

A regular meeting of the City Council of the City of Newburgh was held on Tuesday, February 28, 2012 at 7:00 P.M. in the Council Chambers at City Hall, 3rd Floor, 83 Broadway, Newburgh, New York 12550.

The Prayer was led by Sheila Monk followed by the Pledge of Allegiance.

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

Councilwoman Lee moved and Councilwoman Angelo seconded that the minutes of the February 9, 2012 Work Session and the February 14, 2012 City Council meeting be approved.

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

CARRIED

COMMUNICATIONS

Councilwoman Angelo moved and Councilwoman Lee seconded that the Notice of Claim and Summons & Complaint be referred to Corporation Counsel with power to act.

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

CARRIED

COMMENTS FROM THE PUBLIC REGARDING THE AGENDA

Jonathan Jacobson, 25 Pierces Road, said that the Community Development Block Grant process is in shambles. The public is being told that decisions have been made when it is clear that no quorum was present at the meeting. Meetings are being held at irregular times with little or no notice to the public and reports are coming forth that people not on the Committee are participating as if they were on the Committee. He asked the Council to table the appointments for tonight and he stressed that this has nothing to do with the individuals who are being proposed. It has to do with the way that the CDBG Committee is conducting business. No appointments should be made until the Council and the public are assured that the process is open and transparent and that all procedures are followed fairly and correctly. Notice of meetings should be given in a proper manner to members of the Committee and the public and minutes of the meetings should be made available. He asked again that the Council table the appointments tonight until the Council and the public are assured that proper procedures are followed.

Janet Gianopolous, City of Newburgh said that if that is the case and there is a question about process, then she suggested the Council may want to consider also tabling resolution #28-2012 as well. At the very least we would need more details regarding this project because she understands that it involves CDBG money which is our tax money.

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

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Councilman Dillard said that concerning resolution #28-2012 he has been involved with this project since he became a member of the City Council and 45 and 47 Chambers Street was one of the first projects that he saw that we could move forward with in a timely manner. He thinks that we have a unique opportunity here to get that eyesore taken down with a City minority contractor and city workers from this neighborhood. He thinks that this is a win for the City and for the community so he urged the Council to move forward with this resolution.

Mayor Kennedy said that two issues have been brought forward. One has to do with the way that the advisory committee for CDBG does their process and the other has to do with a completely different issue with the tear down of the property at 45 and 47 Chambers Street which has been in the works since last summer. It is a completely different project so she just wants to make sure that the public completely understands that. This is not something that was recommended by this advisory committee nor does this advisory committee have anything to do with that.

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

RESOLUTION NO.: 27 - 2012

OF

FEBRUARY 28, 2012

**A RESOLUTION AUTHORIZING THE APPLICATION TO
NEW YORK STATE ARCHIVES FOR A LOCAL GOVERNMENT RECORDS
MANAGEMENT IMPROVEMENT FUND (LGRMIF) GRANT
IN THE AMOUNT OF \$36,259.52 WITH NO REQUIRED CITY MATCH
FOR THE PURPOSE OF CONVERTING THE CODE COMPLIANCE
PROPERTY FILES CURRENTLY IN THE RECORDS CENTER TO
ELECTRONIC FORMAT**

WHEREAS, the City has invested in the electronic document scanning and filing system "Laserfiche" through General Code as a result of a prior NYS Local Government Records Improvement Fund (LGRMIF) grant for Code Compliance and the City Clerk; and

WHEREAS, the "Laserfiche" system provides standardization of document and electronic record filing, as well as thorough key-word searching and expedited retrieval; and

WHEREAS, N.Y.S. Archives provides a grant for conversion of paper documents to electronic imaging through the Local Government Records Management Improvement Fund (LGRMIF); and

WHEREAS, the City is interested in the most effective management of its paper documents and electronic records; and

WHEREAS, the cartons holding approximately 1,963 Code Compliance property files currently in the Records Center are files that were culled from the active files due to space constraint, and are requested on an average of 2 or more files per week; and

WHEREAS, three New York State firms that do document conversion and entry into the Laserfiche document management system provided quotes, the lowest responsible of which was \$27,660.52, and the preparation of the files would be done by temporary skilled clerks on site here in Newburgh for an estimated cost of \$8,599; and

WHEREAS, this grant does not require a match;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the application be submitted to the New York State Archives Local Government Records Management Improvement Fund in the amount of \$36,259.52, with no required City match, for the purpose of converting the Code Compliance property files currently in the Records Center to electronic format, and if awarded, the City Manager be hereby authorized to accept said grant if awarded and execute an agreement with New York State Archives.

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

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

ADOPTED

RESOLUTION NO.: 28 - 2012

OF

FEBRUARY 28, 2012

A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS 45 CHAMBERS STREET (SECTION 30, BLOCK 4, LOT 12) AND 47 CHAMBERS STREET (SECTION 30, BLOCK 4, LOT 11) TO HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC. AT PRIVATE SALE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC. TO PERMIT ACCESS TO CITY OWNED PROPERTY IN CONNECTION WITH A JOINT REHABILITATION PROJECT WITH THE NEWBURGH COMMUNITY LAND BANK

WHEREAS, Habitat for Humanity of Greater Newburgh, Inc. (hereinafter referred to as "Habitat") is a well recognized nonprofit organization whose goal is to strengthen communities by helping to build houses with families in need and to eliminate poverty housing and make simple, decent houses available through volunteer labor and tax-deductible donations of money and materials; and

WHEREAS, the Newburgh Community Land Bank is a non-profit corporation organized under Article XI of the New York State Private Finance Housing Law and whose mission is to stimulate planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner through collaboration with community stakeholders, developers and other governmental agencies in order to improve the quality of life in the City of Newburgh; and

WHEREAS, the City of Newburgh, Habitat and the Newburgh Community Land Bank have identified City-owned property known as 45 Chambers Street and 47 Chambers Street, and more accurately described as Section 30, Block 4, Lot 12 and Section 30, Block 4, Lot 11, respectively, on the official tax map of the City of Newburgh, for a joint redevelopment project which involves the demolition of the existing structures and the new construction of two new units for home ownership to qualified Habitat families; and

WHEREAS, this joint redevelopment project requires the transfer of title from the City of Newburgh to Habitat, as well as a License Agreement for access to the property by Habitat, the Newburgh Community Land Bank and their employees, agents, volunteers and contractors for predevelopment and construction activity prior to the closing of title; and

WHEREAS, the City Council has determined that it would be in the best interest of the City of Newburgh, its residents and future development to sell the property known 45 Chambers Street and 47 Chambers Street to Habitat for \$1.00 and other valuable consideration subject to the following conditions:

1. That Habitat homes are sold as single family homes, at no profit, constructed in part with sweat equity from the prospective homeowners and financed with affordable no interest mortgages; and
2. That Habitat will rehabilitate, and obtain Certificates of Occupancy for 45 Chambers Street and 47 Chambers Street from the City Building Department within eighteen (18) months from the date of taking title; and
3. A closing will take place on or before June 1, 2012 and upon the resale to the owner-occupants, the properties shall become subject to taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and is hereby authorized and directed to execute and deliver a quitclaim deed to sell the properties described above, to Habitat for Humanity of Greater Newburgh, Inc., for the nominal price of One (\$1.00) Dollar, and in consideration of the above listed conditions of sale; and

BE IT FURTHER RESOLVED, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to enter into the attached license agreement with Habitat for Humanity of Greater Newburgh, Inc., and their employees, agents, volunteers and contractors for access to 45 Chambers Street and 47 Chambers Street for predevelopment and construction activity in connection with the joint rehabilitation project with the Newburgh Community Land Bank.

Councilwoman Lee asked where do these funds come from and what is the process?

Michelle Kelson, Corporation Counsel, said that the resolution does not call for the expenditure of any City funds. Resolution #28-2012 authorizes the sale of real property from the City of Newburgh to Habitat and authorizes the execution of a license agreement for access to the property during the closing period so that pre-developing activities can take place so that when they are ready to do the rehabilitation they are ready to go as those dates have been set.

Councilwoman Lee again asked where the funds come from.

Michelle Kelson asked what funds? There are no funds associated with this resolution. She explained that the previous and current Council have discussed the CDBG funds for demolition of vacant and distressed properties and we have a list of our top ten eyesore, unsalvageable, blighted properties. We previously submitted a request for bids to demolish those properties as a group. In December, 2011, when those bids were opened they were deemed non-responsive and they were rejected. We reevaluated the bidding so instead of doing one large project we tried to break it down into smaller more manageable sized demolition contracts and to educate potential bidders about our HUD Section Three Plan requirements because we did not get good responses previously on that subject matter. A new bid solicitation was issued last week for the demolition of these two properties and it is on the website for anyone who is interested in seeing the advertisement and a pre bid meeting was scheduled to have occurred today. She is not exactly sure when the bids have to be submitted by but she believes that the bid opening is March 6th. At the next Work Session there will be a review of those bids so that the lowest responsible bidder can be awarded a contract for the demolition of these properties. She thinks that the estimated cost for the demolition of these properties is about \$50,000.00. This particular resolution does not require or authorize the expenditure or any City funds.

Councilwoman Lee said that she is satisfied and she hopes that the public is as well.

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

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

ADOPTED

LICENSE AGREEMENT

This Agreement, made this ____ day of _____, two thousand and twelve 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 HABITAT FOR HUMANITY OF GREATER NEWBURGH, INC., a private business organization having an address of, 125 Washington Street, Newburgh, New York 12550, and their consultants, agents, volunteers and contractors as "LICENSEE";

WITNESSETH THAT:

WHEREAS, Licensee desires the license or privilege of gaining access to and performing work upon the premises of Licensor, on behalf of itself and its employees, agents and contractors, known as 45 Chambers Street and 47 Chambers Street, and more accurately described as Section 30, Block 4, Lot 12 and Section 30, Block 4, Lot 11, respectively, on the official tax map of the City of Newburgh.

AND WHEREAS, Licensor is willing to give said license or privilege on the following terms and conditions:

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and conditions hereinafter contained, it is hereby agreed as follows:

First: Licensor hereby gives to Licensee and Licensee's employees, agents and contractors, upon the conditions hereinafter stated, the license or privilege of entering upon Licensor's property located at 45 Chambers Street and 47 Chambers Street, in the City of Newburgh, New York, and taking thereupon such vehicles, equipment, tools, machinery and other materials as may be necessary; for the purposes of and to perform certain tasks on said property owned by Licensor, including but not limited to cleaning, excavating, filling, boring, testing, sampling, restoration, construction and any and all other work appurtenant thereto.

Second: Licensee agrees to do such work and perform such tasks in such manner as will comply fully with the provisions of any laws, ordinances or other lawful authority, obtaining any and all permits required thereby.

Third: During the term of this Agreement, the parties mutually agree to release and indemnify each other for all claims, damages or expenses resulting

from said party's own negligence. It is hereby acknowledged that Licensor is a self-insured municipality.

Fourth: Licensee will perform any environmental testing or demolition work in connection with a site assessment and evaluation of an inactive commercial property, including walk-through inspection, review of City of Newburgh and other records, review of governmental environmental records and data, and other measures relating to underground tanks, potential contamination issues, demolition of structures and related tasks. In the contract by which Licensee retains consultants and contractors, they shall name City as additional insured under insurance coverage concerning the performance of the tasks referenced herein.

Fifth: This Agreement and the license or privilege hereby given shall expire and terminate upon the completion of the work by Licensee and its agents, employees and contractors, and the restoration of 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.

Sixth: 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.

WITNESSETH:

THE CITY OF NEWBURGH

LICENSOR

By: _____
Richard F. Herbek, City Manager

**HABITAT FOR HUMANITY OF GREATER
NEWBURGH, INC.**

LICENSEE

By: _____
Cathy Collins, Executive Director

RESOLUTION NO.: 29- 2012

OF

FEBRUARY 28, 2012

**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, it is appropriate in keeping with the rules and regulations of HUD 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:

- 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 appropriate 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 new members to the CDBG Advisory Committee, effective immediately:

Judy Kennedy - City Mayor
Marge Bell - Professional Practitioner
Tamie Hollins - Community Member

BE IT FURTHER RESOLVED, the following members hereby remain to serve as members to the Community Block Grant Advisory Committee

Torrance Harvey - Community Member
Timothy Hayes - Community Member
Jenny Loeb - Professional Practitioner
Ian MacDougall - Employee staff member of Department of Planning and Development
Brenda McPhail - Community Member

BE IT FURTHER RESOLVED, the City Council shall forthwith appoint one additional (1) Professional Practitioner by further Resolution, to bring the CDBG Committee to its full complement of nine (9) members.

Councilwoman Lee said that she would like this resolution to be tabled until they can find out what actually went on with the CDBG funds because it seems to have put the community up in arms. She agrees that there has been a lot of confusion so before they appoint new members we need to find out what is going on with our members and the staff.

Councilwoman Angelo said that she agrees this should be tabled.

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

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

TABLED

RESOLUTION NO.: 30 - 2012

OF

FEBRUARY 28, 2012

**A RESOLUTION TO AUTHORIZE THE COMMENCEMENT OF
LITIGATION AGAINST JOHNSON CONTROLS, INC.
REGARDING THE PERFORMANCE CONTRACT FOR
ENERGY AND OPERATIONAL COST SAVINGS**

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, hereby authorizes litigation against Johnson Controls, Inc. regarding the Performance Contract for energy and operational costs savings.

Councilwoman Angelo moved and Councilman Dillard seconded that the resolution be adopted.

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

ADOPTED

GENERAL COMMENTS

Kippy Boyle, 400 Grand Street, announced that there will be an Urban Forestry Relief Workshop next Friday at the New York Botanical Gardens. She thinks that this would be important for some of our community groups because they will be touring some sites such as the Youth Ministries for Peace and Justice which is a Church in the Bronx where volunteers have built a green roof and they have a solar panel grid and rainwater harvesting. Another tour will be of the public housing project called Bronx River Houses where they have an extensive rain garden and bio soil collecting which she feels would be good for not only community members but also our Water Department. The fee is \$35.00 to \$40.00 for the whole day and she understands that there is an anonymous sponsor who will support two people to attend so please contact her if anyone is interested. She added that tomorrow is March 1st and she is surprised that there are only four items on this agenda. There is so much work to be done in this City and not one of these items addresses the issues that we really thought were going to be accomplished in the first ninety days. Lastly, in regard to the Consolidated Iron Site, she would like the City to proactively get the final letter of determination from the EPA and whatever the obstacles were with that Letter of Intent the Council needs to be instructed that they need to be removed. Leyland and the City entered into a Letter of Intent and we have been quietly avoiding the issues there. If that is something that is holding up this process so that the public can utilize eight acres of our space, then they need to take care of it.

City Manager, Richard Herbek, said that the letters that we need from the Environmental Protection Agency have been a long time coming. The City has been very proactive in trying to work with the EPA to obtain the final clearance report. In addition to us working on this, Congressman Hinchey's office has been actively working on this and this afternoon he spoke with a representative there and was told that there was a promise made by the EPA that those final documents were to be sent to us by tomorrow. The promise has been made to us and we are doing everything in our power to secure those release documents. With regard to the exclusivity agreement with Leyland, the previous Council had a meeting with one of the representatives from Leyland and they reached a meeting of the minds on ending the exclusivity agreement. This has not been reviewed with the current Council as of yet which is something they need to do as they need to end this exclusivity agreement because it is preventing us from not being able to do much of anything with the Leyland properties until that agreement comes to a close. He said that they do have a final solution for that and probably within thirty to sixty days they will be coming back to the Council with another agreement that will end that exclusivity agreement.

Carmen Warren, 15 E. Parmenter Street, submitted copies of letters to the Council and said that she is here tonight because she received a violation from the Code Compliance Office. A project was started back in 2008 where Habitat and Leyland were building houses and they put electrical outlets in the ground for lampposts to be put on the block. One of them is right in front of her door which is uncovered and it's a hazard and now she is getting a violation from the City to get it fixed. They told her when they put the lamppost up that that part of the sidewalk belonged to the City so they need to get back with Leyland or Habitat and have them fix it or cover it. She gave the Council pictures with her letter so that they can see what she is talking about. This is a hazard to her family also. Someone fell and now has a lawsuit against the City which she doesn't want put on her because she didn't have it put there and she asked them not put it in front of her door but was told that she had no choice. She needs to know who is going to fix this and who is going to be held responsible.

Councilwoman Lee said that she thinks she is right that it is not her responsibility.

Mayor Kennedy agreed that we need to resolve this.

Sheila Monk, City of Newburgh said that the Mayor has talked about housing, jobs and accountability and it was stated at the Armory "I have a dream for the City of Newburgh". Martin Luther King also had a dream but his dream reflected his actions. She said that they would like to see changes in the City of Newburgh because the real issues with housing and jobs are not being addressed. She told the Mayor that they are going to start holding her accountable.

Barbara Smith, Powell Avenue said that in regard to resolution #28-2012 it states that the City of Newburgh is authorizing the sale of real property at 45 and 47 Chambers Street to Habitat. Then we come up with another issue of demolition of the buildings and the question is if we are selling this property for \$1.00 to Habitat why are we responsible for or are we going to pay for the demolition from our CDBG funds. That is the question that should be answered.

City Manager, Richard Herbek, responded that they are trying to do a redevelopment strategy on Chambers Street and the demolition part of this is our responsibility. It is our part of the project and it is what we assumed responsibility for. This is all in conjunction with the Builders Blitz for June and each entity that is involved in this has certain responsibilities. This is part of the whole redevelopment strategy and it involves the newly formed Land

Bank. They are trying to bring about constructive and positive change to the City.

Ms. Smith said that that was a much clearer explanation than what she heard earlier.

Billy Robinson, Varick Homes, said that he has lived in Newburgh for fifty years and started boxing here. He used to train with Timothy Hayes-el who is trying to get something started for the youth because there is nothing for the kids to do around here. He knows that there are a lot of kids around here who would be interested but he can't do it by himself.

Fanett Tallegrand, 29 City Terrace, said that she doesn't see a lot of change being made. When Mayor Kennedy was running for election they sat together in Sunday School at the House of Refuge and they spoke. She contacted her after she was elected and told her that if anything was being done with community involvement that she would like to be involved so she left her phone number and information. She found out later that a youth team was formed and she was never contacted. She lives in the City of Newburgh and she is raising children here. She feels like there is not a lot of community involvement or reaching out from the Officials to involve the community. Some people complain about what is going on but she doesn't think that it is because they don't want to do anything it is just that they are not informed so they don't know what to do or how to get started. She went through the Yellow Pages and contacted the Congressman, Senate or whoever is involved that can help. She also called City Hall and was told that there would be a meeting tonight but nothing is received in the mail and there are no flyers or bulletins posted in public places. The older kids that are locked up right now come back to the City of Newburgh on Parole and can't find jobs so they are being left with no other option but to return back to the streets. She would like to know what kind of rehabilitation process is really taking place in the City of Newburgh to help these people. She added that she was hurt that she wasn't called or informed about something that was done with the youth because she has four small girls and is on Social Security. Her kids attend the Performing Arts which she pays for to offer them something else but many people can't afford certain things. She feels that there is no reaching out to the Community or involvement.

Councilwoman Lee thanked Ms. Tallegrand for bringing that up and said that she will talk to her after the meeting about some committees.

Brigidanne Flynn, City of Newburgh said that after attending the Work Session she thinks that a presentation by Police Chief, Michael Ferrara on the statistics he gave concerning the Bodega hours should be given at one of the

City Council meetings. She thinks that many people who speak about wanting the stores to remain open longer would be alarmed by some of the statistics that the Police Department is tracking.

MaryAnn Prokosch, City of Newburgh, hears people saying that they haven't seen anything happening yet. There is a priority list of goals that she heard the City Manager asking to be rated A,B,C and D which doesn't sound like a hard job and it needs to be done. That is the beginning of the road map to start making things happen and without it forget it. In regard to East Parmenter Street, she said that about four years ago when that project first started the street lights were taken down and there are stumps in the ground with broken wires so at this point they would probably have to be redone in order to put the street lamps on them. The street is very dark and it is an issue that there are no street lights. In regard to the CDBG money and the demo of the projects, she said that Habitat is a great partner. She can see them going in there and doing the Builders Blitz but she would like to see if we are going to take down properties and basically sell improved lots with city water and sewer. Let it start to become some sort of a revolving amount of money. If it costs us \$50,000.00, someone should be willing to pay \$30,000.00 for a lot that has water and sewer on it to put something new up. Then that money can go back into CDBG to move forward. Habitat isn't necessarily going to get every piece of property that we do a demolition on so if it is a private developer she would hope that we would get some of our money back.

Roxie Royal, City of Newburgh, said that she is proud to see someone else coming forth to let the Council know that the information about what is going on is not filtering into the City. Other people are seeing the same problem so she hopes that they understand that more communication needs to be developed with what is going on in this City. She added that she didn't attend the Work Session so she would like to hear the presentation that the Police Chief made about the hours of the Bodegas because that is a sore spot with her. She asked the Council and the Police Chief what is going on with our Police Community Committee. She knows that our contact person has retired but they haven't heard anything about who is taking over or when there will be another meeting. They have not really had a good meeting. They have made no connections with the community and they have not met amongst themselves. If they are going to have a committee, it should be active and that is one way to get information out to the City.

Stacy Burks, City of Newburgh, said that he is here on behalf of some of the people he serves as the new Pastor on the corner of South and Chambers Streets. He heard mention of the Bodegas and he knows that one of the reasons for shutting them down was to deter crime but late at night here in the

City of Newburgh if a single mother needs milk for her baby she can't go to the corner store. If she doesn't have a car, where does she go? What is happening is that we are punishing some because of other people which is not cool. He also read about the College Heights area and he remembers Urban Renewal so he wonders if people will be able to afford to stay there. If not, then where do they go? As for the information, when he hears about something he will let the people that he serves know about it. He will even bring as many people as he can in to be a voice and let everyone know what is going on. Half of the people that are concerned aren't even here because of a lack of knowledge.

Carmen Warren, 15 E. Parmenter Street, asked why is it that when something happens at every other bar in the City of Newburgh they lose their license and get closed down but the Terrace Lounge remains open even after she has called the police at least thirty times.

Timothy Hayes-el, City of Newburgh, said that he thinks we need to get with the people that live in this City first and try to fix some problems here so our first order of business should be to deal with the people who live here. We can't move forward by calling people from the outside to try to get things done. We have to start at home and then move forward.

Pebbles, City of Newburgh, read part of an article from the newspaper that stated Fire Chief, Mike Vatter, came before the City Council looking for a little relief. Another article stated that Mike Vatter not only serves as Fire Chief but he is also head of the City Code Compliance Department, Chairman of the Community Land Bank and he is a key member of the Committee dealing with the distressed properties in this City. He would like to take one of the Assistant Chiefs and create a Deputy Chief position to take care of a lot of the work in terms of running the Fire Department to give Chief Vatter an opportunity to focus more on the important things on his plate. She asked what *is* important on his plate? He is the Fire Chief but he is also Code Compliance and a key figure for the Committee dealing with distressed properties. She would like to know how these properties became distressed if he is Code Compliance. She suggested that Chief Vatter do his job as the Fire Chief in the Fire Department and allow other people to sit on the Board since it is a conflict and a problem. The most important thing on his plate would be the job he is getting paid for not the job that he is volunteering for but that is just her opinion. She added that a number of people have contacted her to talk about things that are going on with the City Council and in the City of Newburgh and she said that she will meet with them to talk and make them better prepared and willing to attend the Council meetings.

Michael Ferrara, Police Chief, said that the Police Community Relations Board has gone dormant for the past sixty days. At the end of 2011 not only did Lt. Rose retire but they lost a position so they had to consolidate the work. He said that he will do everything he can to restart those meetings and get that going again. There was a comment made about bars and licenses which is a concern. Whenever a bar is closed it is not closed by the City of Newburgh it is actually closed by the State Liquor Authority. Things such as fights, assaults and disorderly conduct get reported to the Police Department and then passed on to the State Liquor Authority where it is investigated. When a bar or restaurant gets closed down it is usually because of actions that have happened several months in the past. He said not to judge if a bar or premises is open now because it may not be open six months from now as those investigations are ongoing. It is not the Police Department that controls that.

Janet Gianopolous, City of Newburgh, said that resolution #28-2012 has come up a lot tonight so she wanted to clarify her concern. She is a homeowner and a taxpayer here in the City of Newburgh so if you say it is not coming out of the right pocket because it's coming out of the left pocket it is still coming out of her pocket. Whether it is city money or CDBG federal money it's still her money so she thinks it is understandable that they are all concerned at this time. In six months we will be looking at another Budget so it is not too early to be very careful as to how we spend money. In regard to material online, she said that the Work Session was not online and these are not Work Session minutes it is just an indication that a meeting happened. As far as using funds for demolition of a building, she thinks that we need to look at other possible uses for CDBG money. There are some lawsuits here and there may be cases that involve sidewalks so we have a lot of things that we need to pay attention to and to try to correct. We also have a number of strengths so she hopes that we don't forget that we can still work on solving the many things that need addressing. She also hopes that the people in the Chambers Street area are deeply involved in that build and that we welcome people from outside the city but we need to step up here and work on those things within the community.

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

PRESENTATIONS

The Horizons on Hudson 21st Century Community Learning Center Drama Program performed for the Council and audience to celebrate Black History Month.

COMMENTS FROM THE COUNCIL

Councilwoman Angelo said that the Citizens Advisory met last Thursday evening and faithfully picked out fifteen applications which are in the hands of our Corporation Counsel right now and then they will come back to the Council so we will be ready to do our job. She thanked the Newburgh PBA because they donated a K9 German shepherd dog and they are about to give us a second one which we will be glad to have also. She added that the Library is still offering free help with Income Tax filing. You just have to make an appointment and go in because they have a lot of volunteers to help people. She just came from the Cantonment meeting tonight and they were discussing the wonderful three day holiday they had over at Washington's Headquarters. She said that we sponsor the Cantonment, Washington's Headquarters, Knox's Headquarters and Ellison House. They have a group called Friends of the Historic Sites and they raise money. So they were able to raise money plus they had about two thousand people show up which was great for the City of Newburgh. She thinks that their next program is scheduled for March 31st at the Ritz Theatre to choose General George Washington's lady. She ended by saying that the City is looking much cleaner.

Councilman Brown thanked everyone for coming and expressing their interests and concerns about the City. He said that he knew all along that it would be a slow process for them to get on board and get this city moving in the right direction. He assured everyone that they are well on their way in doing that but unfortunately change doesn't happen over night so they are working on getting things moving in the right direction. He encouraged the newcomers tonight to come back and keep this Council informed on what is going on in the community. They don't always know what is happening out there and their voice is always welcome to be heard in front of this Council. He added that the 21st Century Grant and those kids are what is good about the City of Newburgh. If anyone asks you what is good about the City of Newburgh he would like people to mention what happened here tonight and all month long for Black History Month.

Councilman Dillard thanked everyone for coming tonight and said that we could all take a lesson from our children. We must learn to listen to our children because they are fresh, inquisitive and honest. He thoroughly enjoyed the presentation tonight and asked everyone in attendance to think about becoming a mentor to our children here in the City of Newburgh because that is what is needed.

Councilwoman Lee agreed that the agenda was a little light tonight and she expected much more. She said that she was moved by the children who did the presentation tonight and she would like to see a photo of them taken holding hands in front of the Council table which should be posted everywhere because they are absolutely phenomenal. We can take a lesson from all of them. She noted that tomorrow in Albany is Aids Awareness Day and there will be a bus leaving around 7:30 a.m. from 280 Broadway. She wanted to thank Mr. Visconti for donating a bus so that city residents will be able to attend and she also wanted to thank Dunkin Donuts for being kind enough to make a generous donation of food so that the people on the bus will have something to eat. She said that one of the comments made, in her mind, spoke to integrity and she would like us to have integrity in everything that we do when we are making decisions. She wants us to have a system that everyone can see through so she is looking forward to that. Lastly, there are a number of articles in the newspapers and some of them get spun in a way that doesn't necessarily say what we are trying to say. For example, Councilman Dillard was quoted in an article and she took issue with two sentences being strung together in a Letter to the Editor where someone spun it to make it look like he was angry and against white people. She had a problem with that.

Councilman Dillard said that he could speak for himself and actually that night he was angry.

Councilwoman Lee noted that it didn't say that you were angry in the moment. It said that he is not an angry man as if it is implied that he is an angry man. Maybe at that moment he was angry but is he an angry man or was he angry at that moment? She is just saying that he is not an angry man and she didn't appreciate that being published.

Councilman Dillard said that he doesn't need anyone to speak up for him because he believes that right is right and wrong is wrong and he knows that the YMCA has been wrong for a number of years to this community and he will debate Bob Hatfield about that.

Mayor Kennedy said that we should go back to the children and figure out how we are going to work together and how we are going to compromise and move ahead. She is hearing the community ask tonight what change has happened. It has been about sixty days and it took about forty years for this City to get into the shape that it is in so in sixty days it is not going to get turned around. It is very difficult to report back to everybody about everything that is being done to move things ahead. For instance, today there was an Energy Consortium and a lot of people met who are working on trying to get a lot of jobs here. We are trying to get new people here with new jobs in this City and there are things going on on all kinds of fronts. It doesn't mean

that we are not doing anything if we are not talking about it at this City Council all the time. This forum is for conducting the business and passing resolutions and those kinds of things. It isn't always the forum to have a complete report on what we have been working on all day every week. There are many things going on and as we can see here tonight we have people asking what we are doing about housing. We are working on getting two new houses up but someone else asked if we should be spending there. We have lots of people with lots of different ways of seeing everything. It is not possible for this Council to please everyone all the time because everyone in this City has a different agenda and this group here is not the entire City. People are calling with a lot of issues. She has been working on how to get past due taxes paid in installments and finding ways to do that so they are working on all kinds of issues but they are not necessarily reporting all of those issues back to the public until they have answers. No one is sitting around doing nothing and she has put in a lot of hours trying to find answers. When she is told that she is going to be held accountable that is great but don't expect her to get out her magic wand and create results in sixty days. In terms of trying to get positive Press out about the City of Newburgh, we accomplished that with the events at Washington's Headquarters. We had a great review that was covered by several of the newspapers with some good information on something that is Historic and one of our greater assets. She apologized to Fanett and others about phone calls. She is responding every day to ten or fifteen phone calls and trying to get through forty to fifty e-mails so if she hasn't responded to someone it is not because she doesn't care or she doesn't want to. It has been a landslide flood of requests and she is doing the best that she can. She reminded everyone that this is not a full time position and she is trying to keep things in balance right now so she wants everyone to understand. The Community Action Teams have had a lot of publicity and she will give information about all of the team Captains which has been in the paper. She said that she needs help getting information out too because it is not easy to get to everybody. There are a lot of questions around the Bodegas because there are people who want it and people who don't. It is a very complex questions and it is something that is not going to get resolved overnight. Police Chief Ferrara had a lot of data about that and we will probably be asking him to attend one of our meetings. It is something that will not get resolved overnight because there are too many complex issues around it. She understands that babies need milk but it is also true that mothers can plan ahead so we need to work on some of these things. She is not being flippant or not thoughtful about it but that is the situation right now. She added that sidewalks are a place for CDBG money as are other things so they are trying to keep in mind what is most important. This 45 and 47 Chambers Street has been a disaster so we have an opportunity right now with the builders donating time and other companies donating equipment. We have the City putting in effort and we have people volunteering their time to come and

build a two-family home. We have volunteers from inside and outside the City to provide housing so can't we come together and celebrate the fact that we are doing this as a community and that two more families will get a house? This is an opportunity to celebrate something really positive and she hopes that we have the whole community come down to watch a whole house go up in one week. It will really be fun to watch and see how they do that. She said that they are still working on goals and the City Manager is still compiling them. She agrees with an earlier comment that we need to get them together and prioritize but that doesn't mean that we are not working on things. She mentioned that in honor of Black History Month she talked with one of the Elementary Schools this past week about a woman named Harriet Jacobs who was a runaway slave in 1835. She was twenty-one when she ran and she hid for six and a half years in her grandmother's attic who was a freed slave. Harriet eventually made her way up to Cornwall-on-Hudson where she lived with a doctor who was an editor and writer so she learned to be literate and wrote her story. She encouraged everyone to read her story titled "Incidents in the Life of a Slave Girl" because it is a very powerful story. She asked everyone to mark April 14th on their calendars which is when the fifteen Community Action Teams will be celebrating and reporting on their first quarter. It will start at 11:00 a.m. at the Newburgh Armory so she encouraged everyone to come and hear what each of the teams is working on. If anyone in this community wishes to participate in helping move the community forward, here is an opportunity to do that and to get involved.

There being no further business to come before the Council the meeting adjourned at 8:25 p.m.

LORENE VITEK
CITY CLERK

