design professional, the progress and quality of the Contractors' work.

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We will conduct an inspection to determine if the work is substantially complete, for each milestone, and a final inspection to determine if the completed Work is acceptable so that Arcadis may recommend, in writing, final payment to Contractor. We will prepare and distribute a punch list prior to the final inspection.

Task 10 Construction Inspection

Arcadis will perform part time inspection services on behalf of the City. The construction inspector will be our agent or employee and under our supervision. The purpose of representation by the Construction Inspector at the site will be to provide for City a greater degree of confidence that the completed Work will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by Contractor.

Arcadis shall not, during such visits or as a result of observations or inspections of the Work in progress, supervise, direct or have control over the Work nor shall Arcadis have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor furnishing and performing the Work. Arcadis can neither guarantee the performance of the Work by the Contractor nor assume responsibility for Contractor's failure to furnish and perform the Work in accordance with the Contract Documents.

During its visits, we may disapprove of or reject the Work while it is in progress if Arcadis believes that the Work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the Project as reflected in the Contract Documents.

We will have a Constriction Inspector on site a minimum of one day a week depending on construction activities. The level of part time inspection will depend on the Contractor and the methods they employ. Arcadis will subcontract with an M/WBE subcontractor to complete the inspections if requested by the City.

Task 11 Contractor's Completion Documents

Arcadis will receive and review maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection, tests, approvals, and record documents, which are to be assembled by Contractor in accordance with the Contract Documents. Such review is limited to determining that their content complies with the requirements of the Contract Documents. We will transmit the documents to City with written comments and certification of the work in the general accordance of the Contract Documents

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FEES

In order to fully develop budget costs for the engineer and construction administration of this project, Arcadis has developed a budget for Tasks 1 through 4, which will advance the design to a 30% level of effort in order to fully assess the alternatives available to the City. Arcadis proposes to complete the scope of work for Task 1 through 4 on a not to exceed time and material basis for a total budget of $72,000. Please see the attached breakdown of effort by task. Upon completion of Task 4, Arcadis can provide a budget for the remaining tasks once the level of engineering design and construction duration can be defined. Upon execution of an agreement, Arcadis will complete Tasks 1 through 4 prior accordance with the schedule of compliance included in the Order on Consent requiring planning to be complete on or before September 2, 2016.

If you have questions, please do not hesitate to call me 518.250.7305 at your earliest convenience so that I can be of further assistance.

Sincerely,

Arcadis of New York, Inc.

Robert E. Ostapczuk, P.E., BCEE
Associate Vice President

This proposal and its contents shall not be duplicated, used or disclosed — in whole or in part — for any purpose other than to evaluate the proposal. This proposal is not intended to be binding or form the terms of a contract. The scope and price of this proposal will be superseded by the contract. If this proposal is accepted and a contract is awarded to Arcadis as a result of — or in connection with — the submission of this proposal, Arcadis and/or the client shall have the right to make appropriate revisions of its terms, including scope and price, for purposes of the contract. Further, client shall have the right to duplicate, use or disclose the data contained in this proposal only to the extent provided in the resulting contract.

PROJECT BUDGET

City of Newburgh
Newburgh, New York
Regulator No. 2 Improvements Project

DESCRIPTION	12	11	9	8	7	6	5	CADD	Hours Per Task	Labor Cost per Task
Task 1 -Kick Off Meeting and Site Visit	0	4	0	12	0	20	0	0	36	$4,327.60
Task 2 - Site Survey and Geotechnical Investigation	0	2	0	12	12	0	0	24	50	$3,961.80
Task 3 - Preliminary Engineering	2	12	20	40	60	12	0	0	146	$19,319.20
Task 4 - Basis of Design Report	2	12	16	24	20	40	24	60	198	$19,034.00
TOTAL LABOR HOURS	**4**	**30**	**36**	**88**	**92**	**72**	**24**	**84**	**430**	
TOTAL DIRECT LABOR COSTS	**$1,364**	**$6,417**	**$6,138**	**$10,912**	**$9,982**	**$7,142**	**$2,083**	**$2,604**	**$46,643**	

Subtotal Labor	$46,643
Survey Allowance	$15,000
Geotechnical Allowance:	$10,000
Misc Expenses:	$357
TOTAL	**$72,000**

RESOLUTION NO.: _____- 2016

OF

MAY 9, 2016

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF REAL PROPERTY KNOWN AS 74 BENKARD AVENUE (SECTION 45, BLOCK 2, LOT 12) AT PRIVATE SALE TO JESSICA ARIAS FOR THE AMOUNT OF $5,000.00

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 74 Benkard Avenue, being more accurately described as Section 45, Block 2, Lot 12 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 August 8, 2016, being ninety (90) days from the date of this resolution; and

Property address	Section, Block, Lot	Purchaser	Purchase Price
74 Benkard Avenue	45 – 2 – 12	Jessica Arias	$5,000.00

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
74 Benkard Avenue, City of Newburgh (45-2-12)

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 school taxes for the tax year of 2015-2016, and also subject to all school taxes levied subsequent to the date of the City Council resolution authorizing the sale. The purchaser shall reimburse the City for any school taxes paid by the City for the tax year 2015-2016, and subsequent levies up to the date of the closing. Upon the closing, the property shall become subject to taxation and apportionment of the 2016 City and County 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.
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 lies within the East End Historic District as designated upon the zoning or tax map. This parcel is being sold subject to all provision of law applicable thereto and it is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance with same.
7. Notice is hereby given that the properties are vacant and unoccupied. These parcels are being sold subject to the City's Vacant Property Ordinance and all provisions of law applicable thereto. At closing, the purchaser will be required to register the properties and remit the vacant property fee. It is the sole responsibility of the purchaser to redevelop such parcel in accordance with same.

8. 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.
9. 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.
10. 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 receivership 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.
11. 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 August 8, 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.
12. 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 <u>not</u> 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.
13. 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.
14. 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.**
15. 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.
16. 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.

17. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
18. 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.: _____ - 2016

OF

MAY 9, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE FRIENDS OF THE NEWBURGH FREE LIBRARY, INC. TO ESTABLISH A LITTLE FREE LIBRARY SITE IN UNICO PARK

WHEREAS, The City of Newburgh owns certain property known as Unico Park within the larger Newburgh Landing Park located at 70 Front Street along the Newburgh waterfront and identified on the City tax map as Section 51, Block 1, Lot 3; and

WHEREAS, The Friends of the Newburgh Free Library, Inc. has requested access to Unico Park establishing a Little Free Library site at Unico Park which would be a small lending library, dedicated to promoting literacy and a love of reading based on the concept "take a book, leave a book" in which users are encouraged to take a book, read it, and return it to choose another; and

WHEREAS, Friends of the Newburgh Free Library, Inc. will undertake the cost of construction and installation and will visit the site periodically to monitor and restock books and the City of Newburgh will not incur any financial or staffing costs associated with the proposal; and

WHEREAS, the City Council of the City of Newburgh finds that permitting such access for the purpose of establishing a Little Free Library at Unico Park is in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to enter into a license agreement, in substantially the same form annexed hereto with such other terms and conditions acceptable to the Corporation Counsel, with The Friends of the Newburgh Free Library, Inc. to allow access to City owned property known as Unico Park located within Newburgh Landing Park for the purpose of establishing a Little Free Library.

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LICENSE AGREEMENT

This Agreement, made this _____ day of _____, two thousand and sixteen, by and between the CITY OF NEWBURGH, a municipal corporation organized and existing under the laws of the State of New York with offices at 83 Broadway, City Hall, Newburgh, New York 12550 as "LICENSOR," and THE FRIENDS OF THE NEWBURGH FREE LIBRARY, a not-for-profit corporation, organized under the laws of the State of New York and having its principal office for the transaction of business at 124 Grand Street, Newburgh, New York 12550 as "LICENSEE";

WITNESSETH THAT:

Section 1. Grant and Term of License. Licensor hereby gives to Licensee and Licensee's employees, agents, volunteers and contractors, upon the conditions hereinafter stated, a revocable non-exclusive license or privilege of gaining access to, performing work and constructing a structure upon Licensor's property located at Unico Park within Newburgh Landing Park, 70 Front Street, in the City of Newburgh, New York, and more accurately described as Section 51, Block 1, Lot 3 on the official tax map of the City of Newburgh and taking thereupon such vehicles, equipment, tools, machinery and other materials as may be necessary, in connection with constructing a structure to sit on a post which will be set inside a concrete footing with rough dimensions of approximately 20 inches wide, 12 inches deep, and 20 inches long and will be weatherproof and landscaped, for the purposes of establishing a Little Free Library; to perform maintenance and repairs to said structure on property owned by Licensor and; to maintain landscaping and any and all other work appurtenant thereto; and to monitor said structure for use as a lending library by the general public. The Term of said license will be five (5) years from the date of execution of this License Agreement through December 31, 2021.

Section 2. Purpose. Licensee shall construct the structure for use as a lending library known as a Little Free Library solely for the purpose of borrowing and returning library books by the general public and for no other purposes whatsoever.

Section 3. Construction, maintenance, repair, and replacement of Little Free Library; compliance with laws, rules and regulations.

a. Licensee shall install, repair and maintain said improvements on said premises in such location and position and as to any such work upon or under property of Licensor in such manner as will be satisfactory to Licensor.
b. The Licensee shall be responsible for all costs of construction, maintenance, repair, and replacement (if required) of the structure to be known as the Little Free Library and to keep it in good, safe, and working condition throughout the term of this License.
c. The Licensee shall be responsible for keeping the Little Free Library in compliance with all applicable Federal, State, County, and City laws, ordinances, rules, and regulations throughout the term of this License, including but not limited to obtaining all necessary permits and licenses.

Section 4. Insurance; defense and indemnity. Licensee will throughout the term of this License Agreement annually produce evidence of and maintain public liability and property damage insurance coverage per occurrence in amount of $1,000,000, naming Licensor as additional insured. Licensee shall defend, indemnify, and hold Licensor, its officers,

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employees, and agents harmless against any and all claims, actions, proceedings, and lawsuits brought against one or more of them in connection with or related to Licensee's, its officers', employees', volunteer' and agents' use of the Little Free Library and adjoining property owned by Licensor.

Section 5. Assignment of License; no sub-licensing. In accordance with the provisions of Section 109 of the General Municipal Law, the Licensee is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this agreement or of its right, title or interest in this agreement or its power to execute this agreement to any other person or corporation without the previous consent in writing of the Licensor. Licensee may not sub-license this License to any other party.

Section 6. Termination of License. Either party may terminate this License prior to December 31, 2021, with or without cause, on at least thirty (30) days prior written notice to the other party. In the event of such termination by either party, Licensee shall not be entitled to reimbursement of any of its costs including but not limited to those for construction, maintenance, repair, and replacement of the structure. Upon termination, Licensee and its agents, volunteers, employees and contractors, will restore the property to a clean and orderly state and in the same condition as existed prior to the granting of this license, normal wear and tear excepted.

Section 7. New York law. This License Agreement shall be construed under New York law and any and all proceedings brought by either party arising out of or related to this License shall be brought in the New York Supreme Court, Orange County.

Section 8. No Vested Rights to Land. It is understood and agreed that no vested right in said premises is hereby granted or conveyed from either party to the other, and that the privileges hereby given are subject to any and all encumbrances, conditions, restrictions and reservations upon or under which the parties held said premises prior to the granting of this license.

Section 9. Bind and Enure. This License shall bind and enure to the benefit of the parties' respective successors and assigns. Licensor acknowledges that the enhancements, improvements and repairs to the subject property shall inure to the benefit of both parties, and shall be satisfactory, adequate and sufficient consideration for the License granted hereunder

Section 10. Modification of License Agreement. This License Agreement may not be modified except by a writing subscribed by both parties to this Agreement.

IN WITNESS WHEREOF, the parties have caused this License Agreement to be executed as of the day and year first above written, pursuant to City of Newburgh Resolution No.: of .

CITY OF NEWBURGH

DRAFT

By: _____
MICHAEL G. CIARAVINO
City Manager
Per Resolution No.

FRIENDS OF THE NEWBURGH FREE LIBRARY, INC.

By: _____

Approved as to Form:

_____
JOHN J. ABER
City Comptroller

Approved as to Form:

_____
MICHELLE KELSON
Corporation Counsel

DRAFT

The Newburgh Friends of the Library is interested in establishing a Little Free Library site at Unico Park on the waterfront. These small lending libraries, numbering over 36,000 worldwide, are dedicated to promoting literacy and a love of reading. The concept is simple-"Take a book, leave a book." Users are, we hope, encouraged to take a book, read it, and return it to choose another. Our group will be certain to choose appropriate titles and subjects.

The Friends of the Library is willing to pay for the cost of construction and installation and will visit the site periodically (perhaps weekly) to monitor and restock books. The City of Newburgh will not incur any costs, either in financial terms or in manpower.

The basic structure will sit on a post which will be set inside a concrete footing. Its rough dimensions will be approximately 20 inches wide, 12 inches deep, and 20 inches long. The post will be at a height which can be easily accessed by children. The structure itself will be weatherproof and can be landscaped with a small flowerbed around it. Some examples of existing ones can be seen at the littlefreelibrary.org. Website.

We would like, with your approval, to get this project started for the spring of this year. The return of warm weather brings thousands of people to the Newburgh waterfront and we hope that our project will attract and further enhance this scenic location. If this project should prove successful, we envision other spots throughout the city strengthening our sense of a shared community.

Thomas Franco,

Friends of the Newburgh Library

124 Grand Street

Newburgh, NY 12550

Agenda Item 6.

Downtown Revitalization Initiative

Resolution Authorizing the City Manager to Apply for and Accept if Awarded a New York State Downtown Revitalization Initiative Grant in an Amount not to Exceed $10 Million through the Hudson Valley Regional Economic Development Council. (Deirdre Glenn)

Council Request for Action

Additional Information:
Apply for and Accept if Awarded $10 million from the New York State Downtown Revitalization Initiative through the Hudson Valley REDC.

Application will be a joint application between the City, Alexandra Church; The Newburgh Community Land Bank, Madeline Fletcher; Safe Harbors of the Hudson Valley, Lisa Silverstone; The Boys and Girls Club, Kevin White; and SUNY Orange, Pete Socia.

ATTACHMENTS:

Description	Upload Date	Type
Resolution to Apply for and Accept a Downtown Revitalization Initiative Grant through the Hudson Valley Regional Economic Development Council in an amount not to exceed $10 million	4/29/2016	Resolution Letter
Application Instruction Booklet	4/27/2016	Backup Material
Application	4/27/2016	Backup Material

RESOLUTION NO.: _____ - 2016

OF

MAY 9, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED A NEW YORK STATE DOWNTOWN REVITALIZATION INTITIATVE GRANT IN AN AMOUNT NOT TO EXCEED $10 MILLION THROUGH THE HUDSON VALLEY REGIONAL ECONOMIC DEVELOPMENT COUNCIL

WHEREAS, The Downtown Revitalization Initiative (DRI) will invest $10 million in each of 10 communities ripe for development to transform them into vibrant communities where tomorrow's workforce will want to live, work and raise families and the program emphasizes using investments to reinforce and secure additional public and private investments proximal to, and within, downtown neighborhoods, and in doing so will build upon growth spurred by the Governor's Regional Economic Development Councils (REDCs); and

WHEREAS, each REDC will nominate one downtown in their region best positioned to take advantage of the DRI using a template to nominate downtowns by June 30, 2016; and

WHEREAS, the City of Newburgh proposes to submit a joint application with the Newburgh Community Land Bank, Safe Harbors of the Hudson Valley, the Boys and Girls Club of Newburgh, Inc. and SUNY Orange; and

WHEREAS, the downtown, for the purposes of this grant, will be defined as generally along Broadway from Lander Street to Colden Street; and

WHEREAS, the goal of the Initiative is to provide technical support to the selected downtown from State and private sector planning experts and a locally established committee to create and implement a strategic investment plan utilizing local assets and opportunities to build a vision for a revitalization unique to each downtown and to include economic development, transportation, housing and community projects that align with the vision and can be leveraged for additional investment; and

WHEREAS, the Council has determined that applying for and, if awarded, accepting such grant funds is in the best interest of the City of Newburgh residents and local businesses;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded a grant from the Downtown Revitalization Initiative through the Hudson Valley Regional Economic Development Council in an amount not to exceed ten million ($10,000,000) Dollars.

NEW YORK STATE OF OPPORTUNITY | Regional Economic Development Councils

Downtown Revitalization Initiative

NEW YORK STATE OF OPPORTUNITY. | Office of Planning and Development

NEW YORK STATE OF OPPORTUNITY. | Homes and Community Renewal

Governor Andrew M. Cuomo

DOWNTOWN REVITALIZATION INITIATIVE

Description

The Downtown Revitalization Initiative (DRI) will invest $10 million in each of 10 communities ripe for development to transform them into vibrant communities where tomorrow's workforce will want to live, work and raise families. The program emphasizes using investments to reinforce and secure additional public and private investments proximal to, and within, downtown neighborhoods, and in doing so will build upon growth spurred by the Governor's Regional Economic Development Councils (REDCs).

Cesar A. Perales has been designated Chairman to lead the initiative. Private sector experts and planners from the Department of State (DOS), with support from other state agencies, will assist selected municipalities in building strategic investment plans and identifying key projects consistent with the DRI's program goals.

Downtown Identification

Each REDC will nominate one downtown in their region best positioned to take advantage of the DRI. The REDCs will use a template to nominate downtowns by June 30, 2016. The REDC may utilize an existing subcommittee or form a specific subcommittee to advance this project. The REDC may gather public input on downtowns under consideration.

REDCs will weigh, at a minimum, the criteria below when nominating downtowns:

1) Downtowns should be compact, with well-defined boundaries. There is no minimum or maximum size for downtowns. Downtowns can range from a corridor or block(s) of a neighborhood to the municipality's traditional central business district. However, core neighborhoods beyond the central business district are also eligible. For example, an arts or entertainment district could be the focus of the DRI, however, it should be shown how these areas complement existing downtowns.

2) The municipality, or the downtown's catchment area, should be of a size sufficient to support a vibrant, year-round downtown. In analyzing this, REDCs should consider whether there is a sizeable existing or increasing population within easy reach for whom this would be the primary downtown destination.

3) Downtowns should be selected that are able to capitalize on prior, or catalyze future, private and public investment in the neighborhood and its surrounding areas. When evaluating a downtown for nomination, the REDCs should consider:
    - The presence of nearby investments planned or undertaken through the REDCs or with other public or private funding;
    - Continuity with the REDC's previously articulated vision for the area/region and consistency with recent planning efforts for the area;
    - The existence of developable properties within the downtown, including properties that can be utilized for affordable housing;

- The growth potential and community involvement of anchor institutions in or near the downtown;
- The municipality's current investment commitment to the downtown, including through business improvement districts or partnerships with non-profits;
- The ability of existing infrastructure to support development of the downtown, and the potential to maximize recent infrastructure upgrades;
- Application of Smart Growth principles; and
- Investments in arts and cultural institutions and activities.

4) A crucial part of the selection of a downtown is the recent or impending job growth within, or in close proximity to, the downtown. The attraction of professionals to an active life in the downtown will support redevelopment and make growth sustainable in the long-term. In evaluating job growth near the downtown, REDCs should consider:
    - The presence of major job-creating projects and initiatives near the downtown;
    - The existence of new and expanding employers;
    - Whether new and existing jobs are accessible from the downtown by foot or via public transit; and
    - The diversity in area job opportunities, with different salaries/entry levels and potential for mobility between jobs.

5) The downtown must be an attractive and livable community for diverse populations of all ages, including millennials and skilled workers. In evaluating this, REDCs should consider whether the downtown contains, or could contain, the following physical properties and characteristics:
    - Developable mixed-use spaces;
    - Housing at different levels of affordability and type;
    - Commercial and retail main street businesses, including healthy and affordable food markets;
    - Multi-modal transit;
    - Walkability and bikeability, within the downtown and connecting the downtown to surrounding open space networks and regional destinations;
    - Accessible recreation amenities, parks and gathering spaces;
    - Access to health care facilities;
    - Cultural and entertainment amenities; and
    - Broadband accessibility.

6) The downtown should already embrace or have the ability to create and implement policies that increase livability and quality of life, including through:
    - Downtown plans;
    - Modern zoning and parking standards;
    - Management structure, such as a Downtown Manager or Downtown Business Improvement District;
    - Complete Streets plans and laws;
    - Transit-oriented development;
    - Land banks;
    - Energy-efficiency;
    - Smart Cities innovation; and
    - An inclusive environment for New Americans.

7) Downtowns must have sufficient local community and public official support in order to develop and implement their strategic investment plan. Local leaders and stakeholders who are committed to working together on a plan and the initial local lead should be identified.

Strategic Investment Plans

DOS will rapidly launch the DRI Fast Track Planning Initiative in July 2016 following certification of 10 downtowns. The communities will enjoy technical support from both state and private sector planning experts and a locally established committee. Private sector planning experts will be paid out of the $10 million awards (up to $300,000 per community), with the remainder of the award utilized to implement the plan. For downtowns that identify a need for healthy and affordable food markets, up to $500,000 of implementation funding will be available statewide for projects that are consistent with the Healthy Food/Healthy Communities Initiative.

The strategic investment plans will examine local assets and opportunities to build a vision for revitalization unique to that downtown. The plans will include identification of economic development, transportation, housing, and community projects that align with that vision and can be leveraged for additional investment.

Work on the strategic investment plans will be overseen by a local DRI Planning Committee. This committee should include representatives from a number of the following interest groups and organizations:

- The REDC for the municipality's region;
- Local and regional government officials;
- Neighborhood associations, homeowners, and renters;
- Property owners, local developers, and realtors;
- Chambers of commerce, local business associations, and business owners;
- Community foundations and community loan funds;
- Local development corporations, housing corporations, Industrial Development Agencies, and business improvement districts;
- Cultural institutions, including museums, historic sites, theaters, etc.;
- Educational institutions, including administrative and student leadership of area universities and colleges;
- Local non-profit and advocacy organizations that address quality of life (i.e. bicycle coalitions, park conservancies, arts organizations, YMCA, etc.);
- Social and public service organizations (local police, health care providers, etc.); and
- Faith-based organizations.

While strategic investment plans will be individualized to ensure sustainable growth in each unique downtown, fundamental goals include:

1) Creation of an active, desirable downtown with a strong sense of place;
2) Attraction of new businesses (including "Main Street" businesses), high-paying jobs, and skilled workers;
3) Arts and cultural attractions;
4) A diverse population, with residents and workers supported by complementary housing and employment opportunities;
5) An enhanced local property tax base; and
6) Amenities to support and enhance downtown living and quality of life.

Strategic investment plans will also consider, as appropriate for each community, the municipality's ability to create or improve these elements of the selected downtown, through policies as well as specific projects:

- Proximity and accessibility to daily destinations - particularly jobs and different housing types;
- Density in the downtown - compact zoning and building;
- Diversity in land uses and a zoning code enabling a mix of uses;
- Transit-oriented development with access to reliable public transit (within ½ mile of the downtown);
- Walkability/bikeability;
- Sustainable, energy-efficient development that aligns with the goals of the State Energy Plan;
- Smart Cities innovations that lower local government costs while improving municipal service delivery;
- Presence of and collaboration with anchor institutions in or near the downtown;
- Existence of healthy and affordable food markets;
- Accessible parks, public gathering spaces, and entertainment amenities;
- Inclusiveness of New Americans; and
- Demonstrations of support from key stakeholders and local capacity for implementation.

DOWNTOWN REVITALIZATION INITIATIVE – DOWNTOWN TEMPLATE

CLICK HERE FOR A FORM FILLABLE VERSION OF THIS DOCUMENT

THIS TEMPLATE IS PROVIDED AS GENERAL GUIDANCE AND THE MINIMUM CRITERIA NECESSARY FOR THE REDCS TO EVALUATE AND SELECT A DOWNTOWN NEIGHBORHOOD. INDIVIDUAL REDCS MAY REQUEST ADDITIONAL INFORMATION AS PART OF THEIR SELECTION PROCESS. PLEASE CHECK YOUR SPECIFIC REGIONAL COUNCILS WEBSITE FOR ADDITIONAL CRITERIA. WWW.REGIONALCOUNCILS.NY.GOV

BASIC INFORMATION

Regional Economic Development Council (REDC) Region: Click here to enter text.

Municipality Name: Click here to enter text.

Downtown Name: Click here to enter text.

County: Click here to enter text.

Downtown Description - Provide an overview of the downtown and summarize the rationale behind nominating this downtown for a Downtown Revitalization Initiative (DRI) award):

Click here to enter text.

DOWNTOWN IDENTIFICATION

This section should be filled out with reference to the criteria set forth in the DRI Guidelines.

1) **Boundaries of the Downtown Neighborhood.** Detail the boundaries of the targeted neighborhood, keeping in mind that there is no minimum or maximum size, but that the neighborhood should be compact and well-defined. Core neighborhoods beyond a traditional downtown or central business district are eligible, if they can meet other criteria making them ripe for investment.

   Click here to enter text.

2) **Size.** Outline why the downtown, or its catchment area, is of a size sufficient to support a vibrant, year-round downtown, with consideration of whether there is a sizeable existing, or increasing, population within easy reach for whom this would be the primary downtown.

   Click here to enter text.

3) **Past Investments & Future Investment Potential**. Describe how this downtown will be able to capitalize on prior, and catalyze future, private and public investment in the neighborhood and its surrounding areas.

   Click here to enter text.

4) **Job Growth.** Describe how recent or impending job growth within, or in close proximity to, the downtown will attract professionals to an active life in the downtown, support redevelopment, and make growth sustainable in the long-term.

   Click here to enter text.

5) **Attractiveness of the Downtown.** Identify the properties or characteristics the downtown possesses that contribute or could contribute, if enhanced, to the attractiveness and livability of the downtown. Consider, for example, the presence of developable mixed-use spaces, housing at different levels of affordability and type, healthy and affordable food markets, walkability and bikeability, and public parks and gathering spaces.

   Click here to enter text.

6) **Policies to Enhance Quality of Life.** Articulate the policies in place that increase the livability and quality of life of the downtown. Examples include the use of local land banks, modern zoning codes, complete streets plans, or transit-oriented development. If policies achieving this goal are not currently in place, describe the ability of the municipality to create and implement such policies.

   Click here to enter text.

7) **Local Support.** Set forth the local and community support that exists for the revitalization of this downtown and the commitment among local leaders and stakeholders to building and implementing a strategic investment plan. Identify an initial local lead for the program that will work with outside experts to convene a local DRI Planning Committee to oversee the plan.

   Click here to enter text.

8) **Other.** Provide any other information that informed the nomination of this downtown for a DRI award.

   Click here to enter text.

NEW YORK
STATE OF
OPPORTUNITY

Regional Economic
Development Councils

A Division of Empire State Development

DOWNTOWN REVITALIZATION INITIATIVE – DOWNTOWN TEMPLATE

CLICK HERE FOR A FORM FILLABLE VERSION OF THIS DOCUMENT

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BASIC INFORMATION

Regional Economic Development Council (REDC) Region: Click here to enter text.

Municipality Name: Click here to enter text.

Downtown Name: Click here to enter text.

County: Click here to enter text.

Downtown Description - Provide an overview of the downtown and summarize the rationale behind nominating this downtown for a Downtown Revitalization Initiative (DRI) award):

Click here to enter text.

DOWNTOWN IDENTIFICATION

This section should be filled out with reference to the criteria set forth in the DRI Guidelines.

1) **Boundaries of the Downtown Neighborhood.** Detail the boundaries of the targeted neighborhood, keeping in mind that there is no minimum or maximum size, but that the neighborhood should be compact and well-defined. Core neighborhoods beyond a traditional downtown or central business district are eligible, if they can meet other criteria making them ripe for investment.

   Click here to enter text.

2) **Size.** Outline why the downtown, or its catchment area, is of a size sufficient to support a vibrant, year-round downtown, with consideration of whether there is a sizeable existing, or increasing, population within easy reach for whom this would be the primary downtown.

   Click here to enter text.

3) **Past Investments & Future Investment Potential**. Describe how this downtown will be able to capitalize on prior, and catalyze future, private and public investment in the neighborhood and its surrounding areas.

   Click here to enter text.

4) **Job Growth.** Describe how recent or impending job growth within, or in close proximity to, the downtown will attract professionals to an active life in the downtown, support redevelopment, and make growth sustainable in the long-term.

   Click here to enter text.

5) **Attractiveness of the Downtown.** Identify the properties or characteristics the downtown possesses that contribute or could contribute, if enhanced, to the attractiveness and livability of the downtown. Consider, for example, the presence of developable mixed-use spaces, housing at different levels of affordability and type, healthy and affordable food markets, walkability and bikeability, and public parks and gathering spaces.

   Click here to enter text.

6) **Policies to Enhance Quality of Life.** Articulate the policies in place that increase the livability and quality of life of the downtown. Examples include the use of local land banks, modern zoning codes, complete streets plans, or transit-oriented development. If policies achieving this goal are not currently in place, describe the ability of the municipality to create and implement such policies.

   Click here to enter text.

7) **Local Support.** Set forth the local and community support that exists for the revitalization of this downtown and the commitment among local leaders and stakeholders to building and implementing a strategic investment plan. Identify an initial local lead for the program that will work with outside experts to convene a local DRI Planning Committee to oversee the plan.

   Click here to enter text.

8) **Other.** Provide any other information that informed the nomination of this downtown for a DRI award.

   Click here to enter text.

RESOLUTION NO.: _____ - 2016

OF

MAY 9, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION FROM THE ELKS CLUB OF NEWBURGH LOCAL LODGE 247 IN AN AMOUNT NOT TO EXCEED $2,000.00 TO PROVIDE FUNDING FOR CITY OF NEWBURGH RECREATION DEPARTMENT SPONSORED ACTIVITIES

WHEREAS, the Elks Club of Newburgh Local Lodge 247 is a fraternal organization composed of a group of dedicated persons who invest in their communities through programs that help children grow up healthy and drug-free, by undertaking projects that address unmet need and by honoring the service and sacrifice of our veterans by providing charitable services that help build stronger communities and to improve the quality of life of the citizens of the City of Newburgh; and

WHEREAS, the Elks Club of Newburgh wishes to make a donation in an amount not to exceed $2,000.00 to provide funding for City of Newburgh Recreation Department Sponsored Activities; and

WHEREAS, this Council has determined that accepting such donation is in the best interests of the City of Newburgh and its youth;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a donation from the Elks Club of Newburgh Local Lodge 247 in an amount not to exceed $2,000.00 to provide funding for City of Newburgh Recreation Department Sponsored Activities with the thanks of this Council on behalf of itself and of the children and families of the City of Newburgh.

RESOLUTION NO.: _____ - 2016

OF

MAY 9, 2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT IF AWARDED A FISCAL YEAR 2016 FEMA PORT SECURITY PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED $25,000.00 TO FUND A TRAINING PROGRAM AND PURCHASE EQUIPMENT FOR THE FIRE RESCUE BOAT FOR THE CITY OF NEWBURGH FIRE DEPARTMENT

WHEREAS, the City of Newburgh Fire Department has expressed an interest in applying for funds available under the Fiscal Year 2016 Federal Emergency Management Agency ("FEMA") Port Security Grant Program to fund a training program and purchase equipment for the new fire rescue boat; and

WHEREAS, said grant, if awarded, will support the well-being and safety of our community by funding equipment procurement and training to enhance community protection from fire; and

WHEREAS, if awarded, such funding will provide for a training program and the purchase of training equipment; and

WHEREAS, if awarded, said grant will provide funding in an amount not to exceed $25,000.00 with no City match; and

WHEREAS, it is deemed to be in the best interests of the City of Newburgh and its citizens to apply for and accept such grant if awarded;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute such documents and to take any necessary and appropriate actions to apply for and to accept if awarded a grant made available under the Fiscal Year 2015 FEMA Port Security Program Grant in an amount not to exceed $25,000.00 with no City match required to fund a training program and purchase equipment for the new fire rescue boat for the City of Newburgh Fire Department.

City of Newburgh

GRANT APPLICATION FORM

Grant Requestor:
Please complete the following form and submit the form along with either a hard copy of the grant announcement or the grant announcement website address to the City of Newburgh Grants Coordinator for processing. You will be notified when your grant request has been approved to be sent for City Council Resolution.

NOTE: All fields are required unless marked "OPTIONAL."

SECTION A. COMPLETED BY GRANT REQUESTOR		
NAME OF PROJECT FOR GRANT: Fire Boat	NAME OF DEPARTMENT REQUESTING GRANT: Fire Department	NAME OF DEPARTMENT HEAD/SPONSOR AUTHORIZING GRANT: Acting Chief Terry Ahlers
NAME OF GRANT/NAME OF AWARDING AGENCY: Port Security	GRANT SUBMITTAL DATE: May 25th 2016	AMOUNT OF AWARD: $25,000
MATCH REQUIRED? IF YES, AMOUNT AND TYPE: (EX. CASH, IN-KIND) No match this amount	AMOUNT REQUIRED BY THE CITY OF NEWBURGH: $0	(OPTIONAL) ANY ADDITIONAL GRANT CONDITIONS:

PROJECT PLAN:

Scope of Project: _____**To purchase a equipment and training for new fire boat**
Key Stakeholders: _____Fire Department _____

Project Timeline: (ex. Dates) ____Award can be used up to three years Starting September 1, 2016 awarding until August 31, 2019 announcement website below. The funds would be used for a training program as well as a tracking program and maintenance for boat.

http://www.fema.gov/media-library-data/1455573875236-07ce03a778118ecc2ead8e1aae84185e/FY_2016_PSGP_NOFO_FINAL.pdf

City of Newburgh

GRANT APPLICATION FORM

SECTION B. FOR REVIEW BY CITY COMPTROLLER
GRANT MATCH REQUIREMENT REVIEWED? YES/NO: COMMENTS:
IN-KIND SERVICES REQUIREMENT REVIEWED? YES/NO COMMENTS:
STAFFING ISSUES REVIEWED? YES/NO: COMMENTS:
ANY ADDITIONAL COMMENTS:
→ APPROVED BY CITY COMPTROLLER? YES/NO CITY COMPTROLLER SIGNATURE:_____ DATE:_____ NOTE: IF GRANT APPROVED, CITY COMPTROLLER WILL FORWARD TO CITY MANAGER FOR REVIEW. IF GRANT NOT APPROVED, CITY COMPTROLLER TO RETURN TO GRANTS COORDINATOR FOR FURTHER REVIEW BY PROJECT SPONSOR.
SECTION C: FOR REVIEW BY CITY MANAGER
→ APPROVED BY CITY MANAGER? YES/NO CITY MANAGER SIGNATURE:_____ DATE:_____
SECTION D: FOR REVIEW BY CORPORATION COUNSEL
→ APPROVED BY CORPORATION COUNSEL FOR RESOLUTION? YES/NO

City of Newburgh

GRANT APPLICATION FORM

CORPORATION COUNSEL **SIGNATURE:**_____ **DATE:**_____
DATE RESOLUTION TO BE SENT TO CITY COUNCIL MEETING: _____

RESOLUTION NO.: _____- 2016

OF

MAY 9, 2016

A RESOLUTION APPOINTING MEMBERS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE

WHEREAS, the City of Newburgh is awarded Community Development Block Grant ("CDBG") funds by the Department of Housing and Urban Development ("HUD") to support community development projects; and

WHEREAS, the rules and regulations of HUD require the City to appoint a committee to give guidance and advice with respect to the expenditure of CDBG funds for community development projects; and

WHEREAS, pursuant to Resolution No. 278-2010 of December 13, 2010 the membership of the CDBG Advisory Committee shall consist of the following nine (9) members who will serve two year staggering terms:

- Four (4) members, at least two (2) of whom represent the low income community, on the basis of their knowledge and interest in housing, homeless needs, disability rights, youth services, seniors and social services.
- Three (3) professional practitioners on the basis of their expertise in the areas of housing, homeless needs, disability rights, youth services, seniors and social services.
- One (1) Member of the City Council.
- One (1) City employee who is a staff member of the Department of Planning and Development.

WHEREAS, it is necessary to appoint members to such CDBG Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the following individuals be and are hereby appointed as members to the CDBG Advisory Committee, effective immediately, to serve the terms indicated as follows:

1. Community Member for a term commencing May 10, 2016 and ending December 31, 2016
    a. Roxy Royal
    b. Tammie Hollins
    c. Barbara Smith
2. Community Member for a term commencing May 10, 2016 and ending December 31, 2017
    a. Lizzette Martinez - Community Member
3. Professional Practitioner for a term commencing May 10, 2016 and ending December 31, 2016

    a. Lisa Silverstone - Professional Practitioner (2016-2017)
4. Community Member for a term commencing May 10, 2016 and ending December 31, 2017
    a. Leslie Hoffman
    b. Regina Cieslak
5. City Council Member for a term commencing May 10, 2016 and ending December 31, 2016
    a. Judy Kennedy - City Mayor
6. City Employee who is a staff member of the Department of Planning and Development for a term commencing May 10, 2016 and ending December 31, 2017
    a. Deirdre Glenn – Director of Planning and Development

ORDINANCE NO.: _____ - 2016

OF

_____, 2016

AN ORDINANCE AMENDING CHAPTER 226 OF THE CODE OF ORDINANCES ENTITLED "PERFORMANCE OF WORK BY CITY; ABATEMENT" REDUCING THE TIME FRAME IN ABATEMENT NOTICES

BE IT ORDAINED by the City Council of the City of Newburgh, New York that Chapter 226, "Performance of Work by City; Abatement", be and is hereby amended as follows:

SECTION 1. Chapter 226. Performance of Work by City; Abatement

§226-1. Abatement Notice.

B. The abatement notice shall contain a description of the premises, specify the provisions of the City Code deemed to have been violated, require the owner to correct the condition within ~~twenty (20)~~ five (5) days of the date of such notice, and provide that if the owner fails to do so, the City or the City's contractor may undertake or cause to be undertaken the required work, repair, or demolition and the City shall assess a lien against the property for the cost of the work, repair, or demolition together with an additional fifteen (15%) percent administrative fee for costs of inspection and other incidental costs associated with abating the condition, to be added to the total costs of the work, repair, or demolition. The notice shall also contain, pursuant to § 226-2 of this Chapter, a hearing date and location, at which time and place the owner may be heard in regard to the matter contained in the notice. If the City determines that an emergency exists, the City may undertake or cause to be undertaken such work, repair, or demolition prior to the expiration of the specified period of time and/or prior to the hearing date, provided the notice identifies the violations as constituting such an emergency.

C. If the owner has previously failed to comply with a final order of abatement and thereafter the property is again in violation of the same provision of the City Code, the City may again abate the condition and assess the costs for such abatement, together with an additional fifteen percent (15%) administrative fee, without notice to the owner.

§226-2. Hearing to appeal notice.

A. Any person affected by an abatement notice issued pursuant to § 226-1 of this Chapter shall be entitled to a hearing before the City Manager or the City Manager's designee, except

~~Strikethrough~~ denotes deletions

Underlining denotes additions

DRAFT

in the case of an emergency. The City Manager or the City Manager's designee shall set the time and place for such hearing. The hearing shall be scheduled ~~for at least ten (10) days but not more than fifteen (15) days from the date of the notice.~~ before the expiration of the five (5)-day period set forth in **§226-1B**. At such hearing, the owner shall be given an opportunity to show cause why such notice of abatement should be modified or withdrawn.

SECTION 2. This ordinance shall take immediately.

DRAFT

~~Strikethrough~~ denotes deletions

Underlining denotes additions

ORDINANCE NO.: _____ - 2016

OF

_____, 2016

AN ORDINANCE AMENDING SECTION 119-5 OF THE CODE OF ORDINANCES ENTITLED "CORRECTION OF CONDITION BY CITY" TO ALLOW THE CITY TO ABATE VIOLATIONS OF CHAPTER 119 OF THE CITY CODE WITHOUT NOTICE WHERE THERE HAS BEEN FAILURE TO COMPLY WITH A PREVIOUS NOTICE

BE IT ORDAINED by the City Council of the City of Newburgh, New York that Chapter 226, "Performance of Work by City; Abatement", be and is hereby amended as follows:

SECTION 1. Chapter 119. Brush, Grass and Weeds

§119-5. Notice Requirements.

A. If the person upon whom the notice provided for in §**119-4** is served fails, neglects or refuses to cut and remove or to kill by spraying such weeds, grass or other vegetation, the City may abate such condition and assess a lien against the property for the costs of such abatement together with an administrative fee of 15%, pursuant to the procedures set forth in Chapter **226** of the City Code.

B. If any person upon whom the notice was served fails to comply with the provisions of this Chapter and thereafter the property is again in violation of the provisions of this Chapter, the City may again abate the condition and assess the costs for such abatement, together with an additional fifteen percent (15%) administrative fee, without notice to the owner.

SECTION 2. This ordinance shall take immediately.

~~Strikethrough~~ denotes deletions

Underlining denotes additions

DRAFT

Chapter 226. Performance of Work by City; Abatement

[HISTORY: Adopted by the City Council of the City of Newburgh 1-10-2011 by Ord. No. 1-2011. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. **119**.
Demolition of buildings — See Ch. **125**.
Nuisance buildings — See Ch. **126**.
Unsafe buildings — See Ch. **129**.
Construction operations — See Ch. **139**.
Housing and property standards — See Ch. **190**.
Property damage — See Ch. **234**.
Rental properties — See Ch. **240**.
Trees and shrubs — See Ch. 279.

§ 226-1. Abatement notice.

A. In the event that any owner of any occupied or unoccupied lot, piece of land, building or structure or any part thereof within the City of Newburgh shall fail to maintain or repair the same as required by the City Code, or if such property or structure shall be considered a public nuisance as defined by the City Code, such owner may, in addition to or in lieu of other remedies, be served an abatement notice by certified mail, return receipt requested, sent to such owner's last known address as shown on the records of the City Assessor. A copy of such notice shall also be posted on the premises.

B. The abatement notice shall contain a description of the premises, specify the provisions of the City Code deemed to have been violated, require the owner to correct the condition within 20 days of the date of such notice, and provide that if the owner fails to do so, the City or the City's contractor may undertake or cause to be undertaken the required work, repair, or demolition and the City shall assess a lien against the property for the cost of the work, repair, or demolition, together with an additional administrative fee of 15% for costs of inspection and other incidental costs associated with abating the condition, to be added to the total costs of the work, repair, or demolition. The notice shall also contain, pursuant to § **226-2** of this chapter, a hearing date and location, at which time and place the owner may be heard in regard to the matter contained in the notice. If the City determines that an emergency exists, the City may undertake or cause to be undertaken such work, repair, or demolition prior to the expiration of the specified period of time and/or prior to the hearing date, provided the notice identifies the violations as constituting such an emergency.

§ 226-2. Hearing to appeal notice.

A. Any person affected by an abatement notice issued pursuant to § **226-1** of this chapter shall be entitled to a hearing before the City Manager or the City Manager's designee, except in the case of

an emergency. The City Manager or the City Manager's designee shall set the time and place for such hearing. The hearing shall be scheduled for at least 10 days but not more than 15 days from the date of the notice. At such hearing, the owner shall be given an opportunity to show cause why such notice of abatement should be modified or withdrawn.

B. After a hearing held in accordance with Subsection **A** of this section and on consideration of the evidence presented, the City Manager or the City Manager's designee shall sustain, modify, or withdraw the notice of abatement. Such decision shall be deemed a final order and shall be served on the owner in the same manner as provided for in § **226-1A** of this chapter.

C. The City Manager or the City Manager's designee shall keep a summary of testimony and copies of relevant notices or orders, entries of appearance, findings of fact, if any, and the final determination; and such record shall be maintained as a public record.

D. If the owner does not appear at a hearing scheduled pursuant to this section, the abatement notice shall be deemed a final order.

§ 226-3. Remedies; billing notice; appeal hearing; expenses and tax liens.

A. Should the owner fail to comply with a final order, or should the City determine that an emergency exists, the City may undertake or cause to undertake the required work, repair, or demolition. The City shall keep records of the cost of such work, repair, or demolition.

B. Should the required work, repair, or demolition be performed by the City or the City's contractor pursuant to Subsection **A** of this section, the City shall serve a billing notice on the owner, in the same manner as specified in § **226-1A** of this chapter, setting forth the cost of such work, repair, or demolition, together with an additional administrative fee of 15% for costs of inspection and other incidental costs associated with abating the condition, to be added to the total costs of the work, repair, or demolition.

C. An owner served with a billing notice pursuant to Subsection **B** of this section may request and shall be granted a hearing before the City Manager or the City Manager's designee to dispute the charges, provided that such owner shall file, within 10 days of the date of the notice, in the office of the City Manager, a written request for such hearing. Upon receipt of a request for a hearing, the City Manager or the City Manager's designee shall set a time and a place for such hearing and shall give the applicant at least 10 days' written notice thereof. Such hearing shall commence not later than 30 days after the date on which the request was filed; however, hearings may be postponed beyond such thirty-day period for good cause shown. At such hearing, the owner shall be given an opportunity to show cause why such costs should be reduced or otherwise modified. The City Manager or the City Manager's designee shall make a final determination on the charges, and such decision shall be deemed a final order. If the owner does not request a hearing on the billing notice, such notice shall be deemed a final order.

D. The cost of the work, repair, or demolition as finally determined, together with an additional administrative fee of 15% for costs of inspection and other incidental costs associated with abating the condition, added to the total costs of the work, repair, or demolition, shall be assessed as a lien against the abated property. Notice shall be given to the Tax Collector's Office specifying the total cost of the work, repair, or demolition, together with the administrative fee of 15%, and the property affected by section, block and lot numbers as the same appear on the Official Tax Assessment Map of the City of Newburgh. From the hour of filing of said notice, the charges specified shall be a lien upon the property affected thereby. A copy of said notice shall also be served on the owner as provided for in § **226-1A** of this chapter. The costs specified, if not paid by or on behalf of the owner within 30 days of the date of the notice, shall be added to and collected

with the subsequent City tax levy, and shall bear interest and be enforced as provided by law for City taxes.

§ 226-4. Judicial review.

Any person or persons jointly or severally aggrieved by any final order may seek to have such order reviewed by the Supreme Court, Orange County, in the manner prescribed in Article 78 of the Civil Practice Law and Rules and as otherwise provided for in the laws of the State of New York.

§ 226-5. Limitations on liability of City.

No action for damages may be maintained against the City by reason of its failure to comply with any of the provisions of this chapter.

City of Newburgh, NY
Wednesday, April 27, 2016

Chapter 119. Brush, Grass and Weeds

[HISTORY: Adopted by the City Council of the City of Newburgh 11-13-1967 (Ch. 13, Art. III, of the Code of Ordinances). Amendments noted where applicable.]

GENERAL REFERENCES
Waste management, handling and disposal — See Ch. **183**.
Housing and property standards — See Ch. **190**.
Performance of work by City — See Ch. **226**.
Trees and shrubs — See Ch. 279.

§ 119-1. Height limitations.

It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee thereof, having control of any occupied or unoccupied lot or land, or any part thereof, in the City:

A. To permit or maintain on any such lot or land any growth of weeds, grass or other rank vegetation to a greater height than 12 inches on the average.

B. To permit any accumulation of dead weeds, grass or brush.

C. To permit or maintain on or along the sidewalk, street or alley adjacent to such lot or land between the property line and the curb or between the property line and the traveled parts of such street or alley where there is no curb any growth of weeds, grass or other vegetation to a greater height than four inches on the average.

§ 119-2. Poisonous and detrimental plants.

It shall also be unlawful for any person to cause, suffer or allow poison ivy, ragweed or other poisonous plants or plants detrimental to health to grow on any such lot or land in such manner that any part of such ivy, ragweed or other poisonous or harmful weed or plant shall extend upon, overhang or border any public place or to allow seed, pollen or other poisonous particles or emanations therefrom to be carried through the air into any public place.

§ 119-3. Cutting, removal or destruction required.

It shall be the duty of any and every owner, lessee or occupant of any lot or land to cut and remove or to kill by spraying, or to cause to be cut and removed or killed by spraying, all such weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of §§ **119-1** and **119-2**; provided, however, that cutting or removing or killing by spraying such weeds, grass and vegetation at least once in every three weeks between April 1 and November 1 shall be deemed to be compliance with the terms and provisions of said sections.

§ 119-4. Notice requirements.

A. Notice required. If the provisions of §§ **119-1** and **119-2** and **119-3** are not complied with, the City, through its designated official, may serve written notice upon the owner, lessee or occupant or any person having the care or control of any such lot or land to comply with the provisions of said sections.

B. Service and contents of notice. Such written notice shall be mailed to such owner, lessee, occupant or person at his last known address, or, if such owner, lessee, occupant or person or his address is unknown, such notice may be affixed to or posted upon said lot or land. Such notice shall require compliance with the provisions of said sections within five days after the date of the mailing or posting of such notice as aforesaid.

§ 119-5. Correction of condition by City.

[Amended 1-10-2011 by Ord. No. 2-2011[1]]

If the person upon whom the notice provided for in § **119-4** is served fails, neglects or refuses to cut and remove or to kill by spraying such weeds, grass or other vegetation, the City may abate such condition and assess a lien against the property for the costs of such abatement together with an administrative fee of 15%, pursuant to the procedures set forth in Chapter **226** of the City Code.

[1] *Editor's Note: This ordinance also repealed former § 119-6, Costs of removal, which immediately followed this section.*

City of Newburgh, NY
Wednesday, April 27, 2016

Chapter 230. Plumbing

Article II. Licensing and Registration of Plumbers

§ 230-9. Requirements to engage in plumbing business.

[Amended 6-13-1988 by L.L. No. 4-1988]

A. It shall be unlawful for any person to engage in the business of plumbing or to install, alter or repair any plumbing system in the City or to display a sign or to give other notice setting forth or intending to imply that he is engaged in the business of plumbing unless he has obtained a certificate of competency, after examination, and has duly registered said certificate and received a certificate of registry and a metal sign from the Examining Board of Plumbers as provided in § 45-b of the General City Law.

B. Every person who desires to engage in the business of plumbing shall make written application under oath upon a form to be prescribed and supplied by the Examining Board of Plumbers and pay a fee as set forth in Chapter **163**, Fees, of this Code for an examination by said Board.

§ 230-10. Application for examination.

A. Each applicant shall be vouched for by two persons, one of whom, at the time of signing the application as voucher, must be lawfully engaged as a master plumber and who shall appear before the Board and sign under oath on a form prescribed by the Board a certificate certifying to the time the applicant has been employed by the voucher as a journeyman plumber.
[Amended 11-22-2004 by L.L. No. 2-2004]

B. The Board shall refuse to receive an application from any person who, at the time of making application, is unlawfully engaged in business as a master or employing plumber.

C. No person shall be examined unless he shall have had experience of at least five years as a journeyman plumber and is able to furnish satisfactory evidence of such fact, and no application shall be received from any person who is not a citizen of the United States.

§ 230-11. Conduct and scope of examinations.

A. The examinations of the Board shall be in two parts:

(1) Practical tests to determine the applicant's skill as a journeyman plumber.

(2) A written examination. The written examination shall consist of questions designed to determine the applicant's fitness and qualifications to engage in the business of master or

employing plumber. All written examinations shall be answered in the handwriting of the applicant in the English language.

B. The time and place of holding examinations shall be, at the discretion of the Board, on notice to the applicants.

C. Persons who pass the tests and the written examinations as prescribed by the Board shall be eligible to receive a certificate of competency as master or employing plumber.

§ 230-12. Additional evidence of qualifications.

Before issuing a certificate to engage in the business of master plumber, the Board shall inquire into the applicant's fitness and qualifications for conducting such business and may require the applicant to submit under oath such evidence in addition to the examinations and tests herein provided, as will satisfy the Board that he is a person of good repute, character and responsibility and otherwise qualified to engage in business as master or employing plumber.

§ 230-13. Issuance of duplicate certificates of competency.

In case a certificate of competency is lost by the holder thereof, the Board may issue a duplicate where such original certificate was issued during the term of office of all the members of the Board in office when such duplicate certificate is requested. In other cases, the Board shall issue a certificate or record stating that the records of the office show that a certificate was issued to a specific person.

§ 230-14. Reexaminations.

[Amended 6-13-1988 by L.L. No. 4-1988]
In the event that the applicant fails in his examination, he may apply for reexamination after a lapse of three months and the payment of a fee as set forth in Chapter **163**, Fees, of this Code, and, in the event the applicant again fails, he may not be given another examination, within the discretion of the Board, until the expiration of one year and the payment of an additional fee as set forth in Chapter **163**, Fees. If the applicant passes the examination, he shall receive a certificate of competency from the Board.

§ 230-15. Certificate of registration; metal sign.

[Amended 6-13-1988 by L.L. No. 4-1988]
Forthwith upon receipt of a certificate of competency, the applicant shall register at the office of the Examining Board of Plumbers, and, upon the payment of a fee as set forth in Chapter **163**, Fees, of this Code, he shall receive a certificate of registration and a metal sign upon the payment of a fee as set forth in Chapter **163**, Fees, of this Code.

§ 230-16. Expiration, renewal and surrender of certificate of registration; change of location of business.

[Amended 6-13-1988 by L.L. No. 4-1988]

A. The certificate of registration with the Examining Board of Plumbers shall expire on the 31st day of December of the year in which it has been issued and shall be renewed within 30 days preceding

such expiration by application to the Board and the payment of a fee as set forth in Chapter **163**, Fees, of this Code. A master plumber who permits his registration to lapse may apply and receive a certificate of registration upon the payment of a fee as set forth in Chapter **163**, Fees, of this Code.

B. Any person retiring, abandoning or not actually engaged in such trade, business or calling hereinbefore mentioned shall surrender to the Examining Board of Plumbers the certificate of registration and metal sign. A lapse of registration for six months shall be considered an abandonment of the business.

C. Every registered master plumber shall give immediate notice of any change of location of his place of business to the Examining Board of Plumbers.

D. Notwithstanding the foregoing, the Examining Board of Plumbers may, in its sole discretion, permit the retirement of a plumbing license plate and number in lieu of requiring the surrender of said plate and number as required by Subsection **C** above.
[Added 4-22-1991 by Ord. No. 19-91]

§ 230-17. Misuse of certificates.

No master plumber shall allow his name to be used by any person, directly or indirectly, either to obtain a permit or permits or to do any work under his certificate of competency and registration.

§ 230-18. Registration validation slip.

[Amended 6-13-1988 by L.L. No. 4-1988]
The Examining Board of Plumbers shall issue with each certificate of registration a slip showing the year for which the license is valid. This slip shall be attached to the metal sign bearing the license number. The slip and method of attaching it shall be as prescribed and approved by the Examining Board of Plumbers.

§ 230-19. Effect of violation on validation.

[Amended 6-13-1988 by L.L. No. 4-1988]
No renewal license slip shall be issued by the Examining Board of Plumbers to any master plumber who has been convicted of willfully violating any of the provisions of this chapter.

§ 230-20. Investigation of registration and license.

[Amended 6-13-1988 by L.L. No. 4-1988]
The Plumbing Inspector shall investigate the registration and license of every master plumber and shall promptly report to the Examining Board of Plumbers any violation of the provisions of law relating to the loaning, renting, selling or transferring of certificates or license plates. The Plumbing Inspector shall immediately apply to the Examining Board of Plumbers for the forfeiture of the license and certificate of registration of any master plumber who shall have loaned, rented, sold or transferred such certificate, plate or sign in violation of law and shall summon and have prosecuted such offender as provided by law.

§ 230-21. Transfer of location; retirement from business.

[Amended 6-13-1988 by L.L. No. 4-1988]
Every master plumber shall give immediate notice of any change in his place of business and, upon his retirement from business, shall surrender his certificate of registration to the Examining Board of Plumbers.

§ 230-22. Cancellation of registration; hearing.

[Amended 6-13-1988 by L.L. No. 4-1988]
Registration hereunder may be canceled by the Examining Board of Plumbers for violation of any of the rules and regulations adopted herein upon conviction thereof after a hearing thereon before the Examining Board of Plumbers. The alleged violator shall be given at least 10 days' notice in writing of such hearing, which notice shall also state the time, place and grounds of the complaint in sufficient detail to inform the alleged violator of the charge or charges he may be called upon to meet at such hearing.

§ 230-23. Appeals from denial of license.

[Amended 6-13-1988 by L.L. No. 4-1988]
When a master plumber has been refused the current year's license, he may appeal to the City Manager.

§ 230-24. Continuance of present certificates and registrations.

All certificates and registration of master plumbers at present in force are hereby continued and shall be renewable under the provisions of this chapter.

§ 230-25. Renewal of master plumber's license restricted.

The Examining Board of Plumbers shall not renew the license of a master plumber unless the holder of the same has had issued to him at least one permit in the preceding year.

§ 230-26. Report of plumbers entitled to license renewal.

The Plumbing Inspector shall, in November of each year, certify to the Examining Board of Plumbers the master plumbers entitled to renewal of their license and shall report those not entitled to renewal.

§ 230-27. Use and display of metal sign.

The Board may refuse to issue a metal sign to any person who does not have an established place in the City from where he conducts and operates his business, and such sign, when issued, together with the name of the holder, must be conspicuously displayed at said place of business so as to be easily read by the public, or the license may be revoked and the metal sign taken away from the holder thereof.

§ 230-28. Issuance of metal sign for branch shop.

The Board may refuse to issue a metal sign for a branch shop until it is satisfied that such branch shop is absolutely necessary.

§ 230-29. Transfer of sign to new location.

The metal sign issued by the Board shall not be transferred to another location without first notifying the Board.

§ 230-30. Transfer of sign to partnership or corporation.

The metal sign issued by the Board shall not be transferred to any partnership or to any corporation of which the holder of such metal sign may become a partner or an officer unless the Board has been first notified.

McKinney's Consolidated Laws of New York Annotated
General City Law (Refs & Annos)
Chapter 21. Of the Consolidated Laws
Article 4. Plumbing and Drainage (Refs & Annos)

McKinney's General City Law § 40

§ 40. Definitions

Currentness

When used in this article, the words "employing or master plumber" shall mean a person having a regular place of business and who, by himself or journeymen plumbers in his employ, performs plumbing work.

Credits
(Added L.1941, c. 443.)

Notes of Decisions (2)

McKinney's General City Law § 40, NY GEN CITY § 40
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

End of Document

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McKinney's Consolidated Laws of New York Annotated
General City Law (Refs & Annos)
Chapter 21. Of the Consolidated Laws
Article 4. Plumbing and Drainage (Refs & Annos)

McKinney's General City Law § 40-a

§ 40-a. Examining boards of plumbers in cities

Currentness

The existing boards for the examination of plumbers in cities of this state are continued and each shall [1] be known as the examining board of plumbers. Such board in each city shall continue to consist of five persons to be appointed by the mayor, of whom two shall be employing or master plumbers of not less than ten years' experience in the business of plumbing, and one shall be a journeyman plumber of like experience, and the other members of such board shall be the chief inspector of plumbing and drainage [2] of such city, or officer performing the duties of such inspector, and the chief engineer having charge of sewers in such city, but in the event of there being no such officers in such city, then any two other officers having charge or supervision of the plumbing, drainage or sewerage, whom the mayor shall designate or appoint, or two members of the board of health of such city having like duties or acting in like capacities.

Credits

(Formerly § 40, L.1909, c. 26. Amended L.1926, c. 447, § 1. Renumbered § 40-a, L.1941, c. 443.)

Notes of Decisions (12)

Footnotes

1 So in original. Word "hereafter" omitted.

2 So in original. Words "of the board of health" omitted.

McKinney's General City Law § 40-a, NY GEN CITY § 40-a
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

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Chapter 21. Of the Consolidated Laws
Article 4. Plumbing and Drainage (Refs & Annos)

McKinney's General City Law § 41

§ 41. Term of office; vacancies

Currentness

The term of office of each member of such board shall be three years, from the first day of January following his appointment. Vacancies occurring by expiration of a term shall be filled by the mayor for a full term. Vacancies by death, removal, inability to act, resignation or removal from the city of any member shall be filled by him for the unexpired term. The chief inspector of plumbing and drainage and the engineer in charge of sewers or the officers holding equivalent positions or acting in like capacities designated or appointed by the mayor as herein provided, shall be ex officio members of such examining board, and when they shall cease to hold their offices by reason or on account of which they were so designated or appointed, their successors shall act on the examining board in their stead.

Credits
(L.1909, c. 26.)

McKinney's General City Law § 41, NY GEN CITY § 41
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

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McKinney's General City Law § 42

§ 42. Compensation of members of board

Currentness

The master and journeymen plumbers serving as members of such board shall receive such compensation for their services as shall be determined by the board of estimate and apportionment or other similar body authorized by law to fix and determine the compensation of city officers and employees.

Credits
(L.1909, c. 26. Amended L.1930, c. 506, § 1.)

McKinney's General City Law § 42, NY GEN CITY § 42
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

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Article 4. Plumbing and Drainage (Refs & Annos)

McKinney's General City Law § 43

§ 43. Qualifications

Effective: January 1, 2016
Currentness

All members of such board shall be citizens and actual residents of the cities in which they are appointed, except in the city of Niagara Falls where such members shall be citizens and actual residents of the county wherein the city is situated, the city of Middletown where such members shall either be citizens and actual residents of the county wherein the city is situated or anywhere within a twenty-five mile radius of such city within this state, and except in the city of Corning where such members shall be citizens and actual residents of the county wherein the city is situated or in an abutting or adjacent county, and except in the city of Rochester where such members shall be citizens and actual residents of the county wherein the city is situated, and except in the city of Watertown where such members shall be citizens and actual residents of the county wherein the city is situated. Provided however, in any city with a population of less than twenty-five thousand, or in any city which has less than four master plumbers, such members may be residents of the county or counties wherein the city is situated.

Credits
(L.1909, c. 26. Amended L.1975, c. 244, § 1; L.1992, c. 158, § 1; L.1992, c. 256, § 1; L.1993, c. 580, § 1; L.1993, c. 665, § 1; L.1996, c. 344, § 1; L.2000, c. 469, § 1, eff. Sept. 20, 2000; L.2002, c. 345, § 1, eff. Aug. 6, 2002; L.2003, c. 520, § 1, eff. Sept. 17, 2003; L.2015, c. 434, § 1, eff. Jan. 1, 2016.)

McKinney's General City Law § 43, NY GEN CITY § 43
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

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Chapter 21. Of the Consolidated Laws
Article 4. Plumbing and Drainage (Refs & Annos)

McKinney's General City Law § 44

§ 44. Powers and duties

Currentness

The several examining boards of plumbers shall have power and it shall be their duty:

1. To meet at stated intervals in their respective cities; they shall also meet whenever the board of health of such city or the mayor thereof shall in writing request them so to do.

2. To have jurisdiction over and to examine all persons desiring or intending to engage in the trade, business or calling of plumbing as employing plumbers in the city in which such board shall be appointed with the power of examining persons applying for certificates of competency as such employing or master plumbers or as inspectors of plumbing, to determine their fitness and qualifications for conducting the business of master plumbers or to act as inspector of plumbing, and to issue certificates of competency to all such persons who shall have passed a satisfactory examination before such board and shall be by it determined to be qualified for conducting the business as employing or master plumbers or competent to act as inspectors of plumbing.

3. To formulate in conjunction with the local board of health of the city or an officer, board or body performing the duties of a board of health a code of rules regulating the work of plumbing and drainage in such city, including the materials, workmanship and manner of executing such work and from time to time to add to, amend or alter the same, or in their discretion to adopt the standard plumbing code recommended by the state department of health.

4. To charge and collect from each person applying for examination the sum of ten dollars for each examination made by such board, and all moneys so collected shall be paid over by the board monthly to the chamberlain or treasurer of such city in which such board shall be appointed.

Credits
(L.1909, c. 26. Amended L.1926, c. 447, § 2; L.1930, c. 126, § 1.)

Notes of Decisions (15)

McKinney's General City Law § 44, NY GEN CITY § 44
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McKinney's General City Law § 45

§ 45. Examinations; conducting business without certificate prohibited

Currentness

A person desiring or intending to conduct the trade, business or calling of a plumber or of plumbing in a city of this state as employing or master plumber, shall be required to submit to an examination before such examining board of plumbers as to his experience and qualifications for such trade, business or calling, and it shall not be lawful in any city of this state for a person to conduct such trade, business or calling, unless he shall have first obtained a certificate of competency from such board of the city in which he conducts or proposes to conduct such business.

Credits
(L.1909, c. 26.)

Notes of Decisions (22)

McKinney's General City Law § 45, NY GEN CITY § 45
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McKinney's General City Law § 45-a

§ 45-a. Corporations may conduct business

Currentness

A domestic corporation desiring or intending to conduct the trade, business or calling of a plumber or of plumbing in a city of this state, as employing or master plumber, may do so provided one or more officers of such corporation separately or aggregately actually hold and own at least fifty-one per centum of the issued and outstanding capital stock of said corporation, and provided that each of such officers holding such percentage of the stock is the holder of a certificate of competency of such board of the city in which it conducts or proposes to conduct such business as provided in section forty-five. In case one or more officers of a corporation engaged in such business shall die, being the holder of a certificate of competency, the corporation may continue the business during the time necessarily required for the administration of the estate of such deceased officer, not exceeding two years from the granting of letters, provided one or more officers of the corporation is the holder of a certificate of competency and together with the legal representatives of such deceased officer or officers, actually owns and holds at least fifty-one per centum of the issued and outstanding capital stock of the said corporation. Each and every member of said corporation holding a certificate of competency shall comply with all the rules and regulations applicable to master or employing plumbers in the locality in which the corporation is engaged in business. Such corporation shall register as provided in section forty-six of this chapter.

Credits
(Added L.1915, c. 467. Amended L.1926, c. 447, § 3; L.1928, c. 95, § 1.)

Notes of Decisions (1)

McKinney's General City Law § 45-a, NY GEN CITY § 45-a
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McKinney's General City Law § 45-b

§ 45-b. Further requirements relating to the business of plumbing

Currentness

<[Text as amended by L.1969, c. 407, § 57 and L.1978, c. 655, § 54. See, also, General City Law § 45-b, post.]>

1. No person otherwise qualified shall engage in the trade, business or calling of a plumber or of plumbing in a city of this state as employing or master plumber until he has first procured from the board of health or the examining board of plumbers if so designated by local law in such city or, in the city of New York, from the department of health, a metal plate or sign appropriately lettered or marked "licensed plumber;" such plate or sign to be conspicuously posted in the window of the place where such business is conducted. Any person retiring, abandoning or not actually engaged in such trade, business or calling hereinbefore mentioned, shall surrender to the board of health or the examining board of plumbers if so designated by local law of the city, or, in the city of New York, to the department of health such metal plate or sign and shall not again engage in such trade, business or calling until he has again procured a metal sign as herein provided.

2. Within thirty days after this section takes effect, the board of health or the examining board of plumbers if so designated by local law in every city of this state and in the city of New York, the department of health, shall prepare metal plates or signs, at least fourteen inches wide and not less than twenty-two inches in length appropriately lettered or marked "licensed plumber," the lines of each letter to be four inches long and five-eighths of an inch wide; such plate or sign shall, on some part thereof, contain an identification number, which number together with the name and location of the place of business of the person to whom issued shall be recorded in the office of such board of health or the examining board of plumbers if so designated by local law, or such department of health in the city of New York. Every person now actually engaged or about to engage in the trade, business or calling of a plumber or of plumbing as employing or master plumber, who has otherwise complied with the provisions of law relating to the conduct of such business upon the payment of five dollars to the board of health or the examining board of plumbers if so designated by local law of such city, or in the city of New York to the department of health, shall have issued to him a sign or plate hereinbefore described. In the city of New York a renewal fee of two dollars per annum shall be charged for each such plate or sign which shall be issued without reexamination, such fee to be paid by the holder of such plate or sign to the department of health annually during the month of January. Any person to whom such plate or sign has been issued who shall loan, rent, sell or transfer the same to another person whether such person be entitled to receive a similar plate or sign or not, or otherwise wilfully violates the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not exceeding fifty dollars for the first offense, and not less than one hundred dollars nor more than five hundred dollars for a subsequent offense, and in addition thereto shall forfeit his license and certificate of qualifications.

The provisions of this section shall apply to all cities of the state, including the city of New York.

Credits

(Added L.1916, c. 305, § 1. Amended L.1923, c. 324, § 1; L.1926, c. 447, § 4; L.1964, c. 576, § 41; L.1969, c. 407, § 57; L.1978, c. 655, § 54.)

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McKinney's General City Law § 45-b

§ 45-b. Further requirements relating to the business of plumbing

Currentness

<[Text as amended by L.1969, c. 734, § 1. See, also, General City Law § 45-b, ante.]>

1. No person otherwise qualified shall engage in the trade, business or calling of a plumber or of plumbing in a city of this state as employing or master plumber until he has first procured from the board of health or the examining board of plumbers if so designated by local law in such city a metal plate or sign appropriately lettered or marked "licensed plumber;" such plate or sign to be conspicuously posted in the window of the place where such business is conducted. Any person retiring, abandoning or not actually engaged in such trade, business or calling hereinbefore mentioned, shall surrender to the board of health or the examining board of plumbers if so designated by local law of the city such metal plate or sign and shall not again engage in such trade, business or calling until he has again procured a metal sign as herein provided.

2. Within thirty days after this section takes effect, the board of health or the examining board of plumbers if so designated by local law in every city of this state shall prepare metal plates or signs, at least fourteen inches wide and not less than twenty-two inches in length appropriately lettered or marked "licensed plumber," the lines of each letter to be four inches long and five-eighths of an inch wide; such plate or sign shall, on some part thereof, contain an identification number, which number together with the name and location of the place of business of the person to whom issued shall be recorded in the office of such board of health or the examining board of plumbers if so designated by local law. Every person now actually engaged or about to engage in the trade, business or calling of a plumber or of plumbing as employing or master plumber, who has otherwise complied with the provisions of law relating to the conduct of such business upon the payment of five dollars to the board of health or the examining board of plumbers if so designated by local law of such city shall have issued to him a sign or plate hereinbefore described. Any person to whom such plate or sign has been issued who shall loan, rent, sell or transfer the same to another person whether such person be entitled to receive a similar plate or sign or not, or otherwise wilfully violates the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not exceeding fifty dollars for the first offense, and not less than one hundred dollars nor more than five hundred dollars for a subsequent offense, and in addition thereto shall forfeit his license and certificate of qualifications.

The provisions of this section shall apply to all cities of the state, excluding the city of New York.

Credits
(Added L.1916, c. 305, § 1. Amended L.1923, c. 324, § 1; L.1926, c. 447, § 4; L.1964, c. 576, § 41; L.1969, c. 734, § 1.)

Notes of Decisions (1)

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McKinney's General City Law § 46

§ 46. Registration; when required

Currentness

Every employing or master plumber carrying on his trade, business or calling in any city of this state shall register his name and address at the office of the board of health or the examining board of plumbers if so designated by local law of the city in which he shall conduct such business, under such rules as the respective boards of health or the local board of examining plumbers, in conjunction with the board of health of each of the cities shall prescribe, and thereupon he shall be entitled to receive a certificate of such registration, provided, however, that such employing or master plumber shall at the time of applying for such registration hold a certificate of competency from an examining board of plumbers.

Credits
(L.1909, c. 26. Amended L.1926, c. 447, § 5.)

Notes of Decisions (7)

McKinney's General City Law § 46, NY GEN CITY § 46
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McKinney's General City Law § 47

§ 47. Cancellation of registration; notice

Currentness

Such registration may be cancelled by such board of health or the examining board of plumbers if so designated by local law for a violation of the rules and regulations for the plumbing and drainage of such city duly adopted and enforced therein, after a hearing had before such board of health or the examining board of plumbers if so designated by local law and upon a prior notice of not less than ten days stating the ground of complaint and served on the person charged with the violation, but such revocation shall not be operative unless concurred in by the local board of examiners. It shall not be lawful for any person to engage in or carry on the trade, business or calling of an employing or master plumber in any of the cities of this state, unless his name and address shall have been registered in the city in which he carries on or conducts such business.

Credits
(L.1909, c. 26. Amended L.1926, c. 447, § 5.)

Notes of Decisions (1)

McKinney's General City Law § 47, NY GEN CITY § 47
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McKinney's General City Law § 50

§ 50. Expiration and renewals of certificates and licenses

Currentness

All certificates of registration issued under the provisions of the preceding sections of this article and all licenses authorizing connections with street sewers or water mains shall expire on the thirty-first day of December of the year in which they shall be issued, and may be renewed within thirty days preceding such expiration. Such renewals to be for one year from the first day of January in each year.

Credits
(L.1909, c. 26.)

McKinney's General City Law § 50, NY GEN CITY § 50
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McKinney's General City Law § 57

§ 57. Article limited

Currentness

1. This article shall not apply to any of the following cities: New York, Binghamton, Schenectady, Elmira, Beacon, Hornell and Poughkeepsie.

2. This article, with the exception of section fifty-six-a thereof, shall not apply to the city of Glens Falls.

Credits
(L.1909, c. 26. Amended L.1913, c. 753; L.1950, cc. 632, 706; L.1956, c. 843, § 1; L.1973, c. 965, § 1; L.1981, c. 1046, § 1; L.1989, c. 181, § 1; L.1993, c. 639, § 1; L.1993, c. 661, § 1.)

McKinney's General City Law § 57, NY GEN CITY § 57
Current through L.2016, chapters 1 to 32, 50 to 53, 55, 56.

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ORDINANCE NO.: _____ - 2016

OF

_____, 2016

AN ORDINANCE AMENDING SECTION 263-38 OF THE CODE OF ORDINANCES ENTITLED "PETITIONER OF DISPOSSESS WARRANT TO BE RESPONSIBLE" TO PROVIDE FOR THE IMMEDIATE REMOVAL OF EVICTED TENANTS' PROPERTY FROM THE SIDEWALK OR HIGHWAY

BE IT ORDAINED, by the Council of the City of Newburgh, New York that Chapter 263, entitled "Streets and Sidewalks", Article VIII, entitled "Disposition of Property of Evicted Tenants", Section 263-38, entitled "Petitioner of Dispossess Warrant to be Responsible" of the Code of the City of Newburgh be and is hereby amended to read as follows:

SECTION 1. Chapter 263. Streets and Sidewalks

Article VIII. Disposition of Property of Evicted Tenants

§263-38. Petitioner of Dispossess Warrant to be Responsible

Whenever any property is placed upon a public sidewalk or highway by a court officer executing a dispossess warrant or similar process, it shall be the responsibility of the petitioner in the proceeding which resulted in the issuance of the dispossess warrant or similar process to immediately remove ~~arrange for the removal and storage or other suitable disposition of all~~ such property. If such petitioner shall not immediately remove ~~arrange for the removal and storage or other suitable disposition of all~~ such property, he shall be guilty of an offense and shall be liable for the penalties provided for in §**1-12** of this Code.

SECTION 2. This ordinance shall take immediately.

~~Strikethrough~~ denotes deletions

Underlining denotes additions

DRAFT

City of Newburgh, NY
Wednesday, April 27, 2016

Chapter 263. Streets and Sidewalks

Article VIII. Disposition of Property of Evicted Tenants

§ 263-38. Petitioner of dispossess warrant to be responsible.

Whenever any property is placed upon a public sidewalk or highway by a court officer executing a dispossess warrant or similar process, it shall be the responsibility of the petitioner in the proceeding which resulted in the issuance of the dispossess warrant or similar process to arrange for the removal and storage or other suitable disposition of all such property. If such petitioner shall not immediately arrange for the removal and storage or other suitable disposition of all such property, he shall be guilty of an offense and shall be liable for the penalties provided for in § **1-12** of this Code.

RESOLUTION NO.: ____ - 2016

OF

MAY 9, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH FOR THE DEDICATION OF THE SOUTH STREET WATERFRONT PARK AND NAMING THE INTERSECTION OF SOUTH STREET AND FRONT STREET AS FATHER WILLIAM "BILL" SCAFIDI SQUARE

WHEREAS, the City of Newburgh proposes to develop South Street Waterfront Park located at the terminus of Front Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh; and

WHEREAS, Father William Scafidi, affectionately known as "Father Bill," pastor of St. Mary's Roman Catholic Church at 180 South Street in Newburgh for 17 years, established and supported many important community programs in our City; and

WHEREAS, notable among these are the Mary's Hope Food Pantry, providing the poor and homeless with nourishing food; and the Zion Lions Basketball Program, providing recreation, guidance and mentorship for boys and girls from ages 5 through 17; and

WHEREAS, Father Bill was a pillar of the Newburgh community as well as of his church, attending many civic and interfaith gatherings and offering invocations and benedictions at innumerable religious and secular events and meetings; and

WHEREAS, Father Bill served church and City with grace, humor and distinction throughout his assignment here, offering special care for the children, the poor, the infirm and the elderly; and

WHEREAS, Father Bill was assigned by the Archdiocese of New York in the summer of 2015 to St. Peter's Roman Catholic Church in Liberty, New York after what was universally regarded as too short a tenure here; and

WHEREAS, the City Council therefore determines that it is in the best interests of the City of Newburgh to dedicate the parcel of land located at the terminus of Front Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh as a public park and honor Father Bill's service and dedication to the City of Newburgh;

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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh, New York, that the parcel of land the parcel of land located at the terminus of Front Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh shall be dedicated as a public park to be designated as the "South Street Waterfront Park"; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newburgh, New York that in connection with the dedication of the South Street Waterfront Park, the intersection of Front Street and South Street be named and forever known with reverence, affection and gratitude as "Father William 'Bill' Scafidi Square" and that said intersection be designated with an appropriate marker stating "To The Youth of The City of Newburgh - Fr. William (Bill) Scafidi Square".

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RESOLUTION NO.: ____ - 2016

OF

MAY 9, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH FOR THE DEDICATION OF THE SOUTH STREET WATERFRONT PARK AS FATHER WILLIAM "BILL" SCAFIDI PARK

WHEREAS, the City of Newburgh proposes to develop South Street Waterfront Park located at the terminus of Front Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh; and

WHEREAS, Father William Scafidi, affectionately known as "Father Bill," pastor of St. Mary's Roman Catholic Church at 180 South Street in Newburgh for 17 years, established and supported many important community programs in our City; and

WHEREAS, notable among these are the Mary's Hope Food Pantry, providing the poor and homeless with nourishing food; and the Zion Lions Basketball Program, providing recreation, guidance and mentorship for boys and girls from ages 5 through 17; and

WHEREAS, Father Bill was a pillar of the Newburgh community as well as of his church, attending many civic and interfaith gatherings and offering invocations and benedictions at innumerable religious and secular events and meetings; and

WHEREAS, Father Bill served church and City with grace, humor and distinction throughout his assignment here, offering special care for the children, the poor, the infirm and the elderly; and

WHEREAS, Father Bill was assigned by the Archdiocese of New York in the summer of 2015 to St. Peter's Roman Catholic Church in Liberty, New York after what was universally regarded as too short a tenure here; and

WHEREAS, the City Council therefore determines that it is in the best interests of the City of Newburgh to dedicate the parcel of land located at the terminus of Front Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh as a public park and honor Father Bill's service and dedication to the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh, New York, that the parcel of land the parcel of land located at the terminus of Front

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Street in the City of Newburgh known as 180 Water Street and identified as Section 12, Block 6, Lot 5.2 on the official Tax Map of the City of Newburgh shall be dedicated as a public park and be named and forever known with reverence, affection and gratitude as “Father William ‘Bill’ Scafidi Park” an appropriate marker stating "To The Youth of The City of Newburgh - Fr. William (Bill) Scafidi Park".

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