City of Newburgh Council Work Session
Sesion de trabajo del Concejal de la Ciudad de Newburgh
May 8, 2025
6:00 PM

Executive Session/ Sesión Ejecutiva

1. 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

   El historial médico, financiero, crediticio o laboral de una persona o corporación en particular, o asuntos que conduzcan al nombramiento, empleo, promoción, degradación, disciplina, suspensión, despido o remoción de una persona o corporación en particular

2. Proposed, pending or current litigation

   Litigio propuesto, pendiente o actual

Council Meeting Presentations/ Presentaciones de la Reunion General

3. Swearing in of New Police Auxiliary Officers

   Juramento de los nuevos auxiliares de policía

4. Public Hearing to Discuss the Nomination of the Newburgh New York Hillside BOA Area and Give 15 Day Notice of Intent to request designation of Brownfield Opportunity Area

   There will be a public hearing on Monday, May 12, 2025, to receive public comments on the proposed Nomination of the Newburgh, New York Hillside Brownfield Opportunity Area

   Habrá una audiencia pública el lunes 12 de mayo de 2025 para recibir comentarios públicos sobre la propuesta de la Nominación del Área de Oportunidad Brownfield Hillside de Newburgh, Nueva York

Work Session Presentations/ Presentaciones de la Session de Trabajo

5. NY Multi-Site PFAS Health Study Presentation

   Presentación del estudio de salud de PFAS en varios lugares en Nueva York

6. Introduction of Police Anti-Crime Unit
   Introducción de la Unidad Policial contra la delincuencia

Engineering/Ingeniería

7. Crystal Lake Update
   Actualización sobre Crystal Lake

Finance/Finanza

8. Budget Amendment for Code Compliance Motor Equipment Line
   Resolution amending Resolution No: 249-2024, the 2025 Budget for the City of Newburgh, New York to increase General Fund Appropriated Balance Revenue Line and Code Enforcement Motor Equipment Expense Line

   Resolución que enmienda la Resolución No: 249-2024, el Presupuesto 2025 para la Ciudad de Newburgh, Nueva York, para aumentar la línea de ingresos del saldo asignado al fondo general y la línea de gastos de equipos motorizados para el cumplimiento del código

Recreation/ Recreación

9. Newburgh Aquatic Center Concessions Contract with Legacy Hospitality and Entertainment Group LLC
   Resolution authorizing the execution of a contract with Legacy Hospitality and Entertainment Group LLC to operate the food and refreshment concession at the Newburgh Aquatic Center in Delano-Hitch Park

   Una resolución autorizando la ejecución de un contrato con Legacy Hospitality and Entertainment Group LLC para operar la concesión de alimentos y refrescos en el Centro Acuático de Newburgh en Delano-Hitch Park

Resolutions of Support/ Resoluciones de Apoyo

10. Rent Emergency Stabilization for Tenants (REST) Act
    Resolution of the City Council of the City of Newburgh supporting the Rent Emergency Stabilization for Tenants (REST) Act

    Resolución del Concejo Municipal de la Ciudad de Newburgh en apoyo a la Ley de Estabilización de Emergencias en el Alquiler para Inquilinos (REST)

Ordinances/ Decretos

11. Chapter 293 Water, Article III Meters - Section 293-16 General Regulations

amendment

Ordinance amending Section 293-16 entitled “General Regulations” of Chapter 293, Article III entitled “Meters” of the Code of Ordinances of the City of Newburgh

Ordenanza que enmienda la Sección 293-16 titulada "Regulaciones generales" del Capítulo 293, Artículo III titulado "Medidores" del Código de Ordenanzas de la Ciudad de Newburgh



City of Newburgh
Hillside Brownfield Opportunity Area

Nomination Study DRAFT

Section 1 – Project Description and Boundary

NOT FINAL- DRAFT

APRIL 2025 – Text Draft

1.1 PROJECT OVERVIEW AND DESCRIPTION

Lead Project Sponsors

The City of Newburgh was awarded a grant administered through the New York State Department of State (NYSDOS) for the preparation of a Hillside Brownfield Opportunity Area (BOA) Nomination Study in 2023. The Newburgh Hillside Brownfield Opportunity Area (BOA) Nomination Study was led by the City of Newburgh with support from the Mayor and staff from Department of Planning and Development. The City was advised by a Steering Committee comprised of local community members and development entities, supported by a consultant team and the New York State Department of State.

Project Overview and Description

Developed with input Supported by input from the community,

The Hillside BOA Nomination Study provides a detailed analysis of existing conditions within the study area and provides recommendations for redevelopment, with a focus on strategic sites that can serve as a catalyst for revitalization and investment. The study was guided by a local Steering Committee with extensive public input and consultation.

The Hillside BOA is in the City of Newburgh in Orange County along the western bank of the Hudson River. The BOA includes approximately 1.5 miles of shoreline and 147.7 acres of land on sloping terrain. The study area centered on the former Urban Renewal properties known as "the Hillside" in the City of Newburgh, between the Hudson River and Newburgh's downtown commercial corridors (Fig. 1). The hillside was once the commercial heart of the city and is well-known as the epicenter of Urban Renewal which demolished Newburgh's historic downtown waterfront district between 1958 and 1970. The BOA includes commercial, residential, community, and industrial uses as well as 50 acres of vacant land, most of which is owned by the city. The strategic location and redevelopment potential of the Hillside BOA make it a strong candidate for BOA designation.

The BOA contains 22 brownfields covering 56 parcels and 52.05 acres (35%) of the study area. An active mixed-use, mixed-income neighborhood is envisioned for vacant, brownfield lands on the Hillside that would reconnect Newburgh to its waterfront. The Hillside neighborhood would seek to provide needed housing along with community and recreational spaces, and small-scale commercial uses including local retail and services. The district would support the development of additional entertainment, recreation, and tourist amenities on the waterfront. Multimodal connections, public art, and cultural amenities could be incorporated along with programming to support local community development. The master plan and redevelopment model for the Hillside neighborhood will be developed collaboratively with the community, guided by the BOA Vision and Goals.

Figure 1. Study Area Context Map

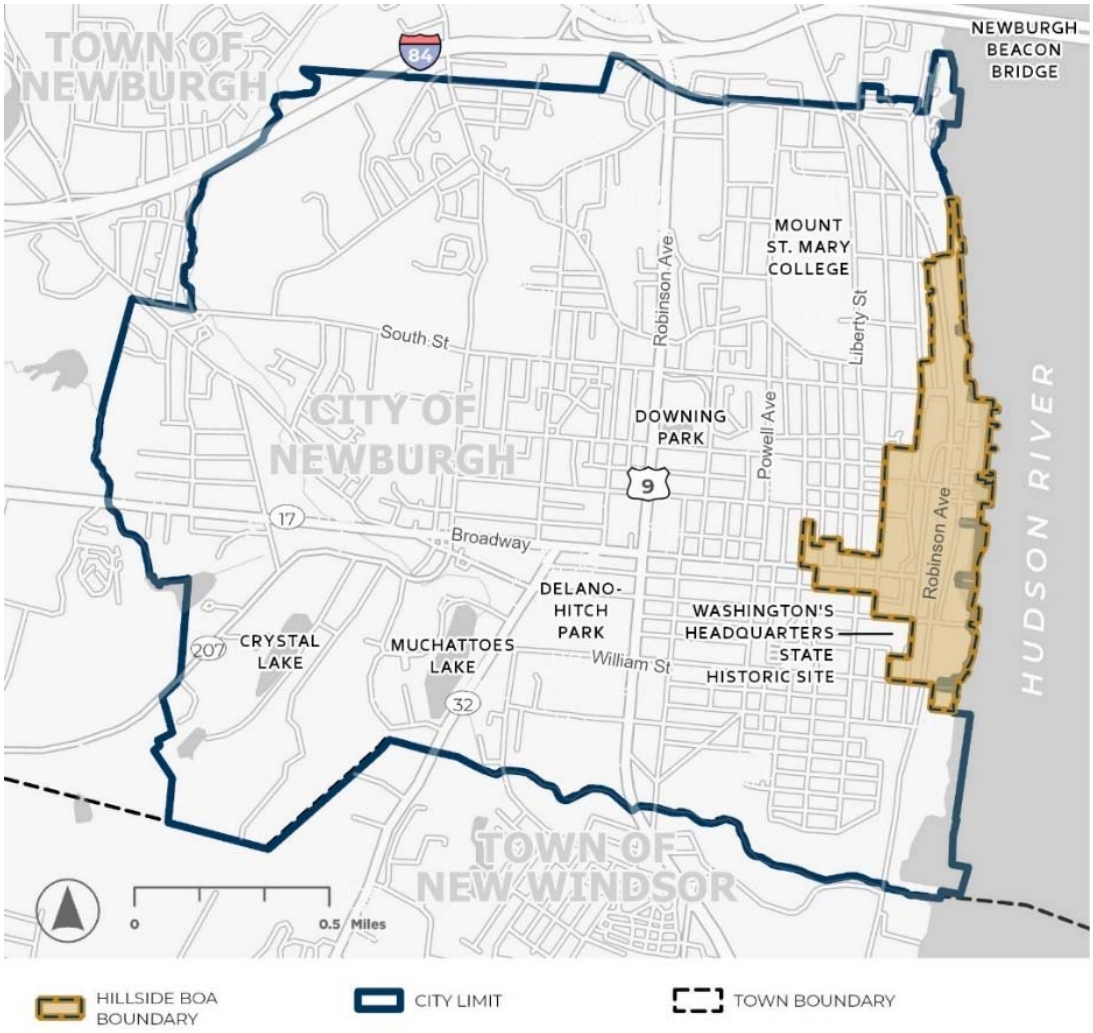
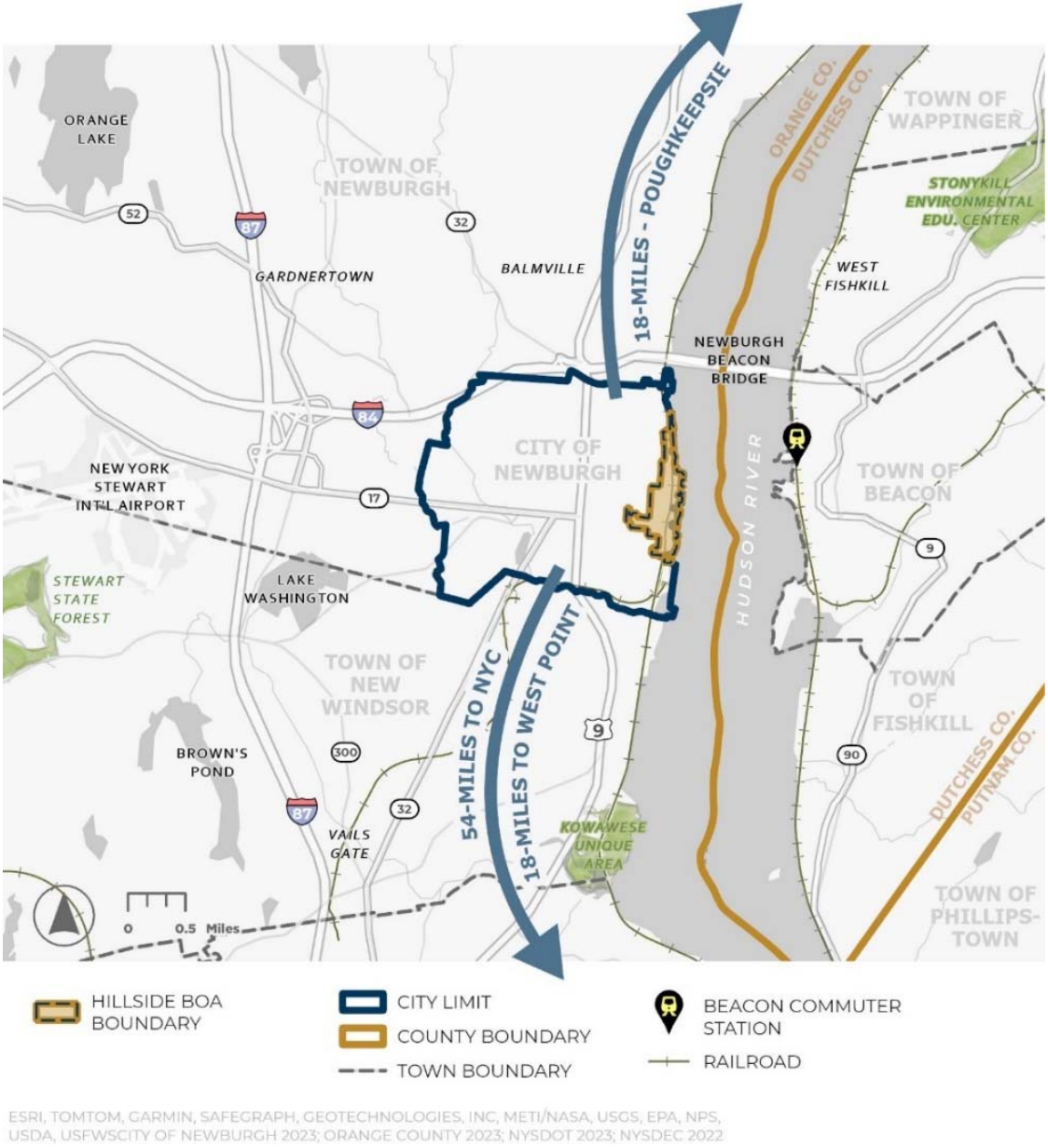


Figure 2. Community Context Map



ESRI, TOMTOM, GARMIN, SAFEGRAPH, GEOTECHNOLOGIES, INC, METI/NASA, USGS, EPA, NPS, USDA, USFWSCITY OF NEWBURGH 2023; ORANGE COUNTY 2023; NYSDOT 2023; NYSDEC 2022

1.2 PREVIOUS PLANS AND STUDIES

The Newburgh Hillside BOA builds on the Newburgh Waterfront Design Charette (2007), Plan-it Newburgh Sustainable Master Plan (2008) and Addendum (2011), Newburgh Complete Streets Project (2015), EPA Infill Development Strategies Next Steps Memo (2016), Hudson River Estuary Program Climate Resiliency Study (2016), and the Newburgh Local Waterfront Revitalization Plan (LWRP) (2017).

The Newburgh Waterfront Charette, 2007 (Leyland Charette)

Often referred to as the "Leyland Charette," the Newburgh Waterfront design charette developed by the Leyland Alliance focuses on mixed-use development, public space, and recreational amenities within a 120-acre study area, largely covering the same area as the Newburgh Hillside BOA. The key project parcels cover 35 acres, and the development is largely water focused, including the development of a marina. The document identifies preferred architectural styles, street designs, lot and street grid layouts, parking, pedestrian connections, viewpoints, and historic and culturally significant sites to consider in future development decisions. On the Hillside, the plan restores diagonal Colden Street and Clinton Square. The waterfront views that residents value will be expanded by C-shaped buildings and waterfront trails. The plan also recommends a focus on market rate apartments and condominiums with a walkable street life for young residents and plans for Broadway to include further mixed-use with a tree-lined median.

Plan-It Newburgh Sustainable Master Plan, 2008 (Comp Plan)

Adopted in 2008, Plan-It Newburgh focused on a community vision of growth and development that contributes to the well-being of city residents. The city has experienced fluctuations in population, peaking at 31,956 in 1950 and dropping to 23,438 by 1980, with a gradual increase from 1980-2000. As a result, the City envisions revitalizing underutilized areas, particularly along the Broadway corridor, to stimulate growth without displacement, and upgrading mass transit for better regional connections. Health concerns include limited healthcare options, reliance on St. Luke's Hospital, childhood poverty, and a history of lead contamination. Key goals include enhancing community health through better access to services and infrastructure, poverty reduction, improving quality of life for older adults and people with disabilities, strengthening the public school system, and increasing neighborhood safety through measures like better lighting, while increasing community engagement.

Future Land Use Plan – Addendum to "Plan-It Newburgh," 2011

The future land use plan supports the goals outlined in the 2008 Master Plan and builds on mixed land uses and water-enhanced uses within the BOA Study Area. There is a call to maintain small parks, plazas, and public spaces along the Hillside area. The plan envisions Hillside as a destination neighborhood, with two "gateway" entrances; one on the hillside just south of Broadway, and another at the Colden Street and Water Street intersection. Broadway is identified as an important connection for the area, with potential for increased density and transit. Approximately 11% of existing land was vacant in 2011, a significant opportunity for redevelopment, and City-owned land presents a unique opportunity.

Newburgh Complete Streets Project, 2015

Complete streets is a multimodal approach to transportation planning and policy that considers the safety of all users. Newburgh's Complete Streets Project largely focuses on the development and implementation of a short-term and long-term plan for transportation infrastructure on Broadway – Newburgh's "Main Street." The plan evaluates parking capacity, traffic counts, walkability, and transit viability, among other aspects of the transportation system as a whole. As a result, it establishes design recommendations and standards, cost estimates, maintenance practices, policy recommendations, and public outreach/educational priorities.

Climate Resiliency Study, 2016

The Climate Resiliency Study prepared by the Hudson River Estuary Program highlights anticipated climate impacts in the Hudson Valley, including increased flooding, heatwaves, and drought. By 2100, temperatures are expected to resemble current conditions in South Carolina, and the number of days above 90°F is expected to more than triple by 2050. Precipitation will increase, but there will be more dry days, leading to fewer, yet more intense rainfall events. Recommendations include creating community heat emergency plans, enhancing tree coverage combat higher temperatures, and adopting green infrastructure to absorb heat and minimize impervious surfaces. The study also suggests implementing water conservation and reuse programs, completing flood vulnerability assessments, adjusting stormwater infrastructure for future climate conditions.

EPA Infill Development Strategies Next Steps Memo, 2016

The Memo identified development strategy opportunities for Newburgh, including environmental assessments as a key priority to address concerns about potential hazardous materials like asbestos and lead. With city control over the property and a focus on strategic, block-by-block redevelopment led by local developers and nonprofits, development can be tailored to the needs of the area, particularly in relation to the waterfront and the allocation of land. The challenges identified for redeveloping the Hillside include high development costs and the costly sewer line relocation, estimated at $20 million. The sewer upgrades were completed in 2024.

Newburgh Local Waterfront Revitalization Program (LWRP), 2017

Locally adopted in July 2017, the plan identifies existing assets and development potential of the Hudson River waterfront. The LWRP Waterfront Revitalization Area (WRA) study area fully encompasses the BOA with 537 acres. The BOA is located primarily in the WRA sub-area B, with some parts of sub-area C. The LWRP calls out significant vacant and underutilized land as a result of Urban Renewal. Minimal flooding risk exists along the shoreline and WRA, however, heavy rainfall causes sewer overflow into the Hudson River, and sewer capacity increases will be

needed in new development. The LWRP also states that many waterfront area sites will need environmental cleanup prior to development.

The LWRP emphasizes enhancing connections to the waterfront from Broadway, encouraging pedestrian activity through infill development, and integrating water-dependent uses and public access points integrated into new projects. Improvements in landscape, streetscape, pedestrian amenities, and architectural design were recommended across the WRA, and private development that aligns with public uses.

1.3 COMMUNITY VISION AND GOALS

A vision and goals were developed by the community during the Hillside BOA planning process to guide future development.

VISION

The Hillside Brownfield Opportunity Area has been rebuilt as a walkable, mixed-use, downtown district that inspires a sense of community, belonging, and pride in Newburgh. A vibrant Hillside neighborhood has a variety of housing types interspersed with plazas and parks for people to gather, recreate, dine, and quietly take in the view. Anchor institutions, retail shops, and small businesses along Broadway and the Hillside provide local jobs, services, and shopping. Accessible connections effortlessly integrate the downtown and waterfront. Thoughtful urban design adds beauty and interest to the cityscape, while celebrating Newburgh's unique history, architecture, and culture.

The district is a favorite spot for locals and visitors. Diverse activities including cultural, educational, recreational, and culinary attractions take advantage of the riverfront location and serve the surrounding neighborhoods and youth. An active waterfront includes public parks and docks, eateries, picnic areas, family amusements, trails, natural features, fishing, and watercraft from kayaks to cruise ships.

GOALS

Equity - Implement innovative and balanced models of community and economic development that build the wealth of the local community and the City at large, address the history and injustice of urban renewal, increase homeownership, and protect human and environmental health.

Unity - design an inclusive district with space for everyone, where locals feel at home and visitors feel welcome, with housing, businesses, and services that meet the needs of residents and places that bring the community together.

Pride - redevelop the Hillside BOA to reflect the vision, diversity, and history of the people of Newburgh, creating a desirable place to live, experience, and do business that inspires community pride and is well connected to and patronized by the broader region.

Growth - shape a Hillside BOA District to be a social and economic growth engine for the City, with quality jobs and community services, resources for youth and workforce development, and enterprises that support the local economy and tax base of the City.

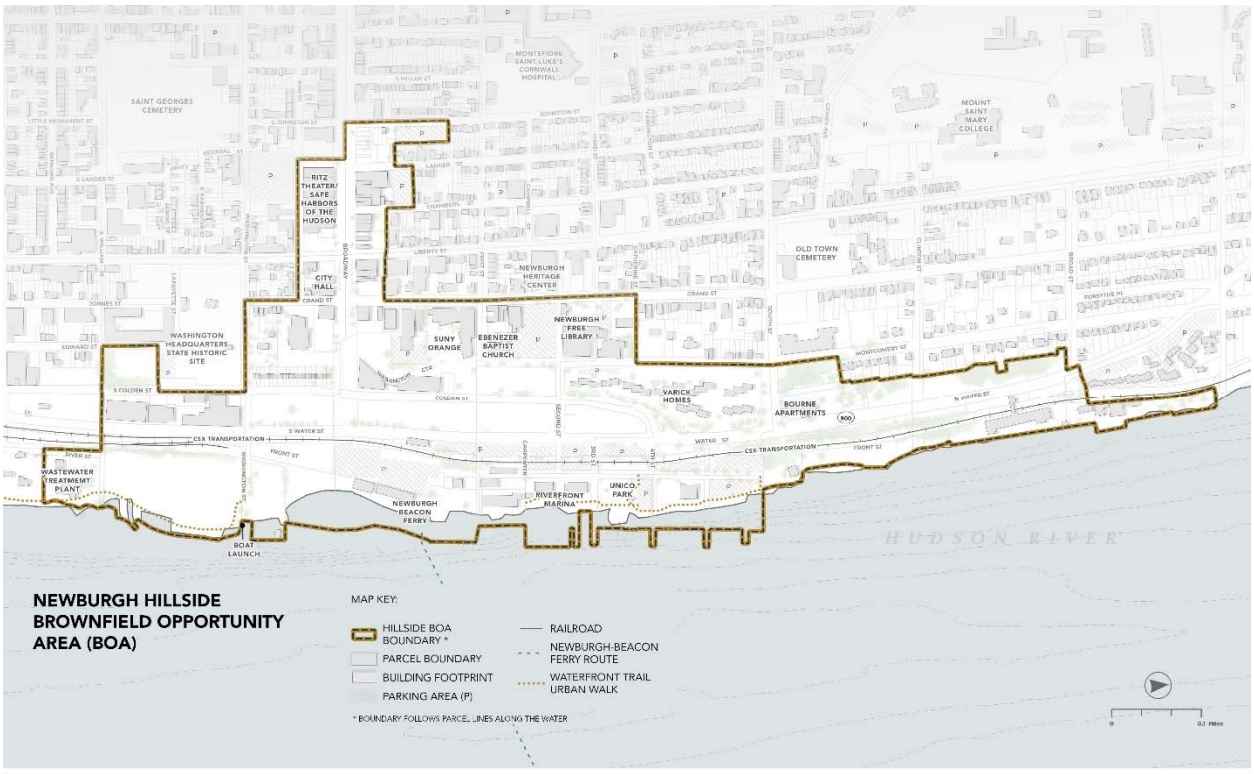
1.4 BOA BOUNDARY DESCRIPTION AND JUSTIFICATION

The Newburgh Hillside BOA Study Area encompasses 22 brownfield properties on or near former Urban Renewal land in Newburgh's historic downtown waterfront neighborhood. The Hillside area is a rare concentration of urban, waterfront land on the Hudson River with beautiful views of the Hudson Highlands. Redeveloping these properties according to the Newburgh community's vision and goals would serve to address social, economic, and environmental harms caused by Urban Renewal; support an environmental justice community; and help Newburgh reestablish a vibrant waterfront district that would drive broader investment in the City.

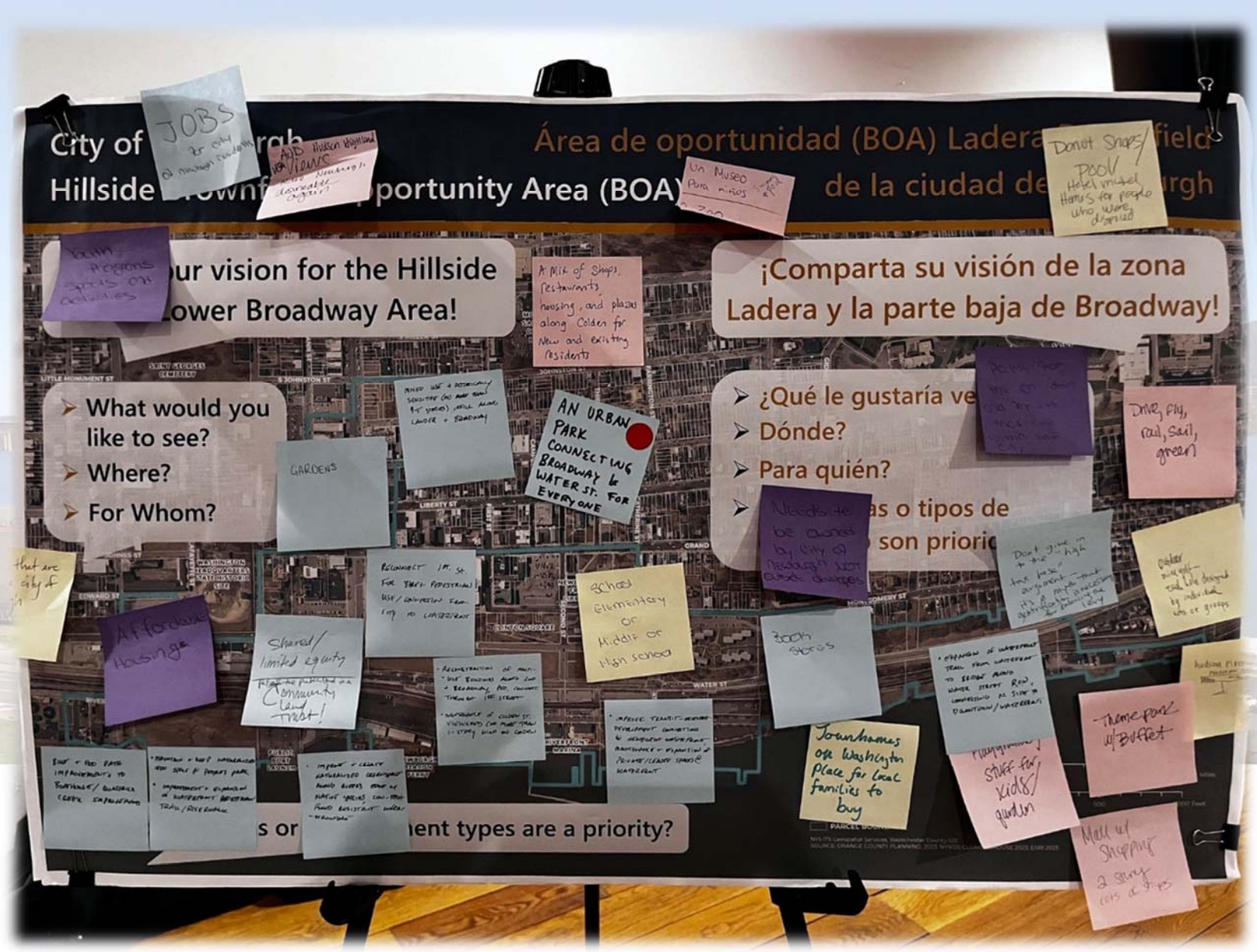
The boundary of the Hillside BOA is illustrated in Figure 1. The area generally includes the Newburgh waterfront from the Historic Steam Mill properties on the north edge of the BOA to the Wastewater Treatment Plant and parcels surrounding the former Consolidated Iron site on the southern edge. The area encompasses vacant Urban Renewal lands on Water street between Broad and Washington Street and extends along the Broadway corridor to Johnston Street. Vacant and underutilized properties between Broadway and Catherine street east of Grand Street are also included in the BOA.

A detailed description of the setting and characteristics of the Hillside BOA is provided in Section 3.

Fig. 3 BOA Boundary Map



SOURCES: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023



Section 2: Community Participation

2.1 COMMUNITY PARTICIPATION OVERVIEW

Community participation and buy-in are critical to successfully revitalize the Newburgh Hillside. Extensive input from the public and local stakeholders informed the findings and recommendations in this Nomination Study. A concerted effort was made to engage a wide range of community members, including harder-to-reach groups, to solicit feedback and garner excitement about redevelopment opportunities. Participants in the BOA planning process included residents, Urban Renewal descendants, immigrants, leaders of local institutions and community organizations, local and regional officials, and business and property owners.

This section summarizes the community outreach and engagement methods used to develop the City of Newburgh Hillside BOA Nomination Study. Copies of public comments and event reports are provided in the Appendices.

Table X. Summary of Community Engagement

Technique	Date(s)	Description	Participants
Steering Committee	8/2023-6/2025	A 12-person steering committee comprised of local community representatives guided the development of the nomination study. Members provided regular input to the project team throughout the process.	12 members
Steering Committee Meetings (7)	8/2023-1/2025	Steering Committee meetings were open to the public and included a public comment period. Seven meetings were held.	Approx. 70 public attendees
Stakeholder Interviews	11/2024-4/2025	Interviews were held to discuss BOA clean-up opportunities for developers and stakeholders' vision regarding the environment, economy, housing, education, restitution, and walkability.	16
Community Outreach Day 1	1/13/2024	The Project Team organized an outreach day to ask community members at five locations within the City about their vision for a revitalized Hillside Neighborhood.	Approximately 120 participants
Community Outreach Day 2	11/14/2024	The Project Team held a second outreach day to share a framework plan and gain input on BOA recommendations and community needs.	More than 45 participants
Survey	1/13/2025-2/29/2025	The online survey was created to gather input from community members on their vision for the study area.	162 participants
Environmental Focus Group	04/29/2024	The Environmental Focus Group gathered residents and/or employees in the City with environmental knowledge to inform and	9 participants

		discuss the vision, goals, and recommendations of the BOA.	
Urban Renewal Focus Group	10/22/2024	The Project Team met with the Community Indemnification Committee, a community group concerned with indemnification for urban renewal descendants to solicit input on the BOA recommendations.	10
NAACP Newburgh/Highland Falls Meeting	1/11/2024	The Project Team gave an overview of the BOA project and informed the NAACP group of the upcoming outreach event, Outreach Day 1.	12
Public Arts and Culture Group Community Meeting			
Interfaith Meeting			
Strategic Economic Development Advisory Committee Meeting	3/05/2025	The Project Team connected with the Strategic Economic Development Advisory Committee (SEDAC) to share an overview of the project, draft recommendations, and the framework plan.	7
City Council Presentation	01/09/2025	Presented the draft BOA Recommendations to the Newburgh City Council during a working meeting.	10
Online comments	3/01-3/17/2025	Community members used online forms to comment on BOA recommendations and community needs.	5 participants
Other City xxx			

COMMUNITY PARTICIPATION PLAN

At the outset of the Nomination Study, a Community Participation Plan was drafted with the City and Steering Committee outlining an approach to involve the community in the planning process fully. Engagement included targeted outreach to harder-to-reach populations such as low-income residents, working families, and public housing residents. The Project Team collaborated with local community organizations on events and outreach and employed a variety of online and in-person formats. Care was taken to use accessible formats by choosing ADA-compliant venues and Spanish-translated outreach materials.

Community Outreach Goals

- Foster dialogue and interaction between the public, stakeholders, the City of Newburgh, applicable regulatory agencies, and the project team during the planning process.

- Gather information from the community to inform decisions.
- Build ownership and support for the process and outcomes.

Outreach Approach

Provide opportunities for the public and stakeholders to

- Learn about the BOA nomination process
- Voice concerns and opportunities related to the project
- Contribute their vision and ideas for BOA development

The community engagement process was designed to consider and build on public input from past planning efforts for the City of Newburgh, such as the 2007 Newburgh Waterfront Design Charette, 2008 Plan-it Newburgh Sustainable Master Plan, 2015 City of Newburgh Zoning Update, 2017 Newburgh Local Waterfront Revitalization Plan (LWRP), 2018 City of Newburgh Re-thinking Heritage Tourism Plan, and City of Newburgh Downtown Revitalization Initiative (DRI) applications.

2.2 STEERING COMMITTEE

A steering committee was created to guide the development of the BOA Nomination. The committee was comprised of a range of interests (Table 2-1), including lifelong residents, community groups, private or business interests, property owners, regional institutions, and planning and community development entities.

The responsibilities of the BOA steering committee included:

- Provide input and advice on the Nomination process, documentation, existing conditions, technical studies, conceptual designs, and potential opportunities;
- Collect ideas and input from the public as well as key stakeholders and experts; and,
- Keep the public informed and engaged throughout the planning process.

Table 2-1. Steering Committee Members (alphabetical by last name)

Name	Organization
William Barham	Local Real Estate Broker
Ali Church	City of Newburgh Director of Planning & Development
Steven Gross	Orange County Economic Development Director
Ray Harvey	NAACP/Community Representative
Jill Marie	Habitat for Humanity of Greater Newburgh
Jason Morris	City of Newburgh Engineer
Omari Shakur	City of Newburgh Council Member
Lisa Silverstone	Safe Harbors of the Hudson

Ralph Staples	Strategic Economic Development Advisory Committee (SEDAC) & Urban Renewal Legacy Representative
Bishop Jeffrey Woody	Newburgh Ministerial Representative
Joy Young	Urban Renewal Legacy Representative
Kristine Young	SUNY Orange

Table 2-2. Summary of Steering Committee Meetings

NUMBER	DATE	AGENDA
SC-1	8/14/23	Introduction to the BOA program, discussion on the Newburgh study area, overview of the project scope, schedule, steering committee role, public engagement process, next steps
SC-2	11/13/23	Initial Findings, discussion on the vision, goals for the Newburgh study area, public outreach plans, public engagement plan, next steps
SC-3	3/06/24	Inventory and Engagement Findings, discussion on public outreach results based on the Newburgh study area, discussion on the EPA Assessment Grant, and next steps
SC-4	4/16/24	Environmental Conditions Findings, discussion on BOA Recommendations (part 1), and next steps
SC-5	5/20/24	Discussion on BOA Recommendations (part 2) - Physical enhancements plan, Strategic Sites, Policies
SC-6	10/16/24	Project Updates on environmental site assessment, recommendations development, and outreach
SC-7	1/21/25	Project Updates and working sessions on strategic sites and the implementation partners

2.3 STAKEHOLDER ENGAGEMENT

Immersion Tour

An Immersion Tour was arranged to give the Newburgh BOA consultant team a sense of the existing conditions and future potential of the Hillside Brownfield study area. On October 26, 2023, the Project Team, City staff, and steering committee members undertook a walking tour covering the full BOA. The tour included visits to key sites and vacant locations, discussions with stakeholders, and casual conversations with community members at the Heritage Center. It also allowed for observation of how public spaces are used by the community to discuss initial observations and ideas regarding the study area.

Immersion Tour Agenda

9:30-3:30PM

- South BOA, Waterfront, Vacant Hillside Walkaround
- Montgomery St & Grand St Walkaround
- Lower Broadway Area Walkaround
- Lunch and Presentation by City Historian at the Heritage Center
- Group Discussion at the Heritage Center



Hillside BOA Immersion Tour

Stakeholders Interviews

The Project Team worked with the steering committee and the City of Newburgh to identify and engage key stakeholders through interviews, focus groups, and/or community meetings. Stakeholders included government officials, technical experts, community and not-for-profit organizations, and private sector interests. Stakeholders were invited to share their unique perspectives and expertise on key issues such as the history of the hillside, community development needs, complete streets, public infrastructure and utilities, natural resources, inclusivity, business, and real estate development.

The Project Team has identified key individuals in the community involved with revitalizing and redeveloping the study area. From November 2023 to January 2025, one-on-one interviews were held to understand issues, concerns, and ideas for redevelopment.

Table 2-3. Stakeholder Interviewees

Interviewee	Affiliation	Themes
Corey Allen	Urban Renewal Legacy Representative, Community Advocate	Importance and need for Black homeownership and policies that ensure equity.
William Barham	Local Real Estate Expert	A vision for BOA to bring money/revenue into the community and housing for families.
Steven Gross	Orange County Economic Development Director	Vision of BOA as it relates to economic development. e.g., building an arts industry, attracting talent.
Jill Marie	Habitat for Humanity of Greater Newburgh	Vision for restitution and healing within community.

Lisa Silverstone	Safe harbors of the Hudson	Vision to implement communal gardens where people like to share plot space, active use of space, and representation.
Kristine Young	SUNY Orange	Discussed how the vision should work to attract students and receive their visions along with the Newburgh community.
Jason Morris	City of Newburgh Engineer	Vision for the BOA as it relates to pedestrian right-of-way planning and hazardous plans for flooding.
Jerrod Lang, Ed Lawson, Noah-Lee Andre	Blacc Vanilla Café/Community Foundation	The need for Black homeownership, opportunities the BOA can bring for community initiatives, and recompensation.
Bishop Jeffrey Woody	[Development Company Name]	The return of business diversity that is blended with housing and including narrative in BOA report on housing priority for those affected by urban renewal.
Nick Citera	Cosimo's Restaurant Group. Restaurants in Newburgh and Hudson Valley	Business owner perspective. Interest and needs in hospitality / restaurant business in the Newburgh area.
Keith Libolt	Affordable Housing Concepts. Residential and Mixed-Use Developer active in Newburgh and Hudson Valley	Residential development needs, market, and BOA opportunities. very strong demand for apartments and affordable housing. Need for a cohesive city housing plan. Mixed-use.
Joseph Bonura	Bonura Hospitality Group. Restaurants in Newburgh and Hudson Valley including Blu Pointe Restaurant	Development needs and BOA opportunities for commercial development. Opportunities for mixed-use, restaurants, possibly hotel. Parking is a concern.
Sean Kearney	Kearney Realty & Development Group. Residential and Mixed-Use Developer active in Newburgh and Upstate New York	Residential development needs, market, and BOA opportunities. very strong demand for apartments and affordable housing, mixed-income. Need for a cohesive housing plan.
Kelly Libolt	Planning Consultant	Impacts and opportunities of the BOA program for private developers and property owners in the Hillside BOA.

Focus Groups

The Project Team organized two focus groups to gather information on the City's environment and urban renewal. EDR and City staff organized these focus groups of relevant experts and community members/organizations to gain input.

Environmental Focus Group

April 29, 2024

The Project Team's first focus group meeting consisted of attendees with positions in the Greater Newburgh Parks Committee, Conservation Advisory Council, planning, the Newburgh Clean Water Project, and Newburgh Habitat for Humanity. Focus group members discussed with the Project Team whether the BOA will incorporate concerns from Newburgh descendants, vision and goals for the study area

- Site specific recommendations
- Policy aspects

Urban Renewal Focus Group

October 22, 2024

The second focus group consisted of community members directly impacted by urban renewal. When discussing physical improvements, community members noted that their preferred development for the study area is mixed-use, mixed homeownership and affordability, medium height and density, and family attractions. The group informed the Project Team of their desire for wealth-building within the community and a non-gentrified process for development.

Community Meetings

The Project Team met with local groups and community organizations throughout the project to discuss the goals and progress of the BOA and to gather feedback. These discussions were organized as part of a the groups' regularly scheduled meetings.

NAACP Branch Meeting

January 11, 2024

The Project Team met with the NAACP Newburgh/Highland Falls Branch to inform the group of the BOA process including an overview of the project and study area, public engagement, and next steps. The presentation notified the attendees of the first outreach day and what to expect from the event. The presentation was followed by discussion the BOA vision and challenges facing redevelopment.

Strategic Economic Development Advisory Committee

May 1, 2024 and March 5, 2025

The Project Team first connected with the Strategic Economic Development Advisory Committee (SEDAC) to share an overview of the project, and collect their input on the vision and potential redevelopment scenarios for the BOA. The Project Team brought a large map for committee members to mark up the types of developments they desired for the study area. Committee members envisioned the Broadway corridor as an accessible and desirable destination for residents that preserves the Hillside and waterfront.

The Project Team met with SEDAC a second time in 2025 to present and discuss the draft recommendations and the framework plan.

Public Arts and Culture Group

December 2024

City did this, Laura needs to get info from Ali

Interfaith xxx

February 1, 2025

City did, Laura needs to get info from Ali

2.4 COMMUNITY OUTREACH

Community Outreach Day 1

The Project Team hosted its first Community Outreach Day on January 13th, 2024, to talk about the vision for the Hillside study area with the Newburgh community. The outreach day consisted of pop-up activities in five locations:

- Newburgh Armory Unity Center, 10:00 AM-12:00PM
- Newburgh Farmers Market at Safe Harbors, 10:00AM-12:00PM
- Newburgh Free Library, 1:00PM-2:30PM
- Blacc Vanilla Café, 1:15PM-2:15PM
- Safe Harbors Lobby at the Ritz, 3:00PM-4:30PM



Newburgh Armory Unity Center

The Project Team engaged with approximately 120 people of all ages including men, women, children, black community members, Spanish speakers, business owners and employees, newcomers, and urban renewal descendants. Many of the outreach attendees were active in the community and had some knowledge about the project and/or Hillside neighborhood. Community members were asked about their vision for a revitalized Hillside neighborhood when they stopped by the meeting locations and the Project Team collected 135 written comments. Results



were summarized and shared with the Steering Committee and public. Key themes included:

- Increase homeownership and diverse housing options
- Create activities/services for the community and to increase tourism
- Generate activities/education for kids
- Enhance the visual and pedestrian experience
- Become a destination for art and culture
- Create more green space and/or open space

Outreach Day 1, Location 3: Newburgh Free Library

Online Survey

In conjunction with Community Outreach Day 1, the Project Team launched the City of Newburgh Hillside Brownfield Opportunity Area (BOA) Survey. The survey opened on January 13th, 2025, and closed on February 29th, 2025, and received a total of 162 detailed responses. This survey consisted of written response questions that focused on participants' vision, goals, and preferred development for the study area. Key themes included the need for affordable housing, mixed-use development, creating or preserving green and open space, investing in workforce development, and enhancing the pedestrian experience.

Community Outreach Day 2



Economic Development Recommendation board with comments

The Project Team hosted its second Community Outreach Day on November 14, 2024, at the Heritage Center to collect feedback on draft recommendations for the Hillside BOA created based on community input to date. Participants could also review and comment on a list of identified community needs and complete a visual preference survey of to identify desired development styles for the BOA. The event included interactive elements to visualize recommendations and share ideas. The Project Team held a brief, livestreamed presentation to provide updates on the project in the afternoon and repeated it in the evening. Over 40 community members attended the outreach event and indicated their support for the draft recommendations and ideas and left written comments.



Newburgh Heritage Center

Feedback was positive regarding the draft recommendations and list of community needs. Comments focused on the following themes:

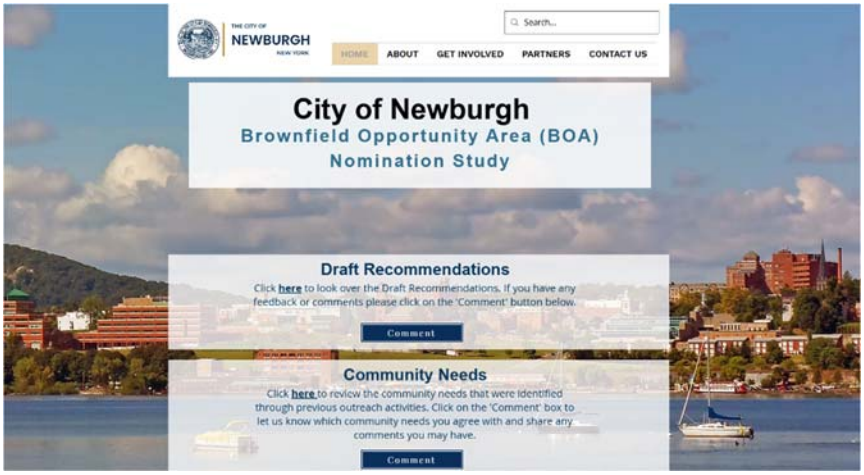
- Workforce development and affordable housing
- Enhanced walkability
- Transportation improvements
- Preservation efforts
- Environmentally conscious efforts
- Developments to adhere to local architectural standards

Online Comment Form

An online comment form was posted on the Newburgh BOA website for community members who could not attend Community Outreach Day 2 to comment on draft recommendations and community needs. This form was posted on March 1st, 2025, and closed on March 17th, 2025. It received five responses. The completed forms addressed rectifying the harms of urban renewal, preservation of Newburgh's historic architecture, open space, and new attractions.

Project Website

The Project Team maintained a website with information about the project and how to get involved. Announcements, events, documentation, and engagement opportunities are posted to the website, with links to and from the City of Newburgh website and to the NYSDOS website. The public can use the contact form on the website to submit comments at any time.



Homepage of City of Newburgh BOA Website

Promotion

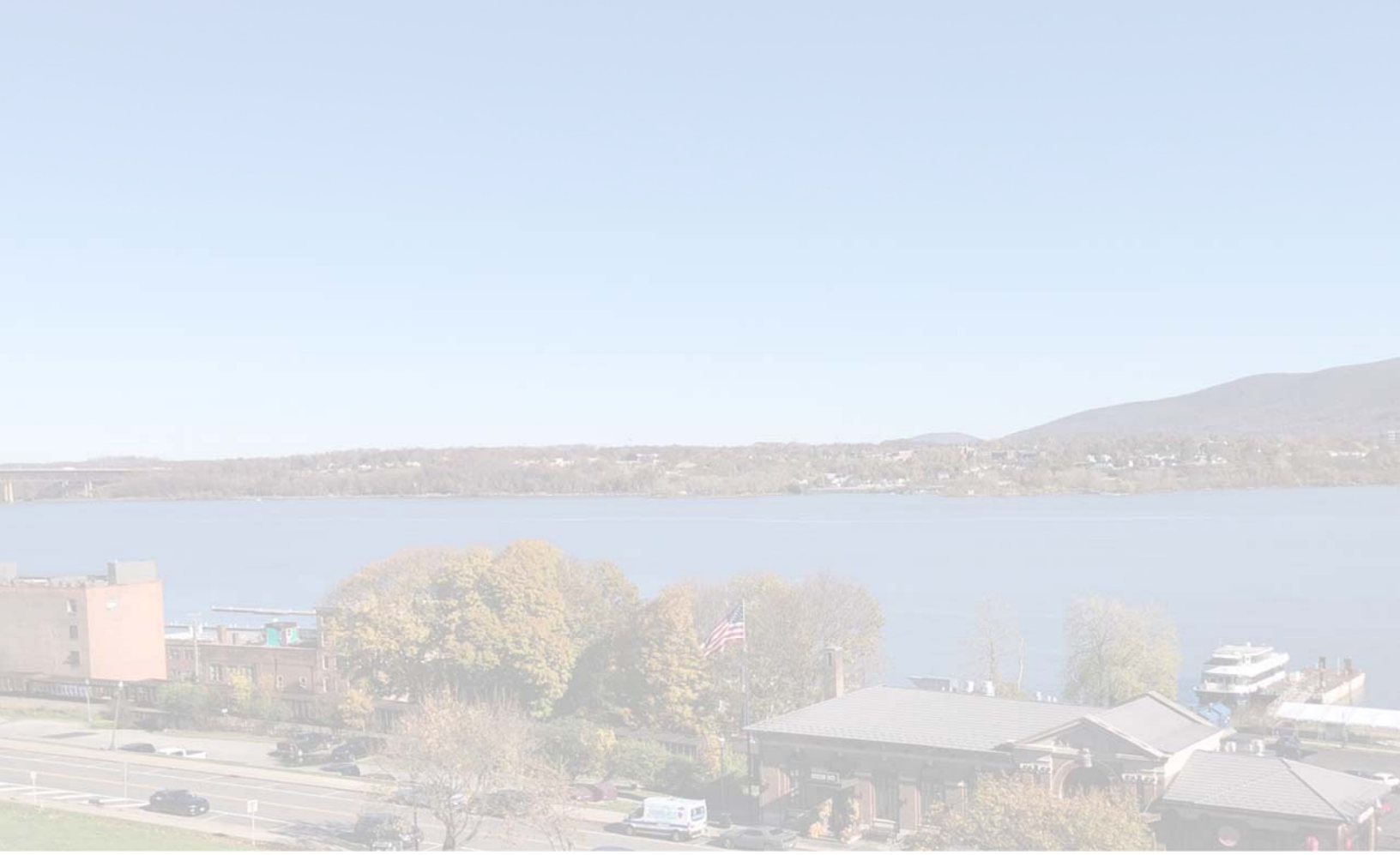
A variety of channels were utilized to publicize project updates and ensure broad public participation. Traditional and digital outreach methods were used in collaboration with the city and local organizations. The methods included:

- Press releases to local media outlets
- Emails to a rolling project mailing list
- Targeted emails to stakeholder mailing lists
- Promotion on City social media accounts
- Flyers distributed to local businesses and at pop-up events



Community Outreach Day 1 Flyer

Notices of public events were posted at least two weeks in advance and distributed widely. Outreach took place in accessible venues. This included choosing ADA-compliant venues and distributing Spanish-translated outreach materials.



Section 3: Analysis of the Hillside Brownfield Opportunity Area

3.1 COMMUNITY AND REGIONAL SETTING

Geographic Context

The City of Newburgh is a major urban center on the northeastern edge of Orange County, NY within the Hudson Valley region. Newburgh is situated along the western bank of the Hudson River on a mile-wide bay approximately 60 miles north of New York City. The municipality includes roughly 3.8 square miles of land and 1.25 square miles of surface water on the Hudson River, with 2.3 miles of shoreline. The city's prime riverside location, deep-water port, and naval yards have historically contributed to Newburgh's significance as a center of manufacturing, trade, and commerce. The city's accessibility to major transportation infrastructure, including Interstates 84 and 87, Stewart International Airport, and a ferry to the Metro-North rail line, enhances its connectivity. Additionally, the area is renowned for its natural and scenic resources, which include the Hudson Highlands and Storm King State Parks to the south and the Shawangunk Ridge to the northwest.

Key Findings:

- Newburgh grew from a small settlement to major city between 1709 and 1865 and played a key role in the early history of the United States.
- Newburgh and the Hillside area was a trade, manufacturing, and retail shopping center between the mid-nineteenth and mid-twentieth century.
- Industry and jobs declined after 1950 and Urban Renewal demolished much of the historic downtown waterfront was demolished under between 1958 and 1970.
- Many historic buildings remain east of the Hillside.
- Newburgh's population peaked at 32,000 in 1950, declined to 23,000 in 1980, and has since stabilized at 28,500.

History of Newburgh

The City of Newburgh is situated within the former territory of the Algonquin-speaking people of the Lenape tribe. At the time of contact with Europeans in the seventeenth century, the Lenape people lived along the lower Delaware and Hudson River valleys. The first Europeans to settle in what is now modern-day Newburgh were German immigrants arriving from the Palatinate territory of Germany in 1709. The settlement consisted of 12 families, each promised a land patent between 100 and 300 acres that extended west from the Hudson River approximately one mile. Soon to follow were English immigrants who, by 1750, were in the majority (Headley, 1908). By 1752, the settlement had been renamed "The Parish of Newburgh" and consisted of 43 real-estate leaseholders.

Newburgh played a critical role in the American Revolutionary period. Two companies of militiamen were organized in Newburgh to support a Continental Army regiment formed in

southern Ulster County. Due to Newburgh's strategic location on the Hudson, the local militia "never slept" and were called to arms over 300 times. Newburgh served as the Continental Army's headquarters between April 1782 and August 1783. George Washington's stay at the home of Colonel Jonathan Hasbrouck marked the longest tenure for any of Washington's headquarters. While Newburgh avoided any direct conflict, many soldiers from the area were killed or captured defending strategic forts along the Hudson River. The conclusion of the Revolutionary War initially left many in poverty, due to the depreciated value of continental currency, but by 1790 Newburgh was beginning a period of prosperity, with an expanded population of 2,365 inhabitants (Ruttenber and Clark, 1881; Headly, 1908).

Newburgh was incorporated as a village in 1800 and became a prominent shipping port on the Hudson. Owing to its geographic location and naturally deep harbor, manufacturing and trade became a focal point of the local economy, enough to be assigned a federal customs house. Updated transportation routes became a necessity (Historical Society of Newburgh & The Highlands). With a capital investment of $125,000, the Newburgh and Cochecton Turnpike was incorporated in 1801. The new turnpike provided a more direct route between the Delaware River and the Hudson River via Newburgh and contributed to the growth of the village. New turnpikes and railroads continued to connect Newburgh to the further reaches of New York State, including a connection to Buffalo, a 65-hour journey billed as "the shortest and most expeditious route from the Hudson to the western country (Headley, 1908)."

Newburgh continued to grow and was incorporated as a city in 1865. Due to new transportation routes connecting the western part of the State with the Hudson River, manufacturers began to open new production facilities in Newburgh. One such company was Sweet, Orr & Co., a manufacturer of overalls and other work garments. Looking to expand their manufacturing capabilities, Sweet, Orr & Co. opened two new production facilities on Broadway and Concord Street in 1880. Towards the close of the nineteenth century, electricity reached Newburgh. In 1881, the Orange Woolen Mill installed an Edison generator to provide the factory with 126 electrically powered lamps. By 1883, Thomas Edison entered a partnership with Highland National Bank president Moses Belknap and formed the Edison Electric Illuminating Company of Newburgh. This business venture would bring electricity to the City of Newburgh via a generating facility that is still located at the corner of Third and Montgomery Streets (Barrett, 2000).

At the turn of the twentieth century there were more than 100 manufacturing plants in Newburgh, which became a major retail shopping center in the Hudson Valley. The Hillside BOA was densely developed with multi-story brick row buildings, including a wide variety of retail stores and manufacturers, as well as townhomes and apartment flats. Interspersed throughout the district were attractions and amenities such theaters, union halls, social clubs, bars, restaurants, recreation centers, churches, hotels, laundries, and public services. On the waterfront were shipbuilding yards, rail and freight yards, and mills, as well as retail and

entertainment uses. By 1950, the population had reached a peak of 32,000 residents (Historical Society of Newburgh & The Highlands).

The development of the NYS Thruway, I-84, and Newburgh-Beacon Bridge created easier access to neighboring communities and led to the growth of Newburgh's surrounding suburbs. The new highway infrastructure bypassed the City of Newburgh and its waterfront, which reinforced the trend towards shipping via trucks rather than waterways. This shift, and the national decline in American industry contributed to the decline of Newburgh's industrial economy and waterfront area. Fewer jobs led to fewer residents and visitors, the closure of retail businesses, and an increase in vacant properties. In 1970, the nearby Stewart Airforce / Air National Guard Base was deactivated, resulting in the loss of another 6,000 jobs.

Urban Renewal

The City's response to this decline was to implement an aggressive Urban Renewal program supported by new federal subsidy programs. Beginning in the 1950s, the City began acquiring properties in the waterfront district and East End district by purchase, tax foreclosures, or eminent domain seizures. These included many homes and businesses as well as churches, community buildings, and iconic historic buildings such as the Palantine Hotel. Between 1958 and 1970, the City demolished several blocks in its historic downtown waterfront district, which included a vibrant residential neighborhood and several historically significant buildings. Approximately 1,300 buildings were demolished and nine streets were buried, displacing dozens of businesses and thousands of residents. Black families, immigrants, and other minorities were targeted and disproportionately impacted by the loss of their homes, businesses, and community.

Activists in Newburgh responded to the devastation of losing much of Newburgh's historic core by organizing the halt demolition and preserve the City's unique assets. In the 1970's, volunteers cataloged over 4,000 historic buildings in the East End, which was declared a National Historic District in 1973.

> *"Destroying the unique character of the neighborhood" for a parking lot or a supermarket would "ultimately cost the city money, not to mention the impoverishment to the spiritual and intellectual life of the community."*
> *---- George Tatum, President of The Society of Architectural Historians, in a letter to Newburgh's urban renewal director in 1967*

Although many revitalization plans have been drafted over the intervening decades, most of the urban renewal land remains vacant and under the ownership of the City. Only a small portion has been redeveloped for residential, institutional, and some commercial uses. A series of

community planning and visioning efforts have set the stage for future revitalization, but further work is needed to assess community needs and define a redevelopment strategy for the Hillside.

Newburgh's population continued to decline through the 1980s to a low of approximately 23,000, before gradually increasing through the 1990s. Unemployment remained significantly higher than the New York State average. Since 2000, the population has stabilized at roughly 28,5000 and unemployment has improved to more closely track the state average. The city's population has also grown more diverse, with more Hispanic and multi-racial residents. A more detailed socioeconomic analysis of Newburgh today is provided below (U.S. Census Bureau, decennial census data).

Key Findings:

- The Hillside BOA is within the oldest part of the city and served as the Continental Army headquarters during the Revolutionary War.
- The area has beautiful views of the Hudson River and Hudson Highlands.
- There are 1.5 miles of waterfront in the BOA with direct access to the shoreline and a deepwater port.
- The BOA is a few hours north of New York City and well connected to air, water, metro, rail, and highway transportation networks.
- The Hillside BOA was the epicenter of Urban Renewal, which demolished Newburgh's historic downtown waterfront and displaced entire communities, including many Black and minority residents, resulting in further decline and disinvestment.
- Today, there are over 21 acres of vacant, Urban Renewal brownfields in the BOA and another 30 acres of vacant, brownfield, and/or underutilized land.

Hillside BOA Setting

The Hillside BOA is 147.7 acres in the center of Newburgh's waterfront with approximately 1.5 miles of shoreline. The sloping terrain provides some of the best views of the Hudson Highlands. There is direct access to the shoreline, with several connecting streets running above and below the CSX railroad. The waterfront is free from major highway infrastructure and contains the ferry to the east bank of the Hudson River.

The Hillside BOA is in the oldest part of the City and was the epicenter of the City's Urban Renewal demolition program. Environmental contamination associated with petroleum products, metals, asbestos, polychlorinated biphenyls (PCBs), lead paint and more are potentially present on these sites given the demolition practices at the time. Today, approximately 21 acres of Urban Renewal land on the Hillside remains vacant and abandoned, surrounded by large parcels of underutilized properties on the waterfront, including the Consolidated Iron superfund site. Investment in this area has been limited, and the needs of this community have been historically neglected. The vacant hillside remains as a painful reminder for many residents of the community that was destroyed for a "renewal" that never materialized.

Socioeconomic Context

Population

According to the decennial census, the total population of the City of Newburgh was **28,856** in 2020. This is only 10% lower than the city's peak population of 31,956 in 1950 and 23% higher than the city's low of 23,438.

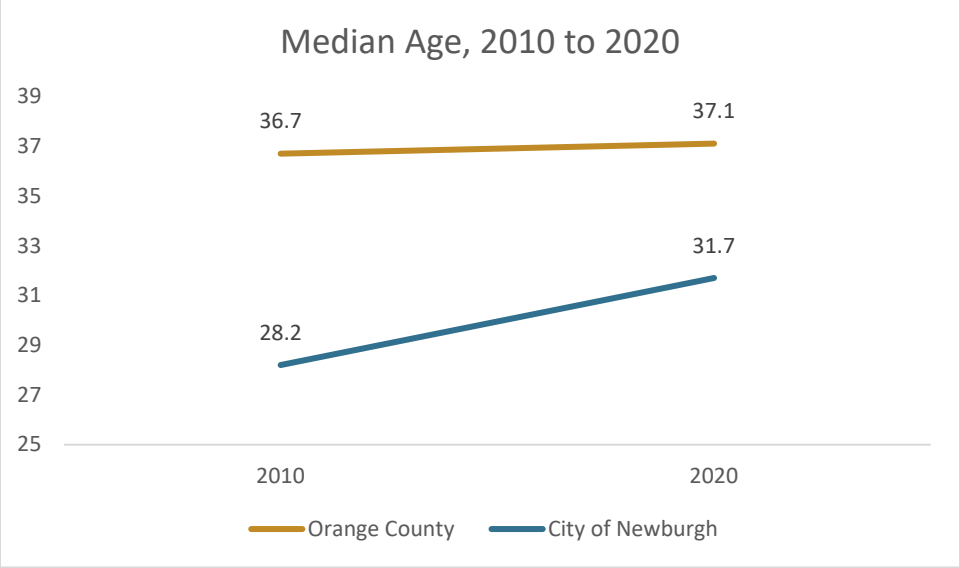
The Newburgh community is relatively young, with 31.6% of residents under the age of 19 and only 10% over the age of 65, compared to 23% and 16.9%, respectively, for New York State.[1] The average household size in Newburgh is 2.78 persons.

Median age in Newburgh is 31.7, compared to 37.1 for the County and 39 for the state. However, the median age in Newburgh is increasing faster than in the surrounding county, suggesting ages may be slowly trending upward toward the regional norm (Figure X).

Key Findings:

- Newburgh's population is stable at approximately 28,800, only 10% below its peak population in 1950.
- Newburgh has a relatively young population, with almost a third of residents below the age of 19, though the median age is trending upward.
- The city has a large Black community (28%), and the majority of residents identify as a race other than white.
- Over half of the population is Hispanic or Latino, and 42% speak Spanish.
- More residents rent than own. Homeownership rates are exceptionally low among Black residents.

Figure 1 Change in Median Age, Newburgh and Orange County 2010 -2020

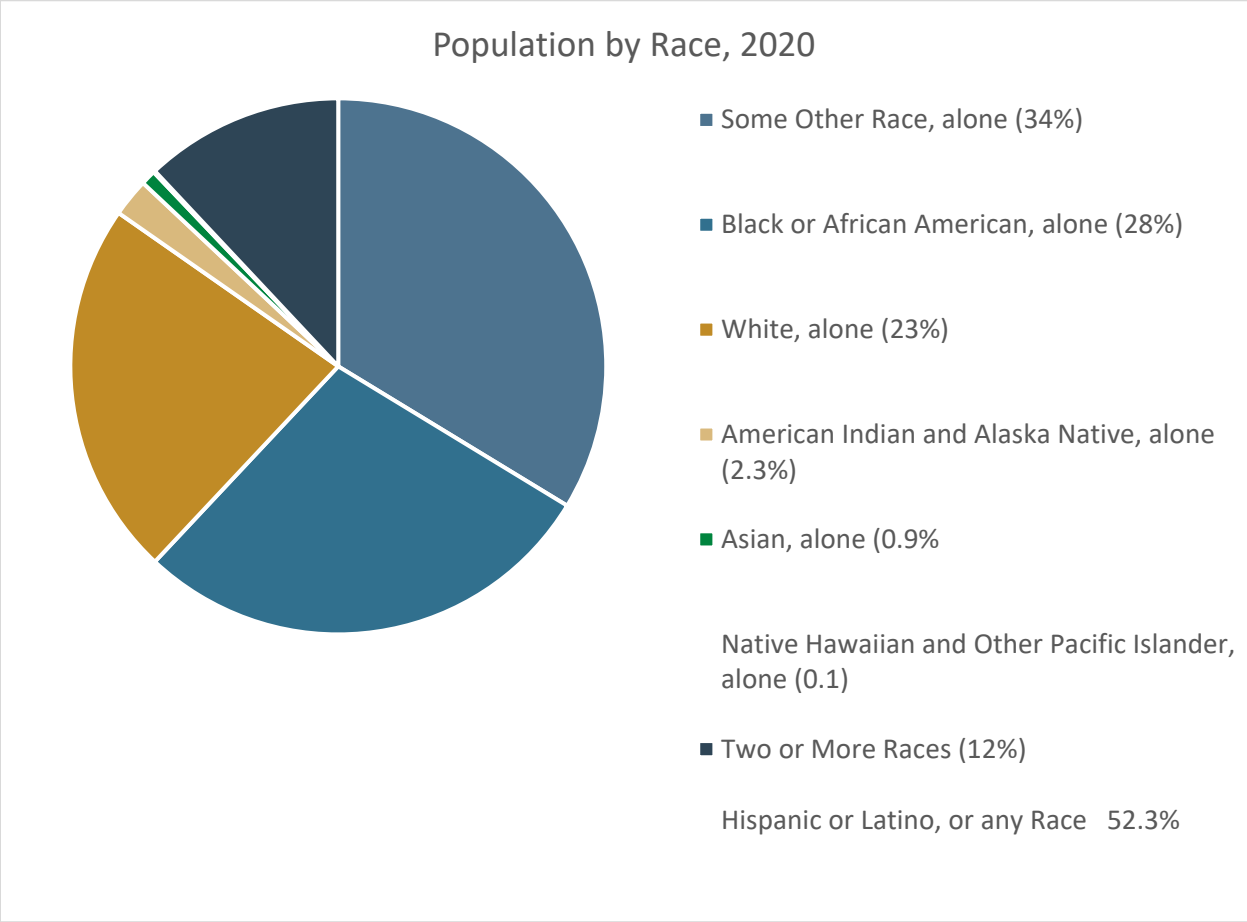


[1] 28.6% and 14.3% for Orange County. Average household size in 2020 was 2.82 for the county and 2.52 for the state

U.S. Census Bureau, Decennial Census 2010 and 2020

Newburgh has a relatively diverse population, with a large population of Black and Hispanic/Latino residents. Twenty-eight percent of residents identify as Black, 22.7% as White, 33.7% as Some Other Race, and 12% as Two or more races. Over half (52.3%) of the population identifies as Hispanic or Latino, an increase of 4.4% since 2010 (U.S. decennial census, 2010 and 2020).

Figure 2 Population by Race



Source: U.S. Census Bureau, decennial Census 2010

According to 2020 U.S. Census American Community Survey (ACS) 5-year estimates, Newburgh has 15,076 Hispanic/Latino residents. Approximately 40% of have Mexican origins, followed by 20% Puerto Rican, 18% Central American (including Honduran (10%) and Guatemalan (5%)), and 10% South American (including Ecuadorian (4.5%) and Peruvian (4.4%)).

Unsurprisingly, Newburgh has a high population of people who speak a language other than English, with almost half of the population speaking another language in 2020 (46.7%), and 42.9% of the population speaking Spanish.

The 2020 decennial census listed 11,099 housing units in the city, 88% of which were occupied. This occupancy rate is slightly below the county (92.4%) and state (90.9%). A high proportion of houses in Newburgh are rented, with 69.8% rented and only 30.2% owned. This is the inverse of the county, which is 65.2% owned and 34.8 rented, and different from the state, which is 51.3% owned and 48.7% rented.

A higher proportion of rental properties is typical in urban areas, especially those with younger populations. However, because homeownership is a way for individuals and families to build wealth, low ownership rates can indicate less wealth and lower economic resilience in a community. Table X. shows housing tenure by race and Hispanic or Latino origin in 2023. Strikingly, 83% of Black householders rent, compared to 61% of householders of Hispanic or Latino origin, and 53% of White householders. Homeownership in Newburgh has increased in recent years, to an estimated 35.3% in 2023, according to the U.S. Census ACS 5-year data. The growth appears to reflect more homeowners of Hispanic or Latino origin and of "Some other Race."

Table. X. Housing Tenure by Race and Hispanic or Latino origin in Newburgh, 2023

Race or Origin of Householder	Total householders	% Own	% Rent
All (occupied housing units)	**10,335**	**35.3%**	**64.7%**
White alone, not Hispanic or Latino	3,009	47%	53%
Black or African American	2,900	17%	83%
Some Other Race	2,223	39%	61%
Hispanic or Latino Origin	4,106	39%	61%

U.S. Census Bureau, ACS 5-Year estimates, 2023

Education and Earnings

Newburgh's population has low educational attainment relative to Orange County. According to 2023 U.S. Census ACS 5-year data, approximately 18% of Newburgh's population 25 years and older has a Bachelor's degree or higher compared to 32% in the County. The percentage with High School degree or higher is 80%. Minority groups have lower high school graduation rates than white students, to varying degrees. The city also has a significant share of the population (approximately 10%) with an educational attainment less than ninth grade.

Educational attainment can have an impact on future earning potential. In 2023, the median annual earnings for Newburgh residents with a graduate degree or higher was $74,000

compared to $53,500 for residents with only a Bachelor's degree, $36,800 for those with only a High School degree, and $29,000 for less than High School (U.S. Census 2023 ACS 5-year).[2]

In 2023, the unemployment rate in Newburgh was the same as in Orange County (3.4%) and below the state average (3.9%). The percentage of the population in the workforce (61.1%) closely mirrored the county (63.5%) and state (63%) as well. However, Newburgh workers earned significantly less than those in the surrounding region. In 2023, the median household income in Newburgh was $51,006, compared to $96,497 for the county and $84,578 for the state. The percentage of people living below the poverty level was also twice as high in Newburgh (27%) than the state and county (13%), indicating that the cost of living is not proportionately lower in Newburgh. The larger youth population means that one in three children under 18 live below the poverty level in Newburgh, compared to one in five in the county (U.S. Census ACS 5-year).

The income difference is reflected in the types of jobs held by Newburgh residents. Newburgh has a higher percentage of the workforce in service occupations (28%) and transportation or production occupations (17%) as compared with the county and state (about 18% and 10%). The percentage of people working in management, business, science, and arts occupations (24%) is half that of the county (40%) or state (45%).

Key Findings:

- Despite low unemployment and strong workforce participation rates, Newburgh households earn half as much as households in the surrounding region, leading to an affordability crisis.
- 27% of the population lives below the poverty level, including one in three children.
- Relatively low educational attainment further reduces residents' earning potential.
- Many residents work in service and transportation or production jobs. Relatively few work in management, business, science, or the arts.
- 90% of residents in the workforce commute out of the city. Meanwhile, 90% of employees working in Newburgh do not live in the city.
- Many industries in the County have shown positive growth in the past decade, except Retail Trade.
- Offering attractive, in-person shopping experiences can entice consumers away from online stores.
- Consumers within a 10 minute drive of the BOA spend the most on apparel, food, computers, and household goods, plus childcare.
- Newburgh's higher income in-commuters may represent a market for a mixed-use neighborhood in the BOA, which could in turn create local service and retail jobs for current residents.

[2] Base on median earnings in the past 12 months in 2023 inflation-adjusted dollars for the population 25 years and older with earnings

Industry Analysis

The performance of existing industries in the Newburgh area play an important role in identifying areas for economic opportunity within the Hillside BOA. The largest employment sector in Orange County is Government, accounting for 32,463 jobs (19%). Health Care and Social Assistance is the second largest, with 24,494 employees (14%). Retail Trade is the third largest sector, with 21,091 employees (12.5%).

In addition, each of the following sectors employed 8,700-11,000 people in the county (5-6%) and experienced positive growth between 2012 and 2022: Manufacturing, Construction, Wholesale Trade, Transportation and Warehousing, Administration and Waste Management, and Accommodation and Food Services.[3] Growth in these industries may provide opportunities for Newburgh's existing workforce, including younger workers and High School graduates. While retail continues to be a major employer, it is in decline, employing 14.1% fewer people in 2022 than in 2012, the largest decrease in any employment sector during that time period. Meanwhile, the largest increase was in Transportation and Warehousing (74.7%), likely the result of a shift towards online shopping. This indicates that retail demand remains, but shopping patterns have changed.

Consumer spending trends show that to compete with online shopping, a brick-and-mortar retail store must offer an attractive experience that can only be achieved in-person. For example, the store could be in an interesting setting that makes the trip worthwhile, or offer shopping paired with experiences, such as a wine tasting or live music ("experiential retail"). A review of spending patterns in the local trade area indicated that residents within a 10 minute drive of the BOA spent the most on apparel, food, computers, and household goods, plus childcare.[4]

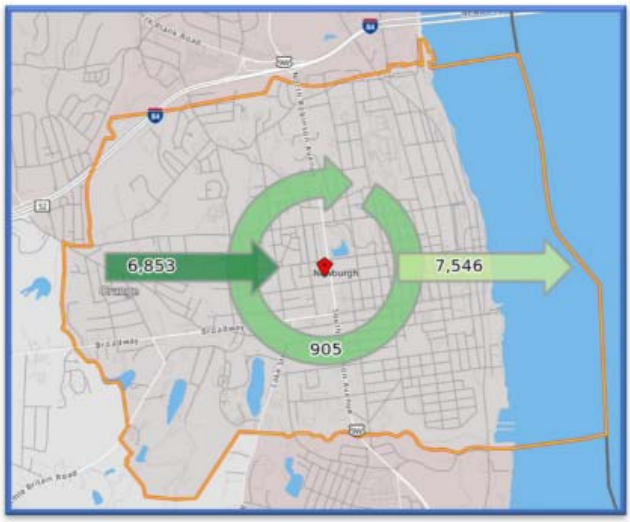
[3] Source: Lightcast (uses QCEW, American Community Survey, NY Dept. of Labor Data, CES)
[4] The Local Trade Area encompassed a ten-minute drive time from a central point in the BOA near City Hall..

County Industry Table, 2022

	2012 Jobs	2022 Jobs	2012-2022 Change (#)	2012-2022 Change (%)
11 - Agriculture, Forestry, Fishing and Hunting	1,505	1,929	424	28.2%
21 - Mining, Quarrying, and Oil and Gas Extraction	52	72	20	38.5%
22 - Utilities	539	611	72	13.4%
23 - Construction	5,971	8,753	2,782	46.6%
31 - Manufacturing	7,608	9,079	1,471	19.3%
42 - Wholesale Trade	7,248	8,115	867	12.0%
44 - Retail Trade	24,548	21,091	(3,457)	(14.1%)
48 - Transportation and Warehousing	5,585	9,757	4,172	74.7%
51 - Information	2,377	2,266	(111)	(4.7%)
52 - Finance and Insurance	3,399	3,418	19	0.6%
53 - Real Estate and Rental and Leasing	1,714	2,066	352	20.5%
54 - Professional, Scientific, and Technical Services	6,234	7,457	1,223	19.6%
55 - Management of Companies and Enterprises	786	816	30	3.8%
56 - Administrative and Support and Waste Management and Remediation Services	6,529	9,195	2,666	40.8%
61 - Educational Services	2,418	3,692	1,274	52.7%
62 - Health Care and Social Assistance	20,754	24,494	3,740	18.0%
71 - Arts, Entertainment, and Recreation	2,392	3,051	659	27.6%
72 - Accommodation and Food Services	9,258	11,567	2,309	24.9%
81 - Other Services (except Public Administration)	6,788	7,537	749	11.0%
90 - Government	32,798	32,463	(335)	(1.0%)
99 - Unclassified Industry	409	886	477	116.6%
Totals	148,912	168,313	19,401	13.0%

Source: ESRI

Commuting Patterns



Source: CES OnTheMap

According to commuting data from CES OnTheMap (2020), Newburgh has a net out-commuting population: 7,546 workers commute from Newburgh to other places for work, whereas only 6,853 workers commute to Newburgh for work. Only an estimated 905 workers both live and work in Newburgh.

Major employers in the City of Newburgh include St Luke's Cornwall Hospital (1,247 employees), The ARC of Orange County (525), Mount Saint Mary College (350), Unitex Textile (233), Bank of America (133), and SUNY Orange (100).[5] The city's commuter data reinforce the occupational data of city residents, indicating that many of these employees are not City of Newburgh residents.

The number of employees commuting into Newburgh for jobs in relatively higher-paying sectors than those employing local residents could represent an opportunity for future development in the Hillside BOA. These commuters might be attracted to purchase homes in a new, mixed-use neighborhood near their places of employment. The increased demand for local neighborhood services and retail could provide local jobs for existing residents working in these sectors. More residents living and working in Newburgh would increase the customer base for local businesses and promote a more walkable environment. Adding these residents to the city could also help to diversify the local economy and tax base without creating competition for existing jobs or housing.

[5] Orange County Partnership Center of Economic Development, Directory of Major Employers, accessed March 2025 from https://www.ocpartnership.org/resources/major-employers.aspx . *Based on employer address, some jobs may be outside of the city. SUNY Orange lists 300 employees across both the Newburgh and Middletown campus.

3.2 REAL ESTATE MARKET ANALYSIS

Real estate market trends provide valuable insight into the types of buildings and facilities that would be best suited for development in the Hillside BOA. Vacancy rates and changes to supply and demand over time indicate where there are gaps and opportunities in the market.

This section summarizes real estate opportunities for the Hillside BOA. The full Economic and Market Analysis report prepared as part of this study is included in the Appendices.

Key Findings:

- Newburgh has a diverse housing stock of single and multi-family homes and apartments.
- Newburgh housing and rental prices are affordable for the region, but unaffordable for most residents.
- There is demand for all housing types in Newburgh, including apartments, affordable housing, and multi-family homes.
- Stakeholders recommended a cohesive housing plan that promotes mixed-use, mixed-income development to drive a competitive market that can support the city's affordable housing needs.
- New development should be paired with efforts to rehabilitate aging units to ensure current residents can maintain affordability.
- The retail and hospitality real estate markets may present an opportunity for future development in the BOA.

Housing Market

More than half (58.5%) of the city's housing stock was built prior to 1939. As described above, the proportion of owner-occupied housing units in the city is considerably less than that of the county. However, the city offers more diverse housing options. Most housing units in the county are single-family detached homes (62.4%). The city has a significant number of two-family (20.5%) and three-to four-family homes (21,7%) in addition to single-family units (29.1%) (U.S. Census 2023 ACS 5-Year).

Based on common affordability metrics, an annual household income of $64,120 in 2023 was needed for homeownership based on the median home price in the city. However, over half of city residents earn below this threshold. As a result, though city homeownership is affordable in the context of the county and the region, residents do not necessarily find it affordable. Existing homeowners also noted a jump in property taxes as a barrier to homeownership.[6]

[6] U.S. Census ACS 5-year 2021, Esri, stakeholder interviews

Housing Affordability - Owner-Occupied Housing, 2022			
	City of Newburgh	Orange County	Mid-Hudson Region
Median Home Value - 2022	$205,126	$355,908	$465,511
10% Down Payment	$20,513	$35,591	$46,551
Remaining Balance	$184,613	$320,317	$418,960
Average Mortgage @7% for 30 Years	$1,228	$2,131	$2,787
Estimated Additional Costs*	$375	$592	$810
Estimated Monthly Mortgage Costs	$1,603	$2,723	$3,597
Household Income Threshold	$64,120	$108,920	$143,880

*Include zillow estimated insurance, PMI, and taxes

Source: Esri; Zillow Mortgage Calculator; MRB Group

Housing Affordability - Renter - Occupied Housing, 2022			
	City of Newburgh	Orange County	Mid-Hudson Region
Median Contract Rent	$994	$1,194	$1,359
Household Income Threshold	$39,760	$47,760	$54,360

Source: Esri; MRB Group

The lasting effects of Urban Renewal on Newburgh have made housing an ongoing concern. According to CoStar real estate data and local developers interviewed during the Hillside BOA planning process, there is a strong demand for apartments and an even stronger demand for affordable housing in the city. In addition, multi-family housing supply cannot keep up with demand. Since 2015, vacancy rates for multi-family houses have continued to decrease in the city, despite four new developments that added 600 units to the market. These units were rented for an average of $1,649 per month in 2023, higher than the average monthly rent for the county.

Meanwhile, median sale prices in Orange County continue to rise, matching state-wide trends, creating investor interest and putting pressure on middle-market and market-rate buyers (CoStar and Esri, 2023).

The residential market analysis and stakeholder input pointed to a need for mixed-income development. Local developers also indicated the need for a cohesive city housing plan to facilitate housing progress.

Commercial Real Estate

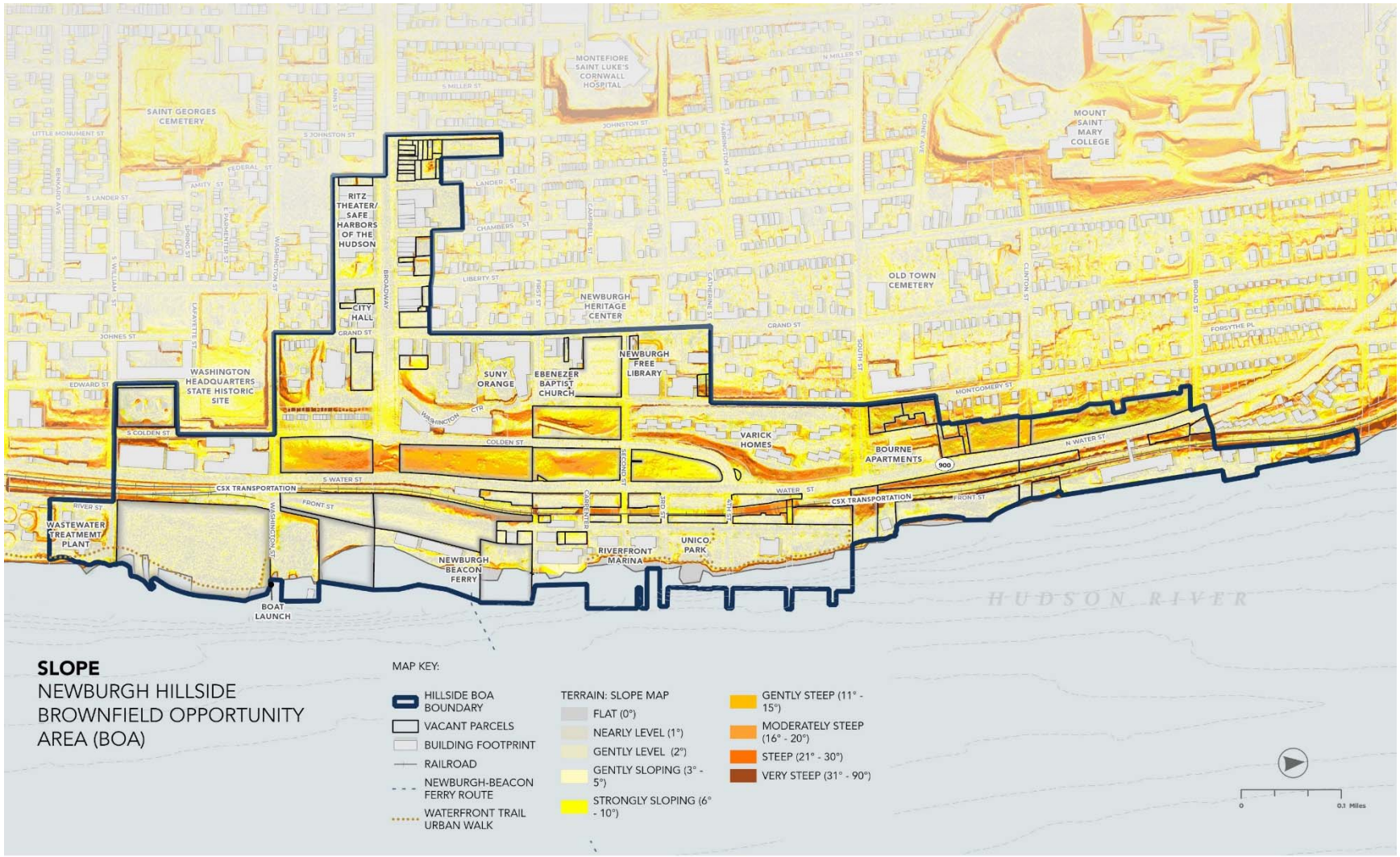
The vacancy rate for commercial office real estate in Newburgh hovered at 7.4% between 2018 and 2023. Demand for office space in Newburgh changes each year, but does so in a reliable manner, indicating a stable market where demand is met (CoStar, 2023).

Retail space in Newburgh is more volatile, with greater variance in the vacancy rate, which sat at 5% in 2023. However, the sharp growth of vacancy rates coincides with the Covid-19 pandemic timeline. At the start of 2023, vacancy rates were at the lowest rate since 2018. Considering historic demand and vacancies for the city, it is likely that there is yet unmet demand for retail space, presenting an opportunity for the city. While parking space may be adequate, parking efficiency issues must be resolved to fully capture the potential of real estate and office space in the city (CoStar, 2023).

Another opportunity for the city exists in the hospitality market. Key performance indicators for the hospitality real estate market in CoStar in 2023 reveal improving conditions: hotels in the surrounding Town of Newburgh and New Windsor have been able to increase the occupancy rate while also charging more per room per night than the 10-year average of $100.52. Developers also suggested hotels as a potential development concept for the Hillside BOA.

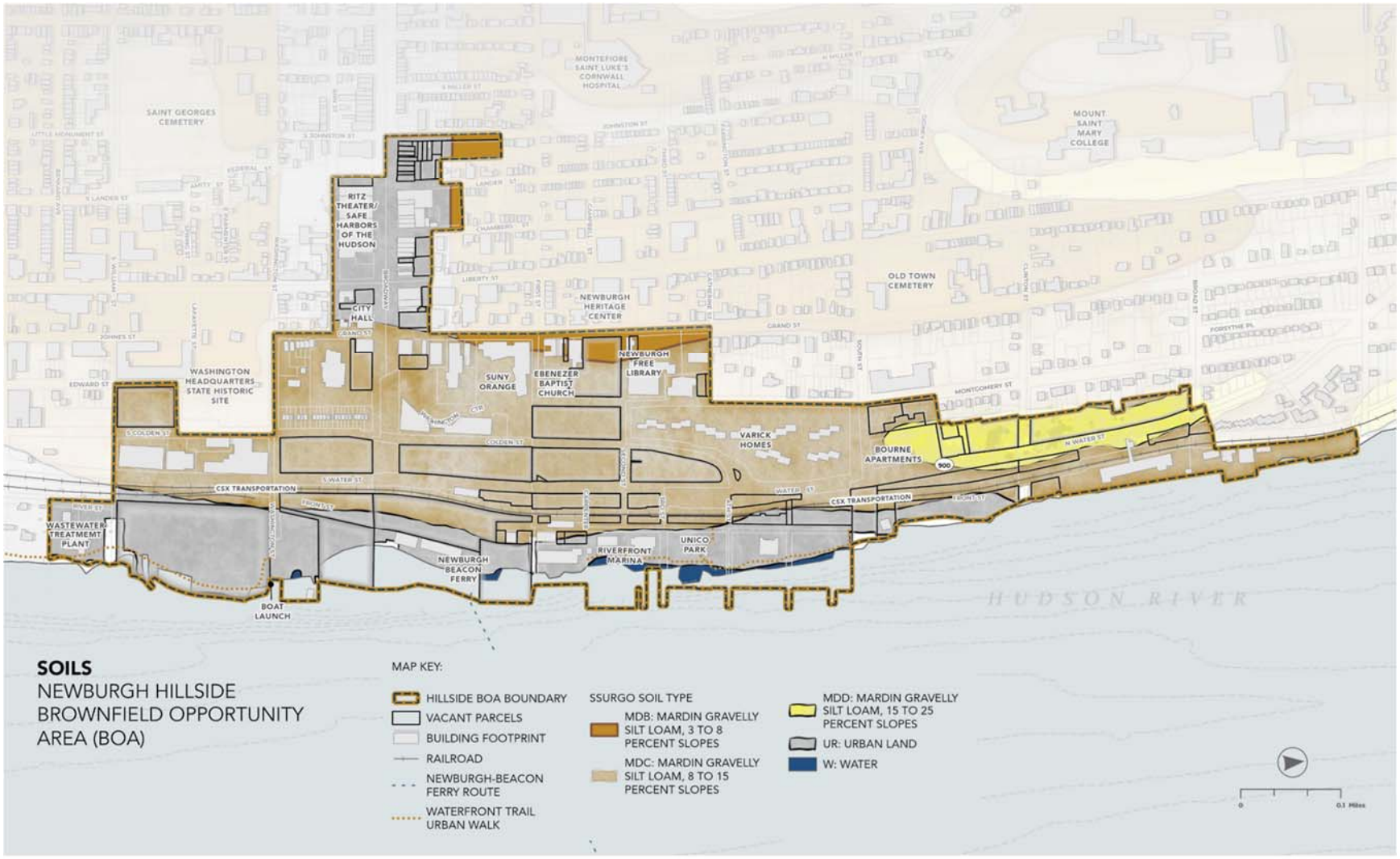
Industrial Real Estate

Industrial real estate in Newburgh has been relatively robust over the past decade. Vacancy rates steadily decreased until mid-2021 and several new projects are planned in the City. However, the spaces in demand are simply too large to locate in the BOA.



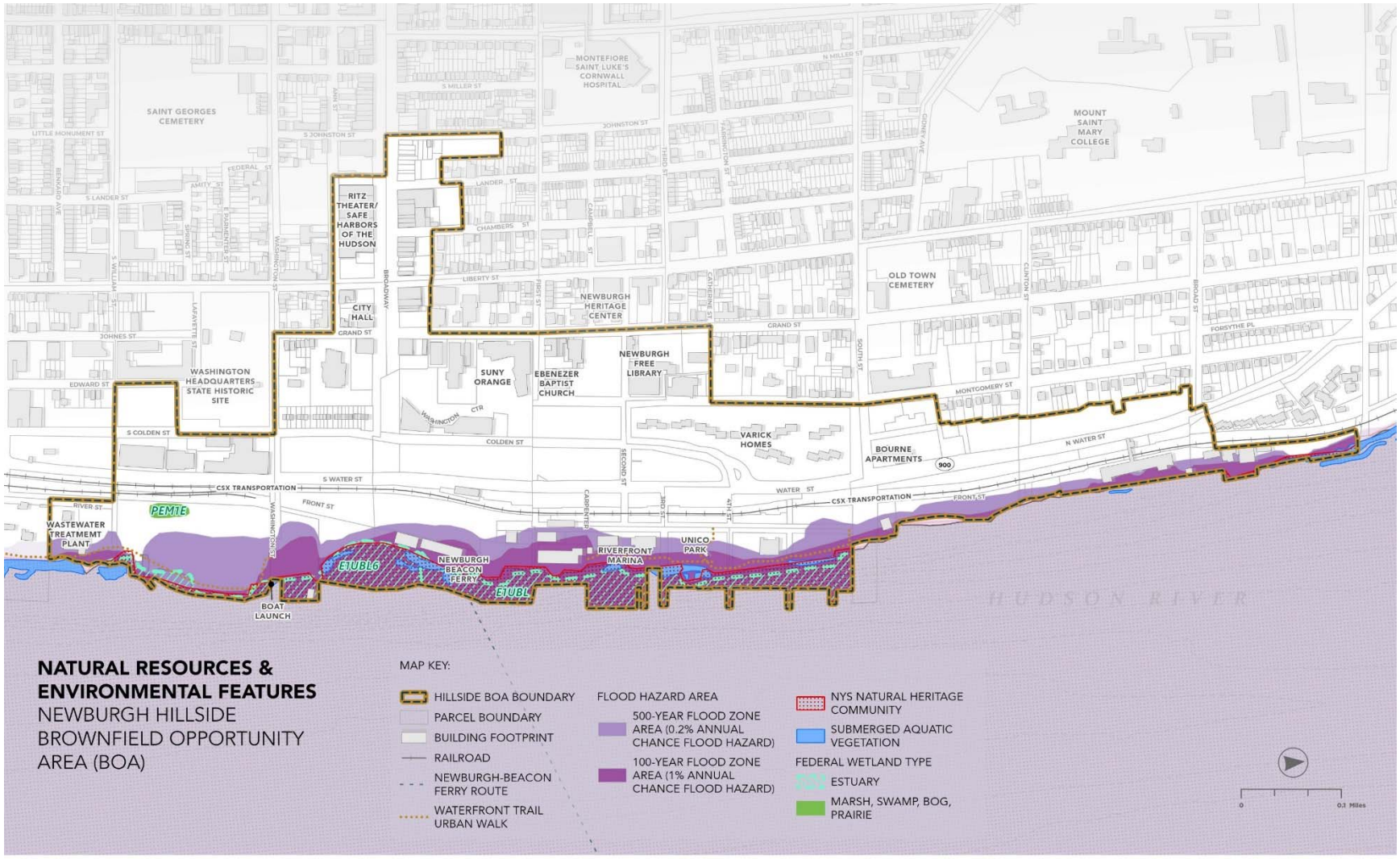
Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyrelsen,GSA,GSI and the GIS User Community
SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 3 Steep Slopes Map, Hillside BOA



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023; USDA SSURGO 2023

Figure 4 Soils Map, Hillside BOA



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023; FEMA 2009 - FIRM Panels: 36071C0144E and 6071C0332E; USFWS NWI 2000; NYSDEC 2018

Figure 5 Natural Resources & Environmental Features Map, Hillside BOA

3.3 PHYSICAL CHARACTERISTICS OF THE BOA

Natural Resources and Environmental Features

Slope and Soils

As the name suggests, the Hillside BOA is situated on sloping land that rises from the western shoreline of the Hudson River. The north-south roads and lands are relatively flat, and the steeper slopes occur from east-to-west, and are more accentuated where some development has occurred and creates a "step" feature moving down the hill towards the water.

Key Findings:

- Areas of the BOA with moderate to steep slopes including strategic sites one and two, could make certain development challenging without proper engineering.

The waterfront area is nearly level, with slight rise toward the CSX railroad, which is on a raised track. The gentle grade continues across Water Street, where it steepens to a 10-20 degree grade across the vacant Hillside parcels, is level at Colden Street, then rises steeply again to Montgomery Street before gradually easing into a very gentle slope that continues west throughout the Broadway/downtown area. See Figure X for more details.

The Hillside BOA has four different soil types. Table 1 and Figure 4 show that the main type is Mardin gravely silt loam, with three different slope ranges. The largest size is Mardin gravelly silt loam with 8 to 15% slopes (MdC), which accounts for 83.2 acres (56.34%) of the BOA. The other two Mardin gravelly silt loam soil types are 15 to 25% slopes (MdD), which comprises 8.3 acres or 5.6% of the BOA, and 3 to 8% slopes (MdB), which accounts for 4.5 acres or 3.04% of the BOA. The remainder of the BOA is the Urban land soil type (Ur), which includes 39.8 acres or 26.92% of the BOA.

Table 1 USDA Soil Types in the BOA

Soil Type	Soil Type Description	Acreage	% of total
MdB	Mardin gravelly silt loam, 3 to 8 percent slopes	4.5	3.04%
MdC	Mardin gravelly silt loam, 8 to 15 percent slopes	83.2	56.34%
MdD	Mardin gravelly silt loam, 15 to 25 percent slopes	8.3	5.6%
Ur	Urban land	39.8	26.92%
W	Water	12.0	8.1%
Total		**147.7**	**100%**

The biggest challenge to development with respect to slopes and soil types in the BOA is the presence of moderate to severe slopes in certain areas. In general, the Mardin gravelly silt loam soil type is a deep, moderately well-drained, medium-textured soil with varying slope features.

The 8.3 acres of MdD that are 15 to 25% slope would present development challenges. The area where these steep slopes are located is in the northern area of the BOA along Water Street (see Figure 4). Figure 4, which is based upon topography data, has the vacant lots within the BOA outlined. There are several vacant parcels along Water Street that have slopes that could present development obstacles.

Existing Land Use

Understanding existing land use patterns is critical to identifying appropriate redevelopment opportunities for an area. To analyze land use, the New York State Department of Taxation and Finance property type classification codes were used as a standard measure to assess the area in acres and overall percentages of different land use classifications in the Hillside BOA.[7] There can be some variation in actual use and the classification code, and a few adjustments were made for major differences in the BOA. Existing land uses may or may not conform to the current zoning for that parcel (see Zoning).

As illustrated in Table 2, the Hillside BOA is 147.7 acre, urban environment featuring a mix of uses. Roads and transportation rights of way account for one-fifth of the area, which is typical for a city.

Vacant land, including parking lots, is the most common classification, applying to 49.2 acres, or one-third of the BOA. The second most common use (after rights of way) is Commercial. Commercial properties include various businesses, offices, and retail stores, as well as mixed-use where commercial and other uses (e.g., residential, non-profit services) share a building. Approximately 10% of the BOA is classified as Community Services, which includes cultural and educational institutions, Orange County services, and religious and benevolent uses. Land classified

Key Findings:

- Vacant land is the dominant land use within the BOA, covering 50 acres or one-third of the study area.
- Vacant land on the Hillside isolates the waterfront from the Broadway corridor, limiting the ability for these commercial areas to support each other.
- There is a concentration of Community Services along the Grand Street corridor.
- There is a lack of residential uses in the BOA, apart from some housing developments on Urban Renewal land adjacent to the hillside.
- There is no connection between Broadway and the waterfront over the CSX railroad. Vacant land and oversize parking lots occupy prime waterfront property in areas without a crossing. Connections over the tracks could be possible in these locations.
- There are very few park, recreation, and entertainment areas in the BOA.
- A few light industrial uses remain on the edges of the waterfront.

[7] Data note: In practice, there can be instances where the current actual use varies somewhat from the official classification. The classification codes have implications for property taxes and are the preferred standard dataset for land use analysis.

as Residential alone, not including mixed-use, accounts for 8% of the BOA and applies to single and multi-family homes and apartment buildings. Public Services uses including utilities and the CSX railroad cover approximately 10 acres (6.8%). The remaining 10% is split between legacy industrial uses and parks, recreation, and green space.

Table 2 Existing Land use in the Hillside BOA

Land Use Classification	Parcels	Acres	% of BOA
Vacant land	79	49.2	33.3%
Transportation Right-of-way	20	31.2	21.2%
Commercial	44	18.1	12.3%
Community Services	17	14.5	9.8%
Residential	38	12.3	8.0%
Public services	13	10.0	6.8%
Industrial	5	6.8	4.6%
Wild, forested, conservation lands and public parks	3	5.0	3.4%
Recreation and entertainment	2	0.5	0.3%
Total	**223**	**147.7**	**100.0%**

Commercial

Commercial land uses are the predominant non-vacant land use within the BOA. Commercial uses account for 44 parcels totaling 18.1 acres and 12.3% of the total BOA (Figure X). Commercial uses are predominantly clustered along Broadway and the Hudson River waterfront. Waterfront commercial uses are primarily a mix of retail and restaurants. They are intermixed with marinas, parks, and vacant land. Many of these uses also include large adjacent parking areas (classified as vacant land). Commercial land uses along Broadway include restaurants, retail, professional offices and services, and some mixed-use.

Notably, 37 of the Vacant parcels are located in commercial areas.

Community Services

Community Services comprise approximately 14.5 acres, or 9.8% of the BOA. They are concentrated along a cultural corridor on Grand Street and interspersed along Broadway. Uses include SUNY Orange, the Newburgh Free Library, churches, Safe Harbors of the Hudson, and County services. Also included in this category are civic uses such as Newburgh City Hall and the City of Newburgh Police and Fire Departments.

Residential

Residential development is limited in the Hillside BOA, accounting for only 12.3 acres or 8% of the area. There are four clusters of residential land. The largest residential use is Varick Homes, a cluster of 23 apartment buildings on former Urban Renewal land bounded by Montgomery, South , Water, and Colden Streets. Varick Homes provides apartments primarily for senior



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 6 Existing Land Use Map, Hillside BOA

citizens and includes several low-income units. Adjacent to the north is Bourne Apartments, a Low-Income Housing Tax Credit (LIHTC) apartment complex with 205 low-income units. LIHTCs incentive builders and developers to provide affordable housing. The maximum rent charged is based on the Area Median Income.

The other residential areas are located between Broadway and the Washington's Headquarters Historic Site. Along Washington Place are twenty attached single-family rowhouses overlooking the Hillside with a clear view of the Hudson River. Behind these rowhouses to the east is a large multi-purpose/multi-family residential parcel and a mix of single family and multi-family homes on Grand Street.

6.2 acres of vacant land is classified as vacant residential.

Public Services

There are 10 acres (7%) of Public Service land in the BOA, including the Newburgh Wastewater Treatment Plant on the waterfront, the Montgomery Street Substation (Central Hudson Gas and Electric) by the library, and the active CSX rail line.

The CSX rail line runs parallel to the waterfront to the east of Water Street. There is an at-grade crossing at Water and Washington Street. The line then drops below water street and runs along an elevated wall past the former train station (now restaurants), which rises steadily until it is level with Water Street once again near 19 Front Street. There are no crossings for this entire stretch opposite the Ferry landing to the east and the Broadway corridor to the west. Bridges between buildings once provided those connections. The waterfront is least developed in this area. Between 19 Front Street and Varick Homes, Water Street drops below the rail line and is connected via four local roads that pass under the railroad to waterfront shops, restaurants, and the Newburgh Landing Dock. The railroad is briefly level with Water Street again by Varick Homes, then continues below grade between two stone walls north through the remainder of the BOA. There are no crossings along this stretch except for the Regal Bag building bridge. The waterfront in this area is vacant.

Industrial

There are five parcels of Industrial land comprising 6.8 acres (4.6%) of the study area. Two are the former Steam Mills / Regal Bag properties at the extreme northern end of the BOA along Front Street on the shoreline. The uses within this area can be considered light industrial in nature and include art studios. On the southern end of the BOA at Water and Washington Street are three more adjacent (light) Industrial land uses with large building footprints, including a supply company and the Newburgh Brewing Company.

Wild, Forested Conservation Lands and Public Parks

Wild, Forested Conservation Lands and Public Parks account for three parcels and five acres (3%) of the BOA owned by the City. They include Unico Park in the central waterfront area, a public boat launch area off Washington Street, and the Downing Vaux Park stairs and greenspace

connecting Broadway to Water Street. There are no other wild or conservations areas in the BOA.

Recreational and Entertainment

The two Recreation and Entertainment land use parcels are the greenspace owned by Safe Harbors of the Hudson next to the historic Ritz Theatre on Broadway.

Transportation

Transportation lands are 21% (31.2 acres) of the total Hillside BOA. The transportation category is comprised of undesignated parcels within the BOA and primarily includes the area's road network.

Vacant Land

Large, multi-acre tracts of vacant land in the central part of the BOA boundary (See Figure 8). Almost 50 acres of the BOA (33%) is Vacant land. The largest contiguous area of vacant land spans the undeveloped Urban Renewal land on the Hillside, including four parcels between Water and Colden Street, one parcel between Colden and Montgomery Streets, and a parking lot to the south of the library. Together, these six city-owned parcels total 11.6 acres of vacant and underutilized land in the urban, waterfront core. This steep expanse of vacant land acts as a barrier between the waterfront and downtown Broadway area, effectively isolating these commercial corridors from each other.

The second largest vacant area is the 8.4-acre former Consolidated Iron remediated superfund site on the waterfront. The third is 4.17 acres of vacant Urban Renewal (and a .23 acre RoW) on Water Street across from the Regal Bag building.

Other vacant land includes large paved areas along the waterfront, 1 Lafayette Street, A cluster of sites on Johnston Street and Broadway, and other individual parcels along Broadway.

According to the NYS Property Assessors manual, the vacant parcels present in the BOA include:

- 6.1 acres (or 16 parcels) of vacant residential;
- 0.2 acres (1 parcel) of residential land with small improvements;
- 15.1 acres (27 parcels) of vacant lands located in commercial areas;
- 16.6 acres (8 parcels) of vacant commercial with minor improvements; and
- 11 acres (22 parcels) designated as parking lots.

Additional information on vacant land within the BOA is provided in the Land Ownership section.

Reducing the number of currently vacant and unproductive properties and attracting developers to return abandoned properties to productive use is a priority for the Hillside BOA program.

Zoning

The City of Newburgh adopted a new Zoning Code in 2015 to implement the recommendations contained in the 2008 "*Plan-It Newburgh*" Sustainable Master Plan and the 2011 City of Newburgh Future Land Use Plan. The new Code is a hybrid code with both traditional zoning districts and form-based districts. Newburgh's zoning, found in Chapter 300 of the City Code, is up-to-date and compatible with the objectives of the BOA program. Articles IV through VII establish various land use, historic, and other overlay districts, while Article XV establishes the form-based code and associated districts.

Zoning within the BOA generally reflects and is supportive of existing land use patterns in this area of the city. A flexible mix of uses are allowed, particularly in the form-based districts. Design standards, site review, and overlay districts apply in many areas of the BOA to preserve Newburgh's character and scenic, natural, and cultural resources. Table X summarizes each of the districts, including their intended character and allowable use.

Key Findings:

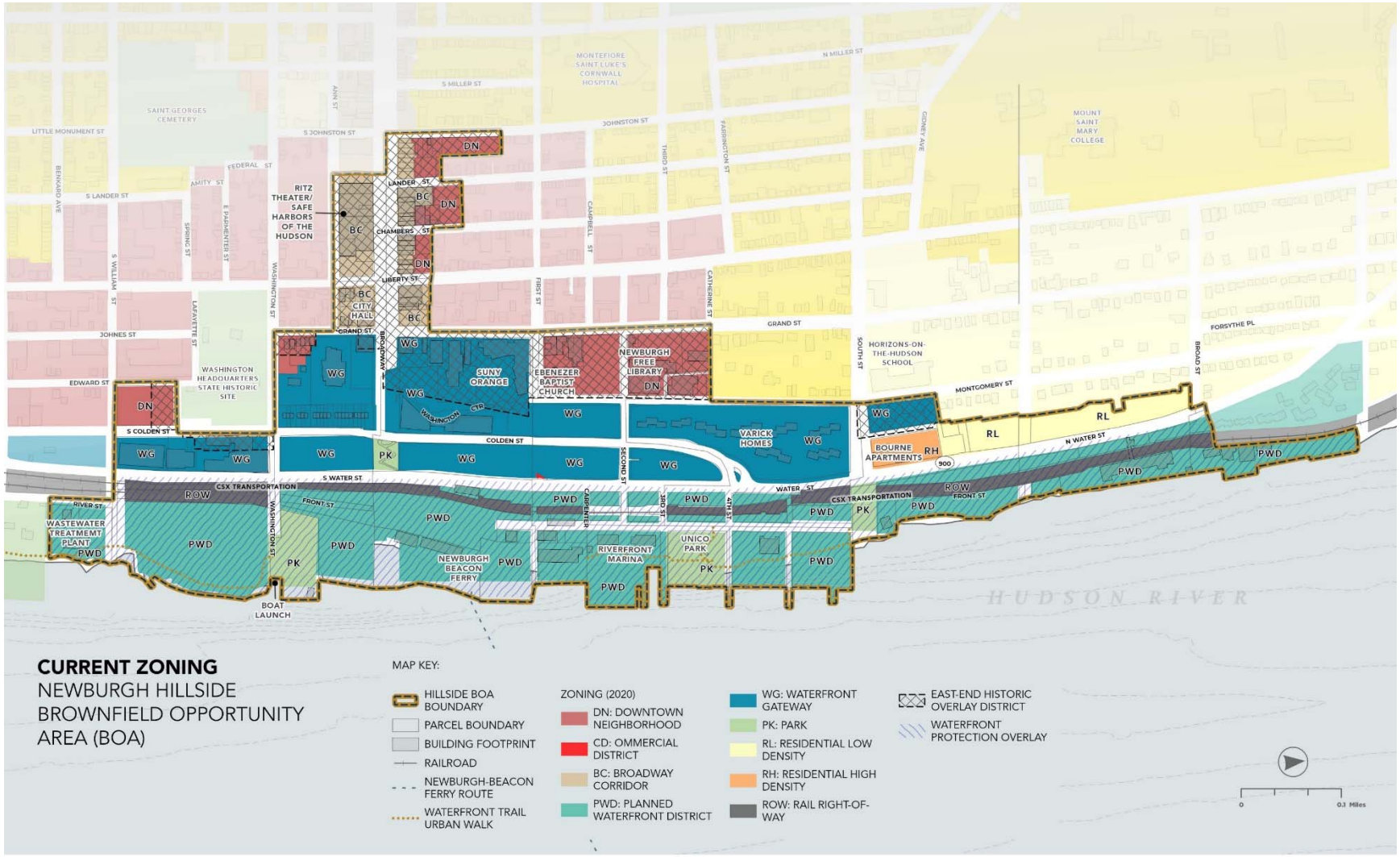
- Zoning in the BOA generally supports existing land use patterns and allows for flexible development that fits the City's traditional urban fabric. particularly in the form-based districts which cover nearly all of the BOA.
- Most developable land in the BOA is zoned Planned Waterfront District (40%) or Waterfront Gateway (33%) with some in the Broadway Corridor and Downtown Neighborhood. These form-based districts encourage a mix of active uses with provisions to ensure redevelopment aligns with the community's vision and character.
- Overlay districts provide an extra layer of protection for historic resources in the East-End Historic District and natural resources along the Hudson River.

Zoning Districts in the BOA

Table 3 Zoning District Descriptions, Hillside BOA

District	District Intent
Traditional Zoning Districts	
Park (PK)	Areas owned or used by the City, state, or other government entity for the purpose of being used as parkland, playgrounds, recreation areas, nature preserves, or open space.
Residential Low Density (RL)	Zone characterized by detached, single-family dwellings per lot, with allowances for two- and three-family dwellings and other housing types, facilities and services that meet the needs of the community and residents, provided they are at a scale and density compatible with the landscape character in the zone.

Residential High Density (RH)	Zone characterized by structures that accommodate large numbers of residential dwelling units in limited space in areas within easy pedestrian access to commercial areas and public facilities within the City.
Commercial District (CD)	Zone characterized by primarily retail and service-related businesses, and under closely controlled conditions, light industrial uses that are frequented by the general public.
Right-of-Way (ROW)	A parcel of property over which pedestrians or vehicles may legally pass over or through for purposes of public travel. These areas are not part of the City of Newburgh's zoning code, but the ROW district was created to address the gaps between zoning data parcels.
Form-based Districts	
Planned Waterfront District (PWD)	The Planned Waterfront District (PWD) is the area generally between Water Street and the Hudson River. It is the historic heart of Newburgh and has been, and is expected to be, a catalyst for revitalization. The district encourages water-dependent and water-enhanced uses. A broad mix of uses, including housing, commercial, cultural, and open space uses are allowed subject to design standards and site review. New construction must obtain site plan approval from the Planning Board and meet open space and public access standards.
Waterfront Gateway (WG)	The Waterfront Gateway (WG) Zone is suited for the most dense and tallest development in the City. The Zone promotes three- to eight-story, dense, mixed-use development with civic anchors. It includes areas to the north and south of Broadway between Grand Street and Water Street. The district permits mixed-use and most residential, institutional, and commercial uses, subject to design standards and site review. Industrial and larger scale uses (e.g., hospitals, shopping centers) are not permitted. The code includes provisions for preserving significant upland scenic views.
Downtown Neighborhood (DN)	The Downtown Neighborhood (DN) Zone generally encompasses the most urban neighborhoods to the north and south of Broadway. The district is intended to protect the quality of downtown neighborhoods. Mixed-use and most residential, institutional, and commercial uses are permitted, subject to design standards and, in some cases, site review. New infill development shall respect the pattern and scale of existing urban development. Buildings can be two- to six-stories. The code includes provisions for preserving significant upland scenic views.
Broadway Corridor (BC)	The Broadway Corridor (BC) Zone applies generally to lots along Broadway from West Street to Grand Street. The purpose of the zone is to focus commercial activity along this main thoroughfare and promote a vibrant, pedestrian-oriented, mixed-use district with three- to five-story buildings. Mixed-use, higher density residential and almost all commercial and institutional uses are permitted, subject to design standards and, in some cases, site review. One- and Two- family residential is not permitted.



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 7 City of Newburgh Zoning Map, Hillside BOA

Figure 9 illustrates the zoning for the BOA and Table 4 below provides a breakdown of each zoning district in the BOA. Of the 147.7 acres of land within the BOA, 30.03% are east of Water Street within the Planned Waterfront District (PWD). The next largest district covered within the BOA is the Waterfront Gateway District (WG), which encompasses 24.66%, and includes Hillside upland parcels between Water Street and Grand Street. Much of this area is currently vacant. The Downtown Neighborhood (DN) district regulates 7.54% of the BOA, covering land to the north and south of the Broadway Corridor zoning district along Broadway. Residential properties north of South Street are designated Residential High Density (RH) (Bourne Apartments) and Residential Low Density (RL) (vacant residential land). Parks have their own designated district.

Table 4 Zoning, Hillside BOA

Zoning Class	Acres	% of BOA
Planned Waterfront District (PWD)	44.35	30.03%
Waterfront Gateway (WG)	36.43	24.66%
Road Right-of-Way (Road ROW) [a]	31.24	21.15%
Downtown Neighborhood (DN)	11.13	7.54%
Right-of-Way (ROW)[b]	7.28	4.93%
Broadway Corridor (BC)	6.05	4.10%
Park (PK)	5.33	3.61%
Residential Low Density (RL)	4.58	3.10%
Residential High Density (RH)	1.30	0.88%
Commercial District (CD)	0.02	0.01%
Total BOA	**147.7**	**100%**

Source: City of Newburgh, *ecode360.com*

Notes: [a] The Road ROW zoning layer is not in the City of Newburgh's zoning code but was added to account for gaps between zoning elements and cover the entirety of the BOA. [b] Follows the Railroad Corridor.

East-End Historic Overlay District

The Newburgh City Council designated the East End Historic District in 1977, then in 1985 the district was enlarged and added to the National Register of Historic Places. Development within the district shall be guided by the East End Historic District Guidelines, which were adopted by the City Council by Ordinance No 2-2008. The East End Historic District overlaps the BOA by 32.5 acres primarily within the inland (western portions) of the BOA.

Waterfront Protection Overlay (WPO) District

The Waterfront Protection Overlay (WPO) was established to provide protection to the City's waterbodies, creeks and stream corridors by creating and preserving vegetated stream and creek buffers, protecting water quality, preventing erosion, and enhancing habitat. This also works in combination with the designation of the Hudson River as a National Heritage Site in

the mid-Hudson region. Therefore, the overlay district regulates land uses within or adjacent to these streams or waterbodies to better meet the purposes of the district. There are 67.4 acres of the BOA within the Waterfront Protection Overlay, which coincides with the Planned Waterfront District in the BOA.

Historic or Archaeological Significant Areas

Within the BOA

The Hillside BOA overlaps with several historic and archaeological zones, including National Register of Historic Places (NRHP) districts. These historic assets give the city a unique sense of place and culture. However, many historic buildings require extensive maintenance, and developing new structures consistent with historic design guidelines may require specialized architects.

Key Findings:

- The upland portion of the BOA overlaps with two National Register of Historic Places (NRHP) districts and contains 85 historic buildings listed on the NRHP associated with these two districts.
- The Dutch Reformed Church in the BOA is individually listed on the NRHP. The Washington's Headquarters State Historic Site is adjacent to the BOA. Scenic views from these sites are protected in Newburgh's zoning code.
- Supporting developers to identify tax credits or assist them with historic design requirements may help spur investment in these historic districts

Two archaeological buffer areas overlap with the BOA. These are associated with the city's location on the Hudson River and are less likely to have a direct impact on development. Figure 10 depicts historic and archeologically significant areas in relation to the BOA area.

The 1840's **Newburgh Steam Mills Building** between the Hudson River and North Water Street is located entirely within the Hillside BOA. The district is not currently listed on the NRHP but has been determined to be Eligible for its inclusion. The Steam Mills manufacturing complex consisted of steam-powered cotton mills in the mid- to late- nineteenth century. By 1910, textile operations ceased, and the complex was repurposed to serve as a production facility for the Coldwell Lawnmower Company and then the Regal Bag pocketbook factory.

Two NRHP historic districts are partially within the Hillside BOA boundary: the Montgomery-Grand-Liberty Steets Historic District and the East End Historic District. Each district is characterized by distinct architectural styles and settlement patterns. **Eighty-five historic buildings** listed on the NRHP associated with these two districts are located within the Hillside BOA. An additional 55 listed buildings associated with these two historic districts are located near the Hillside BOA boundary.

The **Montgomery-Grand-Liberty Street Historic District** was listed on the NRHP in 1973. It consists of approximately 250 historic structures and is characterized primarily by a nineteenth century residential neighborhood, nine churches, and various public buildings. The residential

dwellings within the district are generally two to three stories and constructed of brick. However, clapboard, stucco, and shingles also adorn various dwellings. Prior to the Civil War many of the cottages and villas within the district were characterized by Gothic elements. Notable buildings within the Hillside BOA consist of the Dutch Reformed Church located at 134 Grand Street, and the former home of the Newburgh City Library located at 100 Grand Street. Listed on the NRHP both individually as well as within the Montgomery-Grand-Liberty Street Historic District. The **Dutch Reformed Church** was designed by Alexander J. Davis in 1835. At the time of its listing on the NRHP in 1970 (individual listing # 90NR02316), the structure was one of four remaining buildings designed by the famed architect. The **former Newburgh City Library**, erected in 1876 and designed by John A. Wood, is characterized by the High Victorian Italianate architectural style, and was the fifth public library established in the State of New York.

The **East End Historic District** listed on the NRHP in 1985, consists of approximately 2,462 historic structures, built between 1750 and 1935 which contribute to the district's listing on the NRHP. This historic district includes the core of the present city of Newburgh as well as the surrounding area, which was developed through the end of the nineteenth century. While neighborhood boundaries are fluid, the historic district contains several "zones" characterized by unique architecture styles and settlement patterns. The center of the East End Historic District, located partially within the Hillside BOA, is situated within the civic and industrial heart of present-day Newburgh. This neighborhood is represented by multi-story commercial and civic buildings from the early twentieth century. Examples within the BOA include the finely detailed Beaux-Arts style Columbus Trust Company Bank, built in 1902, located at 72 Broadway, and the Neoclassical style Newburgh Savings Bank, built ca. 1920, and located at 94 Broadway.

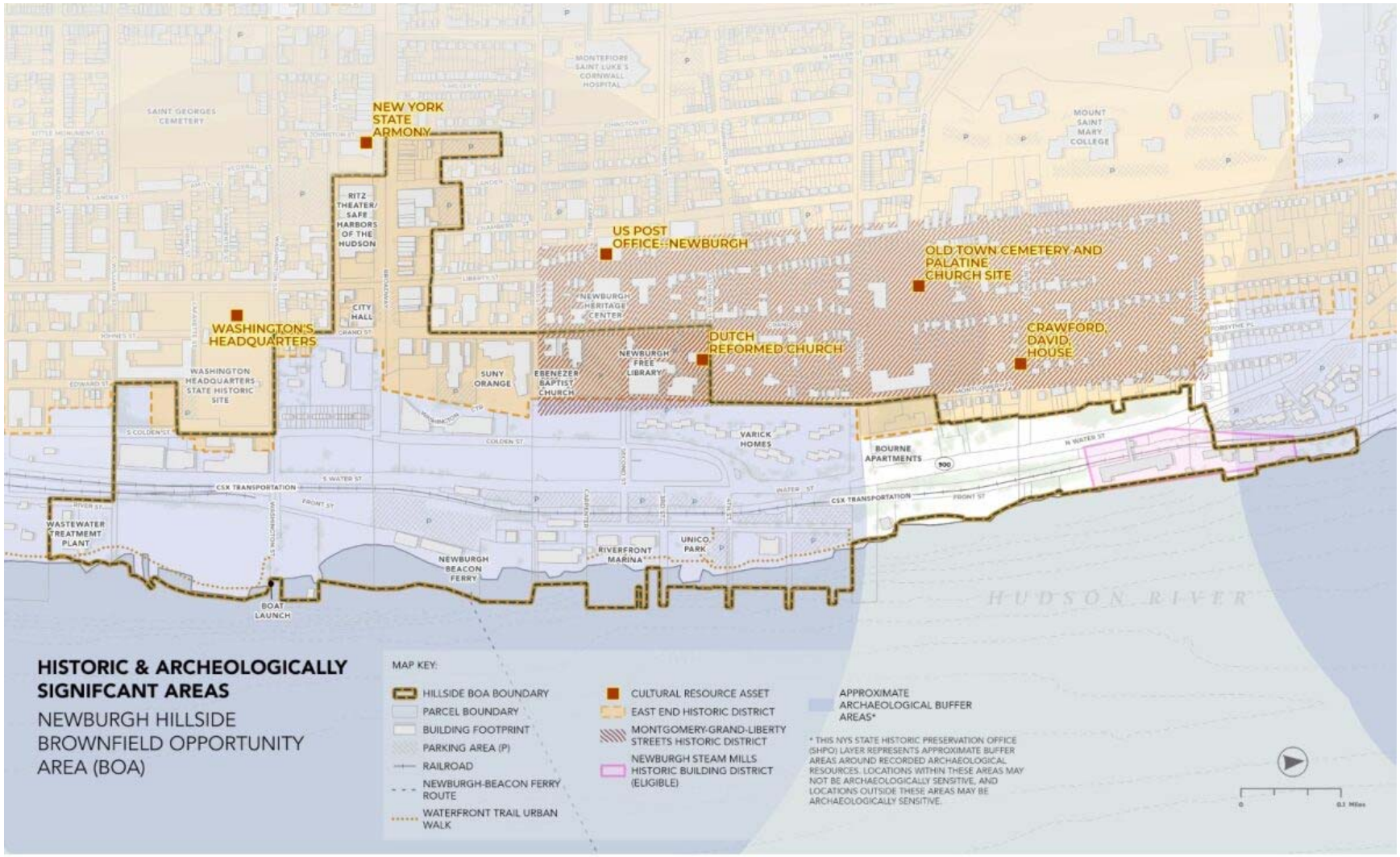
Adjacent to the BOA

While the remaining neighborhoods of the East End Historic District are located outside of the Hillside BOA, it is worth summarizing their contributing significance to the historic district. North and west of the East End Historic District's center is the city's commercial zone. This section of the East End Historic District is represented by multi-story buildings adorned in brick with street level store fronts along Broadway. Architectural elements present along Broadway included styles that were popular between the 1840s and 1930s exemplified by Italianate style buildings such as the one found at 156 Broadway just a short distance from the BOA boundary. North of the commercial section of the East End Historic District are four unique residential neighborhoods. The first includes the ornate dwellings of the Montgomery-Grand-Liberty Street Historic District characterized by the picturesque-era architecture of the mid-nineteenth century. Next, the neighborhood of Chambers, Lander, and Johnson Streets is characterized by multi-story brick residential buildings. Similarly, the neighborhood centered on Dubois Street is also characterized by nineteenth century multi-story brick residential buildings. Finally, the neighborhood located at the northern ends of Liberty and Grand streets is characterized by suburban-like early twentieth century dwellings.

Washington's Headquarters State Historic Site is also located adjacent to the Hillside BOA boundary. Obtained by the State of New York in 1850, this site was the first publicly owned and

operated historic site in the nation. In addition to Washington's Headquarters, a new archaeological district, Washington's HQ Archaeology District, has been proposed but is currently not listed on the NRHP.

Additionally, several notable structures are located a short distance from the BOA study area. The Warren House located at 196 Montgomery Street as well as the dwelling located at 222 Mongomery Street are indicative of the extravagant designs popularized after the close of the Civil War. The **David Crawford House** (NRHP# 90NR02317) at 189 Montgomery Street was home to the War of 1812 captain David Crawford who leased the plot of land from the Glebe of the Episcopal Church in Newburgh in 1830. The dwelling was constructed amongst other prominent homes of the time. Lastly, the **New York State Armory** building at 145 Broadway, also known locally as the "Bull Market," was erected in 1879, dedicated in 1880 and designed by prominent New York State architect John A. Wood. This building represents Newburgh's only standing representation of "castellated civic architecture."



SOURCE: CITY OF NEWBURGH 2023; ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023; SHPO CRIS 2024

Figure 8 Historic and Archeologically Significant Areas Map, Hillside BOA

Land Ownership

Land Ownership is an important criterion when evaluating revitalization opportunities. Lands classified as "public" are those owned by a municipality or other public agency while "private" lands are owned by one or more private entities. When land is held in public ownership, it simplifies the process for the municipality to implement its vision for the property. The "non-profit" category includes organizations that own land for operating a non-profit organization. However, maintaining a high percentage of tax-exempt public and non-profit properties can undermine the tax-base and financial well-being of a City. The tax burden is shared across fewer property owners and fewer funds are available for public services.

Table 5 shows the breakdown of landownership, acreage and percentage by ownership. Figure 11 illustrates the locations of parcels by ownership type.

Key Findings:

- The majority of land in the BOA is publicly-owned (82 acres), with the City owning 39 acres.
- Over half of public land is Vacant (49 acres). This reduces the tax base, but provides more local control over redevelopment decisions on the BOA in the immediate term.
- Most waterfront land is privately-owned, with two large areas owned by the City and public access points throughout. Most of the Hillside area is publicly owned.
- The City owns most vacant Hillside sites, but is ineligible to receive federal clean-up funds for Urban Renewal sites. Ownership could be transferred to another public or non-profit entity eligible to receive U.S. EPA Brownfield Grants.
- Several of these public parcels could be strategic and catalytic to potential investment in the BOA.

Table 5 Total Land by Ownership Type, Hillside BOA

Ownership	Acreage	Number of Parcels	Percentage by Acreage
Public (Local)	81.8	84	55.4%
Private	64.4	127	42.2%
Non-Profit	3.5	16	2.3%
Total	**147.7**	**227**	**100%**

Source: NYS Tax Parcels Public, updated July 2023. Orange County 2023
Note: The Public (Local) ownership category includes 20 parcels, totaling 31.2 acres that are considered Transportation Roads/ROW

As illustrated in Table 5 and Figure 11, most parcels located in the Hillside BOA are held by private owners (127 of 227 parcels). Within these areas, land use decisions will be made by private sector interests. However, a larger percentage of the overall acreage within the BOA is held in public ownership (55.4%). This publicly owned portion of the BOA is comprised of 81.8 acres across 84 parcels. Fifty-five parcels are owned by the City of Newburgh, a total of 39.1 acres, or 26.5% of the BOA. These parcels are in addition to transportation/roadway or rights of way (ROW) (31.2 acres). The remainder of the publicly owned land is owned by the City of

Newburgh IDA (<0.1 acres), Orange County (8.4 acres), Newburgh Public Library (1.7 acres), and the NY-NJ Palisades Interstate Park Commission (1.44 acres).

When looking at development potential, vacant properties are attractive because they do not require demolition of existing structures. Table 6 provides details on vacant properties by ownership category.

Table 6 Vacant Land by Ownership Type, Hillside BOA

Ownership	Acreage	Number of Vacant Parcels	% by Acreage
Total Vacant Properties	**49.2**	**79**	**100%**
Public (Local)	30.0	46	61.0%
Private	18.7	30	38.0%
Non-Profit	0.7	3	1.35%

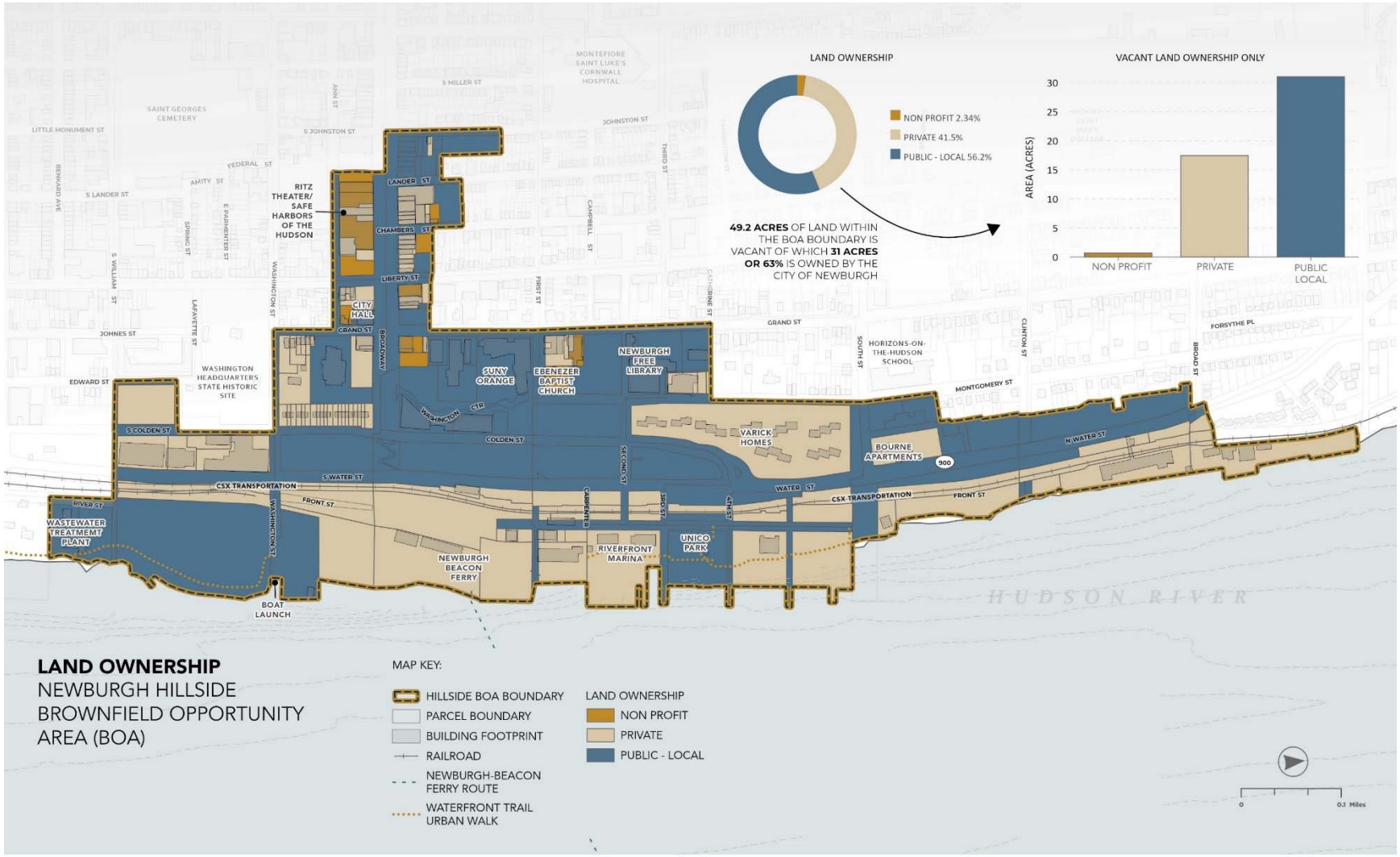
Source: NYS Tax Parcels Public, updated July 2023. Orange County 2023

When considering only vacant properties, the majority are publicly owned (46 of 79 parcels), and these parcels combine for a significant majority of the vacant parcel acreage (61%), as discussed in the Land Use section. Many of the vacant parcels are adjacent and could potentially be combined into larger redevelopment sites. Some vacant rights of way could also be leveraged, alone or in combination with other vacant sites to support the city's redevelopment objectives. proThe largest parcel is the 8.41-acre Consolidated Ironproperty owned by the City of Newburgh located along the waterfront at the foot of Washington Street and is zoned commercial with minor improvements.

Most of the vacant or underutilized land on the waterfront is privately-owned, including several adjacent parcels under common ownership that could potentially be redeveloped together. The city maintains rights of way that extend over the Hudson River that can be leveraged together with local laws (LWRP and zoning) to safeguard public access to the shoreline in privately-owned areas. The city owns the boat launch site and the former Consolidated Iron superfund site, which has been remediated and can be redeveloped in accordance with a site management plan and engineering controls (see Brownfields discussion).

Most of the Hillside area sites are publicly owned, except for 35 Broad Street, the northernmost parcel along Water Street. 35 Broad Street is under common ownership with the adjacent Regal Bag properties. City ownership of the Hillside gives the public greater control over decisions for Urban Renewal sites. However, it also poses a potential challenge for redevelopment. As the party responsible for the contamination, the City would be ineligible to receive state or federal brownfield clean-up funds. For these sites to be eligible to receive U.S. EPA clean-up funds, the City would need to transfer ownership to another public or a non-profit entity.

Vacant sites along Broadway are a mix of public and private sites. The largest cluster of public vacant land at the western edge of the BOA is not on Urban Renewal Land.



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 9 Land by Ownership Map, Hillside BOA

Building Inventory

Key Findings:

- The Hillside BOA contains approximately 135 buildings. Half were built before 1940 in more historic and sometimes ornate styles.
- Buildings built after 1954 are primarily residential developments and public facilities on Urban Renewal land.
- Six key buildings were identified for their reuse potential. The Dutch Reform Church (1835), Regal Bag Building (1844), City Club (1857), 112 Broadway (1900), Kreisel's Furniture Building (1932), and Public Safety Building (1978).

The building stock in the Hillside BOA reflects Newburgh's history as an industrial riverfront city that has been partially redeveloped following urban renewal and a decline in manufacturing. The Hillside BOA contains roughly 135 buildings of varying ages and styles.[8] Most buildings are brick and stone construction, with some smaller, timber frame residences. Approximately half were built prior to 1940 and Urban Renewal, often in more ornate architectural styles. The remaining half were constructed after Urban Renewal, typically in simpler, modern styles.

Approximately one quarter of buildings in the Hillside BOA were built between 1835 and 1896 and another quarter date from between 1900 and 1938. Most of these older buildings are located along the Broadway and Grand Street corridors, with a few on South Water Street and on the waterfront. They feature picturesque architectural styles such as Beaux Arts, Queen Anne, and Neoclassical and include both residential and commercial buildings as well as structures originally built for civic, benevolent, religious, or fraternal uses. Examples include a former city library, fire station, YMCA, masonic temple, labor union headquarters, labor and veterans clubs, and the Ebenezer Baptist Church. Older buildings on the waterfront include former warehouses and mills, such as the historic Steam Mills buildings.

The other half of buildings in the BOA were built between 1954 and 2001. These are primarily large public facilities and affordable residential developments built on Urban Renewal land. They also include a few metal warehouses and restaurants on the waterfront. Examples include the Newburgh Free Library, the Public Safety Building at 55 Broadway, SUNY Orange County Community College, the high-rise Bourne Apartment building, Varick Homes (23 two-story brick apartment buildings), and the Washington Place Townhomes (20 small, timber single-family townhomes).

[8] Public NYS Tax Parcels dataset hosted on the NYS GIS Clearinghouse containing 2022 parcel data from Orange County and 2022 Assessment Roll tabular data from the NYS Department of Tax and Finance's Office of Real Property Tax Services (ORPTS). Accessed January 2024 from . The year-built data and approximate building count was adjusted based on map data and field observations to account for parcels with multiple buildings or double lots with one building.

Key Buildings in the BOA

Buildings in the BOA were reviewed during site visits and desktop charettes for their reuse potential as well as their significance to the cultural and architectural character of the study area. Six buildings were identified as potentially underutilized properties that could be evaluated for their reuse potential.

The city-owned **Public Safety Building** located at 55 Broadway is a two-story structure built into the hillside below Grand Street measuring approximately 25,000 gross square feet. The 1.9-acre property has onsite parking and beautiful views of the Hudson River. The building was constructed in 1978 to house the City of Newburgh Police and Fire Departments. The east side of the building continues to be used as the Newburgh Police Department headquarters (Broadway entrance) and the west side is the Newburgh Fire Department headquarters, with 1-story above ground on 22 Grand Street. The building was built in 1978 and is in poor condition.[9] The low height and modernist architectural style contrasts with the buildings in the surrounding district. The attractive location and river views of the property present an opportunity to repurpose the site as redevelopment in the BOA progresses. In this scenario, the police and fire departments would be relocated to a new facility in a suitable location.

The **Dutch Reformed Church** at 134 Grand Street is the oldest building in the BOA. The Greek Revival building was designed by famous architect Alexander Jackson Davis in 1835 and operated as the Newburgh Dutch Reformed Church from 1837 to 1968. Since then, the building has been vacant and the focus of various preservation and restoration efforts. The church was listed on the National Register of Historic Places in 1970, saving it from demolition under the urban renewal program, and was designated a National Historic Monument in 2001. Small grants have funded stabilization work throughout the years, but the structure remains in very poor condition. The property is within the East End and Montgomery-Grand-Liberty Street Historic Districts.

At present, the property is owned by the City of Newburgh. The one-story, 55 feet high structure is fronted by an ionic order portico with four restored, 32-foot columns. The building is 5,700 gross square feet with a large hall (sanctuary) and full basement. The property has partial views of the Hudson River and is adjacent to residential and civic uses.

The privately-owned **Kreisel's Furniture Building** at 123 Broadway is a 2-story attached commercial row building notable for its Art Deco façade. Built in 1932, the brick and sandstone building was a furniture store through the 1970s, but has been vacant for decades. The building is approximately 15,000 gross square feet and extends to Ann Street. The building is listed in fair condition.

[9] Building condition information is based on field observations, Orange County Real Estate Property Data (accessed from Image Mate online property.data.oragnecountygov.com March 2024), and discussions with City of Newburgh staff.

The former **Regal Bag Building** at 302 Water Street is a large, 5-story, brick building on the shoreline of the Hudson River. The building was built in 1844 as part of the Newburgh Steam Mills manufacturing complex. The steam-powered cotton mill operated into the late nineteenth century. In 1910, the building became the headquarters of the Coldwell Lawn Mower Company. In the 1940s, the building was transferred to a handbag manufacturing company, later known as the Regal Bag Corporation. Regal Bag operated for several decades, first manufacturing, then distributing handbags. The building is eligible for inclusion on the National Register of Historic Properties.

In recent years the Regal Bag building has been used as studio and office space for artists, photographers, and wellness businesses, but the approximately 108,000 square feet industrial space is largely underutilized. The building is situated on Front Street on the banks of the Hudson, with parking and loading docks at ground level, and beautiful views of the river from all floors. The main entrance is via a walking bridge over the railroad line that connects Water Street to the top floor of the building. The Regal Bag complex, including the buildings on 302 and 310 Water Street, are privately owned and were sold to a new owner in 2024.

The **City Club** at 120 Grand Street is a vacant, commercial shell building constructed between 1852 and 1857. The City Club was originally the residence of local physician Dr. William A Culbert. The Second Empire style home was famously designed by architect and landscape designer Calvert Vaux in collaboration with landscape architect Andrew Jackson Downing. It is a contributing property to the Montgomery-Grand-Liberty Streets Historic District.

In 1891, the building was converted into the City Club, a gentlemen's social club. Beginning in the 1960s, the building also housed tenants, offices, and a law library. Many of the surrounding properties were demolished during urban renewal, but the City Club survived until 1981 when it was gutted by a fire. The fire destroyed the roof, third floor, and most of the interior. The remainder was stabilized with a steel structure and is a 2-story, 7,100 gross square foot brick shell building. The property is owned by the city and used for temporary art installations. There is a strong community desire to restore the building.

112 Broadway is a commercial row building on the corner of Chambers and Broadway. The three-story brick building is approximately 7,400 gross square feet and is listed on the tax assessment rolls in poor condition. Built in 1900, the building was the location of a popular bakery and restaurant for decades. Today, the building is vacant with boarded up windows. The property is privately owned and in 2025 was listed for sale as a weather sealed and structurally sound building with a newly framed out building that could be redeveloped for mixed use.[10]

[10] Renaissance Realty Cons Group real estate listing on Corcoran.com

Parks and Open Space

The BOA features a few public and recreational spaces. The City would like to build on these resources to enhance recreational opportunities, public realm amenities, and public access to the waterfront.

Key Findings:

- Parks and green space are limited in the BOA, but vacant land offers opportunities to expand recreational opportunities and green space public and private land.
- The rehabilitation of the Newburgh Landing public in Newburgh's deepwater bay offers an opportunity for expanded waterfront tourism.
- Unico Park is an important public and gateway asset on the waterfront.
- New trail connections within the BOA present opportunities to expand a local trail network with connections to local and regional attractions in the future.
- The Boat launch parking lot is underutilized in the off-season and could potentially host other uses.
- Vacant sites are being used as unofficial green space and redevelopment should incorporate a diversity of green, park, and recreational areas to serve residents.

Newburgh Parks

Unico Park and Newburgh Landing Park (Dock)

Unico Park is a two-acre City owned riverfront park located at 70 Front Street. It is the only developed public park on the waterfront and is considered an important recreational asset for the community. The park offers benches, picnic tables, and scenic views of the Hudson River next to the Newburgh Landing Dock. The tourism kiosk in the park posts local event flyers, provides maps and guides, and stocks information on local and regional tourist sites. Seasonal food vendors can be spotted around the park area during the warmer months. The park also acts as an outdoor flex/event space for concerts and exhibitions.

Newburgh Landing Park (Dock), a boat and fishing pier closed since 2014, has been fully redesigned and is in the final stages of securing funding for reconstruction. Once the dock is reopened, Unico Park will serve as complementary resource welcoming residents and visitors.

Newburgh Public Boat Launch (also known as Washington Street Boat launch)

The City of Newburgh Public Boat Launch is located at the foot of Washington Street and is open to the public from April until October. The boat launch offers the public a safe means to launch boats, canoes, and kayaks. The next closest boat launch is Cornwall and the site is very busy in the summer months. The launch has ample parking for a fee paid via a on-site meter. Daily passes are also available. Dining at nearby restaurants is also available and the site is accessible by bus. Fishing access is also provided at the site.

Starting in 2016, guided kayak tours of the Hudson River waterfront depart from the Boat Launch. Parking for vehicles and boat trailers is provided at the boat launch, along with a sitting area. The park is open daily from sunrise to sunset. Launch hours are seasonal; a fee is charged for launching all trailered boats, but not for "car-top" vessels.

The ramp also provides access to the river for participants in Hudson River fishing tournaments and is used for emergency response, rescue and retrieval purposes by authorized agencies, including the city's Police and Fire departments. Construction of the boat launch was undertaken with State funds provided through the New York State Department of Environmental Conservation (NYSDEC).

Downing Vaux Park

Located at the foot of Broadway and Colden Street is Downing Vaux Park. In 1902, Downing Vaux, the son of noted architect Calvert Vaux, was commissioned to create a scenic oasis on the hillside to increase pedestrian safety on the steep slope. The park is a small half-acre of green space in the center of the Hillside area. The site includes a tree lined green space, with benches and lighting and a walking path that provides access to Water Street. Though historic in nature, the park offers no amenities and is not a particularly functional or accessible feature.

Safe Harbors Green

Safe Harbors of the Hudson is a mixed-use, non-profit housing and arts redevelopment project. The project began in 2002 with the purchase of the Hotel Newburgh, a once proud destination, that had deteriorated over the years. The Safe Harbors Green has been developed into a fully accessible urban pocket park in the center of Newburgh's downtown. The Green serves as a cultural and social hub and a space for the organization's programming.

South Street Park

A waterfront park, pending construction, that has been designed and approved as a dedicated City park. The approximately half acre park is located at the terminus of Front Street. As planned, the park will contain an observation pavilion, benches, and a riverfront walkway for parkgoers to take in the Hudson River views. There will also be a seasonal dock and storage facilities for kayaks. The City recently opened up a connection under the rail line along South Street near the site.

Newburgh Trails

The Hillside BOA includes trails that provide access to and across the Newburgh waterfront and connection to City parks within the BOA. A detailed description of the city's trail networks within the BOA boundary is provided below.

Waterfront Trail Urban Walk

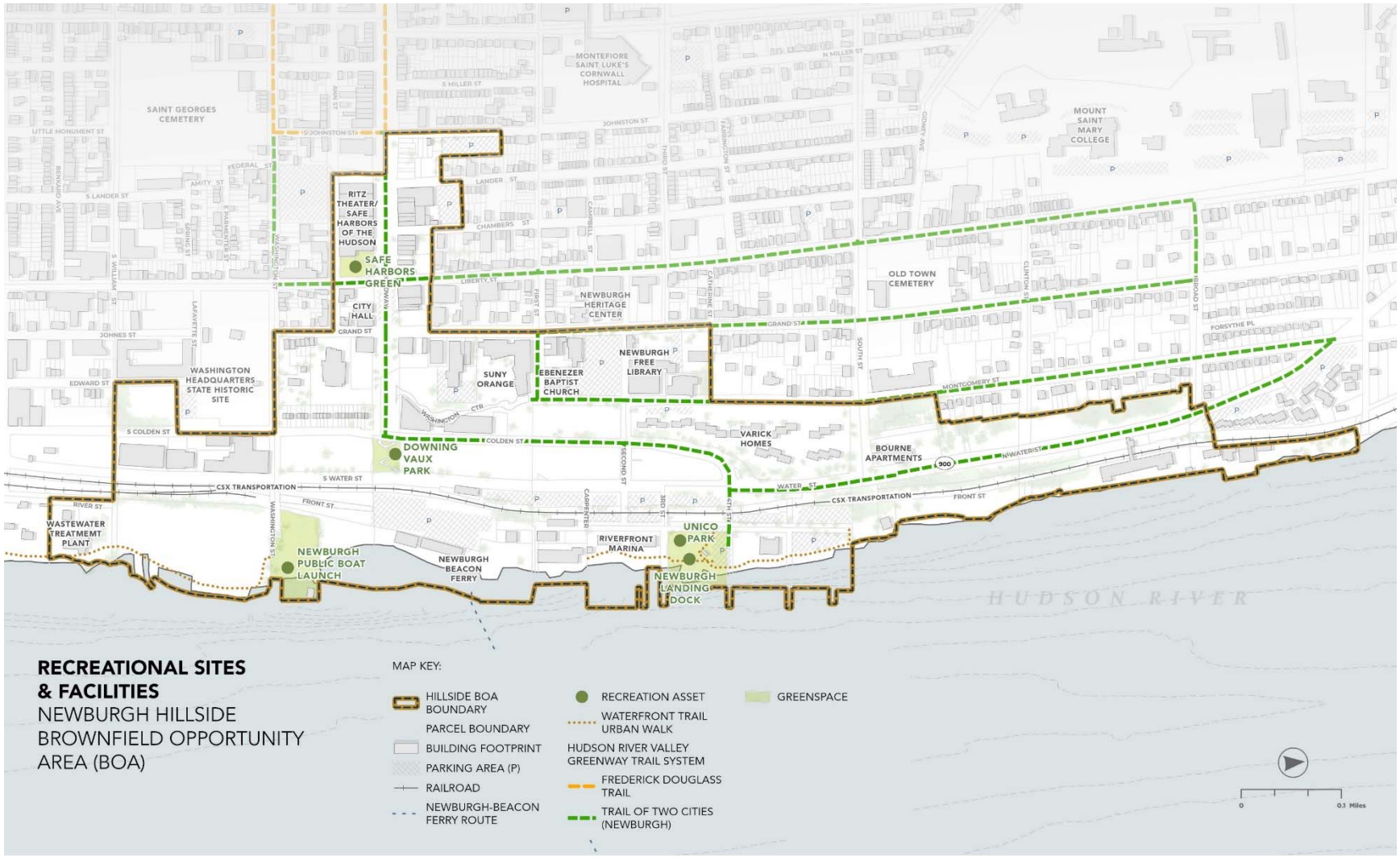
This trail runs along portions of the Hudson River, through the BOA. The trail however is not continuous through the BOA along the riverfront. A mile long stretch runs from Washington Street to Ward Brothers Park (See Figure X). The trail then resumes at Riverfront Marina and traverses some of Newburgh's waterfront recreational areas– including Unico Park and the Newburgh Landing Dock and then past several commercial uses where it terminates adjacent to a large parking lot.

Frederick Douglass Walking Trail

Part of the Hudson River Greenway Trail. A self-guided walk of sites in Newburgh steeped in African American history. The trail is mostly outside the BOA, traversing within the BOA for only several feet (see Table X below) near the intersection of Broadway and Johnston Street. Outside of the BOA boundary, tour stops along the trail include the Alsdorf School of Music and Dance, AME Zion Church, and Downing Park.

Trail of Two Cities (Newburgh)

The city is part of the Hudson River Greenway and is developing the waterfront as part of the Trail of Two Cities with the nearby City of Beacon. The trail is a non-motorized link between the City of Beacon and surrounding communities connecting the Beacon train station with the Newburgh Beacon Bridge via the Trail of Two Cities and future trail networks within the Town of Fishkill. The trail length within the Hillside BOA is 1.9 miles.



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 10 Recreational Facilities Map, Hillside BOA

Transportation

Transportation systems in the Hillside BOA include a CSX rail line that runs along the waterfront, freight and ferry water transportation on the Hudson River, trails, public transportation routes, and a road network that accommodates vehicles, bicyclists, and pedestrians on the sidewalks. Approximately five miles west of the Hillside BOA is Stewart International Airport, which is operated by the Port Authority of New York and New Jersey.

Key Findings:

- Low traffic streets, ample parking areas, and ownership of historic rights of way create opportunities for investments in bicycle and pedestrian infrastructure to increase foot-traffic.
- The city contains many significant regional transportation connections that could be leveraged to develop a transportation hub in the Hillside BOA.
- Providing welcoming and accessible pedestrian connections from the waterfront to Broadway will be essential to capitalize on waterfront visitation and revitalize the broader BOA.
- Publicly owned vacant land and rights of way provide a rare opportunity to incorporate varied attractive, multimodal infrastructure.

Road Network

The road network in the Hillside BOA is a grid system. Much of the original street system of The Hillside neighborhood was removed during Urban Renewal. The City of Newburgh owns the historic rights of way through the Hillside BOA. Therefore, opportunities to reconnect the grid to the waterfront exist in some places, particularly for non-motorized travel.

All roads within the Hillside BOA have a speed limit of 30mph. The most heavily trafficked road in the Hillside BOA is the north-south Water Street, or NYS Route 980T, which sees nearly 25,000 vehicles per day. Approximately 3% of Water Street's traffic are trucks. Broadway, which runs east-west has an annual average daily traffic (AADT) count of 15,580 vehicles between Colden St and Robinson Ave. Approximately 4% of Broadway's traffic is trucks. No other roads in the Hillside BOA have an AADT above 5,000 vehicles, indicating the road network primarily serves local traffic.

Expansive parking is available along Water Street and the waterfront. As redevelopment progresses, consolidating parking and/or building parking into the hillside would free up valuable waterfront land for higher uses.

Public Transportation

Transit Orange, which serves all of Orange County, is the major provider of bus transportation within the City of Newburgh. Bus routes in the Hillside BOA include the Newburgh Broadway West and East, Newburgh Crosstown North and South, Newburgh Northside, and Newburgh Southside. Several Transit Orange routes converge at the intersection of Broadway and Liberty St, which acts as a transit hub within the Hillside BOA.

The Newburgh Southside Route serves as a connection to the Newburgh-Beacon Ferry and provides a direct connection to the MTA's Beacon train station. The ferry operates on weekdays during commuting hours (approximately between 5:30AM to 8:30 AM, and 6:00PM to 9:00PM) and serves as an important connection to the Metro North rail line to New York City. The Newburgh community is highly interested in weekend ferry service to expand tourism connections to the east bank and New York City.

Additionally, a private operator, Leprechaun Lines, provides a shuttle service between the City of Newburgh, the Beacon train station, and Stewart International Airport. The shuttle makes several stops within the City of Newburgh including a stop at the intersection of Broadway and Liberty St.

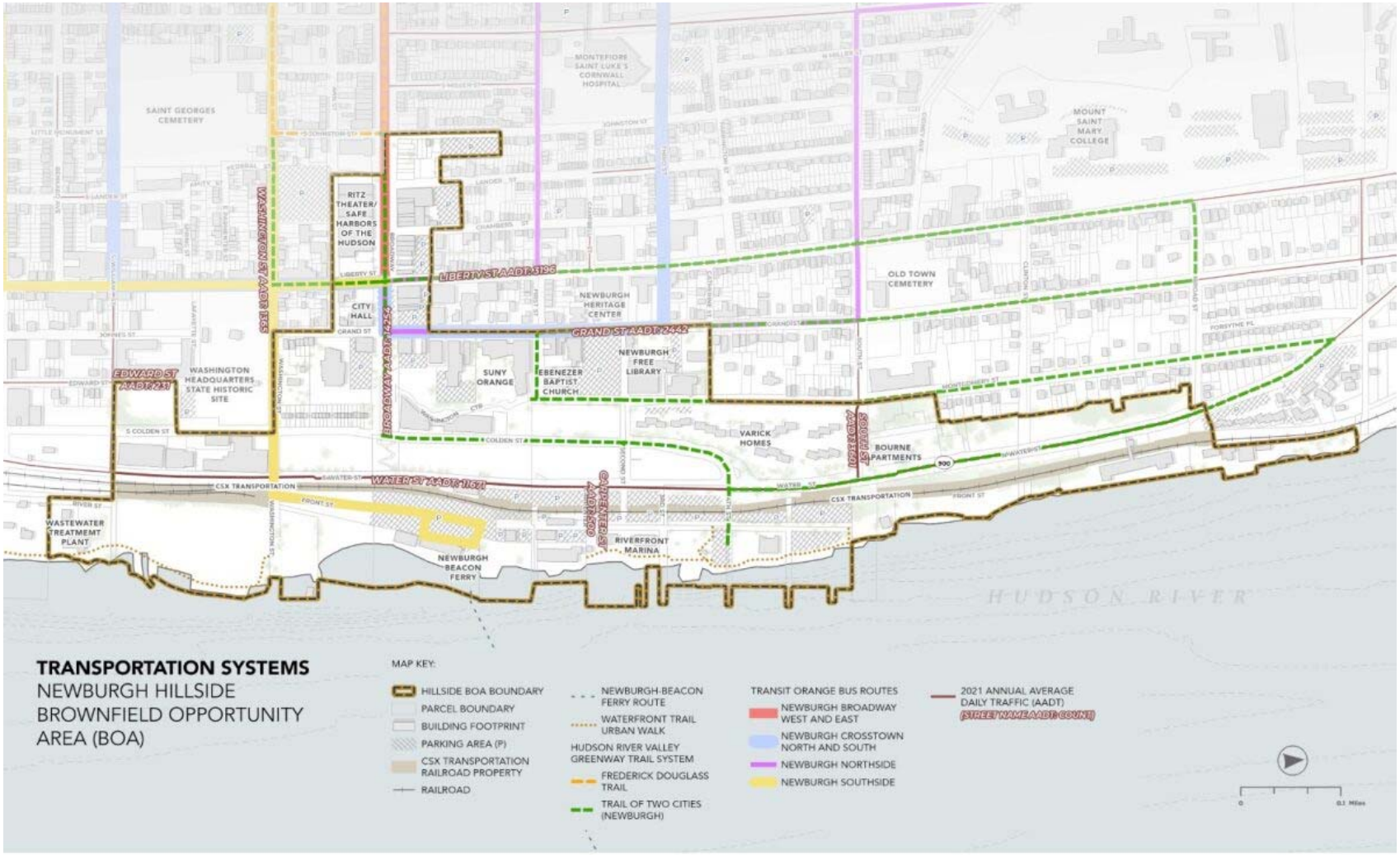
Ulster County Area Transit (UCAT) also operates a bus line from the City of Newburgh to the Village of New Paltz. UCAT makes a stop on Water Street (Colden Street) on its way to and from New Paltz. This is a useful connection for City of Newburgh residents who are also students at SUNY New Paltz.

SUNY Orange also runs a shuttle between its main campus in Middletown and its City of Newburgh campus on Grand Street. The shuttle operates several times a day Monday through Friday during the fall and spring semesters.

Bicycle and Pedestrian Transportation

Newburgh's roads contain a robust sidewalk network to accommodate pedestrian travel. However, inconsistencies in sidewalk materials and conditions may present challenges for those with mobility issues. The City has adopted streetscape standards into its zoning, incorporating aspects of Complete Streets and Green infrastructure as part of regular maintenance and new development. The City is actively working to improve sidewalk conditions while advancing beautification and sustainability goals. These efforts are most prominent on Broadway, where recent projects have created curb bump outs to shorten crossing distances and improve pedestrian safety. The City has invested in improving pedestrian connections to the waterfront. By leveraging historic rights-of-way, the City has created new connections between Water Street and Front Street under the CSX rail line.

In addition to the City's sidewalk network, several pedestrian-only paths create important, low-stress connections between destinations. A footpath between Broadway and Water St provides a pedestrian connection with scenic views of the Hudson River. The Waterfront Trail Urban Walk connects several important waterfront businesses and extends south beyond the BOA boundary. The Frederick Douglass Trail and Trail of Two Cities run along many of the roads in the Hillside BOA, guiding pedestrians past the City's many historic sites.



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 11 Transportation System Map, Hillside BOA

Many of the City's roads have low traffic volumes which are ideal for accommodating bicycle transportation; however, there is no dedicated bicycle infrastructure. Water Street, or NYS Route 980T, is designated as NYS Bike Route 17 but lacks dedicated bicycle infrastructure. Bicycle parking areas, dedicated bicycle lanes, traffic calming, and signage should be considered to encourage bicycling within the Hillside BOA. Additionally, several regional trail projects on the east side of the Hudson River that could be connected to bring visitors to the Hillside BOA. These connections would also serve commuters without vehicles that need to reach the Beacon Train Station during hours the Newburgh-Beacon ferry is not in operation.

Infrastructure

Key utility and infrastructure system components include energy supply and use, public drinking water, sewer systems, stormwater management, solid waste management, communications infrastructure and parking.

Key Findings:

- Newburgh's waterfront area has robust public infrastructure and utility systems to support future development.
- The city is under a consent order to implement a Long Term Control Plan by 2030 to reduce combined sewer overflow events.
- Integrating green infrastructure into redevelopment can further reduce stormwater runoff.
- The North Interceptor sewer upgrade project completed in 2024 removed a key barrier to development for properties in the Hillside area.
- There is a need to bridge the digital divide in underserved areas in terms of challenges with affordability of and access to internet and wireless service.

Energy Supply and Use

As an urban and commercial/industrial area, the BOA has ample access to natural gas and electrical services. There are electrical transmission lines throughout the BOA connecting businesses to the transmission network. The Montgomery Street Substation, located adjacent to the Newburgh Free Library on Mongomery Street, is affiliated with Central Hudson Gas and Electric and is within the BOA. The BOA has ample energy infrastructure to accommodate increased development.

Public Drinking Water

Newburgh's water system serves approximately 30,000 people through 6,675 service connections. There are more than 75 miles of water mains ranging from 4 inches in diameter to 30 inches in diameter. There are more than 800 fire hydrants and approximately 3,500 gate valves to turn off water mains in cases of water main breaks or other emergency situations. The daily average of water treated and distributed in 2023 was 3.293 million gallons and the highest single-day production was 4.106 million gallons. The amount of drinking water delivered to customers in 2023 was approximately 1.2 billion gallons. There are no capacity or water pressure issues anticipated in the BOA.

The City of Newburgh primarily obtained its water from the city-owned reservoir at Washington Lake until May 2016, when per and polyfluoroalkyl substances (PFAS) were discovered in the reservoir water. More stringent PFOS and PFOA contaminant level goals were imposed by the United States Environmental Protection Agency and the New York State Department of Health.

Since May of 2016, the City of Newburgh has relied on its backup supplies of water coming from the New York City Catskill Aqueduct tap and nearby Brown's Pond. Construction of a permanent piped connection between the Catskill Aqueduct and the City of Newburgh's pump station was completed and became operational at the end of December 2016. A fill-pipe from the Catskill Aqueduct to Brown's Pond was also installed by NYSDEC in the Spring of 2017 which allows the City of Newburgh to fill Brown's Pond when necessary.

Sanitary and Combined and Separate Sewers

The City of Newburgh's Sewer Department, a division within the Public Works Department, is responsible for operation, maintenance, and repair of the City's sewer collection system. The combined sewer collection system consists of both combined sewers and separate sewers with mains ranging in size from four inches to seventy-two inches. A combined sewer collection system collects rainwater runoff, domestic sewage, and industrial wastewater into one pipe. Normally, the combined sewer can transport all the wastewater to a wastewater treatment plant to receive treatment before discharge to surface waters. However, sometimes the amount of combined stormwater flow and sanitary sewer flow exceeds the capacity of the system. Combined Sewer Outfall numbers 4 through 11, are located along the waterfront (Figure X) within the Hillside BOA boundary. When combined sewer flows exceed system capacity (e.g. following heavy rainfalls or snow melts) diversion structures that were constructed in the 1960s are used to bypass excess flows to surface waters without receiving treatment. The combined sewer that discharges through these outfalls is controlled by various sewer regulator structures and diversion manholes located along the east side of the city. Diversion manholes A, B, C & F, and sewer Regulator No.'s 4, 5, 6, 7, 8, & 9 divert combined sewer to various outfalls along the Hudson River within the BOA boundary.

Combined sewer overflows are regulated by both the USEPA and NYSDEC. The City is under a consent order with NYSDEC entered into in 2016 to implement a Long Term CSO Control Plan (LTCP) which consists of a series of phased infrastructure projects required to be constructed over a 15-year timeline with the goal to reduce the frequency and duration of combined sewer overflows by 2030. Complementary green infrastructure such as rain gardens and tree lawns can also reduce stormwater runoff. Steep slopes and urban fill may reduce infiltration rates in the Hillside BOA for green infrastructure, but could potentially be incorporated into new development, for example, through bioswales and green roofs.

The city also owns and operates eight sewage pump stations within this collection system. The Town of Newburgh also contributes flow to the City's collection system at several metered locations. All sewer flows are directed towards the City's Wastewater Treatment Plant - located

partially within the BOA on the southern end - for treatment before discharge to the Hudson River.

In October 2024, the city completed a $32 million North Interceptor Sewer Improvement Project that completely replaced and realigned the sewer interceptor underneath Broadway, Colden Street, and other streets in the Hillside. The project advanced the LTCP and addressed a key barrier to development in the Hillside area by updating and increasing its wastewater infrastructure and capacity. The project was supported with funding from NYSDEC, U.S. EPA, the federal Bipartisan Infrastructure Law and American Rescue Plan as well as the Environmental Facilities Corporation's Clean Water State Revolving Fund.

Solid Waste Management

Solid waste management includes the collection, transport, processing, recycling disposal, and monitoring of waste materials, or trash, produced by human activity. The Sanitation Division in the City of Newburgh is responsible for the collection and disposal of garbage, trash, refuse and recyclables throughout the City and within the BOA. The Sanitation Division is responsible for the enforcement of all ordinances and regulations relating to the collection, carting and disposal of garbage, trash, refuse and recyclables. There are no known solid waste capacity issues within the City of Newburgh.

Communications

Internet and wireless phone service is available throughout the City of Newburgh, including the BOA. Internet providers in Newburgh include Spectrum, Earthlink, Verizon, Hughesnet, Viaset and T-Mobile. In addition, there are fiber optic lines that have been run through area of the City and currently many wireless service providers servicing the Newburgh area. Cable service is also provided by Spectrum, Dish, Direct TV and Verizon.

The challenge in Newburgh as in many municipalities throughout NYS is to affordably expand wireless service to close the "digital divide" by increasing internet access and usage throughout the City of Newburgh.

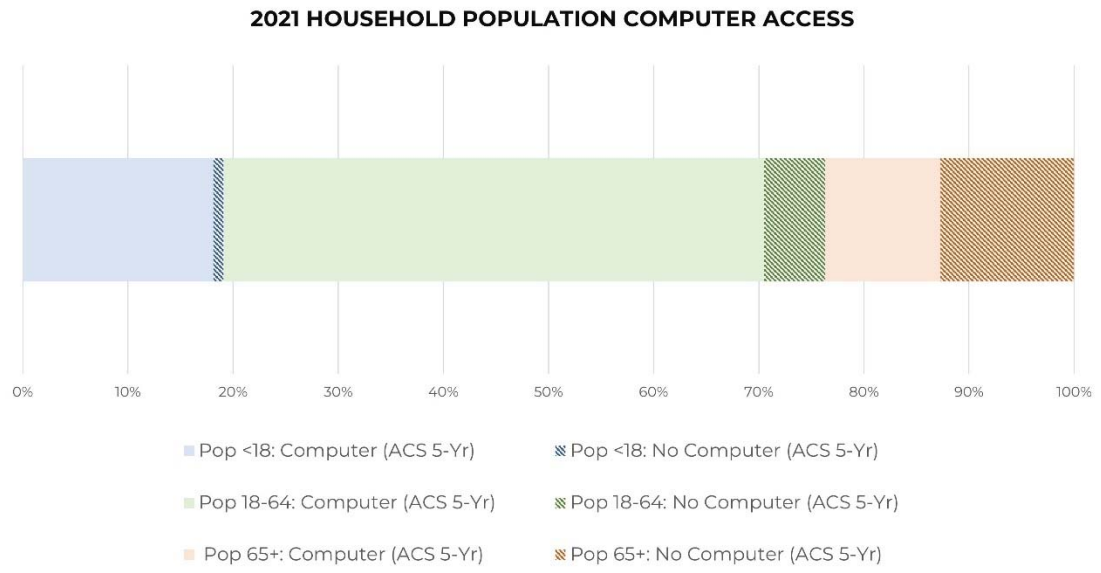
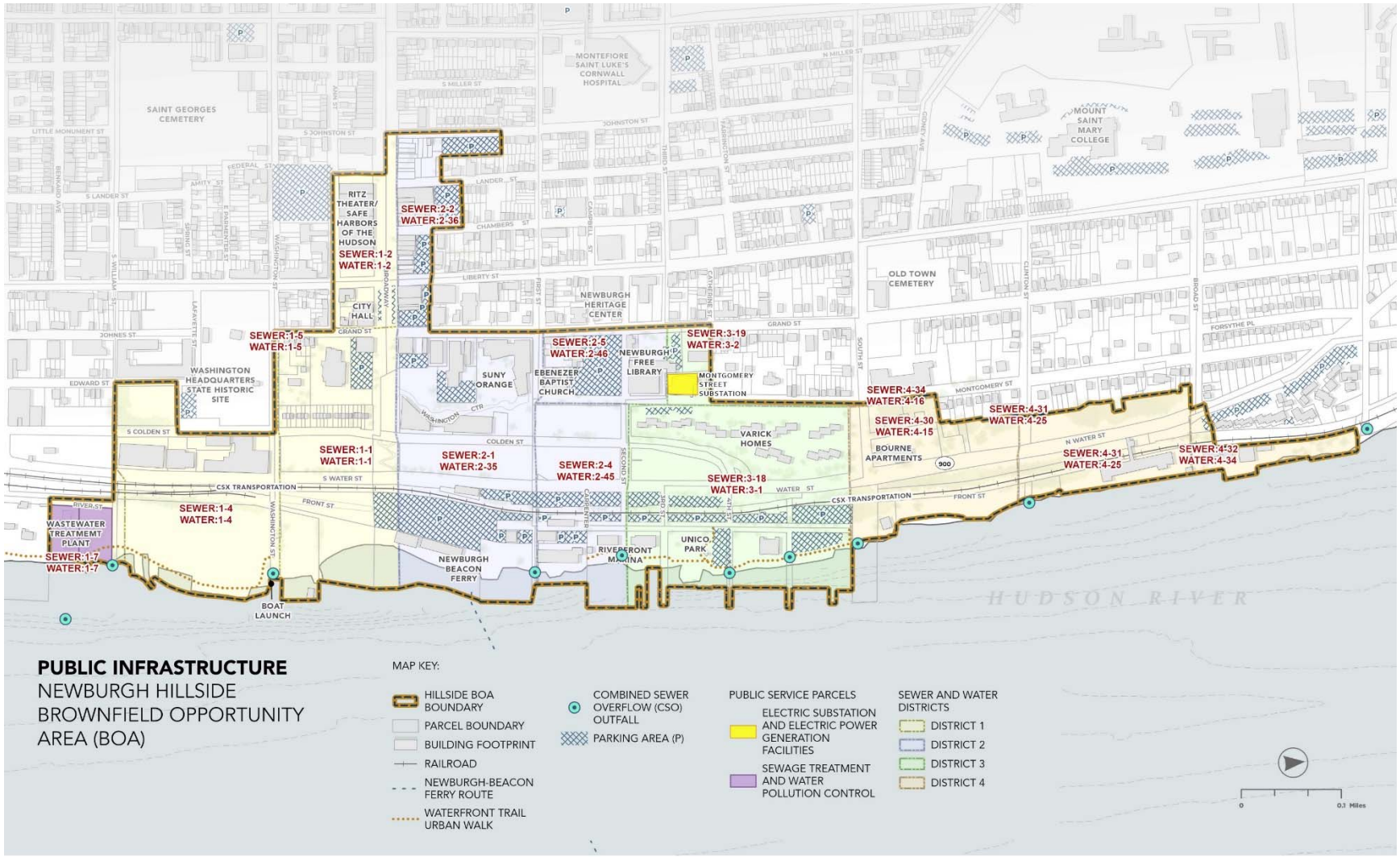


Figure 12 Household Computer Access

Parking

At present, parking in the Hillside BOA may be adequate. Several of the commercial properties within the BOA contain private parking areas. In addition, there are some large public surface parking areas. There is also on-street parking throughout the BOA available as well. In total there are almost 11 acres utilized and designated as "parking lot" located within the BOA (see Figure X), which is more land than is allocated for public services within the BOA. There are no EV charging stations in the City of Newburgh



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Figure 13 Public Infrastructure Map, Hillside BOA

STRATEGIC SITE ANALYSIS

Brownfield, Abandoned, and Vacant Properties

As discussed in Section 1, a goal of the BOA program is to reactivate abandoned, vacant, and underutilized properties, some of which might be classified as brownfields or brownfield sites.

> "**Brownfields**" are defined by the NYSDOS BOS program as properties where real or perceived contamination complicates redevelopment.
>
> A "**Brownfield site**" is a legal term for any real property where a contaminant is known to be present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations (New York Consolidated Laws, Environmental Conservation Law - ENV § 27-1405).

Key Findings:

- There are 22 brownfields in the Hillside BOA, covering 56 parcels and 52.05 acres (35%) of the study area
- Phase 1 Environmental Site Assessments (ESA) of four of the brownfields found a low possibility of contamination.
- Six are brownfields have known contamination. Five of these may require clean-up prior to redevelopment and one is a remediated Superfund site that can be redeveloped for limited uses according to a site management plan.
- Phase I and/or Phase II ESAs are recommended for the remaining brownfields to determine the likelihood of contamination on site and potential clean-up needs.
- Brownfields in the Hillside BOA are potentially eligible for additional Environmental Zone tax credits through the NYS Brownfield Cleanup program (BCP).

Brownfields can deter potential investments and lead to declining property values. However, community-driven revitalization plans can play a crucial role by outlining the necessary steps for remediation, marketing, and redevelopment that aligns with the community's vision. In addition, properties within a BOA may become eligible for tax credits as well as other financial and technical support that would make redevelopment projects more viable.

The City of Newburgh and BOA project team reviewed a list of vacant and underutilized properties with known or potential contamination within the study area. The analysis identified a total of 56 individual brownfield parcels. Similar, adjacent properties that would likely be redeveloped as one site were grouped together, resulting in a total of **22 brownfields** (Figure x). The 22 brownfields cover a combined area of 52.05 acres, or 35% of the Hillside BOA. These

properties do not pose any immediate threat to the public, but may need an Environmental Site Assessment (ESA) and/or remediation prior to redevelopment.

A desktop analysis of brownfields was conducted during the BOA planning process by Environmental Design & Research (EDR). In addition, HRP Associates (HRP) conducted several Phase I and Phase II ESAs within the BOA in 2024 with funding from a U.S. Environmental Protection Agency (EPA) Brownfields grant administered by Safe Harbors of the Hudson. HRP and EDR partnered to share data and coordinate public outreach for the two complementary efforts through 2024 and 2025. As a result, a more in-depth level of analysis was available to inform this BOA nomination study.

The desktop and Phase I ESAs used publicly available environmental and land use records from federal, state, and local environmental records, including:

- Library of Congress Sanborn Fire Insurance Map Collection, 1884 to 1950,
- USEPA Cleanups in My Community Brownfield Property Profiles
- NYSDEC Spill Incidents Database, 1978 to present,
- NYSDEC Remedial Site Database,
- NYSDEC Bulk Storage Database,
- NYSDEC DECinfo Locator,
- Orange County Geographic Information Systems
- Orange County Real Property System data and, tax maps
- Newburgh Heritage Collection,
- Historic aerial and street photographs,
- Visual surveys and interviews with City staff

In addition, the BOA project team obtained data from Phase II ESAs completed in 2024 by HRP. The Phase II assessments analyzed soil samples from four brownfields in the Hillside BOA for harmful contaminants that could present a barrier to development. In November 2024, Safe Harbors of the Hudson, Inc. requested additional assessment funding from the U.S. EPA complete additional site assessments and prepare Hillside sites for remediation and future development.

Profiles for each brownfield were created with the land use and environmental history of each parcel, any potential contamination concerns, and the current use(s) and features of the property. The 22 brownfields were then ranked on a scale of zero to three based on the likelihood of contamination on site. A summary of the environmental assessment findings is provided below and in Table X and Table Y). More detailed summaries can be found in the Brownfield Profile Forms in the Appendices.

Table X. Likelihood of Contamination of Brownfields in the Hillside BOA

Environmental Ranking		Brownfields in the BOA
0	No evidence of existing environmental conditions was identified in the desktop review.	Four brownfields have a low possibility of contamination based on past uses on the property. They total five parcels and 2.72 acres.
1	Potential contamination due to prior or current uses on site including industrial uses or bulk storage of petroleum and/or hazardous substances in tanks above or below ground.	Eleven brownfields were found to have potential contamination based on prior uses and activities on the property. They total 20 parcels and 30.6 acres. Phase I and/or Phase II ESAs are recommended prior to redevelopment to determine if contamination is present and if site clean-up is needed.
2	Property is associated with open or closed spills and/or leaking underground storage tanks.	One brownfield is associated with multiple open and closed petroleum spills since 1978. The brownfield is 18 parcels and 1.8 acres, however only two parcels are affected. A Phase II ESA is recommended prior to redevelopment to determine if site clean-up is needed.
3	Contaminant is known to be present at levels exceeding environmental standards. Includes superfund sites with site management plans.	Six brownfields totaling eight parcels and 16.9 acres have known contamination based on Phase II ESAs. One is a NYSDEC State Superfund site with a record of decision (ROD) that has been remediated, covered, and is subject to a site management plan.

Table X. Brownfields in the Hillside BOA, by suspected level of contamination

No.	Address	Parcel No.	Acres	Notes from 2024 BOA and/or U.S. EPA Brownfields Assessment
Brownfield – 0 Environmental Ranking				
12	182 Water Street 248 Water Street	12-6-4 10-4-3	1.38	Phase I Environmental Site Assessment (ESA) conducted in 2024 indicated a low possibility of contamination on site based on historical data.
14	148 Water Street	19-7-23.1	0.40	
16	134 Grand Street	19-1-25	0.73	
19	133 Broadway	36-6-5	0.21	
Brownfield – 1 Environmental Ranking				

1	35 Broad Street	10-3-2.22	2.59	Phase I ESA conducted in 2024 indicated potential for petroleum products and/or hazardous substances on site based on prior uses and fill conditions. Phase II ESA recommended.
2	207 Water Street Rear 207 Water Street 209 Water Street 215 Water Street Clinton Street Right of Way	12-3-4 12-3-2.1 12-3-3 12-3-1.2 10-3-36	1.81	Phase I ESA conducted in 2024 indicated that prior uses and potential site-wide fill materials may have impacted soil or groundwater conditions. Phase II ESA recommended.
3	110 Grand Street	24-11-8	1.71	A desktop analysis in 2024 indicated the potential for contamination on site based on prior uses and fill conditions. A Phase I ESA is recommended.
4	2 Montgomery Street	24-10-1.2	1.82	A Phase I ESA conducted in 2024 indicated the potential for contamination on site based on prior uses and fill conditions. A Phase II ESA was conducted.*
9	1 Lafayette Street	40-4-1	1.44	A Phase I ESA conducted in 2024 indicated that past industrial uses and fill materials may have impacted soil and groundwater onsite. A Phase II ESA is recommended.
11	1 Clinton Street 2 Clinton Street 272 Water Street 304 Water Street 302 Water Street 310 Water Street	12-6-1.1 10-4-6 10-4-2 10-4-1 10-4-5 9-6-3	7.32	A Phase I ESA conducted in 2024 indicated potential metals, PAHs, and asbestos. Phase II ESA recommended.
13	137 Smith Street 140 Montgomery Street 146 Montgomery Street	12-4-4.1 12-4-10 12-4-2.1	1.14	A Phase I ESA conducted in 2024 indicated potential metals, PAHs, and asbestos. Phase II ESA recommended.
15	Parking lot on Water Street between 4th and 3rd Street	N/A	4.82	A desktop analysis in 2024 indicated possible contamination on site due to prior uses and fill. Phase I ESA recommended.
17	120 Grand Street	24-2-17	0.13	Phase I assessment conducted in 2024 indicated potential metals, PAHs, and asbestos. Phase II ESA recommended.
20	91 Broadway	37-1-1	0.23	Phase I assessment conducted in 2024 indicates potential metals, PAHs, and asbestos. Phase II ESA recommended.

21	2 Washington Street 4 Washington Street 29 S Water Street 2 Front Street	37-4-3 37-4-2 31-5-13.2 31-5-14	7.62 land (2.90 acres water)	Former Railyard. Phase I assessment indicates potential metals, PAHs, asbestos, VOCs, pesticides/herbicides. Phase II ESA recommended.
Brownfield – 2 Environmental Ranking				
10	132 Broadway 136 Broadway 138 Broadway 140 Broadway 142 Broadway 142A Broadway 144 Broadway 146 Broadway 148 Broadway 6 Johnston Street 10 Johnston Street 12 Johnston Street 14 Johnston Street 16 Johnston Street 18 Johnston Street 6 Lander St 8 Lander St 14 Lander St	30-3-24 30-3-25 30-3-26 30-3-27 30-3-28 30-3-29 30-3-30 30-3-31 30-3-32 30-3-33 30-3-34 30-3-35 30-3-36 30-3-27 30-3-38 30-3-23 30-3-22 30-3-21	1.8	A Phase I assessment conducted in 2024 found multiple open and closed petroleum spills associated with 8 Lander Street as well as historical uses and tanks associated with 8 and 14 Lander Street which may have impacted soil and groundwater. Phase II ESA recommended.
Brownfield Sites – 3 Environmental Ranking				
5	81 Water St	24-3-1.1	1.47	Known contamination. Phase I and Phase II ESAs were conducted in 2024. Past uses and subsequent demolition have impacted the surface and subsurface of the site with contamination and potentially unstable fill material that will likely need to be managed prior to redevelopment.
6	1 Water St 57 Water St	24-7-1 24-8-1	1.83	
7	2 Colden St	31-3-3.1	2.66	
8	94 S Water St	37-3-1.1	2.10	
18	10 Chambers St 151 Liberty St	30-5-21.1 30-5-21.2	0.43	Known contamination. 2018 U.S. EPA funded Phase II ESA found metals, VOCs, petroleum products in the soil and groundwater. EPA Registry ID #110070556209.
22	Consolidated Iron and Metal Site 1 Washington St	40-3-3	8.41	Known contamination. NYSDEC Site #336055 State Superfund Class 4 #B00038 ERP. U.S. EPA Superfund National Priorities List site ID #NY0002455756. Contaminated soil and groundwater. Site has a cover and management plan.

Brownfields with known contamination

The vacant **Consolidated Iron and Metal Superfund site** at 1 Washington Street was a car and scrap metal junkyard from the mid-1950s to 1999. Operations on site contaminated the soil with cadmium, lead, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, polychlorinated biphenyls (PCBs), and metals. VOC contamination was also found in the groundwater. The 2006 U.S. EPA record of decision (ROD) called for the removal of six feet of contaminated soil, which would allow for limited redevelopment in accordance with a site management plan. The U.S. EPA completed remediation activities and placed a cover on site in 2010, however contamination remains. Institutional controls are in place to protect public health. These include an environmental easement and U.S. EPA site reviews every five years. The site owner must also follow a site management plan. The plan restricts excavation and construction activities as well as groundwater usage that could result in the exposure of people or the environment to harmful contaminants. Future uses are restricted to residential, commercial, and industrial use provided the Engineering and Institutional controls and the environmental easement are followed. The site is classified as properly closed, requiring management (NYSDEC Class 4) but no further remedial action (U.S. EPA Class N).

151 Liberty Street was previously a gasoline station, until ownership transferred to the City of Newburgh through tax foreclosure. The site is currently vacant. A Phase II ESA completed in July 2018 through the U.S. EPA Targeted Brownfields Assessment (TBA) program found contamination from metals, petroleum products, and VOCs affecting soil and groundwater on site. The site also has four known underground storage tanks (USTs) and ground penetrating radar indicated there may be another three underground structures. The site would require remediation prior to redevelopment.

Phase II Environmental Site Assessments conducted at four sites on the Hillside in 2024 showed surface and subsurface contamination exceeding environmental standards. Prior to Urban Renewal, **81 Water Street, 57 Water Street, 2 Colden Street,** and **94 S Water Street** were part of a downtown district with commercial and mixed-use buildings. Demolition practices at the time did not follow modern environmental standards. Borings and an analysis of soil samples indicated that historical mixed-use and subsequent building demolition have impacted soil quality and clean-up would be required prior to reuse. Urban Renewal also left urban fill materials throughout the site which may not be suitable for supporting structures, presenting a potential barrier to redevelopment. In November 2024, Safe Harbors of the Hudson, Inc. requested additional funding from the U.S. EPA to complete additional site assessments and prepare Hillside sites for remediation and future development.

En-Zone Tax Credits

The New York State Department of Labor's State Data Center designates Environmental Zones (En-Zones) in which Brownfield Cleanup Program (BCP) tax credits are enhanced. The most recent five-year American Community Survey from the U.S. Census Bureau is used to designate tracts that meet the En-Zone requirements of either type:

Type A: census tracts with a poverty rate of at least 20 percent and an unemployment rate of at least 125 percent of the New York State unemployment rate, or

Type B: a poverty rate of at least double the rate for the county in which the tract is located.

The entire BOA is designated as an En-Zone and a Disadvantaged Community (DAC), which could lead to additional tax credits for these properties if they are accepted into the BCP. Based on the latest ACS 5-year data, the area north of Broadway meets the En-Zone Type A and Type B criteria. South of Broadway, the BOA is a Type B En-Zone.

[Underutilized Sites Location Map – all brownfield / underutilized / vacant with strategic sites marked]

Strategic Sites

Following a review of vacant, underutilized, and brownfield properties in the BOA, the City and Steering Committee identified ten strategic sites for redevelopment. Strategic sites are properties whose redevelopment could serve as a catalyst for area-wide change. The Steering Committee identified the following sites that met several of the selection criteria listed in Table X.

1. **Hillside North 1**, 35 Broad Street
2. **Hillside North 2**, 215, 209, 207, 207 rear Water Street and the Clinton Street right-of-way
3. **110 Grand Street**, 110 Grand Street
4. Hillside at 2 Montgomery Street, 2 Montgomery Street
5. Hillside and 4th Street, 81 Water Street
6. **Hillside and 2nd Street**, 57 and 1 Water Street
7. Hillside and Broadway North, 2 Colden Street
8. Hillside and Broadway South, 94 South Water Street.
9. **1 Lafayette Street,** 1 Lafayette Street
10. **Mid-Broadway,** 132, 136, 138, 140, 142, 142a, 144, 146, and 148 Broadway; 6, 8, and 14 Lander Street; 6, 10, 12, 14, 16, and 18 Johnston Street

These sites may require additional upfront costs to develop. However, they have an attractive location and their revitalization could have a significant, positive impact on the Hillside neighborhood and broader Newburgh community. The Strategic Sites comprise 32 parcels and 19.21 acres, or 34.95% of the total BOA.

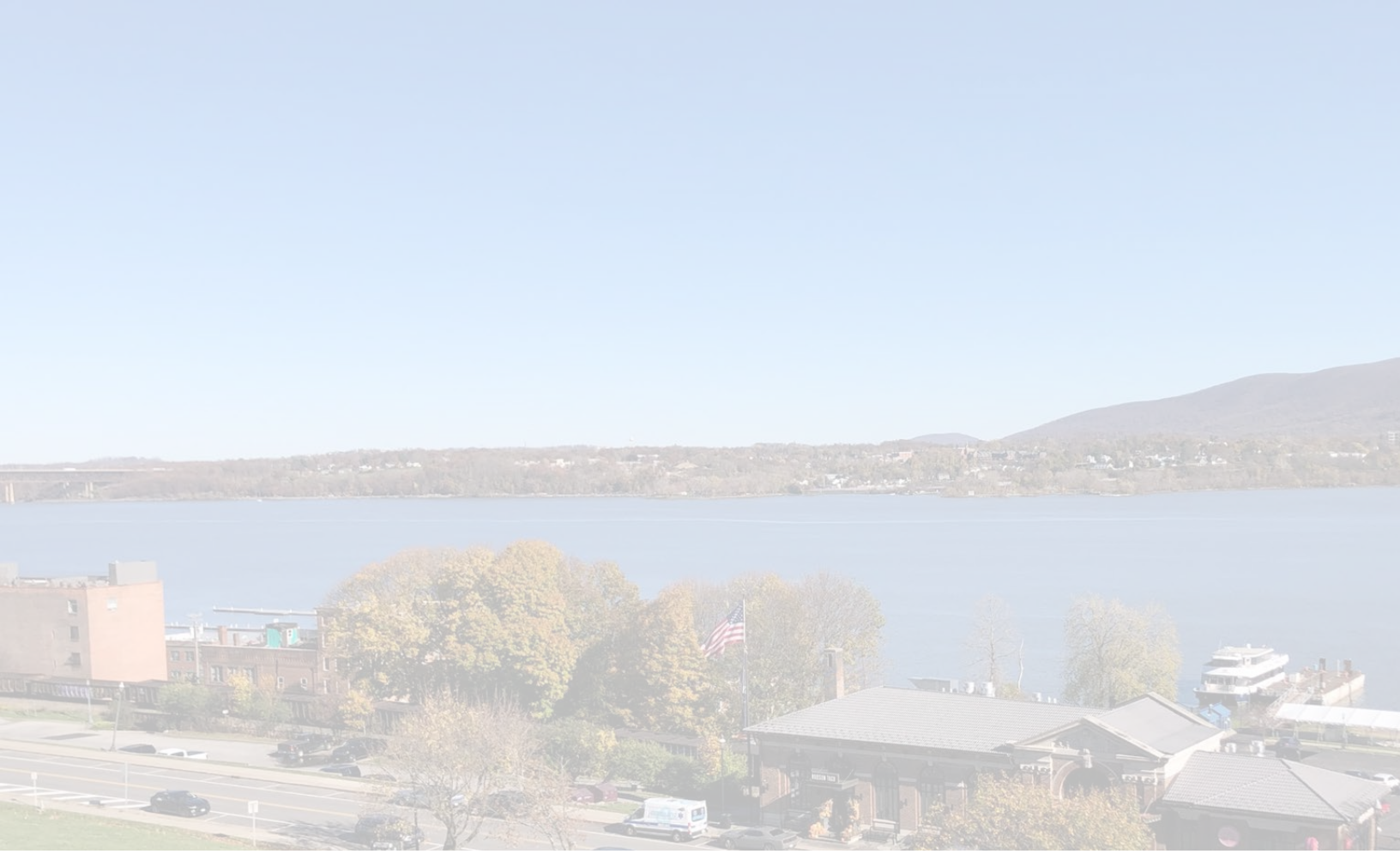
Strategic sites are discussed in more detail in the Section 4.

Table X. Strategic Site Selection Criteria and Applicable Sites

Selection Criteria	Applicable Strategic Site									
	1	2	3	4	5	6	7	8	9	10
Former Urban Renewal land	✓	✓	✓	✓	✓	✓	✓	✓		
Vacant or underutilized property (e.g., parking)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brownfield which may require additional costs for environmental investigation and/or remediation	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Redevelopment or revitalization would have a significant impact on the community	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Redevelopment would promote connectivity between the waterfront and downtown				✓	✓	✓	✓	✓		

High potential to advance the community's vision and goals if redeveloped	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Publicly owned		✓	✓	✓	✓	✓	✓	✓	✓	✓
Highly visible location, on the Broadway Corridor or Hudson Waterfront	✓	✓			✓	✓	✓	✓	✓	✓
Valuable property attractive for redevelopment (e.g., with views of the Hudson River)	✓	✓	✓	✓	✓	✓	✓	✓	✓	

***except 14 Johnston, which is privately owned with a shell building*



Section 4: KEY FINDINGS, RECOMMENDATIONS, AND IMPLEMENTATION STRATEGY

4.1 SUMMARY OF FINDINGS AND RECOMMENDATIONS

Summary of Findings

The findings of the Hillside BOA Inventory and Analysis (Section 3) are summarized below.

Hillside BOA Redevelopment Potential

The Hillside BOA's natural and geographic setting provides an attractive and highly marketable area for redevelopment. The BOA is the center of Newburgh's waterfront, with 1.5 miles of shoreline and a deepwater port. The sloping terrain provides beautiful, panoramic views of the Hudson River and Hudson Highlands. The redevelopment area is located in a walkable, urban area, between a commercial waterfront and a historic downtown district, near several employers, attractions, and community anchors. The BOA is a few hours north of New York City and well connected by air, water, metro, road, and rail.

The Hillside is appropriate for a variety of residential, commercial, and mixed-use development with the opportunity to pair complementary uses and sites. There is a strong market demand for all housing types, including apartments, affordable housing, and multi-family homes. Commuter patterns suggest there is an opportunity to market a 15-minute neighborhood with jobs, housing, services, and entertainment to white-collar employees that commute into Newburgh as well as to current residents commute outside of the city to service and blue-collar jobs. A mixed-use, mixed-income district could attract professionals working in Newburgh to move into the city, creating more demand for local services, and bolstering the local tax base. The district could also provide more affordable housing for existing residents while creating local service and retail jobs, tapping into a latent retail and hospitality real estate market.

A mixed-use Hillside neighborhood would reconnect Newburgh's downtown to its waterfront, increasing the customer base for businesses in both locations. Prime vacant real estate along the waterfront and Broadway corridor is available to redevelop for complementary entertainment, recreational, and commercial uses. Public infrastructure and utilities are ready to support new development. Publicly owned parks, open space, and rights of way provide a framework for future multimodal connections, waterfront gateways, and enhanced recreational amenities for residents and tourists arriving by car, bike, or boat. Vision-led plans and policies are also in place as a guide for developers and a foundation for subsequent initiatives to pursue redevelopment that aligns with the community's values and needs.

Hillside BOA Redevelopment Challenges

The Hillside BOA was the epicenter of Urban Renewal, which demolished Newburgh's historic downtown waterfront between 1958 and 1970 and dispossessed entire communities, including many Black, immigrant, and minority residents. Approximately 1,300 buildings were

demolished, nine streets were buried, dozens of businesses were destroyed, and thousands of residents were displaced.

Urban Renewal scarred both the physical landscape and community fabric of Newburgh, with lasting impacts that reverberate today. The median household income in Newburgh is half that of the surrounding region, despite low unemployment and strong workforce participation rates. Twenty-seven percent of the population lives below the poverty level, including one in three children. Lower rates of educational attainment further reduce residents' earning potential. The impact on Newburgh's large Black community has been particularly strong, as evidenced by lower rates of homeownership and upward mobility within the community.

Urban Renewal also did lasting damage to Newburgh's environment. Historic and landmark buildings were destroyed to created over 21 acres of brownfields with known or suspected contamination and potentially unstable demolition fill. The uncertainty and potential costs of redeveloping these sites have further discouraged investment.

Redevelopment in the Hillside BOA will need to consider both the environmental and social harm caused by Urban Renewal and offer opportunities to rebuild the wealth and community that was lost for the next generation.

Other potential redevelopment challenges include:

- The presence of historically and/archaeologically sensitive resources.
- Steep slopes, sea level rise, and protecting water resources from runoff and combined sewer overflows.
- Establishing accessible, multimodal connections between the waterfront and Broadway, including over the CSX railroad.
- Addressing a housing affordability crisis.
- Bridging the digital divide for future residents.
- Accessing clean-up funds for Urban Renewal lands owned by the city.

Hillside BOA Redevelopment Opportunities

The majority of vacant land in the Hillside BOA is publicly owned, providing more local control over redevelopment decisions and opportunities for creative urban design. Several of these properties could be catalytic for attracting more investment in the BOA. At the same time, interest from developers specializing in different types of development is high. Newburgh's form-based zoning districts provide flexibility for various uses in the Hillside BOA while applying design standards and site review provisions to protect the area's scenic, cultural, and community assets. The local topography is conducive to denser, multi-story development that preserves scenic views across the district.

The community has been highly engaged in the BOA planning process and in designing recommendations for the area. Prior planning processes provide a strong basis for future master plan concepts. There are strong public and nonprofit partners available to support the city in implementing the recommendations and finding solutions for potential clean-up needs of city-owned sites.

In addition to vacant properties, there are several key buildings available for adaptive reuse as mixed-use properties or future community anchors. These include the Dutch Reform Church (1835), Regal Bag Building (1844), City Club (1857), 112 Broadway (1900), Kreisel's Furniture Building (1932), and the Newburgh Public Safety Building (1978).

If admitted into the Brownfield Cleanup Program (BCP), privately owned sites in the Hillside BOA could be eligible for standard BCP tax credits as well as additional tax credits due to the site's location in a BOA, Environmental Zone, and disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[1]

Newburgh has maintained a young, diverse, and multinational population to support an active and vibrant Hillside neighborhood with a strong sense of place that is uniquely Newburgh.

Planning and Policy Recommendations

All recommendations are intended to build on the Section 3 findings and public input to advance the Vision and Goals defined in Section 1.

Table X.X Planning and Policy Recommendations

LAND USE and POLICY

1) Prepare a Comprehensive Hillside Neighborhood Master Plan to Guide Redevelopment of the Hillside

This community-led plan will outline the desired redevelopment approach for city-owned urban renewal lands. Recommended components of the Hillside Neighborhood Master Plan process include:

- **a)** **Establish a Community Working Group** to lead the effort that includes urban renewal descendants.
- **b)** **Research national models and case studies** that seek to advance equitable development, to build wealth, and to provide indemnification for urban renewal descendants.
- **c)** **Formulate a redevelopment model and policy/governance structure** specific to Newburgh and the Hillside area that defines (1) a community benefits plan and fund and (2) a future ownership model of the sites currently owned by the City.

[1] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

d) **Conduct a needs assessment for the Hillside neighborhood** to identify (1) specific uses that are desired by the community (i.e., community center, grocery store, job centers, senior center, workforce development, small business support, youth activities, etc.) (2) specific housing types that meet the needs of residents and the Newburgh market.

e) **Prepare a Physical Master Plan** that illustrates the desired look and feel of redevelopment for the Hillside, with mixed-use and mixed-income redevelopment that balances community and economic development. The Plan can build on prior research and concepts developed with community input, as appropriate.

f) **Define an implementation strategy** to enact the plan, with support from the Community Working Group.

2) Establish clear mechanisms for community engagement as Hillside redevelopment progresses

a) Ensure **descendent involvement** in redevelopment of urban renewal lands going forward.

b) Continue to partner with **religious institutions** for community development in the Hillside neighborhood.

3) Review and update zoning based on detailed master plan results

Update the zoning as needed to implement the master plan described in recommendation 1. The zoning code can help implement the community's vision by setting requirements for density, building design, sustainable design, parking, inclusionary zoning requirements, etc. Consider architectural standards as redevelopment takes place.

4) Incorporate the Waterfront in redevelopment planning

To reconnect the city to its shoreline and ensure the Newburgh Port and waterfront operate as an attractive and functional gateway to the city.

5) Recognize the history and heritage of urban renewal as part of the Hillside redevelopment

a) Consider public art to recognize the importance of this area of the city (e.g., bronze 'to-scale' sculpture of the Hillside pre-urban renewal, informational and visual installations, virtual reality timescopes or viewers that depict the landscape at different times).

b) Explore the possibility of local, state, or federal historic designation that acknowledges the historical impact of urban renewal

6) Conduct a Phase 1A Cultural/Archeological Study of the Hillside

Complete a Phase 1A Cultural/Archaeological Study to identify any sensitive historic resources or potential development constraints in order to help prepare the sites for redevelopment. Information from the study can be used to preserve the history of the area and integrate it into future development.

7) Review important viewsheds and incorporate preservation of visual resources into the Hillside Master Plan

The Newburgh Zoning Ordinance includes provisions to preserve significant scenic views from the Dutch Reformed Church, Washington's Headquarters, The Newburgh Free Library, Broadway and Colden, and Bay View Terrace. As part of the planning process for the Hillside Master Plan, identify any additional viewsheds that could qualify as "providing significant benefits to the residents and

visitors of Newburgh and as important parts of Newburgh's cultural heritage" (City of Newburgh, New York Zoning Ordinance Article XI Section 300-87 B(2)).

8) Leverage publicly owned parcels and rights of way to direct development

Use publicly owned parcels and rights of way (56% of BOA), including vacant land (49.2 acres), to model and create development that is in line with the community's vision (e.g., with land transfer or sales agreements, public development, etc.).

9) Partner with SUNY Orange (OCCC) to better integrate the campus into the community

a) Create safe and inviting **physical connections** to the surrounding neighborhood

b) Work with the community to identify **complementary programs** that support local community development (e.g., workforce training, childcare, increased local enrollment)

10) Prepare a reuse feasibility study of the Newburgh Public Safety Building site at 55 Broadway

Explore alternatives for repurposing the 1.9 acre property, which overlooks the Hudson River at the base of Broadway with a use that advances the community's vision for the Hillside and Broadway area. Consider options for relocating the Newburgh Police and Fire Department headquarters to an updated facility.

11) Redevelop parking lot(s) on the Waterfront

Redevelop the City-owned parking lot on Water Street between Fourth Street and Third Street with a higher density use suitable for its location at a multimodal gateway location near Unico Park and the Newburgh Landing Dock. As development progresses, work with private property owners on Water Street and Front Street to reduce and consolidate surface parking (e.g., with a parking garage or parking set into the Hillside) and redevelop vacant lots with active uses.

12) Consider methods to incentivize developers to implement as many BOA recommendations as feasible within each project while preserving the City's tax base

ECONOMIC DEVELOPMENT

13) Identify sites that maximize economic development opportunities

Using input from the BOA nomination study and the Hillside Master Plan, identify sites for commercial redevelopment and market-rate real estate that will maximize community returns, for example, through increased local jobs, an increased tax base to support local services and affordable residential taxes, and/or increased tourism and visitation to local businesses.

14) Expand local tourism opportunities through the redevelopment of the Hillside

Incorporate uses, attractions, physical connections, and views that will expand tourism at the waterfront and draw visitors into the Hillside district and downtown; build on existing businesses (e.g., restaurants), assets (e.g., local artists and architecture), partnerships (e.g., Orange County Tourism) and planned projects (e.g., Newburgh Landing Dock).

15) Seek grants from New York State to support redevelopment goals

Pursue relevant community development grants from NYS, such as NYS DOS LWRP EPF funding and BOA Implementation grants, and the Smart Growth Program, Empire State Development (ESD) RESTORE New York Initiative and FAST NY program,, connecting private developers to Homes and Community Renewal (HCR) housing tax incentives and grants (e.g., affordable, workforce, middle-

income housing), and other grants as they become available such as from the NYS Environmental Bond Act.

16) Identify vocational training and workforce development opportunities

Work with local educational institutions and non-profit and industry partners on workforce development programs for jobs in the shorter-term (e.g., brownfield clean-up, historic preservation, construction) and longer-term (e.g., healthcare, social assistance, hospitality, and food services, trades, and administrative sectors).

17) Incorporate business incubator spaces

Incorporate business incubator spaces and programs to support local entrepreneurs and small businesses (e.g., commercial kitchen, incubator market, maker space, STEM center, live/work studios, co-working and pop-up spaces)

18) As the Hillside is redeveloped, integrate small-scale retail to support new growth

Incorporate spaces for neighborhood retail into new development to support walkable, active districts.

19) Consider small-scale specialty manufacturing opportunities

True to Newburgh's history, consider opportunities to incorporate spaces, partnerships, and local talent that support specialty "Made in Newburgh" manufacturing businesses (e.g., handbags, textiles, soaps, home goods, bicycles)

20) Invest in infrastructure and complete public space improvements to attract new development

Continue to invest in infrastructure (i.e., upgrades to sewer, water, stormwater systems), sidewalk improvements, parks and open spaces, and other public spaces to illustrate the City's willingness to preserve and enhance the public space adjacent to private property. This type of investment can bring confidence to the private sector who will, in turn, invest in their own projects.

21) Partner with the Newburgh IDA for development incentives, where appropriate

As private development takes place, the developer may seek tax incentives to help make the project financially viable. For each project, a cost-benefit analysis is typically done to ensure that the financial incentive is viable. This process could be followed for proposed new private development projects in the BOA.

PARKS, OPEN SPACE, and TRANSPORTATION

22) Expand and augment a wide variety of parks and open spaces within the Hillside and along the waterfront

- **a)** Restore neighborhood **parks, courtyards, squares, pocket parks, gardens, and other public spaces** into the Hillside Master Plan.
- **b)** **Improve public access to the waterfront**, including by (1) implementing and connecting to the new deepwater Newburgh Landing Dock (2) evaluating Unico Park for enhancements (3) enhancing public boat launch infrastructure, and (4) utilizing rights of way on the waterfront to increase direct public access to the shoreline.
- **c)** Continue to work with private developers on the waterfront to **integrate publicly accessible greenspace and public access to the water** (per zoning)

23) Prepare a Hillside BOA Bicycle/Pedestrian Connectivity Master Plan

To enhance connections between the waterfront and downtown core:

- **a)** Conduct a **walk-audit** of the Hillside Neighborhood
- **b)** Re-establish linkages and the **old urban form** using some of the former streets and existing rights of way
- **c)** Consider a **landmark, centerpiece connection** extending down from Broadway to the waterfront (e.g., grand pedestrian bridge or stairway, selected through a design competition)
- **d)** Improve **pedestrian connections** to Newburgh Landing Dock and Unico Park (e.g., via Fourth Street and Varrick Homes)
- **e)** Consider mechanical options to assist **people with limited mobility**
- **f)** Improve **pedestrian infrastructure** (e.g., crossings, sidewalks, lighting) in the BOA study area
- **g)** Create **bicycle infrastructure** (i.e., dedicated bike lanes, shared-use lanes, bicycle parking, signage)
- **h)** Collaborate with NYSDOT to implement more **traffic calming** on Water Street

24) Expand indoor and outdoor active recreational facilities in the BOA

Support the development of indoor and outdoor recreational facilities for children and adults to provide safe destinations and activities year-round for residents and families.

25) Explore opportunities for new trail connections and sidewalk improvements

Protect and build on the existing sidewalk and trail network, adding connections to the waterfront, Broadway, and regional bicycle and pedestrian trails, including trail amenities, as part of redevelopment.

26) Create a signage and wayfinding program for the Hillside BOA as part of the Master Plan.

Provide pedestrian signage and directional wayfinding with unified branding at gateway locations and along key corridors to guide visitors to attractions and destinations. Consider adding distance in walk time and using an inclusive design to serve diverse, multilingual visitors.

27) Incorporate public art installations and an Art corridor for enjoyment by residents and visitors

Partner with local artists, organizations, and developers to incorporate public art installations that create a more beautiful, welcoming, and dynamic environment while celebrating Newburgh's history, culture, and community.

28) Prepare parking plan for waterfront lands.

Create a plan to consolidate parking and improve multimodal circulation for waterfront visitors and nearby residents.

29) Conduct a multimodal corridor study of Broadway

Evaluate the opportunity for a multimodal transport hub on Broadway.

30) Identify and implement connections to regional systems (i.e., Newburgh-Beacon)

Create better transit connections to major employers to increase access to jobs and improve weekend transit services (e.g., Ferry) to support tourism.

ENVIRONMENT and INFRASTRUCTURE

31) Conduct a geotechnical analysis of Hillside and other sites with demolition fill

Complete geotechnical surveys of sites with steep slopes and/or demolition fill, including Urban Renewal land, to evaluate site conditions for bearing loads and to understand potential design needs or constraints for rebuilding on these properties.

32) Advance cleanup and redevelopment of publicly owned brownfields and strategic sites

Research strategies and land ownership models that take advantage of U.S. EPA Brownfield Grants.

For Urban Renewal sites, the City of Newburgh is ineligible to receive U.S. EPA funding for brownfield assessment, cleanup, job training, or technical assistance as the party responsible for the contamination. One solution is to transfer ownership of one or more sites to an eligible government entity, redevelopment agency, community development organization (45D(c)(1), nonprofit organization (501(c)3), or a limited liability partnership or corporation whose sole members or managing/general partners are nonprofit organizations. [are examples desired?] During the planning process for the Hillside Master Plan (Recommendation 1), the Community Working Group can consider the best ownership model(s) for city-owned Urban Renewal sites in the future.

33) Advance clean up and redevelopment of privately-owned brownfields and strategic sites

Research opportunities through the NYSDEC Brownfield Cleanup Program (BCP) or U.S. EPA Revolving Loan Fund (RLF) grant to advance sites in the private sector.

The BCP offers tax credits to qualifying for-profit entities for brownfield investigation, cleanup, monitoring, and improvements (e.g., new construction on site). The credit value varies depending on factors such as the site's location, level of cleanup (remediation track), and end-use. Participants may be able to combine BCP and other tax credits. The tax credits are from the state and do not impact the local tax base.

RLF grants provide capital to a grant recipient who is not a for-profit agency to establish a revolving loan fund that provides loans and subgrants for brownfield cleanup activities on privately-owned sites.

34) Conduct a redevelopment feasibility study for the Consolidated Iron Site

a) As described in the Site Management Plan (SMP), the site is restricted to residential, commercial, and industrial uses provided the Engineering and Institutional controls and the environmental easement are followed. Considering the restrictions in SMP, identify a preferred master plan through an alternatives exploration, and prepare a Request for Proposals (RFP) for development.

b) Ensure the site redevelopment creates park/open space and waterfront access for the public.

35) Bury utility lines as sites and corridors are redeveloped.

Burying utility lines would improve views of the Hudson and historic streetscapes while freeing up space for streetscape enhancements and reducing accidents, outages, and maintenance needs associated with above-ground lines.

36) Create a consolidated stormwater management plan

a) Incorporate findings into the zoning code, as needed

b) Prepare a Stormwater Pollution Prevention Plan (SWPPP) for the Hillside, which includes the design and construction of stormwater facilities to accommodate the future buildout of the

hillside so developers are not burdened with the design and implementation of post-construction stormwater management practices and individual SWPPPs.

c) Incorporate green infrastructure and nature-based solutions within stormwater management plans

37) Refer to a Green Infrastructure Design Standards Toolkit to promote sustainable development across the BOA.

Green Infrastructure (GI) such as tree lawns, street trees, rain gardens, infiltration basins, and living shorelines can often be used in place of conventional "gray infrastructure" (e.g., pipes and concrete drainage basins) for stormwater management. GI can improve resilience to flooding and erosion while providing a range of co-benefits. For example, GI can help to moderate urban temperatures, improve air and water quality, provide habitat, and increase walkability. There are many GI toolkits available from government and non-government sources that provide guidance on how to implement and maintain BGI in different environments.

Incorporate a GI toolkit as part of the Hillside Master Plan to provide design standards and guidance on best practices for built areas and public spaces.

38) Update the 2007 shoreline condition assessment

Review and update the findings of Newburgh's 2007 shoreline condition assessment, as needed, to reflect more recent flood/resilience data and worsening climate change projections. Refer to the latest NYSDEC projections for sea level rise along the Hudson River and related impacts in the coming decades.

39) Consider resilient infrastructure/design upgrades to marinas and docks

Review the NYSDEC climate change projections for Newburgh and consider updating design standards for waterfront structures to increase resilience to flooding, storm surge, higher tides, sea level rise, and more extreme weather. Refer to resilient design and planning resources from sources such as the NYSDOS Office of Planning, Development and Community Infrastructure and the NYSDEC Hudson River Estuary Program.

40) Assess and remediate invasive species and provide native plants and habitat

Vegetation on some vacant sites includes invasive species. As development progresses, work to remove invasive species and choose native trees and plants for new landscape installations. Consider opportunities to incorporate food plants and habitats for native wildlife, including pollinators, birds, migratory birds, and fish.

41) Consider incorporating requirements to minimize light pollution

To preserve the natural beauty and resources of the Hudson Valley, consider incorporating standards for types of lighting and lighting color standards for public and private development in order to minimize light pollution.

4.2 REVITALIZATION OPPORTUNITIES

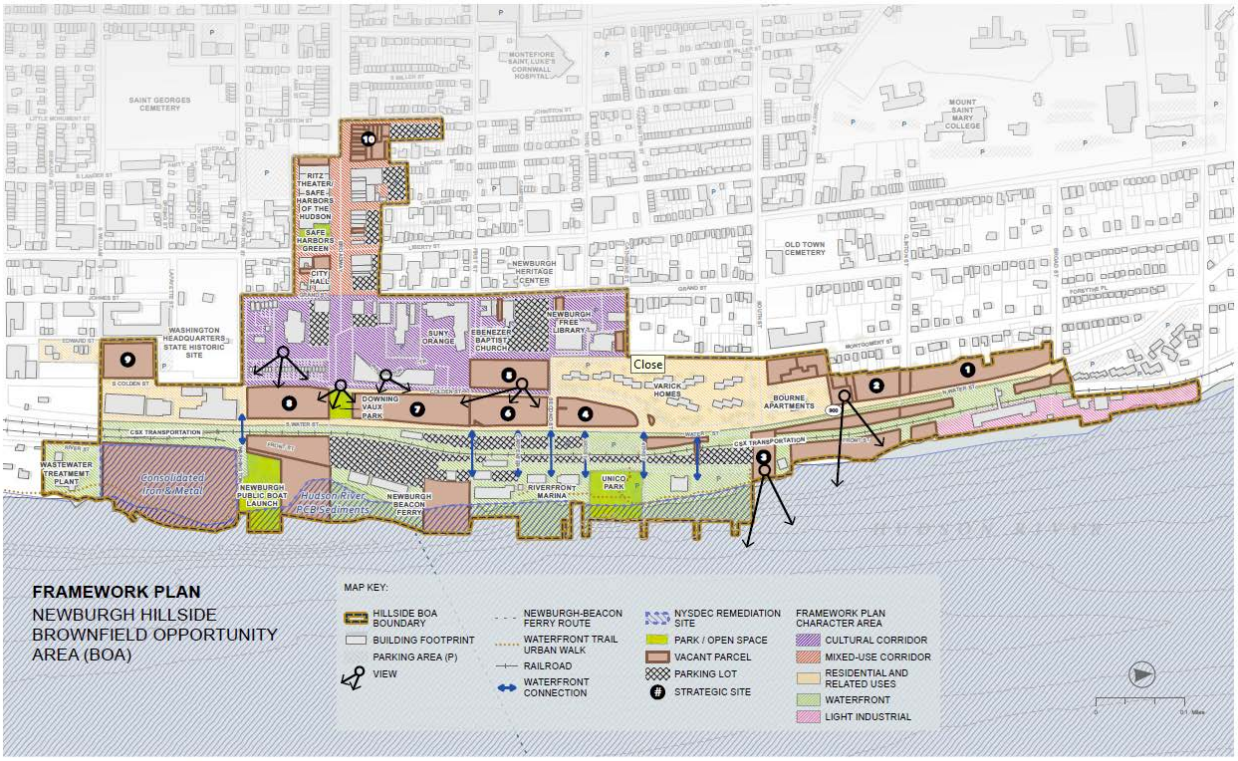
Framework Plan

The Hillside BOA Framework Plan graphically illustrates some of the recommendations above related to infrastructure and the public realm and how they spatially relate and complement each other. Improving infrastructure and publicly controlled land in the Hillside BOA including rights of way can help to stimulate investment in strategic sites and the area. The plan builds upon previous studies including the 2007 Leyland Charrette and the Local Waterfront Revitalization Plan and incorporates findings from the inventory of existing conditions and public input from numerous individual meetings, focus groups, and open houses. The intent is to help set the stage and guide community leaders and private investors on land use, new development, viewshed preservation, and open space improvements. It depicts a Hillside BOA with distinct characteristics that, when transformed, provides the basis for a safe, livable, and vibrant urban community powered by a prosperous economy, multimodal transportation options, and sustainable development practices.

The shaded areas of the Framework Plan depict character areas for Hillside BOA and generally match the zoning districts. Lands along the Hudson River are depicted as waterfront. Moving westerly and up the hill the Active Mixed-Use character area encompasses what is commonly known as 'The Hillside' or the 'Urban Renewal Lands'. This area was deeply considered during the 2007 Leyland Charrette and envisioned to be redeveloped with a higher level of density with multi-story buildings with parking underneath in a walkable environment with parks and plazas and views of the Hudson River. The concentration of strategic sites along the hillside also provides an opportunity to implement thoughtful placemaking techniques that celebrate Newburgh's history, architecture, and culture and reconnect the waterfront to downtown. Finally, this character area is where the primary recommendation of this BOA will apply which is to formulate a redevelopment plan that considers building equity to those who were affected by urban renewal.

At the top of the hill is the Cultural Corridor character area. This includes SUNY Orange downtown campus, the Newburgh Free Library, the Heritage Center, and other uses. This area is well suited to integrating cultural and historical aspects to help celebrate Newburgh's past and embrace the present in partnership with SUNY Orange and others.

To the north of The Hillside the character area transitions to more residential uses with some supportive uses. The final area is the Broadway Mixed-Use Corridor that runs from City Hall west to Johnston Street. When redeveloped, this character area should be more dense and match the exiting form and function as currently found on Broadway.The Framework Plan also presents ideas that should be considered in any future redevelopment plan including connections to the waterfront, preserving key views of the Hudson River, enhancements of public spaces, and considerations for development within areas with known environmental contamination along the waterfront including the Consolidated Iron & Metal site.



SOURCE: ORANGE COUNTY PLANNING, 2023; NYSGIS CLEARINGHOUSE 2023; ESRI 2023; OPENSTREETMAP CONTRIBUTERS 2023

Strategic Site Recommendations

Former Urban Renewal Land

The long scar of vacant, urban renewal land that stretches across Newburgh's downtown waterfront neighborhood has impeded the community's development for over fifty years. None of the many plans for the Hillside have come to fruition, in part due to the likelihood of contamination on these properties. The Federal Urban Renewal Program demolished hundreds of buildings before modern environmental regulations, leaving basements, building debris, and a myriad of contaminants behind below the surface. The need to rehabilitate former urban renewal lands led the City to apply for BOA nomination funding and it remains a primary objective for the proposed Hillside BOA.

Eight out of ten strategic sites are on former urban renewal land. They are divided into three groups that represent their different geographies: Hillside North, The Hillside, and Montgomery Street. Where appropriate, similar parcels that could be developed together have been grouped to form one site.

Hillside North Strategic Sites

Setting

Strategic sites one and two comprise the "Hillside North" sites. Both sites consist of vacant properties on sloping, grass-covered land overlooking the Hudson River. The sites front Water

Street near the northern gateway to the waterfront. They are situated at the edge of the North East neighborhood. To the west is a historic residential district with large, single-family style homes. To the east, below grade, is a historic waterfront industrial district with the former Steam Mills / Regal Bag buildings. To the north are modern, single-family style homes and condominiums. To the south are the Bourne Apartments and Varick Homes, high and medium-density apartment buildings built on former Urban Renewal land in the 1950s and 1970s, respectively. Also to the south, within walking distance, is Newburgh's waterfront district, including public parks, restaurants, and the Newburgh-Beacon Ferry. The sites are lined with sidewalks and pedestrian-scale lighting along Water Street.

Prior to Urban Renewal, these sites contained rows of brick flats and wood-frame dwellings that housed local workers, as well as several stores and neighborhood-scale commercial uses, such as a bakery and an auto shop.[2] Buildings were typically three- to four-stories, set at the front of the lot. The two sites were separated by Clinton Street, which continued from Montgomery Street to Water Street. Urban Renewal demolished the buildings and buried the terminal block of Clinton Street. A Phase I ESA conducted in 2024 as part of an EPA assessment grant indicated potential contamination on both sites due to past uses and fill materials.

Strategic Site 1: Hillside North 1

| 35 Broad Street

Hillside North 1 is a privately-owned, 2.59-acre site zoned Residential Low Density. The site includes the former 247-323 Water Street properties, which were consolidated with properties on Broad Street into a single parcel. The property slopes downward from east to west, with the grade steepening from north to south.

<u>Redevelopment Considerations</u>

- Large parcel on a collector road (i.e., Water Street) in a desirable location with Hudson River views.
- Residential area walkable to jobs, office space, transit, community amenities, and the waterfront gateway district.
- Topography could potentially accommodate multi-story buildings without obstructing existing views. Steep slopes in combination with the soil type (Mardin gravelly silt loam) could present some limitations to development in this area, though the steepest slopes, which are at the back of the lot, could potentially be avoided.
- Zoning: Residential Low Density (RL) traditional zoning district, which allows for lower density residential uses as well as some community and institutional uses, provided

[2] Prior use data sources: Sanborn Fire Insurance Map from Newburgh, Orange County, New York, Sanborn Map Company, 1913-Dec 1950, Library of Congress; Newburgh Heritage Center urban renewal photographs, City of Newburgh Archives

they meet the scale of the neighborhood. Townhomes, parks, open space, and recreational facilities are permitted by right. One, two, and three family dwellings are permitted, subject to site plan review by the City Planning Board. Other allowed uses include community center, school, day-care, accessory home occupations, and accessory bed and breakfasts.

- Site cleanup may be required prior to development. The site was given an environmental ranking of 1 based on potential contamination from petroleum products, hazardous substances, urban fill, and/or construction and demolition fill.
- If admitted into the Brownfield Cleanup Program (BCP), the site could be eligible for standard BCP tax credits as well as additional tax credits due to the site's location in a BOA, Environmental Zone, and disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[3]

Recommended Future Uses

The Framework Plan recommends residential uses, potentially with some neighborhood-scale amenities such as a café or bakery. Given the size, strategic location, and grade of the site, it could be possible to include medium-density housing such as an apartment building, condominiums, or live/work housing, perhaps with on-site amenities. Considering the parcel's location between a historic building and a historic district, an attractive architectural design that complements the character of the neighborhood is recommended.

Medium-density residential development and neighborhood retail would require a zoning change. In order to offer a variety of residential options, the community may choose to limit medium-density residential in this location in favor of other sites. Lower density residential would be more appropriate in this location compared to other strategic sites, given the surrounding uses and the availability of commercial and office spaces directly across Water Street.

Importantly, the uses and residential ownership model may depend on the clean-up needs of the site. If contamination is present, cleaning up the site to an "unrestricted" standard or a "residential standard" that allows single-family homes may be cost-prohibitive. If cleaning up to a residential standard is cost-prohibitive, redevelopment may be restricted to uses that meet the identified clean-up standard and that follow a future site management plan. For example, a "restricted residential" standard generally allows for residential uses such as apartments, townhomes, and condominiums provided there is common ownership by a

[3] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

managing legal entity. Day-cares, playgrounds, and natural grass areas are also typically allowed by the "restricted residential" use category.[4]

Next Steps

- Collaborate with the property owner on redevelopment that aligns with the community's vision and environmental standards.
- Recommend a Phase II Environmental Site Assessment

Strategic Site 2: Hillside North 2

207 Water Street, 207 Water Street Rear, 209 Water Street, 215 Water Street, and the Clinton Street right of way

The Hillside North 2 strategic site is comprised of five publicly owned parcels covering 1.83 acres: 207 Water Street, 207 Water Street Rear, 209 Water Street, 215 Water Street, and the Clinton Street right of way. The site slopes moderately downward from east to west.

Redevelopment Considerations

- Relatively large site on a collector road (i.e., Water Street) in a desirable location with partial Hudson River views.
- Residential area walkable to jobs, office space, transit, the waterfront gateway district, and community amenities, including a school and the Newburgh Free Library.
- Topography provides some separation from the historic Montgomery Street properties and could potentially accommodate multi-story buildings without obstructing existing views. However, steep slopes in combination with the soil type (Mardin gravelly silt loam) could present some limitations to development in this area.
- Natural spring-type feature present on one parcel.
- ? Public utility infrastructure located under the Clinton Street right of way ?
- Adjacent to a high density apartment building and low density single-family style houses.
- Zoning: Residential Low Density (RL) traditional zoning district, which allows for lower density residential uses as well as some neighborhood-scale community and institutional uses. Townhomes, parks, open space, and recreational facilities are permitted by right. One, two, and three family dwellings are permitted, subject to site plan review by the City Planning Board. Other allowed uses include community center, school, day-care, accessory home occupations, and accessory bed and breakfasts.

[4] DER-10 Technical Guidance for Site Investigation and Remediation (2010), New York State Department of Environmental Conservation DEC Program Policy. Accessed via the NYSDEC Brownfield Cleanup Program website

- Site cleanup may be required prior to development. The site was given an environmental ranking of 1 based on potential contamination from prior uses and/or construction and demolition fill. As the party responsible for the contamination, the City would not be eligible to receive a U.S EPA Brownfield cleanup grant for the site.
- The site could be eligible for a U.S EPA Brownfield cleanup grant if ownership is transferred to an eligible government, non-profit, or community development entity.[5] If ownership is transferred to a private entity and the site is admitted into the NYSDEC Brownfield Cleanup Program (BCP), the site could be eligible for standard BCP tax credits and additional tax credits due to its location in a BOA, Environmental Zone, and disadvantaged community. Further BCP tax credits may be available for affordable housing.[6]

Recommended Future Uses

The Framework Plan recommends residential uses, potentially with some neighborhood-scale amenities. The parcel with the spring could be reserved as community green space. Given the location and grade of the site, medium-density housing (e.g., apartment building, condominiums) or mixed-use residential with neighborhood retail could be feasible, but would require a zoning change. Considering the site's position at a gateway location, an attractive architectural design is recommended.

The site's clean-up needs may impact future uses and owners. If significant contamination is present, the City could transfer ownership to another public, non-profit, or private entity that could be eligible to receive grants or tax credits to defer the cost of remediation. If cleaning up to a "unrestricted" or "residential standard" proves cost-prohibitive, redevelopment may be restricted to uses that meet the identified clean-up standard and follow a future site management plan. For example, a "restricted residential" standard generally allows for residential uses such as apartments, townhomes, and condominiums, provided there is common ownership by a managing legal entity. Daycares, playgrounds, picnic areas, and natural grass areas are also typically allowed by the "restricted residential" use category.[7]

Next Steps

- Complete a Phase II Environmental Site Assessment

[5] Brownfield Grants and Funding Eligibility, United States Environmental Protection Agency, accessed from https://www.epa.gov/brownfields/eligibility on April 10, 2025.
[6] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.
[7] DER-10 Technical Guidance for Site Investigation and Remediation (2010), New York State Department of Environmental Conservation DEC Program Policy. Accessed via the NYSDEC Brownfield Cleanup Program website

- Prepare a comprehensive hillside neighborhood master plan
- Determine the specific uses and ownership model for the site based on the master plan
- Conduct a geotechnical investigation to evaluate site conditions for bearing loads

The Hillside Strategic Sites

Hillside and 4th Street, Hillside and 2nd Street, Hillside and Broadway North, Hillside and Broadway South (Strategic Sites 5-8)

| 81 Water Street; 57 and 1 Water Street; 2 Colden St; 94 South Water Street

Setting

Strategic sites five through eight are vacant, grass-covered properties totaling 8.06 acres. Known locally as "The Hillside," the sites are situated between Colden and Water Street on steeply sloping land with beautiful, open views of the Hudson River. They belong to the East End neighborhood in the "Waterfront Gateway" between Newburgh's downtown, to the west, and waterfront district, to the east. The properties are a short walk to businesses, restaurants, public parks, waterfront amenities, community services, transit stops, the Newburgh-Beacon Ferry, the Newburgh Free Library, SUNY Orange, and regional adult education centers. To the north are residential neighborhoods. To the south is a mix of uses, including Washington's Headquarters State Historic Site. The sites are ringed with sidewalks and pedestrian-scale lighting along Water, Colden, Second, and Washington Streets. The Hillside sites are one block east of the East End Historic District. Strategic sites five and six are also one block east of the Montgomery-Grand-Liberty Streets Historic District.

All four sites are owned by the City of Newburgh and belong to the Waterfront Gateway zoning district.

Prior to urban renewal, the Hillside parcels contained a dense downtown district with multi-story residential, commercial, and mixed-use buildings. The district connected Newburgh's waterfront to commercial corridors on Broadway, Liberty, and Grand Street. Third Street, First Street, and North Colden Streets transected the district, terminating at Water Street.

A Phase II ESA was conducted on each of the Hillside sites in 2024 as part of a U.S. EPA assessment grant. The assessments found that past mixed-uses and subsequent building demolition have impacted the surface and subsurface soil of the sites with contamination that will likely need to be managed prior to redevelopment. In addition, the investigation identified urban fill materials throughout the sites that are potentially unsuitable to support structures.

Redevelopment Considerations for The Hillside Sites

- Large parcels on a collector road (i.e., Water Street) in a central and highly desirable location with unobstructed Hudson River views.

- Potential opportunity to develop each with a variety of uses, for a variety of users, and in tandem with adjacent vacant sites.
- Access to existing municipal utilities, including newly updated sewer infrastructure.
- Mix of uses nearby. Walkable to downtown and the waterfront, including jobs, offices, transit, community amenities and services, entertainment, restaurants, and popular visitor attractions.
- Historically, the sites supported three- to five-story buildings. Multi-story buildings with parking underneath could potentially be accommodated once again while preserving some existing views.
- Zoning: Waterfront Gateway (WG) is a form-based district intended for three- to eight-story, dense, mixed-use development with civic anchors. The district permits mixed-use and most residential, institutional, and commercial uses, subject to design standards and site review. Industrial and larger scale uses (e.g., hospitals, shopping centers) are not permitted. The code includes provisions for preserving significant upland scenic views.
- The sites contain surface and subsurface contamination that will likely need to be managed prior to redevelopment. The intended use will impact the required level of cleanup. The City is ineligible to receive cleanup funding as the party responsible for the contamination.
- If ownership is transferred to an eligible government, non-profit, or community development entity, these sites could qualify for U.S EPA Brownfield cleanup grants. If ownership is transferred to a private entity, these sites may be eligible for brownfield tax credits through the NYSDEC Brownfield Cleanup Program (BCP). If admitted into the BCP, each site could be eligible for standard BCP tax credits as well as additional tax credits due to the sites' location in a BOA, an Environmental Zone, and a disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[8]
- Due to the history of these sites and the harm caused by Urban Renewal, redevelopment that aligns with the community's vision, goals, and needs is especially important for success.

Recommended Future Uses for the Hillside Sites

As described in Section 1, the community envisions a walkable, mixed-use, downtown district. Medium- to high-density development is recommended, with multi-story buildings interspersed with plazas and parks where people can gather, recreate, dine, and/or quietly enjoy the view. There is demand for a variety of housing types for residents of different ages, income levels, and backgrounds, including affordable, market-rate, apartments, and owner-

[8] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

occupied housing. The Hillside sites are strategically located for commercial uses, including businesses that serve local markets as well as those serving local and waterfront visitors. The large size of the sites provides an opportunity to implement thoughtful placemaking techniques that celebrate Newburgh's history, architecture, and culture and reconnect the waterfront to downtown.

Mixed-use development with rare Hudson River views has the potential to invite a diversity of people and attractions (e.g., art, entertainment, educational, recreational, and culinary), creating a vibrant Hillside district that supports the community's goals of equity, unity, pride, and growth.

The clean-up and geotechnical needs of the sites may impact future uses and owners. If needed, the City could transfer ownership to another public, non-profit, or private entity eligible to receive grants or tax credits to defer the cost of remediation. Redevelopment may be restricted to uses that meet the identified clean-up standard and follow a future site management plan. For example, a "restricted residential" standard generally allows for most commercial and recreational uses, but any residential use must be under common ownership by a managing legal entity (e.g., apartments, townhomes, and condominium building).[9]

Next Steps for the Hillside Sites

- Finalize site remediation plans
- Conduct a geotechnical investigation to evaluate site conditions for bearing loads
- Prepare a comprehensive hillside neighborhood master plan
- Determine the specific uses and ownership model for the sites based on the master plan

Site-specific Information

Strategic Site 5: Hillside and 4th Street

81 Water Street

Hillside and 4th Street is a single, vacant 1.47-acre parcel. It is situated between the Varick Homes apartments, the waterfront, and vacant hillside land to the south. Prior to urban renewal, the site was bisected by Third Street and contained over four dozen parcels across two city blocks, including 59-115 Water Street, 40-50 Second Street, 44-52 Third Street, the 30 block of Fourth Street, and 38-80 Smith Street. The site was densely developed with three- and four-story brick row buildings. There was a mix of homes, offices, clubs, and small-scale manufacturing, as well as neighborhood retail

[9] DER-10 Technical Guidance for Site Investigation and Remediation (2010), New York State Department of Environmental Conservation DEC Program Policy. Accessed via the NYSDEC Brownfield Cleanup Program website

and community services such as pharmacies, banks, and bakeries. Stores lined Water Street, while townhomes and offices were concentrated along Smith Street (now Colden Street in this location).

Hillside and 4th Street is within steps of a residential neighborhood, a public waterfront park, the Newburgh Landing Dock, and a library. This location may be particularly attractive for neighborhood retail, uses that serve families, and gateway connections for Hudson River visitors. The zoning code includes provisions for preserving the view from the Newburgh Free Library.

Strategic Site 6: Hillside and 2nd Street

| 57 and 1 Water Street

Hillside and 2nd Street consists of 57 Water Street (1.81 acres) and 1 Water Street (0.02 acres). The site is bounded by Second Street, Water Street, and Colden Street (formerly Smith Street on this block). The southern parcel boundaries follow the former path of First Street, which is now buried. 1 Water Street was formerly Clinton Square, a triangular plaza at the base of the original Colden Street, which traversed the hillside diagonally up to Broadway. There is vacant land to the north, west, and south, and the waterfront district is to the east.

Prior to urban renewal, the site contained approximately fifty parcels, including 1-57 Water Street, 39-51 Second Street, 2-36 Smith Street, and the 50 block of First Street. The site was densely developed with three- to five-story brick and wood row buildings. There was a mix of residential and commercial, with some restaurants, offices, and shops selling a variety of goods. Storefronts lined Water Street, while Smith Street (now Colden Street) was primarily residential with interior yards.

The site has vacant strategic sites on three sides. It is located between cultural and institutional uses to the west and the waterfront district to the east, including restaurants, a private marina, and the connection to the Ferry. ?Utility lines are present along the former path of First Street. This location may be particularly attractive for mixed-use development. The zoning code includes provisions for preserving the view from the Newburgh Free Library.

Strategic Site 7: Hillside and Broadway North

| 2 Colden Street

The Hillside and Broadway North strategic site is a 2.66 acre parcel between SUNY Orange and the waterfront with vacant land to the north and south. It is directly across from the only existing development on the west side of Water Street: the former train station which houses two popular restaurants. The site is bounded by South Water Street, Colden Street, and Downing Vaux Park, a green space with stairs at the foot of

Broadway. The northern parcel boundary follows the former path of First Street, which is now buried.

Prior to urban renewal, Colden Street ran diagonally across this site from the bottom of Broadway to Clinton Square at 1 Water Street, offering a gentler grade for shoppers and wagons. High Street ran parallel to Colden Street one block west, in the approximate location of the Washington Center walkway on the SUNY Orange campus today. This site contained the Colden and Water Street block, Colden Street, and the northeast corner of the Colden and High Street block. There were approximately 75 parcels on the site, including 2-66 South Water Street, 1-71 Colden Street, and a portion of 2-24 Colden Street.

The site was densely developed with three- to four-story brick row buildings. Most were commercial buildings with some residential on the upper floors. Historic uses included retail shops, hotels, restaurants, and small-scale manufacturing.

This location may be particularly attractive for mixed-use development that connects the waterfront district to the Broadway corridor. Existing adjacent restaurants offer an opportunity for complementary, pedestrian-friendly development on Water Street. ?Utility lines are present along the former path of First Street. The zoning code includes provisions for preserving the view from Broadway and Colden Street.

Strategic Site 8: Hillside and Broadway South

| 94 South Water Street

The Hillside and Broadway South strategic site is a 2.1 acre vacant parcel. The site is bounded by South Water Street, Washington Street, Washington Place, and Downing Vaux Park, a green space with stairs at the foot of Broadway. The site is at the edge of a former industrial area with a mix of uses. To the west are row homes along Washington Place, 55 Broadway (a key building), Broadway corridor, and a downtown neighborhood. To the east are open and underutilized spaces in the waterfront district, as well as connections to the public boat launch and Newburgh Ferry. To the south are legacy industrial and commercial uses, residential adaptive reuse, a brewery, and Washington's Headquarters State Historic Site.

Prior to urban renewal, the site contained approximately thirty parcels, including 68-98 South Water Street, and 1-15 South Colden/Washington Place. The bottom third of the parcel was vacant, with a cross street called Little Ann Street. The site was developed with three- to four-story brick row buildings with internal open yard space. Most were townhomes with some apartments and rooming houses. South Water Street also included some stores, a bar, and a handbag manufacturing facility.

This location may be particularly attractive for mixed-use development that connects the waterfront to surrounding districts for tourists, commuters, and residents. The

zoning code includes provisions for preserving the view from Washington's Headquarters and from Broadway and Colden Street. There is a potential opportunity to redevelop the site and adjacent, underutilized properties with complementary uses. Public input for the adjacent waterfront sites (brownfields 21 and 22) proposed adding a waterfront entertainment area with outdoor performance spaces, family amusements, green spaces, and activities for all ages.

Montgomery Street Strategic Sites

Setting

110 Grand Street (strategic site 3) and 2 Montgomery Street (strategic site 4) are located west of The Hillside on either side of Montgomery Street. They are a short walk from Broadway and the waterfront, including the Newburgh Landing Dock. Both sites are owned by the City of Newburgh.

Strategic sites three and four are within a cultural corridor that features a variety of academic facilities, historic sites and churches, and community services. These include, from north to south, the Dutch Reformed Church, the Newburgh Free Library, the Heritage Center, the City Club, Ebenezer Baptist Church, SUNY Orange, Hudson Valley Regional Adult Education Network, (RAEN), and Orange-Ulster BOCES Adult Learning Center. These landmark properties are within the Montgomery-Grand-Liberty Streets Historic District and/or the East End Historic District. Views from some of these sites are protected by the City's zoning code.

Strategic Site 4: 2 Montgomery Street

Setting

2 Montgomery strategic site is a 1.82 acre vacant property between strategic sites three and five. The property has a moderately steep slope with clear views of the Hudson River. The site is above the Hillside, below Ebenezer Baptist Church and 110 Grand Street, and on the same plane as Hudson Valley RAEN/Orange-Ulster BOCES and Varick Homes. Sidewalks and shade trees line Montgomery Street and Colden Street, with pedestrian lighting on Colden. The northern parcel boundary is Second Street and the southern parcel boundary is the former path of First Street, which is now buried.

Prior to urban renewal, the site contained approximately fifteen parcels, including 2 – 40 Montgomery Street. The land occupied by these parcels is included in the Montgomery-Grand-Liberty Streets Historic District. The site was historically developed with two- and three-story brick and wood frame buildings. The majority were residential row buildings, with some offices and the "old post office" (Newburgh Federal Building) on the northwest corner. High Street ran diagonally from the northeast corner of the parcel to the midblock of First Street.

Remnants of High Street and its retaining wall are visible today. On the southeast corner was a parking lot off Smith Street (now Colden Street).[10]

A Phase I ESA conducted in 2024 indicated potential contamination. The results of a subsequent Phase II ESA were pending in 2025.

Redevelopment Considerations

- Large parcel with Hudson River views between two other vacant strategic sites.
- Topography could potentially accommodate multi-story building(s) and underground parking without obstructing existing views.
- Located next to educational and research facilities.
- Adjacent to a historic district. A fraction of the site is in the Montgomery-Grand-Liberty Streets Historic District, but it is not within the Historic District zoning overlay.
- Neighbor to quieter residential and religious uses.
- Walkable to the waterfront, the Broadway Corridor, and transit connections.
- Zoning: Waterfront Gateway (WG), a form-based district intended for three- to eight-story, dense, mixed-use development with civic anchors. The district permits mixed-use and most residential, institutional, and commercial uses, subject to design standards and site review. Industrial and larger scale uses (e.g., hospitals, shopping centers) are not permitted. The code includes provisions for preserving significant upland scenic views, including from the Newburgh Free Library.
- Site cleanup may be required prior to development. The site was given an environmental ranking of 1 based on potential contamination from prior uses and demolition fill.
- The City would be ineligible to receive cleanup funding as the party responsible for the contamination. However, if ownership is transferred to an eligible government, non-profit, or community development entity, the site could qualify for U.S EPA Brownfield cleanup grants. If ownership is transferred to a private entity, the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP). If admitted into the BCP, the site could be eligible for standard BCP tax credits as well as additional tax credits due to the site's location in a BOA, an Environmental Zone, and a disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[11]

Recommended Future Uses

[10] This triangular parking lot area is sometimes mistaken for the former Clinton Square, which was located at modern-day 1 Water Street.

[11] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

2 Montgomery Street is attractive for community services, mixed-use development, and/or recreational uses that take advantage of the property's Hudson River views. The Framework Plan recommends uses consistent with the site's location in a "cultural corridor." For example, during outreach activities, the public expressed interest in adding cultural and educational attractions in the BOA, such as museums, an Urban Renewal history center, and a science center. If feasible, the site is appropriate for dense, multi-story development with parking underneath and activity compatible with neighboring residential and institutional uses. There is a potential opportunity to redevelop the site and adjacent strategic sites in tandem and/or with complementary uses.

The site may have clean-up and geotechnical needs that impact future uses and owners. The City may choose to transfer ownership to another public, non-profit, or private entity that could be eligible to receive grants or tax credits to defer the cost of remediation. Redevelopment may be restricted to uses that meet the identified clean-up standard and follow a future site management plan. For example, a "restricted residential" standard would only permit residential uses with common ownership by a managing legal entity. The clean-up standard for residential uses is higher than non-residential uses.[12]

Next Steps

- Draft a site remediation plan, if needed, based on the results of the Phase II ESA
- Conduct a geotechnical investigation to evaluate site conditions for bearing loads
- Prepare a comprehensive hillside neighborhood master plan
- Determine the specific uses and ownership model for the site based on the master plan

Strategic Site 3: 110 Grand Street

Setting

110 Grand Street is a 1.71-acre parking lot with a beautiful view of the Hudson River. The property is level along Grand Street and where it abuts Ebenezer Baptist Church. The terrain slopes downward from south to north and west to east. The parking lot is within the Montgomery-Grand-Liberty Streets Historic District, the East End Historic District, and the Historic District zoning overlay district. Neighboring properties include the former City Club, several historic churches, and the Heritage Center. As noted above, there are also several educational facilities nearby. Narrow sidewalks along a concrete wall on Montgomery and Second Street give way to wider, slate sidewalks with shade trees on Grand Street.

Prior to urban renewal, the site contained approximately 25 parcels, including 19-37 Montgomery Street, 65-83 Second Street, and 104-118 Grand Street. The site had a mix of

[12] DER-10 Technical Guidance for Site Investigation and Remediation (2010), New York State Department of Environmental Conservation DEC Program Policy. Accessed via the NYSDEC Brownfield Cleanup Program website

buildings styles and uses: row and detached, brick and wood frame, residential and commercial. There were several stores, offices, and a church, with open spaces in the interior of the block. Buildings were two to three stories high.

A desktop analysis conducted in 2024 indicated the potential for contamination on site based on prior uses and/or construction and demolition fill.

Redevelopment Considerations

- Large parcel with Hudson River views on the Grand Street commercial corridor, adjacent to another vacant strategic site.
- Walkable to the waterfront, the Broadway Corridor, and transit connections.
- Topography could potentially accommodate a multi-story building(s) with a level for parking without obstructing existing, protected views.
- Located next to educational, research, and workforce development facilities. Neighbor to quieter residential and religious uses.
- Within two historic districts.
- Zoning: Downtown Neighborhood (DN) and East End Historic (EEH) District Overlay. DN is a form-based district intended, in this location, to protect the quality of the Grand Street Heritage Corridor. The code specifies that new infill development shall be two- to six-stories and respect the pattern and scale of existing urban development. The code includes provisions for preserving significant upland scenic views, including from the Newburgh Free Library. In addition, development in the EEH Overlay Historic Overlay requires a certificate of appropriateness from the City of Newburgh Architectural Review Commission, which shall be guided by the East End Historic District Guidelines. The DN district permits mixed-use and most residential, institutional, and commercial uses, subject to design standards and, in some cases, site review.
- Site cleanup may be required prior to development. The site was given an environmental ranking of 1 based on potential contamination from prior uses and demolition fill.
- The City would be ineligible to receive cleanup funding as the party responsible for the contamination. However, if ownership is transferred to an eligible government, non-profit, or community development entity, the site could qualify for U.S EPA Brownfield cleanup grants. If ownership is transferred to a private entity, the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP). If admitted into the BCP, the site could be eligible for standard BCP tax credits as well as additional tax credits due to the sites' location in a BOA, an Environmental Zone, and a

disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[13]

Recommended Future Uses

The Framework Plan recommends development consistent with the site's location in a "cultural corridor." Given the surrounding uses, this site may be suitable for a larger-scale building with civic or community uses. The grade may offer an opportunity for a creative architectural design that provides both form and function, for example, with subsurface parking and scenic rooftop views. During outreach activities, the public expressed interest in adding attractions in the BOA such as museums, an Urban Renewal history center, a youth center with educational and recreational programming, workforce development/incubators, and a hotel/conference center. There is a potential opportunity to redevelop the site and adjacent strategic site in tandem and/or with complementary uses.

The site may have clean-up and geotechnical needs that impact future uses and owners. The City may choose to transfer ownership to another public, non-profit, or private entity that could be eligible to receive grants or tax credits to defer the cost of remediation. Redevelopment may be restricted to uses that meet the identified clean-up standard and follow a future site management plan.

Next Steps

- Complete a Phase I ESA to evaluate site conditions
- If necessary, complete a Phase II ESA and a site remediation plan
- Prepare a comprehensive hillside neighborhood master plan
- Determine the proposed uses and ownership model for the site based on the master plan
- Conduct a geotechnical investigation to evaluate site conditions for bearing loads before redevelopment

Non-Urban Renewal Land

Strategic Site 9: 1 Lafayette Street

Setting

1 Lafayette Street is a 1.44-acre paved asphalt lot with a fence and trees bordering the southern and eastern sides. The property slopes gently toward the water with a view of the Hudson River. The site is owned by the public New York-New Jersey Palisades Interstate Park

[13] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

Commission which was created to protect and conserve natural lands, parks, and historic sites in the Palisades. The site is adjacent to the Washington's Headquarters State Historic Site, but is not itself a historic or park site. The Sanborn Fire Insurance maps indicate there were few or no structures on the site between 1884 and 1950. The northern third of the property, which neighbors the historic site, is within the East End Historic District.

1 Lafayette Street is in a former industrial area which features a mix of uses and some vacant lots. Other adjacent uses include the Foundry apartments (adaptive reuse), multi-family townhomes, and ABC Supply Company. Several industrial uses remain in the vicinity, including along the waterfront. The property is a short walk to the mixed-use Liberty Street commercial corridor and open space on the Waterfront.

Redevelopment Considerations

- Large parcel with Hudson River views next to a landmark historic site and new adaptive reuse development.
- Area with a wide variety of uses walkable to jobs, residential neighborhoods, the Broadway and Liberty Commercial corridors, and the waterfront.
- Multi-story buildings may be possible without obscuring protected views.
- Zoning: Downtown Neighborhood (DN) and East End Historic (EEH) District Overlay. DN is a form-based district intended to protect the quality of downtown neighborhoods. The district permits mixed-use and most residential, institutional, and commercial uses, subject to design standards and, in some cases, site review. New infill development shall respect the pattern and scale of existing urban development. Buildings can be two- to six-stories, but views from the Washington's Headquarters State Historic Site must be preserved. In addition, development for the portion of the site in the EEH Overlay Historic Overlay requires a certificate of appropriateness from the City of Newburgh Architectural Review Commission, which shall be guided by the East End Historic District Guidelines.
- Site cleanup may be required prior to development. The site was given an environmental ranking of 1 based on a Phase 1 ESA that indicated the potential for contamination from prior industrial uses and fill materials.
- The site may be eligible for a U.S EPA Brownfield cleanup grant. If ownership is transferred to a private entity, the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP). If admitted into the BCP, the site could be eligible for standard BCP tax credits as well as additional tax credits due to the sites' location in a BOA, an Environmental Zone, and a disadvantaged community. Further BCP tax credits may be available for affordable housing developments.[14]

[14] Brownfield redevelopment tax credit rate structure, NYS Department of Taxation and Finance, accessed from https://www.tax.ny.gov/research/stats/statistics/special_interest_reports/brownfield_credit/brtc-rate-structure.htm on April 10, 025.

Recommended Future Uses

The Framework Plan recommends residential and related uses for properties overlooking the Hudson River. The location of 1 Lafayette Street near a historic site, residential adaptive reuse, and mixed-use commercial areas make it attractive for additional residential uses, community uses, and mixed-use with neighborhood commercial services. Given developer interest in high-density residential properties in this area, the property owner may also consider redeveloping the site as a community park or recreation area.

Potential Next Steps

- Prepare a comprehensive hillside neighborhood master plan
- Work collaboratively with the property owner on redevelopment
- Property owner completes a Phase II ESA and, if needed, a site remediation plan

Strategic Site 10: Mid-Broadway

132, 136, 138, 140, 142, 142A, 144. 146, and 148 Broadway
6, 10 ,12, 14, 16, and 18 Johnston Street
6, 8, and 14 Lander Street

Setting

The Mid-Broadway strategic site is a vacant block and rear paved lot on the Broadway commercial corridor that is comprised of 18 adjacent parcels totaling 1.8 acres. The southern portion is grassed and covers one block of Broadway, with three parcels fronting Lander Street and five parcels extending down Johnston Street. The northern portion is a 0.7-acre paved lot surrounded by a fence at 18 Johnston Street. The only structure is a three-story commercial shell building on 14 Johnston Street. The property is privately owned, the remainder are owned by the City of Newburgh.

Mid-Broadway is within a mixed-use commercial district, with a residential neighborhood to the north, and several community service uses nearby. The site is adjacent to homes, businesses, the Orange County Department of Motor Vehicles, neighborhood churches, and the New York State Armory building, a nationally registered historic place with county offices. Montefiore St. Luke's Cornwall Hospital is steps away.

Historic uses of the site include stores, saloons, three-story brick flats and row houses, a laundromat, and an automobile sales and service shop at 8-12 Lander (now 8 Lander). 18 Lander has been a vacant lot since at least the mid-1990s. The buildings on the southern portion of the site were demolished in the early 2000s, and City workers have reported unstable ground conditions on these parcels. A Phase I ESA found the potential for soil and

groundwater contamination from spills, tanks, and prior uses associated with 8 and 14 Lander Street.

Redevelopment Considerations

- Large area that is largely owned by the City of Newburgh on the Broadway commercial corridor for new, infill development.
- Walkable to jobs, restaurants, a hospital, community services and institutions, and the waterfront.
- Zoning: The site is split between the Broadway Corridor and the Downtown Neighborhood form-based zoning districts. Permitted uses are subject to design standards and, in some cases, site review. The entire site is within the East End Historic (EEH) District Overlay.
    - The Broadway parcels are zoned Broadway Corridor, a form-based district intended to promote a vibrant, pedestrian-oriented, mixed-use district with three-to five-story buildings. A "Main Street" "Shopfront" design is preferred for new development, with ground floor retail and commercial or residential on the upper floors. Higher density residential and almost all commercial and institutional uses are permitted. One- and Two family residential is not permitted.
    - The Johnston and Lander parcels are zoned Downtown Neighborhood, a form-based district intended to protect the quality of downtown residential neighborhoods. The district permits mixed-use and most residential, institutional, and commercial uses. New infill development shall respect the pattern and scale of existing urban development. Rowhouses and compact detached houses can be two- to four-stories high. Commercial development can be three- to six-stories high.
    - Development on all parcels requires a certificate of appropriateness from the City of Newburgh Architectural Review Commission, which shall be guided by the East End Historic District Guidelines.
- Site cleanup may be required prior to development. The site was given an environmental ranking of 2 based on a Phase 1 ESA that found open and closed petroleum spills on site. The site may be eligible for a U.S EPA Brownfield cleanup grant.

Recommended Future Uses

Potential future uses include mixed-use, commercial, and residential consistent with the zoning for these parcels. The site offers a rare opportunity for new infill development on the Broadway corridor. The location near employers, healthcare services, and downtown amenities could make it attractive for workforce housing, restaurants, and health services (e.g., professional offices, pharmacy). New development could be higher density to be consistent

with other uses along Broadway and could be mixed-use buildings with retail on the ground floor and residential above.

Potential Next Steps

- Continue to pursue funding opportunities to assess and, if needed, clean up the property for redevelopment.
- Prepare a Phase II ESA and, if needed, a site remediation plan
- A geotechnical analysis may be needed to evaluate site conditions for bearing loads.
- Work collaboratively with the property owner of 14 Johnston Street on redevelopment
- Prepare a conceptual site plan to illustrate development opportunities and to market to the private sector.

Site Assessment Candidates

Based on the environmental histories and rankings described in Section 3, all of the strategic sites are potential candidates for continued site assessment.

Potential Contamination

The following sites have an environmental ranking of 1, indicating potential contamination. Further Environmental Site Assessments (ESAs) are recommended for these sites to verify if contamination is present that would require remediation prior to redevelopment.

Strategic Site 1. Hillside North 1 at 35 Broad Street

35 Broad Street was historically developed in an urban setting with mixed-use commercial businesses and residential housing between at least the mid-1800s to 1975. Prior uses on site include a machine shop and auto repair shop. Urban Renewal demolished several buildings on site prior to modern environmental controls. A Phase I ESA conducted in 2024 concluded there is potential contamination on site from petroleum products, hazardous substances, urban fill, and/or construction and demolition fill. This finding is supported by evidence from City of Newburgh officials who have found petroleum and chemical contaminants in the buried fill/waste of nearby Urban Renewal properties. A Phase II ESA and a geotechnical investigation are recommended to evaluate site conditions.

Strategic Site 2. Hillside North 2, 215, 209, 207, and 207 rear Water Street and the Clinton Street right-of-way

These Hillside properties were developed in an urban setting, primarily with commercial retail stores, from at least the mid-1800s until approximately 1967. The Sanborn Fire Insurance maps show a paint shop on the southern portion of the site in 1884. Urban Renewal demolition site buildings in the late 1960s, leaving behind demolition fill and waste. A Phase I ESA conducted in 2024 concluded that past uses and fill materials may have affected site conditions. A Phase II ESA and a geotechnical investigation are recommended to evaluate site conditions.

Strategic Site 3. 110 Grand Street

110 Grand Street was developed as part of a historic urban neighborhood with residential, commercial, and cultural uses from at least the mid-1800s through the 1960s. Prior uses on the property include a steam laundry, tin shop, and undertakers. Urban Renewal demolished the buildings on site in the mid-nineteenth century prior to modern environmental controls. The site is currently a parking lot. A desktop analysis conducted in 2024 indicated the potential for contamination on site based on prior uses and/or construction and demolition fill. A Phase I ESA is recommended to evaluate site conditions.

Strategic Site 9. 1 Lafayette Street

1 Lafayette Street and surrounding properties were identified with past uses that included heavy industry, foundries, machine shops, and manufacturing. A Phase I ESA conducted in 2024 concluded that the industrial uses adjacent to the site and on-site in the early 1900s and historic deposition of unknown demolition and other fill materials is considered an environmental condition that may have affected site soil and groundwater quality. A Phase II ESA is recommended to evaluate potential site contamination.

Strategic Site 4. Hillside at 2 Montgomery Street

2 Montgomery Street was developed in an urban setting, primarily with residential row-type buildings and some businesses from at least the mid-1800s until approximately 1975. Past uses included a paint, tin, and printing shop. Urban Renewal razed the buildings on site in the mid-nineteenth century prior to modern environmental controls. A Phase I ESA conducted in 2024 identified numerous potential environmental conditions present at the site that may be attributable to past uses and demolition activities. A Phase II ESA was conducted in 2024 and the data were being analyzed in 2025. If contamination is found, subsequent steps may include further assessment and creating a draft remediation plan. A geotechnical investigation is also recommended to evaluate site conditions for bearing loads.

Potential Contamination with Open Spills

The following site has an environmental ranking of 2, indicating potential contamination with recorded open and/or closed spills. Phase II Environmental Site Assessments are recommended for these sites to verify if contamination is present that would require remediation prior to redevelopment.

Strategic Site 10. Mid-Broadway
132 and 136-148 Broadway, 6 and 10-18 Johnston Street, 6, 8, and 14 Lander Street

The mid-Broadway block between Johnston and Lander Street was developed in an urban setting, primarily with mixed-use commercial businesses and residential housing, between at least the mid-1800s to early 2000s. The buildings were subsequently demolished by the site owner (?) except for a shell building at 14 Johnston. Prior uses included a drycleaning facility

and auto repair (8 Lander). A Phase I ESA concluded that past uses and multiple petroleum spills at 8 Lander Street may have adversely affected site soil and groundwater quality on portions of the site. A Phase II ESA is recommended to analyze site conditions.

Known Contamination

The following sites have an environmental ranking of 3, indicating contaminants are known to be present at levels exceeding environmental standards. Phase II ESAs of these sites found contamination in the surface and subsurface soil that would require remediation prior to redevelopment. The assessments also found potentially unstable fill material that may need to be managed prior to construction.

Strategic Site 5. Hillside and 4th Street, 81 Water Street

81 Water Street was developed in an urban setting, primarily with commercial retail stores, from at least the mid-1800s to 1975. Urban Renewal demolished the buildings on site in the 1970s prior to modern environmental controls. A Phase I ESA conducted in 2024 concluded that petroleum products and/or hazardous substances may be present on site. A Phase II ESA was subsequently conducted, which found that past mixed-uses and subsequent building demolition have impacted the surface and subsurface of the site with contamination that will likely need to be managed prior to redevelopment. Additionally, the investigation identified urban fill materials throughout the site that may present a barrier to redevelopment as the materials may not be suitable to support structures.

Recommended next steps for the property include finalizing a remediation plan and conducting a geotechnical investigation to evaluate site conditions for bearing loads. The City is not eligible for cleanup funding as the party responsible for the contamination. If ownership is transferred to an eligible government, non-profit, or community development entity the site could be eligible for a U.S EPA Brownfield cleanup grant. If ownership is transferred to a private entity the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP).

Strategic Site 6. Hillside and 2nd Street, 57 and 1 Water Street

Prior to Urban Renewal, the site was developed in an urban setting, primarily with commercial retail stores from at least the mid-1800s to 1975. Prior uses included light industrial uses suc has printing and laundry services. Urban Renewal demolished the buildings on site in the 1970s prior to modern environmental controls. A Phase I ESA conducted in 2024 concluded there may be potential contamination on site from petroleum products, hazardous substances, urban fill, and/or construction and demolition fill. A subsequent Phase II ESA determined that past mixed-uses and subsequent building demolition have impacted the surface and subsurface site soil quality. Additionally, the investigation identified urban fill materials throughout the site that may present a barrier to redevelopment as the materials may not be suitable to support structures.

Recommended next steps for the property include finalizing a remediation plan and conducting a geotechnical investigation to evaluate site conditions for bearing loads. The City is not eligible

for cleanup funding as the party responsible for the contamination. If ownership is transferred to an eligible government, non-profit, or community development entity the site could be eligible for a U.S EPA Brownfield cleanup grant. If ownership is transferred to a private entity the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP).

Strategic Site 7. Hillside and Broadway North, 2 Colden Street

Prior to Urban Renewal, the site was developed in an urban setting, primarily with commercial retail stores from at least the mid-1800s to 1975. Prior light industrial uses included printing, painting, furniture manufacturing, handbag manufacturing, laundry services and an auto garage. Urban Renewal demolished the buildings on site in the 1970s prior to modern environmental controls. A Phase I ESA conducted in 2024 concluded there may be potential contamination on site from petroleum products, hazardous substances, urban fill, and/or construction and demolition fill. A subsequent Phase II ESA determined that past mixed-uses and subsequent building demolition have impacted the surface and subsurface site soil quality. Additionally, the investigation identified urban fill materials throughout the site that may present a barrier to redevelopment as the materials may not be suitable to support structures.

Recommended next steps for the property include finalizing a remediation plan and conducting a geotechnical investigation to evaluate site conditions for bearing loads. The City is not eligible for cleanup funding as the party responsible for the contamination. If ownership is transferred to an eligible government, non-profit, or community development entity the site could be eligible for a U.S EPA Brownfield cleanup grant. If ownership is transferred to a private entity the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP).

Strategic Site 8. Hillside and Broadway South, 94 South Water Street.

The site and surrounding area were developed in an urban setting, primarily with commercial retail stores, from at least the mid-1800s until approximately 1975. Prior uses included a handbag manufacturer and garage. Urban Renewal demolished the buildings on site in the 1970s before modern environmental controls. A Phase I ESA conducted in 2024 concluded that the past site use as a former garage and potential off-site sources may have adversely affected site soils and groundwater. A Phase II ESA conducted in 2024 determined that past mixed-uses and subsequent building demolition have impacted the surface and subsurface of the site with contamination that will likely need to be managed prior to redevelopment. Additionally, the investigation identified urban fill materials throughout the site that may present a barrier to redevelopment as the materials may not be suitable to support structures.

Recommended next steps for the property include finalizing a remediation plan and conducting a geotechnical investigation to evaluate site conditions for bearing loads. The City is not eligible for cleanup funding as the party responsible for the contamination. If ownership is transferred to an eligible government, non-profit, or community development entity the site could be eligible for a U.S EPA Brownfield cleanup grant. If ownership is transferred to a private entity the site may be eligible for tax credits through the NYSDEC Brownfield Cleanup Program (BCP).

4.3 IMPLEMENTATION MATRIX

To assist in the implementation of the Hillside BOA, recommended actions are summarized in the matrix in Table X. For each action, potential partners, funding sources, estimated costs, and an implementation timeline are identified. The matrix is organized around the same four topic areas introduced in the recommendations section:

- Land Use & Policy
- Economic Development
- Parks, Open Space, and Transportation
- Environment and Infrastructure

Implementation Matrix

Recommendation	Champion	Potential Partners	Timeframe			Est. Cost	Potential Funding Sources
			Phase	Term short, med. long, ongoing	Duration (Years)		
Use and Policy							
Prepare a Comprehensive Hillside Neighborhood Master Plan to Guide Redevelopment of the Hillside. This community-led plan will outline the desired redevelopment approach for city-owned urban renewal lands. Recommended components of the Hillside Neighborhood Master Plan process include:			1	short-term	1	**$125,000**	
Establish a Community Working Group to lead the effort, that includes urban renewal descendants.	City Council	Community Indemnification Committee (CIC), Property Owners, Residents (e.g. Varick, Bourne), City Planning	1				
Research national models and case studies that seek to advance equitable development, to build wealth, and to provide indemnification for urban renewal descendants.	Community Working Group (CWG)	Selected Consultant, outreach to other national models (i.e., Tulsa, OK)	1				
Formulate a redevelopment model and policy/governance structure specific to Newburgh and the Hillside area that defines (1) a community benefits plan and fund (2) a future ownership model of the sites currently owned by the City.	CWG	Selected Consultant, outreach to other national models (i.e., Tulsa, OK)	1				

Conduct a needs assessment for the Hillside neighborhood to identify (1) specific uses that are desired by the community (i.e., community center, grocery store, job centers, senior center, workforce development, small business support, youth activities, etc.) (2) specific housing types that meet the needs of residents and the Newburgh market.	CWG	Property Owners, Residents (e.g. Varick, Bourne)	1				
Prepare a Physical Master Plan that illustrates the desired look and feel of redevelopment of the Hillside, with mixed-use and mixed-income redevelopment that balances community and economic development. The Plan can build on prior research and concepts developed with community input, as appropriate.	CWG	Selected Consultant, City Planning, City Engineering	1				
Define an implementation strategy to enact the plan, with support from the Community Working Group.							
Establish clear mechanisms for community engagement as Hillside redevelopment progresses	CWG	*(Part of CWG scope)*	1	Ongoing	N/A	N/A	N/A
Ensure descendent involvement in redevelopment of urban renewal lands going forward	City Council	Community Working Group (CWG)	1				
Continue to partner with religious institutions for community development in the Hillside neighborhood	CWG	Christian Ministerial Fellowship	1				
Review and update zoning based on detailed master plan results Update the zoning as needed to implement the master plan described in recommendation 1. The zoning code can help implement the community's vision by setting requirements for density, building design, sustainable design, parking, inclusionary zoning requirements, etc. Consider architectural standards as redevelopment takes place.			2				

Incorporate the Waterfront in redevelopment planning To reconnect the city to its shoreline and ensure the Newburgh Port and waterfront operate as an attractive and functional gateway to the city.	City	Ferry Operator (check) - NY Waterway (MTA), NYS DOS, NYS OGS, River Marina (above), Property owners, Newburgh Waterways Center (3 rowing clubs and Coast Guard auxilliary), Private Boat / Charter operators, Steelways,					
Recognize the history and heritage of urban renewal as part of the Hillside redevelopment		Community Indemnification Commmitee, CWG, OC Council of the Arts, Oral History Project SC, Newburgh Arts and Cultural Commission, Black History Committee of the Hudson Valley, City Historian, NAACP					
Consider public art to recognize the importance of this area of the city (e.g., bronze 'to-scale' sculpture of the Hillside pre-urban renewal, informational and visual installations, virtual reality timescopes or viewers that depict the landscape at different times).							
Explore the possibility of local, state, or federal historic designation that acknowledges the historical impact of urban renewal.							
Conduct a Phase 1A Cultural/Archeological Study of the Hillside Complete a Phase 1A Cultural/Archaeological Study to identify any sensitive historic resources or potential development constraints in order to help prepare the sites for redevelopment. Information from the study can be used to							

preserve the history of the area and integrate it into future development.							
Review important viewsheds and incorporate preservation of visual resources into the Hillside Master Plan The Newburgh Zoning Ordinance includes provisions to preserve significant scenic views from the Dutch Reformed Church, Washington's Headquarters, The Newburgh Free Library, Broadway and Colden, and Bay View Terrace. As part of the planning process for the Hillside Master Plan, identify any additional viewsheds that could qualify as "providing significant benefits to the residents and visitors of Newburgh and as important parts of Newburgh's cultural heritage" (City of Newburgh, New York Zoning Ordinance Article XI Section 300-87 B(2)). **Leverage publicly owned parcels and rights of way to direct development** Use publicly owned parcels and rights of way (56% of BOA), including vacant land (49.2 acres), to model and create development that is in line with the community's vision (e.g., with land transfer or sales agreements, public development, etc.). **Partner with SUNY Orange (OCCC) to better integrate the campus into the community**	SUNY Orange	County, State, DOT, City Departments, Community Working Group, Newburgh Land Bank City, Community Working Group (CWG)	1 1	short-term			
Create safe and inviting physical connections to the surrounding neighborhood	SUNY Orange	City, adjacent property owners, future developers	1				

Work with the community to identify complementary programs that support local community development (e.g., workforce training, childcare, increased local enrollment)	SUNY Orange	Orange County Economic Development, IDA, and Partnership	1				
Prepare a reuse feasibility study of the Newburgh Public Safety Building site at 55 Broadway Explore alternatives for repurposing the 1.9 acre property, which overlooks the Hudson River at the base of Broadway with a use that advances the community's vision for the Hillside and Broadway area. Consider options for relocating the Newburgh Police and Fire Department headquarters to an updated facility.			2				
Redevelop parking lot(s) on the Waterfront Redevelop the City-owned parking lot on Water Street between Fourth Street and Third Street with a higher density use suitable for its location at a multimodal gateway location near Unico Park and the Newburgh Landing Dock. As development progresses, work with private property owners on Water Street and Front Street to reduce and consolidate surface parking (e.g., with a parking garage or parking set into the Hillside) and redevelop vacant lots with active uses.							
Consider methods to incentivize developers to implement as many BOA recommendations as feasible within each project while preserving the City's tax base							
Economic Development							

Identify sites that maximize economic development opportunities Using input from the BOA nomination study and the Hillside Master Plan, identify sites for commercial redevelopment and market-rate real estate that will maximize community returns, for example, through increased local jobs, an increased tax base to support local services and affordable residential taxes, and/or increased tourism and visitation to local businesses.	CWG	SEDAC Orange County ED, IDA, Partnership, Tourism Realtors, Developers					
Expand local tourism opportunities through the redevelopment of the Hillside Incorporate uses, attractions, physical connections, and views that will expand tourism at the waterfront and draw visitors into the Hillside district and downtown; build on existing businesses (e.g., restaurants), assets (e.g., local artists and architecture), partnerships (e.g., Orange County Tourism) and planned projects (e.g., Newburgh Landing Dock).		OC Arts Council SEDAC Orange County ED, IDA, Partnership, Tourism Realtors, Developers,					
Seek grants from New York State to support redevelopment goals Pursue relevant community development grants from NYS, such as NYS DOS LWRP EPF funding and BOA Implementation grants, and the Smart Growth Program, Empire State Development (ESD) RESTORE New York Initiative and FAST NY program,, connecting private developers to Homes and Community Renewal (HCR) housing tax incentives and grants (e.g., affordable, workforce, middle-income housing), and other grants as they become available such as from the NYS Environmental Bond Act.							

Identify vocational training and workforce development opportunities Work with local educational institutions and non-profit and industry partners on workforce development programs for jobs in the shorter-term (e.g., brownfield clean-up, historic preservation, construction) and longer-term (e.g., healthcare, social assistance, hospitality, and food services, trades, and administrative sectors).	SUNY Orange	NFA trades center - NESD SUNY Orange County Workforce Investment Board, County Employment & training Administration NYS DOL Youth Build, Unions - Labor Local 17 (Vera Best) - Best Resource					
Incorporate business incubator spaces Incorporate business incubator spaces and programs to support local entrepreneurs and small businesses (e.g., commercial kitchen, incubator market, maker space, STEM center, live/work studios, co-working and pop-up spaces) As the Hillside is redeveloped, integrate small-scale retail to support new growth Incorporate spaces for neighborhood retail into new development to support walkable, active districts.	DDA?	OC Chamber of Commerce, Downtown District Alliance (check name),	3				
Consider small-scale specialty manufacturing opportunities True to Newburgh's history, consider opportunities to incorporate spaces, partnerships, and local talent that support specialty "Made in Newburgh" manufacturing businesses (e.g., handbags, textiles, soaps, home goods, bicycles)							

Invest in infrastructure and complete public space improvements to attract new development Continue to invest in infrastructure (i.e., upgrades to sewer, water, stormwater systems), sidewalk improvements, parks and open spaces, and other public spaces to illustrate the City's willingness to preserve and enhance the public space adjacent to private property. This type of investment can bring confidence to the private sector who will, in turn, invest in their own projects.			2				
Partner with the Newburgh IDA for development incentives, where appropriate As private development takes place, the developer may seek tax incentives to help make the project financially viable. For each project, a cost-benefit analysis is typically done to ensure that the financial incentive is viable. This process could be followed for proposed new private development projects in the BOA.							
Parks, Open Space, and Transportation							
Expand and augment a wide variety of parks and open spaces within the Hillside and along the waterfront	**Planning/Engineering (City)**	**Greater Newburgh Parks Conservancy (run EJ Fellows)**	1				
Restore neighborhood parks, courtyards, squares, pocket parks, gardens, and other public spaces into the Hillside Master Plan.		**Our Core, Residents, CWG**					
Improve public access to the waterfront, including by (1) implementing and connecting to the new deepwater Newburgh Landing Dock (2) evaluating Unico Park for enhancements (3) enhancing public boat launch infrastructure, and (4) utilizing rights of way on the waterfront to increase direct public access to the shoreline.		**City, DEC,**					

Continue to work with private developers on the waterfront to integrate publicly accessible greenspace and public access to the water (per zoning)							
Prepare a Hillside BOA Bicycle/Pedestrian Connectivity Master Plan To enhance connections between the waterfront and downtown core	TAC	TAC, Regional Connector, Orange County, NYS DOT, City	2				
Conduct a walk-audit of the Hillside Neighborhood			2				
Re-establish linkages and the old urban form using some of the former streets and existing rights of way			2				
Consider a landmark, centerpiece connection extending down from Broadway to the waterfront (e.g., grand pedestrian bridge or stairway, selected through a design competition)			2				
Improve pedestrian connections to Newburgh Landing Dock and Unico Park (e.g., via Fourth Street and Varrick Homes)			2				
Consider mechanical options to assist people with limited mobility			2				
Improve pedestrian infrastructure (e.g., crossings, sidewalks, lighting) in the BOA study area			2				
Create bicycle infrastructure (i.e., dedicated bike lanes, shared-use lanes, bicycle parking, signage)			2				
Collaborate with NYSDOT to implement more traffic calming on Water Street			2				
Expand indoor and outdoor active recreational facilities in the BOA Support the development of indoor and outdoor recreational facilities for children and adults to provide safe destinations and activities year-round for residents and families.	City Recreation Department	Boys and Girls Club, Newburgh Armory Unity Center, Youth and Adult Leagues, Rowing Club, City Rec Dept.					

Explore opportunities for new trail connections and sidewalk improvements Protect and build on the existing sidewalk and trail network, adding connections to the waterfront, Broadway, and regional bicycle and pedestrian trails, including trail amenities, as part of redevelopment.		River Keepers, Scenic Hudson, Regional Connector, OC Planning (Hudson Highlands Fjord Trail? PPP - NYS, LLC, Scenic Hudson)					
Create a signage and wayfinding program for the Hillside BOA as part of the Master Plan. Provide pedestrian signage and directional wayfinding with unified branding at gateway locations and along key corridors to guide visitors to attractions and destinations. Consider adding distance in walk time and using an inclusive design to serve diverse, multilingual visitors.			2				
Incorporate public art installations and an Art corridor for enjoyment by residents and visitors Partner with local artists, organizations, and developers to incorporate public art installations that create a more beautiful, welcoming, and dynamic environment while celebrating Newburgh's history, culture, and community.	City Recreation Department	Boys and Girls Club, Newburgh Armory Unity Center, Youth and Adult Leagues, Rowing Club, City Rec Dept.					
Prepare parking plan for waterfront lands. Create a plan to consolidate parking and improve multimodal circulation for waterfront visitors and nearby residents.							
Conduct a multimodal corridor study of Broadway Evaluate the opportunity for a multimodal transport hub on Broadway.							

Identify and implement connections to regional systems (i.e., Newburgh-Beacon) Create better transit connections to major employers to increase access to jobs and improve weekend transit services (e.g., Ferry) to support tourism.							
Environment and Infrastructure							
Conduct a geotechnical analysis of Hillside and other sites with demolition fill Complete geotechnical surveys of sites with steep slopes and/or demolition fill, including Urban Renewal land, to evaluate site conditions for bearing loads and to understand potential design needs or constraints for rebuilding on these properties.			1				

Advance cleanup and redevelopment of publicly owned brownfields and strategic sites Research strategies and land ownership models that take advantage of U.S. EPA Brownfield Grants. For Urban Renewal sites, the City of Newburgh is ineligible to receive U.S. EPA funding for brownfield assessment, cleanup, job training, or technical assistance as the party responsible for the contamination. One solution is to transfer ownership of one or more sites to an eligible government entity, redevelopment agency, community development organization (45D(c)(1), nonprofit organization (501(c)3), or a limited liability partnership or corporation whose sole members or managing/general partners are nonprofit organizations. [are examples desired?] During the planning process for the Hillside Master Plan (Recommendation 1), the Community Working Group can consider the best ownership model(s) for city-owned Urban Renewal sites in the future.							

Advance clean up and redevelopment of privately-owned brownfields and strategic sites Research opportunities through the NYSDEC Brownfield Cleanup Program (BCP) or U.S. EPA Revolving Loan Fund (RLF) grant to advance sites in the private sector. The BCP offers tax credits to qualifying for-profit entities for brownfield investigation, cleanup, monitoring, and improvements (e.g., new construction on site). The credit value varies depending on factors such as the site's location, level of cleanup (remediation track), and end-use. Participants may be able to combine BCP and other tax credits. The tax credits are from the state and do not impact the local tax base. RLF grants provide capital to a grant recipient who is not a for-profit agency to establish a revolving loan fund that provides loans and subgrants for brownfield cleanup activities on privately-owned sites.							
Conduct a redevelopment feasibility study for the Consolidated Iron Site	City						
As described in the Site Management Plan (SMP), the site is restricted to residential, commercial, and industrial uses provided the Engineering and Institutional controls and the environmental easement are followed. Considering the restrictions in SMP, identify a preferred master plan through an alternatives exploration, and prepare a Request for Proposals (RFP) for development.							
Ensure the site redevelopment creates park/open space and waterfront access for the public.							

Bury utility lines as sites and corridors are redeveloped. Burying utility lines would improve views of the Hudson and historic streetscapes while freeing up space for streetscape enhancements and reducing accidents, outages, and maintenance needs associated with above-ground lines.							
Create a consolidated stormwater management plan							
Incorporate findings into the zoning code, as needed							
Prepare a Stormwater Pollution Prevention Plan (SWPPP) for the Hillside, which includes the design and construction of stormwater facilities to accommodate the future buildout of the hillside so developers are not burdened with the design and implementation of post-construction stormwater management practices and individual SWPPPs.							
Incorporate green infrastructure and nature-based solutions within stormwater management plans							

Refer to a Green Infrastructure Design Standards Toolkit to promote sustainable development across the BOA. Green Infrastructure (GI) such as tree lawns, street trees, rain gardens, infiltration basins, and living shorelines can often be used in place of conventional "gray infrastructure" (e.g., pipes and concrete drainage basins) for stormwater management. GI can improve resilience to flooding and erosion while providing a range of co-benefits. For example, GI can help to moderate urban temperatures, improve air and water quality, provide habitat, and increase walkability. There are many GI toolkits available from government and non-government sources that provide guidance on how to implement and maintain BGI in different environments. Incorporate a GI toolkit as part of the Hillside Master Plan to provide design standards and guidance on best practices for built areas and public spaces.							
Update the 2007 shoreline condition assessment Review and update the findings of Newburgh's 2007 shoreline condition assessment, as needed, to reflect more recent flood/resilience data and worsening climate change projections. Refer to the latest NYSDEC projections for sea level rise along the Hudson River and related impacts in the coming decades.			1				

Consider resilient infrastructure/design upgrades to marinas and docks Review the NYSDEC climate change projections for Newburgh and consider updating design standards for waterfront structures to increase resilience to flooding, storm surge, higher tides, sea level rise, and more extreme weather. Refer to resilient design and planning resources from sources such as the NYSDOS Office of Planning, Development and Community Infrastructure and the NYSDEC Hudson River Estuary Program. **Assess and remediate invasive species and provide native plants and habitat** Vegetation on some vacant sites includes invasive species. As development progresses, work to remove invasive species and choose native trees and plants for new landscape installations. Consider opportunities to incorporate food plants and habitats for native wildlife, including pollinators, birds, migratory birds, and fish.	City CAC	DEC, Riverfront Marina, City EJ Fellows, CAC, Scenic Hudson, River Keeper	2				
Consider incorporating requirements to minimize light pollution To preserve the natural beauty and resources of the Hudson Valley, consider incorporating standards for types of lighting and lighting color standards for public and private development in order to minimize light pollution.							

RESOLUTION NO.: 101 - 2025

OF

APRIL 28, 2025

A RESOLUTION SCHEDULING A PUBLIC HEARING FOR MAY 12, 2025
TO HEAR PUBLIC COMMENT WITH REGARD TO
ADVANCING TO STEP TWO THE BROWNFIELD OPPORTUNITY AREA (BOA)
NOMINATION FOR THE CITY OF NEWBURGH, NY HILLSIDE

WHEREAS, by Resolution No. 80-2023 of May 8, 2023, the City Council of the City of Newburgh approved an agreement with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. consulting services related to the Brownfield Opportunity Area Nomination Study of The "Newburgh, NY Hillside" (the "Newburgh Hillside BOA Nomination"); and

WHEREAS, the City of Newburgh created a Steering Committee comprised of local stakeholders and government officials to oversee all aspects of the Newburgh Hillside BOA Nomination and to keep the general public informed and engaged throughout the process; and

WHEREAS, the Steering committed held 7 meetings, 2 formal public outreach events, and attended more than a dozen local organization meetings, as well as conducting an online survey and making a public presentation to the City Council on January 9, 2025; and

WHEREAS, a draft nomination document has been prepared for the purpose of submission to the Secretary of State of the New York State Department of State; and

WHEREAS, a public notice of intent to request designation of Brownfield Opportunity Area is required and conducting a public hearing to receive comments on the draft nomination document 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 there is hereby scheduled a public hearing to receive comments with regard to advancing to Step Two the Brownfield Opportunity Area Nomination for the City of Newburgh, Hillside BOA Plan; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 12th day of May, 2025.

I, Katrina Cotten, City Clerk of the City of Newburgh hereby certify that I have compared the foregoing with the original resolution adopted by the Council of the City of Newburgh at a regular meeting held 4/28/25 and that it is a true and correct copy of such original.

Witness my hand and seal of the City of Newburgh this 29th day of Apr. 2025

Katrina Cotten
City Clerk

RESOLUTION NO.: _____ - 2025

OF

MAY 12, 2025

RESOLUTION AMENDING RESOLUTION NO: 249-2024, THE 2025 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK TO INCREASE GENERAL FUND APPROPRIATED FUND BALANCE REVENUE LINE AND CODE ENFORCEMENT MOTOR EQUIPMENT EXPENSE LINE

WHEREAS, an amendment to the 2025 Budget is necessary to adjust for an accrual from the 2024 Budget related to motor equipment expenses in code enforcement; the same being in the best interest of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newburgh that Resolution No.: 249-2024, the 2025 Budget of the City of Newburgh, is hereby amended as follows:

		Decrease	Increase
A.0000.0599.1000.0000	Appropriated Fund Balance		$50,000.00
A.8664.0202.0000.0000	Code Enforcement Motor Equipment		$50,000.00
TOTAL:			$50,000.00

RESOLUTION NO.: _____ - 2025

OF

MAY 12, 2025

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH LEGACY HOSPITALITY AND ENTERTAINMENT GROUP LLC TO OPERATE THE FOOD AND REFRESHMENT CONCESSION AT THE NEWBURGH AQUATIC CENTER IN DELANO-HITCH PARK

WHEREAS, the City duly advertised for proposals in Solicitation No. 6.25 for the operation a food and refreshment concession at the Newburgh Aquatic Center, Delano Hitch Park; and

WHEREAS, the City received three (3) proposals, and Legacy Hospitality and Entertainment Group LLC received the highest score according to the scoring matrix in Solicitation No. 6.25; and

WHEREAS, this Council finds it to be in the best interest of the City of Newburgh to enter into a contract with Legacy Hospitality and Entertainment Group LLC for the operation a food and refreshment concession at the Newburgh Aquatic Center, Delano Hitch Park;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York, that the City Manager is hereby authorized to enter into a contract with Legacy Hospitality and Entertainment Group LLC for the operation a food and refreshment concession at the Newburgh Aquatic Center, Delano Hitch Park.

CITY OF NEWBURGH
Goods and Services Contract

This contract ("Contract") is made and entered into this _____ day of _____, 2025 ("Effective Date"), by and between the City of Newburgh, a municipal corporation, with an office address of 83 Broadway, Newburgh, New York 12550 ("City"), and Legacy Hospitality and Entertainment Group LLC, with an office address of 54 State Street, Suite 804, Albany, New York 12207 ("Contractor").

WITNESSETH

WHEREAS, the City issued Solicitation #6.25 (the "Solicitation") seeking proposals from qualified and experienced proposers with the capability of operating a food and refreshment concession at the Newburgh Aquatic Center, Delano Hitch Park, as further set forth in the Solicitation; and

WHEREAS, the City provided notification of the availability of the Solicitation in accordance with state and local requirements; and

WHEREAS, the Solicitation set forth the minimum administrative, technical, and cost requirements that a vendor needed to meet to be eligible for consideration to receive an award; and

WHEREAS, Contractor submitted a proposal in response to the Solicitation, and the same was reviewed through the procurement process; and

WHEREAS, the City evaluated Contractor's proposal and determined that the Contractor's proposal received the highest score according the scoring matrix set forth in the Solicitation; and

NOW THEREFORE, in consideration of the terms hereinafter mentioned and also the mutual covenants and obligations moving to each party hereto from the other, the Parties hereby agree as follows:

[Remainder of this page intentionally left blank. Terms and conditions to follow.]

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1. APPENDICES AND ATTACHMENTS

1.1. The following appendices and attachments, attached hereto, are hereby expressly made a part of this Contract:

Schedule A: Solicitation #6.25, Sections 1 through 15
Schedule B: Additional Terms and Conditions Unique to Contract, Including Menus and Pricing for 2025 Season

2. SCOPE OF SERVICES

2.1. Contractor shall render all services and deliverables and furnish all materials and equipment necessary to provide the City with services and deliverables more specifically described in **Schedule A** (hereafter "Services"), in a timely and professional manner, using the degree of care, skill, and diligence generally observed by other companies in the industry, and in accordance with the highest professional and industry standards relevant to the Services as reasonably anticipated based on the applicable Scope of Work.

2.2. Contractor shall render Services in accordance with this Contract and as set forth in **Schedule B**, which includes menus and pricing for the 2025 season.

2.3. Contractor will perform all Services. Services shall not be performed by any other person, entity, agency, affiliate, or subcontractor unless approved by the City in writing. Contractor shall remain responsible for the performance of all of its obligations under this Contract, and for the performance by all third parties providing Services herein. Any Contract between Contractor and a permitted subcontractor must contain terms and provisions consistent with those contained in this Contract.

3. RATES AND FEES

3.1. Contractor shall pay the City a sum of $**5,750.00** for use of City facilities necessary for Contract to deliver the Services, with said sum being paid in three (3) installments as follows:

3.1.1. $1,916.67, due upon execution of the Contract.

3.1.2. $1,916.66, due on or before July 1, 2025.

3.1.3. $1,916.66, due on or before August 1, 2025.

3.2. Should the City and Contractor mutually agree to exercise the first renewal year option, the fee for the first renewal year shall be the fee for the first year plus two (2) percent, and shall be paid to the City at the time the parties exercise the first renewal year option. Should the City and the selected vendor mutually exercise the second renewal year option, the fee for the second renewal year shall be the fee for the first renewal year plus

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two (2) percent, and shall be paid to the City at the time the parties exercise the first renewal year option.

3.3. Contractor shall provide a security deposit in the amount of $2,500.00, simultaneous to entry into this Contract, for damage to any facilities or equipment, reasonable wear and tear excepted. The security deposit must be in the form of either (a) surety bond; or (b) cash deposit. The City, in its sole discretion, reserves the right to determine whether City property has been adequately restored. A refund may be made after City evaluation.

3.4. Not applicable.

3.5. Not applicable.

3.6. Not applicable.

3.7. Not applicable.

3.8. Not applicable.

4. TERM

4.1. This Contract will commence on the Effective Date and will continue until:

4.1.1. September 1, 2025;

4.1.2. September 7, 2026, if the parties agree to exercise the first renewal year option;

4.1.3. September 6, 2027, if the parties agree to exercise the second renewal year option;

4.1.4. The Contract is terminated in accordance with Section 9.

4.2. Contractor must provide written notice of its intent to exercise a renewal year option by February 1 of the given renewal year to the City.

5. CONTRACTOR'S OBLIGATIONS

5.1. Contractor shall:

5.1.1. Apply such time, attention, and reasonable skill and care as may be necessary or appropriate for its proper performance and provision of the Services;

5.1.2. Use industry and proprietary tools and data for the provision of Services that are generally accepted as suited in the industry;

5.1.3. Comply with all applicable laws in connection with its performance of Services hereunder;

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5.1.4. Comply with all reasonable directions regarding the Services communicated to it from time to time by the City;

5.1.5. Keep confidential materials that are in its possession or control safe and secure;

5.1.6. Deliver all Services by the dates set out in the applicable Scope of Work or any other delivery date(s) agreed by the Parties in writing.

5.2. If at any time Contractor becomes aware that it may not be able to perform or deliver the Services by any date set out in the applicable scope of work (or any other deadline agreed by the Parties in writing), Contractor will promptly notify the City and give details of the reasons for the delay. Unless the delay is caused by Force Majeure, Contractor's failure to perform the Services will represent a material breach of this Contract entitling the City to terminate this Contract and pursue its legal and equitable remedies if the breach.

6. CONFIDENTIAL INFORMATION

6.1. Any information provided by the City to Contractor shall be deemed confidential. Contractor shall not disclose any information to a third-party unless authorized by the City in writing.

6.2. The obligations contained in this section shall survive the termination or expiration of any relationship between the parties into perpetuity.

7. WORK PRODUCT

7.1. Contractors must provide any written records in Word, Excel, PDF or another format acceptable to the City and be able to share documents with the City in electronic format via email or managed file transfer (for larger sized documents) in a manner acceptable to the City.

7.2. All records in any form (e.g. written, visual, audio, etc.) produced by the Contractor shall be property of the City. All records produced by the Contractor for the City, or on behalf of the City, shall not be used for any purpose without the City's written consent. At the conclusion of any engagement, either as a result of termination or the natural conclusion of the engagement, all records shall be turned over to the City within 60 days, or as may be extended in writing by the City.

7.3. All information collected or otherwise obtained by the Contractor, the Contractor's staff and all subcontractors in performance under the Contract is proprietary and may not be disclosed to any party other than the City without the City's express written consent.

7.4. The obligations contained in this section shall survive the termination or expiration of any relationship between the parties into perpetuity.

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7.5. Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (collectively called the "Records"). The Records must be kept for a minimum of six (6) years from the date of creation or three (3) years after final payment is remitted by the City, whichever is later. Any authorized representatives of the City, New York State, or Federal Government shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, a mutually agreeable reasonable venue within the State, for the term specified above for inspection, auditing, and copying.

7.6. The City reserves the right to use any work product prepared under this Contract regardless of whether the Contract is terminated or the project is suspended or abandoned. This right allows the City to use these documents in the future for the same project, a modified version of it, or for one that is similar.

8. KEY INDIVIDUALS AND ASSOCIATES

8.1. Should Contractor fail to provide at least the staffing mutually agreed upon by the City and Contractor during the term of the Contract, the City will have the right, in addition to any other right set forth herein, to prospectively renegotiate fees in light of any staffing deficiency.

8.2. Contractor may allocate suitable associates with appropriate levels of experience and seniority to provide the Services. The composition of Contractor's team assigned to the City and the allocation of their work time will comply with the specifications set forth in the relevant scopes of work.

8.3. Contractor will appoint specifically named key individuals to be actively involved in the provision of the Services. Should any key individual leave Contractor's employment or cease to be involved in the provision of Services for any reason Contractor will consult the City and, subject to the City's written approval, appoint a suitable replacement. Any such change in the key individuals will occur with full and timely transfer of know-how at Contractor's sole expense.

9. TERMINATION

9.1. The City may terminate this Contract or suspend or abandon Services for cause and upon fourteen (14) days written notice to the Contractor. Prior to the City terminating this Contract, a Notice of Termination must be given in writing and in accordance with the notice provision in Section 10 (Miscellaneous Provisions), below, to the Contractor that allows Contractor fourteen (14) days to correct any default. If the default is corrected/cured, the City may not terminate this Contract. Contractor may terminate this Contract only if the City substantially fails to perform in accordance with Section 3 of this Contract regarding payment for Services. Prior to Contractor terminating this Contract, a Notice of Termination must be given in writing and in accordance with the

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notice provision in Section 10 (Miscellaneous Provisions), below, to the City that allows the City fourteen (14) days to correct any default. If the default is corrected/cured, Contractor may not terminate this Contract.

9.2. In the event the City terminates this Contract, suspends Services more than 180 days, abandons Services, or the Contractor terminates this Contract, the City shall pay to the Contractor full payment for Services performed and expenses incurred under this Contract as follows:

9.2.1. The sum due under Section 3 (Compensation) as shall have become payable because of progress in the work plus a pro-rata portion of the next succeeding and uncompleted step, if any, for services actually rendered by Contractor.

9.2.2. In ascertaining the services actually rendered up to the date of termination of this Contract, or suspension or abandonment Services, consideration will be given by the City to completed work and work in process.

9.3. The City may immediately cancel this Contract on notice to Contractor if the City receives information that any work under this Contract conflicts with the provisions of any applicable law establishing a Code of Ethics for Federal, State or City officers and employees.

10. INSURANCE AND RISK MANAGEMENT

10.1. The parties agree that Contractor, its agents, officers, and employees, in the performance of this Contract, shall act in an independent capacity and not as officers, employees, or agents of the City.

10.2. Contractor agrees to hold harmless, defend, and indemnify the City, and the officers, agents, and employees of the City from all claims, damages, losses, causes of action and demands, and all costs and expenses incurred in connection therewith, resulting from or in any manner arising out of or in connection with any negligent act or omission or willful misconduct on the part of the Contractor, its officers, agents, and employees, in the performance of this Contract. This provision shall survive the expiration or termination of this Contract.

10.3. Contractor shall not commence work until the City has received evidence of the insurance policies and/or coverages required in this section and approved the same.

10.4. Contractor shall obtain the following policies and coverages. The insurance furnished by the Contractor under this section shall provide coverage in amounts not less than the following unless a different amount is stated herein:

10.4.1. Comprehensive or Commercial Form General Liability Insurance, on an occurrence basis, shall cover work done or to be done by or on behalf of the Contractor and shall provide insurance coverage for bodily injury, personal

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injury, property damage, and contractual liability. The aggregate limit shall apply separately to the work.

The minimum liability limits shall be as follows:

$2,000,000	General Aggregate
$1,000,000	Each Claim - combined single limit for bodily injury and property damage.

10.4.2. Workers' Compensation Insurance, shall include Employer Liability limits of $1,000,000 and other limits required under New York law.

10.5. Insurers shall be authorized in the State of New York to transact insurance and shall hold a current A.M. Best's rating of no less than A: VII or carrier acceptable to the City.

10.6. Contractor shall submit to the City certificates of insurance and endorsements to the policies of insurance required by the Contract as evidence of the insurance coverage.

10.7. The scope of coverage and deductible shall be shown on the certificate of insurance.

10.8. The certificates of insurance and endorsements shall provide for no cancellation of coverage without thirty (30) days written notice to the City, and without ten (10) days' notice for non-payment of premium.

10.9. Renewal certifications shall be timely filed by the Contractor for coverage until the work is accepted as complete.

10.10. Contractor shall notify the City in writing of any material change in insurance coverage.

10.11. Insurance policies shall contain, or be endorsed to contain, the following provisions and/or endorsements:

10.11.1. For the general and automobile liability policies, the City of Newburgh, its officers, employees, representatives, volunteers, and agents shall be covered as additional insureds.

10.11.2. For claims related to the work, Contractor's insurance coverage shall be primary insurance as respects the City of Newburgh, their officers, employees, representatives, volunteers, and agents. Insurance or self-insurance maintained by the City, their officers, employees, representatives, volunteers, and agents shall be in excess of the Contractor's insurance and shall not contribute with it.

10.11.3. Each insurance policy required by this section shall state that coverage shall not be canceled, except after thirty (30) days prior written notice by mail,

return receipt requested, has been given to the City, ten (10) days' notice for non-payment of premium.

10.11.4. The City, their officers, employees, representatives, volunteers, and agents shall not by reason of their inclusion as additional insureds incur liability to the insurance carriers for payment of premiums for such insurance.

10.12. Any deductible under any policy of insurance required in this section shall be the Contractor's liability.

10.13. Acceptance of certificates of insurance by the City shall not limit the Contractor's liability under the Contract.

10.14. If the City is damaged by the failure of Contractor to provide or maintain the required insurance, the Contractor shall pay the City for such damages.

10.15. Contractor's obligations to obtain and maintain required insurance are non-delegable duties under this Contract.

10.16. Contractor's insurances shall be primary in any suit by a third-party that names both the City and Contractor as defendants to an action.

10.17. Contractor waives and releases the City from any and all claims and liability or responsibility with respect to any losses covered by Contractor's insurance, including losses arising out of the inability to conduct business. Contractor agrees that its insurance companies shall have no right of subrogation against the City on account of this release.

11. MISCELLANEOUS

11.1. Contractor, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of the City by reason hereof, and that it will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the City, including but not limited to Worker's Compensation coverage, Unemployment Insurance benefits, Social Security coverage or Retirement membership or credit.

11.2. Contractor agrees to comply with all applicable Federal, State and City Civil Rights and Human Rights laws with reference to equal employment opportunities and the provision of services. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal Statutory and constitutional non-discrimination provisions, Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, Contractor agrees that neither it nor its sub-Contractors shall, by reason of race, creed, color, disability, sex or national origin; (a)

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discriminate in hiring against any citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this Contract.

11.3. Contractor certifies compliance with providing a drug-free workplace.

11.4. Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Contractor, to solicit or secure this Contract, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of this Contract. For breach or violation of this warranty, the City shall have the right to annul this Contract without liability, or, in its discretion, to deduct from the Contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

11.5. Contractor warrants that no officer or employee of the City of Newburgh has received, or shall receive, compensation from the Contractor or subcontractors for work performed in the execution of this Contract, or for any architectural or engineering services, public or private, performed for the Contractor or its subcontractors.

11.6. This Contract shall be binding on, and inure to the benefit of, the successors and permitted assigns of the parties.

11.7. Contractor may not assign, transfer, convey, sublet or otherwise dispose of the Contract or its right, title or interest therein, or its power to execute such Contract, to any other person, company or corporation, without written consent of the City. If this provision is violated, the City may revoke and annul the Contract and the City shall be relieved from all liability and obligations thereunder to the person, company or corporation to whom the Contractor shall purport to assign, transfer, convey, sublet or otherwise dispose of the Contract without such consent in writing of the City.

11.8. Notice for either party may be served by delivering it in writing via any form of United States Postal Service that contains a tracking number, or by Federal Express, or by United Parcel Service, to the respective party and address as shown on the Contract page.

11.8.1. Notice served upon the City shall be delivered to:

City of Newburgh
attn.: City Manager
83 Broadway
Newburgh, New York 12550

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with copy to:

City of Newburgh
Office of the Corporation Counsel
83 Broadway
Newburgh, New York 12550

11.8.2. Notice served upon Contractor shall be delivered to:

Legacy Hospitality and Entertainment Group LLC
54 State Street, Suite 804
Albany, New York 12207

11.9. In the event of any claims made or any actions brought against the City in connection with the Contract, Contractor agrees to provide all information and assistance in the City's opinion that is reasonably necessary to defend such Claim.

11.10. The State courts located in New York State, County of Orange, shall have exclusive jurisdiction to adjudicate any disputes arising out of or relating to, this Contract. Each party hereto consents to the jurisdiction of such court and waives any right it may otherwise have to challenge the appropriateness of the forum for any reason. Arbitration shall not be used to resolve any claims, controversies, or disputes between the parties.

11.11. This Contract shall be governed and construed in accordance with the laws of the State of New York, without giving effect to any conflict of laws principles that may apply.

11.12. This Contract constitutes the entire Contract between the parties with respect to the subject matter hereof and supersedes all other prior Contracts and understandings, both written and oral, between the parties with respect to the subject matter hereof. Any changes to this Contract may be amended by mutual consent of the parties hereto in writing.

11.13. This Contract may be executed in any number of counterparts with the same effect as if all the signing parties had signed the same document. All counterparts shall be construed together and shall constitute the same instrument.

11.14. In the event that any provision of this Contract is held to be unenforceable under applicable law, this Contract will continue in full force and effect without such provision and will be enforceable in accordance with its terms.

12. CERTIFICATION FOR FEDERAL OR STATE AID CONTRACTS (IF APPLICABLE)

12.1. Should this Contract, or any portion thereof, be funded with federal or state aid, Contractor certifies, by signing this Contract, to the best of its knowledge and belief, that:

12.1.1. No federal or state appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal or state agency, an elected member of federal or state government, an officer or employee of an elected member of federal or state government, in connection with the award of any federal or state contract, the making of any federal or state grant, the making of any federal or state loan, the entering into of any cooperative contract, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative contract.

12.1.2. If any funds other than federal or state appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal or state agency, an elected member of federal or state government, an officer or employee of an elected member of federal or state government in connection with this contract, the undersigned shall complete and submit a "Disclosure Form to Report Lobbying," in accordance with its instructions.

12.1.3. The signator to this Contract, being duly sworn, certifies that its company and any person associated therewith in the capacity of owner, partner, director, officer, or major stockholder (five percent or more ownership):

12.1.3.1. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal or state agency;

12.1.3.2. Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal or state agency within the past three years;

12.1.3.3. Does not have a proposed debarment pending; and

12.1.3.4. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

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[Signature and Acknowledgment Pages to Follow]

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in their respective names by their duly authorized representatives and their respective seals to be hereunder affixed, all as of the date above-written.

DATED: _____, 2025 CITY OF NEWBURGH

By: _____
Name: Todd Venning
Title: City Manager

DATED: _____, 2025 Legacy Hospitality and Entertainment Group LLC

By: _____
Name:
Title:

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

On the ____ day of _____, in the year 2025, before me personally appeared Todd Venning, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

STATE OF _____)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year 2025, before me personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

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[Schedules to Follow]

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SCHEDULE A – Solicitation #6.25, Sections 1 through 15

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Schedule A

1. NOTICE TO PROPOSERS

A. The City of Newburgh, NY seeks proposals from qualified vendors interested in operating a food and refreshment concession at the Newburgh Aquatic Center, Delano Hitch Park, 375 Washington Street, Newburgh, NY 12550.

The City desires to offer pool patrons and park visitors excellent fare at reasonable prices with an emphasis on customer service.

The Aquatic Center is a new facility opening in 2025.

B. The Concession/Kitchen facility is located at the Newburgh Aquatic Center, Delano Hitch Park, 375 Washington Street, Newburgh, NY 12550.

The facility is 435 square feet. The facility has two service windows (one for the pool and one for the park).

The pool features café style seating areas and tables under pavilions. Park goers will have picnic tables for seating.

The facility will have the following kitchen equipment:

- Full Height Commercial Refrigerator
- Full Height Freezer
- Glass Door Beverage Refrigerator
- Electric Countertop Griddle
- Double Batch Countertop Oven
- Countertop Commercial Air fryer

No exclusive seating is included in the seating area. The operator may not install any additional seating or tables in pool area.

No sales of alcoholic beverages are permitted.

The operator must have filed all necessary food service applications with and received all necessary licenses and permits for operation from the Orange County Department of Health prior to opening and must keep all such licenses active and in good standing for the duration of any operation.

C. The operation period for the concession facility for 2025 will be May 24th through September 1st, Tuesdays through Sundays, from 10 a.m. through 6:00 p.m. ("Operation Period")

The operator may extend dates, days, and/or hours of operation, subject to prior written approval by the City.

The contract award will be for 2025, with two (2) one-year extensions upon mutual consent of the parties. The determination to grant any request for an extension shall be within the sole discretion of the City and may be rejected with or without cause.

D. Solicitation Release Date: Monday, March 10, 2025.

The solicitation can be downloaded by visiting https://www.bidnetdirect.com/new-york/city-of-newburgh (vendor registration required) or by request from rvanvlack@cityofnewburgh-ny.gov.

E. A non-mandatory pre-proposal meeting will be held at the concession facility, at the Newburgh Aquatic Center, Delano Hitch Park, 375 Washington Street, Newburgh, NY 12550 on Monday, March 17 at 10:00 a.m.

Potential proposers can at this time meet with City officials and tour the facility. From this meeting, attendees can formulate any questions they may have regarding the solicitation. Questions pertaining to the solicitation must be submitted by: Friday, March 21, 2025. Questions must be submitted through the solicitation at https://www.bidnetdirect.com/new-york/city-of-newburgh.

All questions will be answered on https://www.bidnetdirect.com/new-york/city-of-newburgh.

F. Sealed proposals (Closing) are due by: Monday, March 31, 2025 at 11:00 a.m.

Sealed proposals are to be mailed or delivered to: Robert Van Vlack, City Purchasing Agent, Office of the Comptroller – 4th Floor, City Hall, 83 Broadway, Newburgh, NY 12550.

G. A non-public proposal opening will be at: Monday, March 31, 2025 at 11:15 a.m.

The opening will be held at City Hall, Comptroller Office, 83 Broadway, Newburgh, NY.

H. The award will be based on a combination of company information, proposed menu, and fee proposal. Evaluation Criteria is outlined in Section 9.

I. The City reserves the right to reject any and/or all proposals.

J. Justice, Equity, Diversity, and Inclusion are core values to the City of Newburgh, where there is a strong commitment to establishing and maintaining an environment free of discrimination. These values are promoted through the daily practice of professionalism, respect, acceptance and understanding. As such, City residents along with women, minorities, individuals with disabilities, members of the LGBTQ community, and veterans are encouraged to apply. Minority and Women-owned Business Enterprises ("MBW/WBE"), small and disadvantaged businesses are encouraged to apply.

2. Fee, Security Deposit, and Utilities

A. For the Operation Period, May 24th through September 1, 2025, the City requires a minimum fee of $3,500.00. Should the City and the selected vendor mutually exercise the first renewal year option, the fee for the first renewal year shall be the fee for the first year plus two (2) percent. Should the City and the selected vendor mutually exercise the second renewal year option, the fee for the second renewal year shall be the fee for the first renewal year plus two (2) percent.

Any proposal must include a fee that cannot be lower than the minimum fee of $3,500.00.

B. In addition to the fee, a security deposit of $2,500.00 is required to be paid by the vendor who is awarded the contract.

The vendor must provide either: (1) a surety bond; or (2) a cash deposit, in the amount of $2,500.00, to assure the adequate cleanup and restoration of City property back to its original condition prior to contract expiration or termination, reasonable wear and tear excepted. The City, in its sole discretion, reserves the right to determine whether City property has been adequately restored. A refund may be made after City evaluation.

C. The City will be responsible for utilities.

3. Independent Contractor, Use of Subcontractor

A. The vendor/contractor will be an independent contractor and not an employee of the City.

B. Subcontractors must be approved by the City. The proposer must detail any sub-contractor use in their submitted proposals.

4. History of Gross Sales, Accounting/Recordkeeping, City Inspections

A. This is a new facility. There is no history of concession gross sales.

B. The awarded vendor shall keep accounts and records of all operations according to good accounting practices. After the Operation Period, the vendor shall submit to the City a profit/loss statement.

C. The City has the right to inspect operations at any time and for whatever reason.

5. SCOPE OF WORK/SERVICES

A. Vendor shall provide a high quality of food, drink, and service to customers.

B. Vendor shall maintain all equipment in the concession facility; including cleaning, regular ongoing maintenance, and repairs.

Any repairs must be approved by the City prior to commencing any work.

C. Vendor will have use of facility equipment. If vendor requests installation of any new equipment, it must be approved by the City prior to purchase and/or installation. Any equipment permanently affixed to City property shall become property of the City.

C. Vendor will employ managers and staff specifically trained in food management and proper food handling. A manager shall be present during operations at each site and other staff as needed.

Staffing shall be adequate at all times to provide proper service. Employment shall be obtained from City of Newburgh residents as much as possible.

E. Vendor is responsible for cleanliness inside the facility. The City shall be responsible for cleanup of outside counters and eating areas (tables, ground, and trash).

F. Sell concession menu items at reasonable and fair rates. The menu should be varied and suitable for different customer tastes. The food and beverages shall be of high quality.

G. Provide a high quality of customer service.

H. Schedule and pass all health inspections by Orange County and New York State. If vendor is using fats or oils for cooking purposes, vendor shall have a plan for storage and disposal of such fats or oils subject to City approval.

I. Operate the concession during the 2025 Operation Period.

The City will provide the vendor with a park schedule of events. The vendor can choose to be open for these events. These event dates may be outside of the Operation Period. The City will give vendor seven (7) days' notice of events.

6. PROPOSER QUALIFICATIONS

A. The successful vendor must obtain a Peddler's license from the City Clerk's office and provide a copy of its New York State sales tax license before entering into an agreement with the City.

B. The following shall be considered the minimum requirements to qualify for submitting a proposal:

- Be an established business, registered to do business in the State of New York.
- Maintain direct employment of experienced, and trained personnel for the food services provided.

- Have two (2) consecutive years' experience as an owner and operator of a food concession, food service, or a restaurant business.

C. Vendor shall keep accounts and records of all operations according to good accounting practices. The vendor shall submit to the City a profit/loss statement upon request.

D. Vendor must have filed all necessary food service applications with and received all necessary licenses and permits for operation from the Orange County Department of Health prior to opening and must keep all such licenses active and in good standing for the duration of any operation.

7. INSURANCE REQUIREMENTS

A. Vendor must provide proof of required insurances as outlined in the City's contract for services.

B. Vendor shall be required to obtain, at vendor's sole cost and expense, the types and amounts determined by the City in its sole discretion, including but not limited to those set forth in the City's Goods and Services Contract.

C. Vendor shall submit the certificates of insurance from the insurer showing that the selected vendor has insurance in the required types and amounts.

8. NON MANDATORY PRE-PROPOSAL MEETING

A. A non-mandatory pre-proposal meeting will be held at the concession/kitchen facility located at the Newburgh Aquatic Center, Delano Hitch Park, 375 Washington Street, Newburgh, NY 12550 on Monday, March 17, 2025 at 10 a.m.

Potential proposers can at this time meet with City officials and tour the facility. Attendees can formulate any questions they may have regarding the solicitation.

9. QUESTIONS

A. All questions must be submitted through the solicitation at https://www.bidnetdirect.com/new-york/city-of-newburgh.

B. Questions, pertaining to the solicitation, must be received by: Friday, March 21, 2025.

C. Any impermissible contact with any other City officer or employee regarding the RFP during the procurement period shall result in the rejection of any such Vendor's proposal. Proposers shall communicate in writing only.

D. All questions will be answered on https://www.bidnetdirect.com/new-york/city-of-newburgh.

10. SUBMISSION REQUIREMENTS FOR PROPOSALS

A. The requirements listed below must be included in submission for a proposer to be considered responsive.

B. Bid package must contain all original documents and one digital copy (flash drive)

Submit a sealed proposal mailed or delivered to: Robert Van Vlack, City Purchasing Agent, Office of the Comptroller – 4th Floor, City Hall, 83 Broadway, Newburgh, NY 12550. All bids must be clearly marked as "#6.25 –"**Pool Concession**".
Submittal Form A – FEE BID (SIGNED)
Submittal Form B – COMPANY INFORMATION (SIGNED)
Submittal Form C – PROPOSED MENU (Signed)
Submittal Form D - BIDDER ACKNOWLEDGEMENT FORM (Signed)
Submittal Form E - NON-COLLUSION BIDDING AFFIDAVIT (Signed and Notarized)
Submittal Form F - CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT (Signed and Notarized)
Company W-9

C. Deadline for submission is Monday, March 31, 2025 at 11:00 a.m.

D. All proposals are to be submitted sealed.

E. Send or hand-deliver sealed proposals to:
City of Newburgh
City Hall, Office of the Comptroller 4th Floor
Attn: Robert Van Vlack, City Purchasing Agent
83 Broadway
Newburgh, New York 12550

F. The City will accept all sealed proposals that either are received by in-person delivery or mailed. No electronic submissions.

G. All received proposals will be initialed, dated, and time recorded by the City Comptroller or its designee. The date and time will be recorded from an office computer or mobile (cell) phone.

H. Responses missing the deadline will not be considered.

I. A proposal may not be modified, withdrawn, or canceled for a period of forty-five (45) days after the date of the proposal opening; thereafter, a proposer may withdraw his proposal only by written notice of withdrawal submitted in advance of the proposal award.

11. PROPOSAL OPENING

A. A Non-Public Bid Opening will be held on: Monday, March 31, 2025 at 11:15 a.m.

B. The Opening will be held at City Hall, 4th Floor (Comptroller Office), 83 Broadway, Newburgh, NY.

12. EVALUATION CRITERIA.

A. All proposals will be scored by the following criteria:

Evaluation Criteria		
Criteria	Details	Weight
Company Information	Experience as an owner and operator of a food concession, food service, or a restaurant business. Management and staff experience and training. Company is registered to do business in NY. Accounting/Recordkeeping Practices	40
Menu	Variety Item Pricing Family-oriented Healthy options (salads, vegetarian, etc.) Food Quality Sandwiches and Wraps Beverages	35
Fee Proposal (Minimum bid = $3,500.00)	Highest Fee Bid will receive 25 points. Lower Fee bids will be calculated by: Bid/Highest Bid = Percentage(%) % X 25 = Score	25
Total		100

B. The City will award the contract to the highest scoring, responsive and responsible proposer.

13. AWARD AND CONTRACT

A. An Award Letter will be issued to selected proposer.

B. The successful vendor must agree to the terms set forth in the City of Newburgh Goods and Services Contract ("Contract"), attached to this Solicitation for reference, on substantially the same terms and conditions as provided therein.

C. The Contract referenced is subject to approval by the City Council of the City of Newburgh.

D. The contract award will be for 2025, with two (2) one-year extensions, upon mutual consent of the parties.

14. PAYMENT

A. The Fee will be paid by the awardee in full within 30 days after contract signing **or** billed in three (3) equal installments over the operation period.

The payment option will be stipulated in the contract.

B. The Security Deposit ($2,500.00) must be tendered at contract signing.

15. TERMS AND CONDITIONS

A. The City may, at its option, interview prospective proposer as part of this selection process. However, selection may take place without such interviews. Therefore, applicants are urged to present proposals that are as complete as possible upon initial submission.

B. The City may terminate the RFP process at any time for any reason.

C. The City reserves the right to reject any and/or all proposals.

D. The City has no obligation to discuss its reasons for selecting, accepting, or rejecting any proposals with the proposer or representatives of said proposer, but will entertain such requests.

E. The issuance of the RFP does not mandate the City to select a proposal and/or enter into any agreement. A submission does not constitute business terms under any eventual agreement.

F. This RFP does not in any way obligate the City to reimburse respondents for any costs associated with the preparation and submission of a proposal.

G. The City will award the Contract to the lowest scoring responsive and responsible proposer.

H. The Contract requires the approval of the Newburgh City Council.

16. ATTACHMENTS

A. Submittal Form A – FEE BID

B. Submittal Form B – COMPANY INFORMATION

C. Submittal Form C – PROPOSED MENU

D. Submittal Form D - BIDDER ACKNOWLEDGEMENT FORM

E. Submittal Form E - NON-COLLUSION BIDDING AFFIDAVIT

F. Submittal Form F - CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

G. Reference Document - CITY OF NEWBURGH GOODS AND SERVICES CONTRACT

SCHEDULE B – Additional Terms and Conditions Unique to Contract, Including Menus and Pricing for 2025 Season

General Terms:

1. The concession/kitchen facility is located at the Newburgh Aquatic Center, Delano Hitch Park, Washington Street, Newburgh, NY 12550. The facility is 435 square feet. The facility has two service windows (one for the pool and one for the park).

2. The facility shall be furnished with the following kitchen equipment:

   - Full height commercial refrigerator
   - Full height freezer
   - Glass door beverage refrigerator
   - Electric countertop griddle
   - Double batch countertop oven
   - Countertop commercial air fryer

3. Contractor has had the opportunity to examine the facility and the equipment prior to entry into the Contract, and agrees to accept the facility in its "as is" condition without modification or repair.

4. Contractor may not install any additional seating or tables in area surrounding the facility of the pool area generally. Contractor may not establish exclusive seating arrangement with the existing seating provided by the City.

5. Contractor shall comply with all applicable federal, state, county, or City law or code.

6. Contractor shall be responsible for all permits, fees and costs associated with the operation of this facility, including obtaining a Peddler's License from the City.

7. The City reserves the right to:

   a. Suspend the Contract at any time due to a breach, which includes abandonment of the facility for 7 days or more.

   b. Enter the facility and inspect same for compliance with federal, state, county, or City law or code.

   c. Remove from any City premises, at any time, vendor employees or persons who are violating any federal, state, county, or City law or code.

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Operational Terms

8. Hours of operation of the concession facility for 2025 will begin on Saturday, May 24th at 10:00 a.m. and end on Monday, September 1 at 6:00 p.m. Regular hours of operation shall be Tuesdays through Sundays, from 10 a.m. through 6:00 p.m. ("Operation Period").

    a. City will provide Contractor with a schedule of events for additional operations hours at its earliest convenience. Contractor is not obligated to operate during event dates/times. Contractor shall notify the City if it intends to operate during a particular event no sooner than (7) days prior to the scheduled event.

9. Contractor shall be responsible for maintenance of the kitchen facility.

10. The City shall be responsible for utilities (i.e. water, electric, gas) in connection with the operation of the facility.

11. Any repairs, alterations, or modifications to the facility or the equipment therein must be first approved by the City prior to commencing any work. Contractor shall be responsible for costs of any repairs, alterations, or modifications to the facility.

12. Contractor may use all equipment inside the concessions facility. Requests for purchase and/or installation of any new equipment must be approved by the City. Any equipment permanently affixed to City property shall become property of the City.

13. Contractor shall employ managers and staff specifically trained in food management and proper food handling. A manager shall be present during all times of operation.

14. Contractor shall be responsible for cleanliness inside the facility. The City shall be responsible for cleanup outside of the facility, including outside counters and eating areas (tables, ground, and trash).

Food and Beverage Terms

15. No sales of alcoholic beverages are permitted.

16. Contractor shall have filed all necessary food service applications with, and received all necessary licenses and permits for operation from, the Orange County Department of Health prior to opening, and must keep all such licenses active and in good standing for the duration of any operation periods.

17. Contractor shall provide food options at prices as set forth in the menus set forth below.

18. If Contractor uses fats or oils for cooking purposes, Contractor shall have a plan approved by the City for storage and disposal of such fats or oils.

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POOLSIDE EATS

At The Aquatic Center

GRUB & GO



BREAKFAST

Bagel w/Cream Cheese $4.00

Greek Yogurt Parfait $4.00
layers of low-fat greek yogurt, granola, and mixed berries.

Breakfast Sandwich $5.00
choice of protein (ham OR bacon), scrambled eggs, and Swiss cheese on your choice of a flaky croissant OR kaiser roll.

Breakfast Burrito $5.00
scrambled eggs, cheese, and your choice of bacon, sausage, or veggies, wrapped in a warm tortilla.

MAINS

French Fries $5.00
crispy, hand cut fries.

Pizza Bites (3) $5.00
mozzarella cheese and tomato sauce pizza bites.

Classic Hot Dog $6.00
all-beef hot dog with sauerkraut, spicy mustard, and relish. **add chili +$1**

Mozzarella Sticks (3) $6.00
golden, battered mozzarella sticks.

Tacos $10.00
two soft tortillas filled with ground beef, topped with fresh salsa, cilantro, and lime.

Fried Chicken Sandwich $10.00
fried chicken breast, pickles, and coleslaw on a brioche bun.

Smashburger $10.00
4oz patty, cheese, onion, pickle and smash sauce on a brioche bun.

Chicken Fingers (3) $10.00
golden fried chicken tenders.

Veggie Burger $10.00
black bean patty with avocado, lettuce, and tomato on a whole-grain bun.

SANDWICHES & WRAPS

Grilled Cheese $6.00
american and aged white cheddar served on sourdough bread.

Bacon Turkey Sandwich $8.00
turkey, bacon, white cheddar, & signature sauce served on whole grain bread.

Chicken Caesar Wrap $8.00
grilled chicken, romaine lettuce, parmesan, and caesar dressing in a whole wheat wrap.

Mediterranean Veggie Sandwich $9.00
sweet peppers, feta cheese, cucumbers, mixed greens, tomatoes, red onions and hummus served on whole grain bread.

Garden Caprese Sandwich $10.00
mozzarella, tomatoes, basil, arugula, balsamic vinaigrette, and garlic aioli served on sourdough bread.

Chicken & Avocado BLT $10.00
grilled chicken, smoked applewood bacon, lettuce, tomato, and garlic aioli served on sourdough bread.

SALADS

Caesar Salad $8.00
romaine lettuce, croutons, parmesan, and Caesar dressing. **add chicken +$2**

Cobb Salad $9.00
fresh romaine lettuce, chopped bacon, diced avocado, hard boiled egg, tomato & chives.

Vegan Quinoa Salad $10.00
grilled bell pepper, roasted tomato, black bean & corn salsa, red cabbage, cauliflower, avocado cilantro lime dressing.





POOLSIDE EATS

GRUB & GO

At The Aquatic Center



SNACKS

Candy/Chips $3.00
assorted candy and bagged chips.

Hot Pretzel Sticks $4.00
salted pretzel sticks served with homemade cheese dip and honey mustard.

Granola Bar $4.00
assorted granola bars.

Popcorn $4.00
fresh popcorn with butter and light salt.

Fruit Cup $4.00
pre-packed fresh fruit cups with seasonal berries, melon, and grapes.

Nachos $5.00
tortilla chips and nacho cheese.
add jalapeños +$1.

SWEET TREATS

Chocolate Chip Cookies $3.00/ea
baked fresh daily.

Brownies $3.00/ea
baked fresh daily.

Churro Bites $4.00
bite-size churros coated in cinnamon sugar.

ICE CREAM & POPSCICLES

Ice Cream Bars $4.00
assorted ice cream and popsicles.

Frozen Lemonade $4.00
classic and strawberry flavor.

Frozen Fruit Bars $4.00
assorted flavors (mango, strawberry, lime).

BEVERAGES

Fountain Beverages $2.00
coke, diet coke, fanta orange, sprite, hi-c, iced tea, lemonade, fruit punch, ginger ale,

Bottled Water $3.00

Sparkling Water $3.00
sparkling water, assorted flavors available.

Bottled Beverages $3.00
coke, diet coke, fanta orange, sprite, iced tea, lemonade, ginger ale, gatorade & vitamin water.

Tea $4.00
(Hot or Iced)

Coffee $4.00
(Hot or Iced)

SMOOTHIES & SLUSHIES

Slushy $4.00
cherry or blue raspberry.

Berry Bliss Smoothie $6.00
a blend of strawberries, blueberries, and bananas.

Mango Smoothie $6.00
mango fruit, orange juice, and banana puree blended with plain greek yogurt.

Green Power Smoothie $6.00
kale, banana, mango, and almond milk.





BOXED LUNCHES- GROUP OUTINGS MENU

Boxed Lunch Options

sandwich, chips, and non-alcoholic beverage
$13/person

SANDWICHES

Honey Smoked Ham Deli
honey smoked ham fully dressed with romaine lettuce, american cheese and roma tomato.

Smoked Turkey Deli
smoked turkey or medium cooked roast beef, fully dressed with romaine lettuce, american cheese and roma tomato.

Roast Beef Deli Sandwich
medium cooked roast beef, fully dressed with romaine lettuce, american cheese and roma tomato.

Club Croissant
honey ham, smoked turkey, maplewood bacon, american cheese, romaine lettuce and roma tomato on croissant.

Club Wrap Sandwich
honey ham, smoked turkey, maplewood bacon, american cheese, romaine lettuce and roma tomato in a wrap.

Turkey Club Sandwich
turkey, romaine lettuce, roma tomato, american cheese, maplewood bacon on honey wheat or croissant.

Grilled Dijon Chicken Salad Sandwich
with green onion, almonds, olives and creamy dijon mayo on croissant.

Grilled Chicken Caesar Salad Sandwich
with red onion, parmesan and creamy Caesar mayo on ciabatta or croissant.

Rotisserie Chicken Cordon Bleu Sandwich
sliced rotisserie chicken breast, cheese, maplewood bacon, lettuce, tomato with ranch mayo on a croissant.

Rotisserie Chicken Club
tender juicy chicken, crispy lettuce, cheese, fresh tomatoes, and zesty mayo spread.

Italian Sub
ham, salami, pepperoni, provolone, roasted red pepper, pepperoncini's with garlic herb aioli on baguette.

Grilled Herb Chicken Sandwich
with roasted red pepper and pesto mayonnaise on french bread.

Grilled Chicken Wrap with Sriracha Mayo
charcoal grilled chicken with black olive slices, shredded lettuce, grapevine tomato, green onion, shaved gouda, roasted red pepper and sriracha mayo.

Grilled Chicken Club
fully dressed with maplewood smoked bacon, two cheeses, romaine lettuce, roma tomatoes and avocado.





Boxed Lunch Options

salad entree, chips, and non-alcoholic beverage
$14/person

ENTREE BOXED SALADS

Asian Sesame Chicken Salad
with Romaine, carrots, red pepper, mushrooms, peanuts, wonton strips and sesame dressing.

Grilled Chicken Caesar Salad
with chopped Romaine, roasted red pepper, garlic herb croutons, homemade parmesan crisp, with creamy roasted garlic Caesar dressing.

Fried Chicken Salad
mixed greens topped with Southern fried chicken breast, cheddar cheese, tortilla strips, red onion, diced tomato, hard-boiled eggs, maplewood smoked bacon, and creamy BBQ ranch dressing.

Grilled Chicken Cobb Salad
mixed greens, grilled chicken, hard-boiled eggs, tomatoes, bacon, bleu cheese crumbles, avocado, potato sticks.

Club Salad
with turkey, ham, bacon, tomato, and scallions.

Grilled Chicken Caprese Salad
Thinly sliced chicken breast layered with sliced roma tomato, basil, and mozzarella drizzled with balsamic reduction.

Chef Salad
mixed greens, honey ham, smoked turkey, assorted cheeses, hard-boiled eggs, tomato, cucumber, onions and homemade croutons with choice of dressing.

Spinach Salad
with maplewood smoked bacon, grilled chicken, hard boiled eggs, mushrooms, red onion, shredded parmesan, and croutons with a balsamic vinaigrette.

Grilled Salmon Caesar Salad
with homemade croutons.



Beverage Options

NON-ALCOHOLIC BEVERAGES

- Water
- Lemonade
- Iced Tea
- Sweet Tea
- Soda
- Hot coffee
- Hot tea
- Orange juice
- Apple juice
- Hot chocolate
- Apple cider









Newburgh Aquatic Center
Celebrations Package

✔ SELECT ONE:

Signature Package: $12/person
- one platter of choice
- one beverage bucket

• each additional platter $11/person

Premium Package: $15/person
- one platter of choice + fry platter
- one beverage bucket

• each additional platter $11/person

FOOD PLATTERS

Cheeseburger Sliders — 20 Sliders
Miniature beef burgers. American cheese, lettuce, tomatoes, pickles, brioche slider bun.

Chicken Tenders — 2.5 lbs
Fried white meat chicken strips, ketchup, honey mustard dipping sauce.

Pizza Platter — 20 Slices
20 mini slices of cheese pizza.

French Fry Platter — 2.5 lbs
Lightly seasoned crispy fries.

Veggie Sliders — 20 Sliders
Miniature black bean veggie burgers, lettuce, tomatoes, herb mayo, brioche sliders buns.

Grilled Cheese Platter — 20 Pieces
American & Cheddar cheese, toasted white bread.

Hot Dog Platter — 10 Hot Dogs
Beef hot dog in brioche bun.

BEVERAGES

Soft drink bucket $28 *(includes 10 canned options of choice)*

Soft Drinks — $3.00
Coke, diet coke, sprite, fanta ginger ale, fanta orange.

Juices — $3.00
Lemonade, iced tea, orange juice, apple juice.

Water — $3.00
Bottled water.

*All of our menus and packages include gluten-free options as well as vegan and vegetarian alternatives to accommodate all dietary needs. This includes gluten-free buns and plant-based cheese for sliders and sandwiches

50 percent down and final payment 48 hours prior to event

RESOLUTION NO.: _____ - 2025

OF

MAY 12, 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH SUPPORTING THE RENT EMERGENCY STABILIZATION FOR TENANTS (REST) ACT

WHEREAS, in 2019, the New York State Legislature passed the Housing Stability Tenant Protection Act (HSTPA) which, among other things, allowed localities outside of New York City and its surrounding localities to opt in to the Emergency Tenant Protection Act (ETPA) of 1974; and

WHEREAS, the City of Newburgh unanimously opted into ETPA in 2023 after conducting a vacancy study of eligible properties and declaring a housing emergency and after hearing testimony from dozens of tenants and advocates on the need for this legislation to keep tenants in their homes; and

WHEREAS, the City of Newburgh's rent stabilization law was struck down in court on technical grounds based on the vacancy study; and

WHEREAS, four localities that have since attempted to opt in to ETPA in response to local housing affordability crises have failed to identify a vacancy rate of below 5%, thus deeming them ineligible to adopt rent stabilization; and

WHEREAS, four localities have identified a vacancy rate of below 5%; however, due to multiple lawsuits by real estate interests, three housing emergency declarations have been rescinded or revoked; and

WHEREAS, of the total eight vacancy studies that have been conducted since 2019, only one study has identified a vacancy rate of below 5% *and* withstood legal challenges, although it is still defending its Rent Guidelines Board in court; and

WHEREAS, NYS Senator Brian Kavanagh and Assemblywoman Sarahana Shrestha have introduced the Rent Emergency Stabilization for Tenants (REST) Act, a bill which would expand the eligibility for, and applicability of, ETPA for upstate New York and Long Island; and

WHEREAS, the REST Act would grant localities the ability to utilize publicly accessible data, rather than be confined to the unfunded yet required vacancy study, to opt in to ETPA; and

WHEREAS, additional public data may include, but will not be limited to, existing rates of homelessness, housing supply statistics, the number of tenants that are rent burdened, and other statistics that demonstrate the need for rent stabilization, thus saving localities thousands of dollars; and

WHEREAS, the REST Act would grant localities more liberty in determining eligibility for rent stabilization by changing the year-built requirement to 15 years before the current date, and giving municipalities the power to determine the unit-count requirement, so that ETPA is aligned with local conditions in outer-NYC municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the City of Newburgh supports and endorses the REST Act, which would address the issue of ETPA covering so few tenants in our city, and allow us to overcome the bureaucratic chaos innate to the required vacancy studies; and

BE IT FURTHER RESOLVED, that the City of Newburgh supports and endorses expanding access to ETPA, as was the intent of HSTPA in 2019; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to send a copy of this resolution to Governor Kathy Hochul, Senator Rob Rolison, Assembly Member Jonathan Jacobson, Senate Judiciary Chair Brad Hoylman, Assembly Judiciary Chair Charles Lavine, Senate Housing Chair Brian Kavanagh, and Assembly Housing Chair Linda Rosenthal.

STATE OF NEW YORK

4659--A

2025-2026 Regular Sessions

IN SENATE

February 10, 2025

Introduced by Sens. KAVANAGH, HOYLMAN-SIGAL, JACKSON, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, in relation to enacting the rent emergency stabilization for tenants act on local determinations of a housing emergency

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "rent emergency stabilization for tenants act".

§ 2. Section 3 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, subdivision a as amended by chapter 69 of the laws of 1980, subdivisions d, f and g as added by chapter 698 of the laws of 2023 and subdivision e as amended by chapter 100 of the laws of 2024, is amended to read as follows:

§ 3. Local determination of emergency; end of emergency. a. The existence of public emergency requiring the regulation of residential rents for all or any class or classes of housing accommodations, including any plot or parcel of land which had been rented prior to May first, nineteen hundred fifty, for the purpose of permitting the tenant thereof to construct or place [~~his~~] **such tenant's** own dwelling thereon and on which plot or parcel of land there exists a dwelling owned and occupied by a tenant of such plot or parcel, heretofore destabilized; heretofore or hereafter decontrolled, exempt, not subject to control, or exempted from regulation and control under the provisions of the emergency housing rent control law, the local emergency housing rent control act or the New York city rent stabilization law of nineteen hundred sixty-nine; or subject to stabilization or control under such rent stabilization law,

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD05109-04-5

shall be a matter for local determination within each city, town or village. Any such determination shall be made by the local legislative body of such city, town or village on the basis of the supply of housing accommodations within such city, town or village, the condition of such accommodations and the need for regulating and controlling residential rents within such city, town or village.

[~~A~~] **b. For a city having a population of one million or more residents, a** declaration of emergency may be made as to any class of housing accommodations if the vacancy rate for the housing accommodations in such class within such municipality is not in excess of five percent and a declaration of emergency may be made as to all housing accommodations if the vacancy rate for the housing accommodations within such municipality is not in excess of five percent.

[~~b.~~] **c. For a city having a population of less than one million residents or a town or village, the local legislative body may declare a housing emergency through the process described in paragraph one or two of this subdivision. For such a jurisdiction where a local legislative body has declared a housing emergency pursuant to this act prior to the effective date of this subdivision, the local legislative body may add classes of accommodation as described in paragraph 5-b of subdivision a of section five of this act, through the process described in paragraph 1 or 2 of this subdivision.**

(1) The local legislative body may declare a housing emergency after considering publicly available data and holding public hearings. Before declaring such emergency, the local legislative body shall consider publicly available data measuring or estimating factors such as: overall housing supply, vacancy rate for housing accommodations, the availability of affordable and habitable housing accommodations, rent burdens for tenants or other measures of housing affordability, the local or regional homelessness rate, and the need for regulating rents within such city, town or village.

(2) The local legislative body may declare an emergency as to any class of housing accommodations if the vacancy rate for such housing accommodations in such class within such municipality is not in excess of five percent and a declaration of emergency may be made as to all housing accommodations if the vacancy rate for the housing accommodations within such municipality is not in excess of five percent.

(i) A municipality or a designee, as part of a study to determine its vacancy rate, owners, or their agent, of housing accommodations in the class of housing accommodations determined, shall provide the most recent records of rent rolls and, if available, records for the preceding thirty-six months. Such records shall include the tenant's relevant information relating to finding the vacancy rate of such municipality including but not limited to the name, address, and amount paid or charged on a weekly, monthly, or annual basis for each occupied housing accommodation and which housing accommodations are vacant at the time of the survey and available for rent. Such records shall also include any housing accommodations that are vacant and not available for rent and provide the reason why such unit is not available for rent.

(ii) A municipality may impose a civil penalty or fee of up to five hundred dollars on an owner or their agent if such owner or their agent refuses to participate in such vacancy survey and cooperate with such municipality or a designee in such vacancy survey, or submits knowingly and intentionally false vacancy information.

(iii) A nonrespondent owner shall be deemed to have zero vacancies.

(iv) Identifying data or information shall be kept confidential and shall not be shared, traded, given, or sold to any other entity for any purpose outside of such vacancy study.

d. A city of under one million residents or a town or village may add classes of accommodation to regulation under this act in buildings containing fewer than six units.

e. The local governing body of a city, town or village having declared an emergency pursuant to subdivision a, b, or c of this section may at any time, on the basis of the supply of housing accommodations within such city, town or village, the condition of such accommodations and the need for continued regulation and control of residential rents within such municipality, declare that the emergency is either wholly or partially abated or that the regulation of rents pursuant to this act does not serve to abate such emergency and thereby remove one or more classes of accommodations from regulation under this act. [~~The emergency must be declared at an end once the vacancy rate described in subdivision a of this section exceeds five percent.~~

~~c.~~] f. No resolution declaring the existence or end of an emergency, as authorized by [~~subdivisions~~] subdivision a [~~and~~], b or c of this section, may be adopted except after public hearing held on not less than ten days public notice, as the local legislative body may reasonably provide.

[~~d. When requested by a municipality or a designee, as a part of a study to determine its vacancy rate, owners, or their agent, of housing accommodations in the class of housing accommodations determined, shall provide the most recent records of rent rolls and, if available, records for the preceding thirty-six months. Such records shall include the tenant's relevant information relating to finding the vacancy rate of such municipality including but not limited to the name, address, and amount paid or charged on a weekly, monthly, or annual basis for each occupied housing accommodation and which housing accommodations are vacant at the time of the survey and available for rent. Such records shall also include any housing accommodations that are vacant and not available for rent and provide the reason why such unit is not available for rent.~~

~~e. A municipality may impose a civil penalty or fee of up to five hundred dollars on an owner or their agent if the owner or their agent refuses to participate in such vacancy survey and cooperate with the municipality or a designee in such vacancy survey, or submits knowingly and intentionally false vacancy information.~~

~~f. A nonrespondent owner shall be deemed to have zero vacancies.~~

~~g. Identifying data or information shall be kept confidential and shall not be shared, traded, given, or sold to any other entity for any purpose outside of such vacancy study.~~]

§ 3. Subdivision a of section 5 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new paragraph 5-b to read as follows:

(5-b) housing accommodations located in a city having a population of less than one million residents or a town or village in buildings completed or buildings substantially rehabilitated as family units within the past fifteen years.

§ 4. This act shall take effect immediately.

REST ACT DRAFT RESOLUTION:

WHEREAS, in 2019, the New York State Legislature passed the Housing Stability Tenant Protection Act (HSTPA) which, among other things, allowed localities outside of New York City and its surrounding localities to opt in to the Emergency Tenant Protection Act (ETPA) of 1974; and

WHEREAS, the City of Newburgh unanimously opted into ETPA in 2023 after conducting a vacancy study of eligible properties and declaring a housing emergency and after hearing testimony from dozens of tenants and advocates on the need for this legislation to keep tenants in their homes

WHEREAS, the City of Newburgh's rent stabilization law was struck down in court on technical grounds based on the vacancy study.

WHEREAS, four localities that have since attempted to opt in to ETPA in response to local housing affordability crises have failed to identify a vacancy rate of below 5%, thus deeming them ineligible to adopt rent stabilization; and

WHEREAS, four localities have identified a vacancy rate of below 5%; however, due to multiple lawsuits by real estate interests, three housing emergency declarations have been rescinded or revoked; and

WHEREAS, of the total eight vacancy studies that have been conducted since 2019, only one study has identified a vacancy rate of below 5% *and* withstood legal challenges, although it is still defending its Rent Guidelines Board in court; and

WHEREAS, NYS Senator Brian Kavanagh and Assemblywoman Sarahana Shrestha have introduced the Rent Emergency Stabilization for Tenants (REST) Act, a bill which would expand the eligibility for, and applicability of, ETPA for upstate New York and Long Island; and

WHEREAS, the REST Act would grant localities the ability to utilize publicly accessible data, rather than be confined to the unfunded yet required vacancy study, to opt in to ETPA; and

WHEREAS, additional public data may include, but will not be limited to, existing rates of homelessness, housing supply statistics, the number of tenants that are rent burdened, and other statistics that demonstrate the need for rent stabilization, thus saving localities thousands of dollars; and

WHEREAS, the REST Act would grant localities more liberty in determining eligibility for rent stabilization by changing the year-built requirement to 15 years before the current date, and giving municipalities the power to determine the unit-count requirement, so that ETPA is aligned with local conditions in outer-NYC municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the City of Newburgh supports and endorses the REST Act, which would address the issue of ETPA covering so few tenants in our city, and allow us to overcome the bureaucratic chaos innate to the required vacancy studies; and

BE IT FURTHER RESOLVED, that the City of Newburgh supports and endorses expanding access to ETPA, as was the intent of HSTPA in 2019; and

BE IT FINALLY RESOLVED that the City Clerk is directed to send a copy of this resolution to Governor Kathy Hochul, Senator Rob Rolison, Assembleymember Jonathan Jacobson, Senate Judiciary Chair Brad Hoylman, Assembly Judiciary Chair Charles Lavine, Senate Housing Chair Brian Kavanagh, and Assembly Housing Chair Linda Rosenthal.

ORDINANCE NO.: _____ - 2025

OF

MAY 12, 2025

**AN ORDINANCE AMENDING SECTION 293-16
ENTITLED "GENERAL REGULATIONS" OF CHAPTER 293, ARTICLE III
ENTITLED "METERS"
OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH**

BE IT ORDAINED, by the Council of the City of Newburgh, New York that:

SECTION 1. Section 293-16 entitled "General Regulations" of Chapter 293, Article III entitled "Meters" of the Code of Ordinances of the City of Newburgh be and is hereby amended as follows:

§ 293-16. General regulations.

A. All meters shall be of a type, size and manufacture approved by the Superintendent.

B. The City shall furnish the official water meter and MXU reading device for each property at the property owner's ~~its~~ expense ~~in those instances~~ where the diameter of the meter is two inches or less; in those instances where the diameter of the meter is in excess of two inches, the water meter and MXU reading device shall be purchased ~~City shall furnish the meter~~ at the expense of the property owner from the supplier for the type and manufacturer as indicated by the Superintendent. In either case, the meter shall remain the property of the City and shall be installed and protected by the property owner at the property owner's ~~his~~ expense. ~~Normal maintenance on this water meter shall be provided by the City.~~ Maintenance, repair or replacement required because of improper use, accident, hot water, freezing, vandalism, theft, removal without the prior authorization of the Superintendent or other extraordinary cause shall be at the property owner's expense. In addition to the actual cost of repair or replacement of the meter, the property owner shall pay the fee set forth in Chapter 163, Fees, of the Code of Ordinances.

SECTION 2. Severability.

The provisions of this Ordinance are separable and if any provision, clause, sentence, section, subsection, word or part thereof is held to be illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included

therein, and if such person or circumstance to which the Ordinance or part here of is held inapplicable had been specifically exempt therefrom.

SECTION 3. Codification.

It is the intention of the City Council of the City of Newburgh and it is hereby enacted that the provisions of this Ordinance shall be included in the Code of Ordinances of the City of Newburgh; that the sections and subsections of this Ordinance may be re-numbered and/or re-lettered by the codifier to accomplish such intention; that the term "Ordinance" shall be changed to "Chapter", "Section", or other appropriate word as required for codification; and that any such rearranging of the numbering and/or lettering and editing shall not affect the validity of this Ordinance or the provisions of the Code of Ordinances affected thereby.

SECTION 4. Validity

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision of this Ordinance that can be given effect without such invalid provision.

SECTION 5. This Ordinance shall take effect immediately.

ARTICLE III
Meters

§ 293-16. General regulations.

A. All meters shall be of a type, size and manufacture approved by the Superintendent.

B. The City shall furnish the official water meter for each property at its expense in those instances where the diameter of the meter is two inches or less; in those instances where the diameter of the meter is in excess of two inches, the City shall furnish the meter at the expense of the property owner. In either case, the meter shall remain the property of the City and shall be installed and protected by the property owner at his expense. Normal maintenance on this water meter shall be provided by the City. Maintenance, repair or replacement required because of improper use, accident, hot water, freezing, vandalism, theft, removal without the prior authorization of the Superintendent or other extraordinary cause shall be at the property owner's expense. In addition to the actual cost of repair or replacement of the meter, the property owner shall pay the fee set forth in Chapter 163, Fees, of the Code of Ordinances. **[Amended 5-8-2000 by Ord. No. 4-2000]**

C. Only one official water meter shall be used to record water consumption for each service line. The official water meter shall be the only one read by the Water Department. Any and all additional meters desired by the property owner shall be installed on the house or outlet side of the official water meter, and all such additional meters shall be furnished, installed and maintained by the property owners at their expense.

D. Gate valves, check valves and approved backflow-prevention devices shall be installed at the official water meter in accordance with the specification of the City of Newburgh Water Department. No other devices or appurtenances shall be installed on the street or inlet side of the official water meter unless approved in writing by the Superintendent.

E. When a backflow-prevention device is to be installed on the outlet or house side of the official water meter, no connections, taps, fixtures, devices or other appurtenances shall be allowed between the backflow-prevention device and the official water meter.

F. All valves, check valves, backflow preventers and other fixtures must be of a type approved by the Superintendent.

G. No person, persons, firm, partnership, corporation or other entity shall, without written authorization of the Superintendent or his designee, interfere with, tamper with, unseal or remove the official water meter after it has been inspected, approved and sealed by the Water Department, by order of the Superintendent. In the event of an emergency, verbal authorization to repair, unseal or remove the official water meter may be given by the Superintendent or his designee to a licensed plumber. The property owner shall permit an inspection by the Water Department of the work performed pursuant to such verbal authorization on the next business day following the grant of such verbal authorization to determine if the work requested to be authorized was actually performed. The Superintendent shall maintain a record of all water meters sealed by the Water Department and of all written and verbal authorizations to repair, unseal or remove official water meters. **[Amended 9-25-2000 by Ord. No. 13-2000]**

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H. Whenever a water meter, previously recorded in the records kept by the Superintendent as having been sealed by the Water Department, shall be found to have been interfered with, tampered with, unsealed or removed without verbal or written authorization of the Superintendent or his designee, the property owner shall be charged the fees provided in Chapter 163, Fees, of the Code of Ordinances of the City of Newburgh, together with the actual cost of repairing, replacing and/or resealing the water meter. The imposition of such fees shall not be held to bar any criminal prosecution for violation of any provision of this section nor to bar the imposition of penalties as provided in § 1-12 of the Code of Ordinances. **[Added 9-25-2000 by Ord. No. 13-2000]**

§ 293-17. Installation.

A. The official water meter shall be set in a position as close as practical to the point where the water service line enters the building.

B. Except where the Superintendent has permitted otherwise in writing, the official water meter shall not be located in excess of 50 feet from the property line. It shall be the responsibility of the property owner to protect the water meter as directed.

C. Unless otherwise directed by the Superintendent, the rated size of the official water meter shall be equal to or less than the diameter of the domestic service line. A minimum of a three-inch meter will be required for service lines four inches in diameter or larger.

D. In the case of service lines greater than two inches in diameter, a valved bypass shall be installed to facilitate testing and meter repair. The valve on the bypass shall be sealed by the Water Department.

E. All water meters shall be installed by a licensed plumber at the expense of the property owner. Whenever a water meter is to be replaced by a new water meter, the plumber shall obtain the new meter from the Water Department and shall post a deposit of $100. The deposit shall be returned to the plumber upon his return of the old water meter to the Water Department. **[Added 3-12-1990 by Ord. No. 11-90]**

§ 293-18. Responsibilities of City and consumer.

A. An official water meter damaged by frost, negligence or misuse by the property owner or any other person shall be replaced or repaired at the property owner's expense.

B. The City will not be held responsible in any way for damage to service lines, meters, house piping, valves or any other fixtures as a result of frost or any other reasons, nor shall the City be responsible in any way for damage to property from the above causes or from leakage of water from any part of the service lines or house piping.

C. If, by special request and the approval of the Water Department, a meter has been removed and the service shut off at the curb for a full billing period, there will be no service charge for that particular period.

D. The consumer in any premises not equipped with a curb box and curb faucet shall install, if for any reason the service of water to such premises is or should be discontinued, whether temporarily or otherwise, such curb box and curb faucet of the size, type and in the manner

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approved by the Superintendent.

E. In the event that it is necessary for the City to remove or replace the official water meter and the Superintendent is of the opinion that such removal or replacement cannot be effected or is inadvisable until repairs have been made by the property owner to the service line or house piping, the Superintendent may order repairs to be made by the property owner at his expense.

F. The Superintendent shall have the sole right to determine the location, size, type and manufacture of any and all meters, connections and other appliances.

G. In the event that it becomes necessary to change the location, size, type or manufacture of a water meter, the expense shall be borne by the consumer.

H. In any event, the City shall not be liable for any damage to service lines, house piping or property caused by removal, replacement or testing of the official water meter or for any cause whatsoever.

§ 293-19. Accessibility; failure to register.

A. The property owner shall keep the official water meter, backflow-prevention devices and other fixtures readily accessible and unobstructed for inspection, testing, reading and repair. Where meters, backflow-prevention devices or other required devices and fixtures are in locations which are inaccessible or unsafe due to water or other obstructions as determined by the Superintendent, the property owner shall be responsible for the removal of water or obstructions at his expense.

B. The Superintendent or any employee of the Water Department shall have the right to enter the premises or property of any property owner, tenant or other consumer where City water is being supplied at any time between 8:00 a.m. and 4:00 p.m. for the purpose of installing, inspecting, reading, removing, testing or repairing the official water meter or for inspecting the backflow-prevention devices or any fixtures used in connection with the water system for any purpose whatsoever.

C. When access to meter cannot be had for any quarter, the customer may be billed for water consumption upon the basis of average usage indicated by the records of the Water Department, based upon the water meter reading for the preceding year, the actual consumption to be billed on the next available meter reading. **[Amended 1-25-1993 by Ord. No. 1-93]**

D. Whenever a meter fails to register the quantity of water consumed, the consumer shall be charged for water consumption upon the basis of average usage indicated by the water meter reading for the year preceding its failure to register.

§ 293-20. Accuracy and testing.

A. Any person making a complaint as to the correctness of a water bill must do so within 30 days after the rendition of the bill by making a written application to the Water Department. **[Amended 8-11-2014 by Ord. No. 4-2014]**

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B. The Accounts Manager of the Water Department is authorized to correct any bill which resulted from a meter which has been tested and found inaccurate. Any adjustment to a bill will be for the period tested only. No adjustments will be made for prior billing periods. Any claim for a reduction in a water bill which does not relate to a claimed inaccuracy of the meter shall be referred to the Superintendent. The Water Department shall have no authority to reduce a water bill for any reason other than tested inaccuracy of a meter. Any such other claims for reduction shall be reviewed by the Superintendent and shall be submitted by him with his recommendations to the City Manager and Council for determination. The determination of the Council shall be final.

C. Whenever the accuracy of the meter is in issue, a test shall be a made. The expense incurred in making such test shall be borne by the consumer, except that if the meter is found to register inaccurately, the cost of the test shall be borne by the City. No meter shall, however, be considered inaccurate that does not vary more than 2% from the normal. Reasonable opportunity will be given the protesting consumer to be present at such test.

D. If the meter tested is inaccurate, any adjustments to the bill will be for the period tested only. No adjustment will be given for prior billing periods.

E. The Superintendent may require a meter test at any time if it appears the official water meter has been tampered with, the seal broken or removed or when there is significant change in recorded consumption.

F. Only official water meters shall be tested for accuracy. If necessary, the meter shall be replaced at the Superintendent's option.

§ 293-21. Specifications; remote registers.

A. The Superintendent shall establish specifications for official water meters furnished by the City.

B. The location of all remote registers shall be established by the Superintendent or authorized employees prior to installation.

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Code Section	Type of Fee	Amount
Chapter 275, Telephone Booths		
	Renewal application fee	No change in location: $10 Change in location: $25

Code Section	Type of Fee	Amount
Chapter 276, Tobacco [Added 1-28-2015 by Ord. No. 2-2015; last amended 12-9-2024 by Ord. No. 5-2024]		
	Tobacco retail license:	
	Application fee	$10 nonrefundable
	Annual fee	$100
	Replacement fee	$50

Code Section	Type of Fee	Amount
Chapter 288, Vehicles and Traffic		
§ 288-29	Loading zone designation	$100 per year
§ 288-34	Handicapped parking space designation	$25

Code Section	Type of Fee	Amount
Chapter 293, Water		
[Last amended 12-9-2024 by Ord. No. 6-2024]		
§ 293-22	Backflow preventer:	
	Application fee	$200
	Administrative processing fee for late filing of annual backflow prevention device testing report	$100
§ 293-23	Certified backflow tester submittal fee	$15
§ 293-34	Tap fees. New connections to water and sewer systems in the City of Newburgh:	
	1- and 2-family residential	$300
	Multifamily (3 and above), commercial, industrial	$500
	Water meters up to 2 inches in size (supplied by the City):	
	5/8-inch meter	$250
	3/4-inch meter	$300

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Code Section	Type of Fee	Amount
Chapter 293, Water		
	1-inch meter	$350
	1 1/2-inch meter	$1,800
	Water meters over 2 inches	Paid by the owner/applicant and shall be purchased from the supplier for the type and manufacturer as indicated by the Superintendent
	The owner/applicant shall be responsible for the installation of the connection line from the main to the building, including the tapping valve or corporation stop, curb stop and box, as well as the meter and remote. All connection permit charges shall be paid at the time the application is approved.	
	Charge for restoration of service. When water service to any premises is requested to be turned off or when water service to any premises has been turned off upon the order of the owner/customer or for any of the above reasons and service at any premises is again desired by the same owner/customer, including seasonal customers, it shall be done by a City of Newburgh licensed plumber at the cost to the owner/customer. If the City shuts off the water service at the water main for any violation of Chapter 293, the owner shall be charged the actual cost of the termination, which shall be included on the owner's next water bill. If the owner requests the water service to be turned on after the violation of Chapter 293 has been corrected and lifted by the Superintendent, the reconnection shall be done by a City of Newburgh licensed plumber and contractor with all costs borne by the owner.	
	Private sprinkler charge for connection to City mains:	
	2-inch lateral	$110 per year
	3-inch lateral	$150 per year
	4-inch lateral	$200 per year
	6-inch lateral	$250 per year

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Code Section	Type of Fee	Amount
Chapter 293, Water		
	8-inch lateral	$325 per year
	10-inch lateral	$400 per year
	12-inch lateral	$525 per year
	16-inch lateral	$700 per year
	20-inch lateral	$1,000 per year
§ 293-35	Check reading of water meter fee. Whenever the accuracy of a meter is questioned by the owner/customer, a third-party test of the meter can be done. All expenses incurred in making such test shall be borne by the owner/customer; except on the occasion when the water meter was found to be inaccurate, the cost shall be borne by the City.	
	Meter test fee (requested by owner):	
	5/8-inch to 1-inch meter	$25
	1 1/2-inch to 2-inch meter	$40
	Inspections and tests:	
	Water	$25
	Sewer	$25
	Sewer and water	$50
	Performance of dye or peppermint test	$50 plus the cost of the dye or peppermint up to $20 per pound
	Water system flow test or fire hydrant flow test	$150 per hour
§ 293-36	Charge for maintenance, repair or replacement of the water meter because of improper use, accident, freezing, vandalism, theft or removal without permission of the Superintendent or any other extraordinary cause	$350, plus the actual cost of labor and parts required to repair or replace the meter
	Penalty for unauthorized interference with, tampering with, unsealing of or removal of water meters	$500, plus cost of parts and labor for repair, replacement and/or resealing of meter
	Charge for replacement of missing water meters	$1,000, plus the actual cost of parts, labor and the cost to purchase a new meter
§ 293-37	Final/closing reading of meter at customer request	$50

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Code Section	Type of Fee	Amount
Chapter 293, Water		
§ 293-38	Quarterly metered water rates per 1,000 gallons	
	First 1,000 gallons	Inside City: $10.18 Outside City: $15.26
	Additional usage	Flat rate of $10.18 ($15.26 outside City) per 1,000 gallons
	Minimum quarterly charge:	

Meter Size (inches)	Gallons Allowed	Inside City	Outside City
+5/8	6,000	$61.08	
+5/8	9,000		$137.34
3/4	14,000	$142.52	$213.64
1	24,000	$244.32	$366.24
1 1/2	42,000	$427.56	$640.92
2	83,000	$844.94	$1,266.58
3	120,000	$1,221.60	$1,831.20
4	180,000	$1,832.40	$2,746.80
6	315,000	$3,206.70	$4,806.90
8	675,000	$6,871.50	$10,300.50

A surcharge may be added to the above charges for water services in the amount of 14%. This extra charge is made for the purpose of financing the cost of obtaining water from the New York City Aqueduct. Such surcharge shall be effective on October 1, 1981, and shall continue to be made in every quarterly billing period in which any water is taken from the Aqueduct tap.

Code Section	Type of Fee	Amount
§ 293-38	Water facility unit charge	Each single-family dwelling will be assigned 1 unit
		Each two-family dwelling will be assigned 1.75 units
		Each three-family dwelling will be assigned 2.5 units
		Each four-family dwelling will be assigned 3.25 units

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Code Section	Type of Fee	Amount
		All other properties with improvement within the City, other than 1, 2, 3 and 4-family dwellings, will be assigned 1 unit for every $30,000 in their total assessed value (approved prior to applying exemptions abatements, etc.)
		All other properties without improvements within the City will be assigned 1 unit.
	Minimum water facility charge	$1 per quarter
	Hydrant charge, outside City	$122 per hydrant per year
	Hydrant charge, private	$30.50 per hydrant per quarter or $122 per hydrant per year

Code Section	Type of Fee	Amount
Chapter 297, Wreckers and Towers		
[Last amended 1-9-2023 by Ord. No. 1-2023]		
§ 297-3	Towing, storage and cleanup rates:	
	Initial pickup charge for towing or road service	
	Between 8:00 a.m. and 5:00 p.m.	$150
	Between 5:00 p.m. and 8:00 a.m.	$175
	Any time during snow emergency	$200
	Winching charge	$150 per hour
	Towing City-owned cars	$50, plus $1.50 per mile if towed from outside City limits
	Outside storage	$60 for the initial 24-hour period or any portion thereof and $60 for each 24-hour period thereafter or portion thereof
	Inside storage	$100 for the initial 24-hour period or any portion thereof and $100 for each 24-hour period thereafter or portion thereof
	Cleanup services	$80 per half hour

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