



City of Kingston Kingston Common Council
Meeting Agenda
Tuesday, February 4, 2020
7:30 PM
Common Council Chambers
City Hall, 420 Broadway

- A CALL TO ORDER**
- B PLEDGE OF ALLEGIANCE TO THE FLAG**
- C MOMENT OF SILENCE**
- D ROLL CALL**
- E DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING AND APPROVE SAME AS PREPARED AND FILED BY THE CITY CLERK.**
- F DISPENSE WITH THE READING OF THE GENERAL BILLS**
- G PUBLIC SPEAKING - *A Maximum of 30 Minutes is Allotted for this Purpose***
- H CLAIMS**
- I COMMUNICATIONS**
 - I.1. Communications
[Communications-February 2020.pdf](#)
- J DISPENSE WITH THE SECOND READING OF THE GENERAL BILLS AND PAY SAME**
- K REPORT OF THE COMMITTEES**
 - K.1. Report of committees
[Resolutions February 2020.pdf](#)
 - K.2. Proposed Resolutions
[20200204085427.pdf](#)
- L LOCAL LAWS**
- M ADJOURNMENT**
- N AWARDS AND PRESENTATIONS**

Kingston Common Council Agenda Item Report

Meeting Date: February 4, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Communications

Suggested Action:

Attachments:

[Communications-February 2020.pdf](#)

Fin

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____ AUTHORIZATION <u>X</u> _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT <u>Comptroller</u>DATE <u>1/30/2020</u> Description: <u>Respectfully request the adoption of the attached City of Kingston Capital Asset Policy for financial reporting purposes.</u> _____ _____ _____ _____ _____ Estimated Financial Impact <u>\$0</u>Signature 		

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman	☐	☐
Reynolds Scott-Childress Ward 3	☐	☐
Anthony Davis, Ward 6	☐	☐
Michele Hirsch, Ward 9	☐	☐
Steven Schabot, Ward 8	☐	☐

City of Kingston Capital Asset Policy

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I. CAPITALIZATION ASSET DEFINITIONS AND GUIDELINES

Capital Asset Classification

Capital assets are assets purchased or constructed by the City that have a useable life of 1 or more years and that have a value equal to or greater than the established capitalization threshold. The following categories are used for the City:

- Land
- Buildings
- Improvements
- Machinery and Equipment
- Infrastructure
- Construction in Progress

Capitalization Threshold and Useful Lives

<u>Class of Asset</u>	<u>Threshold</u>	<u>Useful Life</u>
Land	\$20,000	Note 1
Buildings	\$20,000	40
Improvements	\$20,000	15
Machinery and Equipment	\$10,000	10
Office Equipment	\$10,000	10
Furniture	\$10,000	10
Computers	\$10,000	3
Vehicles	\$10,000	5
Heavy Equipment	\$10,000	10
Other	\$10,000	10
Infrastructure:		
Roads	\$20,000	20
Lighting System	\$20,000	30
Traffic Control Systems	\$20,000	30
Sewer Systems	\$20,000	40
Other	\$20,000	30
Construction in Progress		Note 2

Note 1 - Not Depreciated

Note 2 - Depreciation will not be recorded on Construction in Progress. Upon completion, the asset will be recorded in appropriate asset classification and depreciation will begin in accordance with the threshold.

**Assets will be removed from the fixed asset schedule in the year after their net book value is reduced to \$0.*

Aggregate Purchases

Although, in general, the threshold of \$10,000 applies to each unit purchased, consideration should also be given to the aggregate amount of large quantities of like units, which individually would not be capitalized. Capitalization of such aggregate amounts would be determined on a case by case basis.

Capital Asset Acquisition Cost

Capital assets should be recorded at historical cost. The cost of a capital asset should include any ancillary costs that are necessary to place the asset in its intended condition for use. These include the vendor's invoice (plus the value of any trade-in, if reflected on the invoice), initial installation cost (excluding in-house labor), modifications, attachments, accessories or apparatus necessary to make the asset usable and render it into service. Historical costs also include charges such as freight and transportation charges, site preparation costs and professional fees. The costs of capital assets for government activities do not include capitalized interest.

Leased Equipment

Equipment should be capitalized if the lease agreement meets any one of the following criteria:

- The lease transfers ownership of the property to the leasee by the end of the lease term.
- The lease contains a bargain purchase option (requirement no longer in effect as of 1/1/20)
- The lease term is equal to 75% or more of the estimated economic life of the leased property (requirement no longer in effect as of 1/1/20)
- The present value of the lease, excluding executory costs, equals at least 90% of the fair value of the leased property (requirement no longer in effect as of 1/1/20)
- Non-cancelable right to use lease asset (requirement effective as of 1/1/20)

Leases that do not meet any of the above requirements should be recorded as an operating lease and reported in the notes of the financial statements.

Depreciating Capital Assets

Capital assets should be depreciated over their estimated useful lives in accordance with this policy, unless they are inexhaustible. ½ year of depreciation will be included in the first year following the completion or acquisition of the asset.

The straight-line depreciation method (historical cost divided by useful life) is the method that will be used.

Residual Value

Residual value is the estimated fair value of a capital asset or infrastructure remaining at the end of its useful life. In order to calculate depreciation for an asset, the estimated residual value must be established before depreciation can be calculated. The use of historical sales information becomes a valuable method for determining the estimated residual value. Proceeds from sale of assets must be netted against residual value in computing net gain or loss from sale.

The City of Kingston generally purchases assets with the intent to use such assets until its usefulness is exhausted. **Therefore, the City of Kingston will estimate residual value to be zero for all capital assets.**

Computation of Gain and Loss from Sale of Assets

To compute a gain or loss, proceeds received must be subtracted from the asset's net book value.

Example:	Asset's Historical Cost	\$200,000
	Less: Accumulated Depreciation	<u>\$140,000</u>
	Net Book Value	\$60,000
	Subtract Proceeds Received	<u>\$20,000</u>
	Loss from Sale of Asset	<u>\$40,000</u>

Note: The gain or loss on sale of assets will only be recognized in City funds which are accounted for on a full accrual basis (i.e. Sewer Fund).

Effective Date and Retroactive Treatment

This policy will be effective January 1, 2019. Assets with no remaining book value as of 12/31/18 will be removed from the fixed asset tracking schedule. Depreciation methodology and categorization of any remaining assets as of 12/31/18 will not be adjusted upon the adoption of this policy.

II. CAPITAL ASSET CATEGORIES

LAND

Land Definition

Land is the surface or crust of the earth, which can be used to support structures, and may be used to grow crops, grass, shrubs and trees. Land is characterized as having an unlimited life (indefinite).

Examples of Expenditures to be Capitalized as Land:

- Purchase price or fair market value at time of acquisition
- Commissions
- Professional fees (title searches, architect, legal, engineering, appraisal, surveying, environmental assessments, etc.)
- Accrued and unpaid taxes at date of purchase
- Other costs incurred in acquiring the land
- Right-of-Way or easement payments

BUILDINGS

Building Definition

A building is a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not to be transportable or moveable. Buildings that are an ancillary part of the City's network will be reported as infrastructure rather than as buildings.

Examples of Expenditures to be Capitalized as Buildings:

Purchased Buildings

- Original purchase price
- Expenses for remodeling, reconditioning or altering a purchased building to make it ready to use for the purpose for which it was acquired
- Environmental compliance (i.e., asbestos abatement)
- Professional fees (legal, architect, inspections, title searched, etc.)
- Payment of unpaid or accrued taxes on the building to date of purchase
- Cancellation or buyout of existing leases
- Other costs required to place the asset into operation

Constructed Buildings

- Completed project costs
- Cost of excavation or grading or filling of land *for a specific building*
- Expenses incurred for the preparation of plans, specifications, blueprints, etc.

- Professional fees (architect, engineer, management fees for design and supervision, legal)
- Costs of temporary buildings used during construction
- Unanticipated costs such as rock blasting, piling or relocation of the channel of an underground stream
- Permanently attached fixtures or machinery that cannot be removed without impairing the use of the building
- Additions to buildings (expansions, extensions or enlargements)

IMPROVEMENTS

Improvement Definition

Non-Exhaustible land improvements – Expenditures for improvements that do not require maintenance or replacement. Expenditures to bring land into condition to commence erection of structures, and expenditures for land improvements that do not deteriorate with use or over the passage of time are additions to the cost of land and are generally not exhaustible and therefore not depreciated.

Exhaustible land improvements – Expenditures for improvements that are part of a site, such as parking lots, landscaping and fencing, are usually exhaustible and are depreciated.

Building improvements - Improvements are capital events that materially extend the useful life of a building or increase the value of a building, or both. A building improvement should be capitalized as a betterment and recorded as an addition of value to the existing building if the expenditure for the improvement meets the capitalization threshold, or the expenditure increases the useful life or value of the building.

Examples of Expenditures to be Capitalized as Land Improvements

- Site improvements such as excavation, fill, grading, and utility installation
- Removal, relocation, or reconstruction of property of others (railroad, telephone and power lines)
- Fencing
- Landscaping
- Parking lots
- Skating rinks, basketball courts, tennis courts, etc.
- Retaining walls

Examples of Expenditures to be Capitalized as Improvements to Buildings

Note: For a replacement to be capitalized, it must be a part of a major repair or rehabilitation project, which increases the value, and/or useful life of the building. A replacement may also be capitalized if the new item/part is of significantly improved

quality or higher value compared to the old item/part, such as replacement of an old shingle roof with a new fireproof tile roof.

- Conversion of attics, basements, etc., to usable office, clinic, research or classroom space
- Structures ***attached*** to the building, such as covered patios, sunrooms, garages, carports, enclosed stairwells, etc.
- Installation or upgrade of heating and cooling systems, including ceiling fans and attic vents
- Original installation/upgrade of wall or ceiling covering, such as carpeting, tiles, paneling, or parquet
- Structural changes, such as reinforcement of floors or walls, installation or replacement of beams, rafters, joists, steel grids or other interior framing
- Swimming pools
- Installation or upgrade of window or door frames, upgrading of windows or doors, built-in closet and cabinets
- Interior renovation associated with casings, baseboards, light fixtures, ceiling trim, etc.
- Exterior renovation, such as installation or replacement of siding, roofing, masonry, etc.
- Installation or upgrade of plumbing and electrical wiring
- Installation or upgrade of phone or closed circuit television systems, networks, fiber optic cable, wiring required in the installation of equipment (that will remain in the building)

MACHINERY AND EQUIPMENT

Machinery and Equipment Definition

Fixed or movable tangible assets to be used for operations, the benefits of which extend beyond one year from date acquired and rendered into service. Improvements or additions to existing personal property that constitute a capital outlay or increase the value or life of the asset should be capitalized as a betterment and recorded as an addition of value to the existing asset.

Note: Costs of extended warranties and/or maintenance agreements, which can be separately identified from the equipment, should not be capitalized.

Categories of Machinery and Equipment

- Office equipment
- Furniture
- Computers
- Vehicles
- Heavy Equipment
- Other

Examples of Expenditures to be Capitalized as Machinery and Equipment

- Original contract or invoice price
- Freight charges
- Handling and storage charges
- In-transit insurance charges
- Any taxes imposed on the acquisition
- Charges for testing and preparation for use
- Costs of reconditioning used items when purchased
- Computer software and hardware
- Parts and Labor associated with the construction of equipment
- Road Graders and other heavy equipment
- Dump trucks and passenger cars
- Lawn maintenance equipment, compressors and tool kits

INFRASTRUCTURE

Categories of Infrastructure

- Roads
- Lighting System
- Traffic Control Systems
- Sewer Systems
- Other

Infrastructure Definition

Assets that are long-lived capital assets that normally is stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Infrastructure assets are often linear and continuous in nature.

Infrastructure Improvements

Infrastructure improvements are capital events that materially extend the useful life or increase the value of the infrastructure, or both. Infrastructure improvements should be capitalized as a betterment and recorded as an addition of value to the infrastructure if the improvement or addition of value is at the capitalization threshold or increases the life or value of the asset.

Jointly Funded Infrastructure

Infrastructure paid for jointly by multiple governmental entities should be capitalized by the entity responsible for future maintenance.

Preservation Costs

Preservation costs are generally considered to be those outlays that extend the useful life of an asset beyond its original estimated useful life, but do not increase the capacity or

efficiency of the asset. Preservation costs should be capitalized under the depreciation approach.

Additions and Improvements

Additions and improvements are those outlays that generally increase the capacity or efficiency of the asset. A change in capacity increases the level of service provided by an asset. For example, additional lanes can be added to a highway or the weight capacity of a bridge could be increased. A change in efficiency maintains the same service level, but at a reduced cost. The cost of additions and improvements should be capitalized.

Examples of Expenditures to be Capitalized as Infrastructure

- Highway and rest areas
- Roads, streets, curbs, gutters, sidewalks, fire hydrants
- Bridges, culverts, trestles
- Dams, drainage facilities
- Electric, water and gas (main lines and distribution lines, tunnels)
- Fiber optic and telephone distribution systems (between buildings)
- Light system (traffic, outdoor, street, etc.)
- Signage
- Sewer system

CONSTRUCTION IN PROGRESS

Construction in Progress Definition

Construction in Progress reflects the economic construction activity status of buildings and other structures, infrastructure (highways, energy distribution systems, pipelines, etc.), additions, alterations, reconstruction, installation, and maintenance and repairs, which are substantially incomplete. As noted on page 1, Note 2, upon completion, construction in progress will be reclassified to its appropriate asset classification and depreciated over its expected useful life.

Fin

City of Kingston
Parks and Recreation Department
kgilfeather@kingston-ny.gov

Steven T. Noble, Mayor



Kevin D. Gilfeather, Superintendent

January 28, 2020

Andrea Shaut, Common Council President

420 Broadway

Kingston, NY 12401

Dear President Shaut:

The Parks and Recreation Department is seeking repairs for the lower roof and HVAC units at our Rondout Neighborhood Center facility. The anticipated expenses to be incurred, in the amount of \$95,000, will be reimbursed through CDBG funds.

A budget modification and transfer of funds as per the attached Committee Report, is as follows:

FROM: A17141.2020 – CDBG Reimbursement

TO: A17141.301 – Contracted Services

Please feel free to contact me with any questions, here in my Office – (845)481-7333, or via email.

Sincerely,

Kevin D. Gilfeather, Superintendent

Cc: John Tuey, City Comptroller

Brenna Robinson, Director, Economic and Community Development

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION X _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT: Parks & Recreation

DATE: 1/28/20

Description: Budget modification for facility improvements at the Rondout Neighborhood Center, in the anticipated amount of \$95,000, to include the replacement of the lower roof and replacement of the individual HVAC units in the building. The funding for the improvements will be reimbursed via CDBG funds.

FROM: A17141.2020 – CDBG REIMBURSEMENT
TO: A17141.301 – CONTRACTED SERVICES

Estimated Financial Impact: \$ 0

Signature



Motion by _____

Seconded by _____

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

Steven T. Noble
Mayor

Stephan Knox
Director

Thomas Murray
Assistant Director

CITY OF KINGSTON
Building Safety & Zoning Enforcement

5 Garraghan Drive
Kingston, NY 12401
Phone (845) 331-1217
Fax (845) 331-1224



L-R

January 31, 2020

Alderperson at Large Andrea Shaut
City of Kingston Common Council
420 Broadway
Kingston, NY 12401

Dear Alderperson at Large Shaut,

At the behest of City of Kingston Plumbing Board President, David Allen and plumbing inspector, David Bence, I respectfully submit the following request for the establishment of contractor licensing for the installation of oil and gas burning appliances.

Many municipalities throughout New York have established similar local laws seeking to create a basic standard of competency for those working with potentially hazardous materials and circumstances. Recent inspections of both commercial and residential properties has revealed common venting concerns and frequent failures to properly bond gas CSST lines.

Our conversations with local utility company representatives and local contractors has confirmed a general concern for public safety and the need to remedy such as quickly as possible. Attached find language, for a proposed City of Kingston law, created by plumbing board members after reviewing a number of other municipal license requirements. We ask that serious consideration be given to creating a license for the installation of oil and gas burning appliances.

Sincerely,

Stephan Knox

Director of Building Safety & Zoning Enforcement

Cc. Mayor, Steven T. Noble
Corporation Counsel, Kevin Bryant

Licensing of contractors installing oil burning, gas burning appliances.

No person shall engage in or conduct the business of the installation of new or replacement oil or gas heat-producing equipment in the City without first obtaining from the Building Safety Division of the City a license to do such work. Persons applying to be licensed to engage in or conduct the business of the installation of gas and/or oil heat-producing equipment shall present satisfactory proof to the Plumbing Board that (s)he is competent to make such installation and has been engaged in the installation of such equipment for a period of at least four years prior to the date of application or has graduated from a four-year college or university with major coursework in heating engineering and has had one year's experience as a journeyman heating contractor or (s)he shall be a licensed professional engineer. In addition, the applicant shall be required to take a written examination prepared by the Plumbing Board and pay a nonrefundable examination fee as set forth in City of Kingston Fee Schedule. If the applicant satisfactorily passes the examination, (s)he shall receive a heating license from the City. All licenses granted hereunder shall expire as of June 1 of each calendar year and must be renewed on an annual basis within 30 days preceding the expiration by application to the Building Safety Division and payment of a renewal fee as set forth in Section above. Any person who permits his gas/oil license to lapse may apply for and receive a certificate of renewal upon payment of a fee as set forth in the City of Kingston Fee Schedule . Prior to expiration, a person licensed under this section may petition the Building Safety Division to suspend his/her license. A person whose license has been suspended at his/her request may reinstate such license at any time within five years from the date the license was scheduled to expire. There shall be a fee plus the license fee to reinstate a license that has been suspended at the request of the licensee. Any license granted under this section is revocable by the Plumbing Board for cause. Licenses may be granted for installation of oil-burning apparatus only or gas-burning apparatus or gas piping. Fees for licenses are set forth in the City of Kingston Fee Schedule.

A plumbing permit shall be obtained to install oil or gas heat producing appliances. The permit will also allow contractor to connect domestic water to such appliance within five (5) feet of the appliance. All other water connections must be installed by a Master Licensed Plumber with an approved permit.

Misuse of licenses granted by the Plumbing Board of the City Of Kingston New York

A plumbing permit shall be obtained for water connections for heat-producing equipment. A license granted by the Plumbing Board of the City of Kingston New York to an individual shall not be used by any other person, directly or indirectly, either to obtain a permit or to perform any work under that license.

Investigation; prosecution for misuse of license

The Plumbing Inspector shall investigate the license and special permit of every heating contractor and shall promptly report to the Plumbing Board any violation of the provisions of this article relating to the use of the license, and the Plumbing Inspector shall immediately apply to the Plumbing Board for the forfeiture of the license who shall have misused the license in violation of this article.

L+R

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



January 31, 2020

Ms. Andrea Shaut
Aldерwoman-at-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, NY 12401

Re: Housing Vacancy Study

Dear President Shaut,

As you aware, the City of Kingston contracted with the Center for Government Research to conduct a vacancy study in order to ascertain whether or not there is a vacancy rate of less than 5% in apartment buildings built before 1974 with six or more units. I am happy to report that a draft that of that report will be available for the Common Council to review in February.

I respectfully request that the Vacancy Study completed by CGR be placed on the appropriate committee for discussion. The vacancy study will be shared under separate cover when it is received.

Thank you for your consideration.

Respectfully submitted,

Steven T. Noble
Mayor

F A U

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



January 31, 2020

Ms. Andrea Shaut
Aldерwoman-at-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, NY 12401

Re: Director of Housing Initiatives and Director of Intergovernmental Affairs

Dear President Shaut,

As I outlined in my State of the City address, we are at a significant juncture here in the City of Kingston. We must continue to be proactive in our efforts to improve upon core issues in our community, including housing, infrastructure, public safety, sustainability and economic development.

In order to advance our housing justice agenda, I am putting forth a proposal to establish a new position, the Director of Housing Initiatives. It is imperative that we have a dedicated housing specialist to support our city's collective vision for safe, affordable and equitable housing and to advance the work of the Kingston City Land Bank.

In addition, there are a number of critical issues and projects that transcend the boundaries of one department and often require collaboration with other agencies. In an effort to continue and expand our successful initiatives, I am also proposing the establishment of a new Director of Intergovernmental Affairs. This position will assist my office in guiding key projects forward and will serve as a bridge between my administration and the Common Council, County and State Government, along with our City's nonprofits and private business partners.

It should be noted that this proposal will have no impact on the City of Kingston's 2020 Budget. I respectfully request that this issue be referred to the appropriate committee to allow for the required budget transfers. I will make myself available to present my full proposal at this committee and to answer any questions the Council members may have.

Thank you for your consideration.

Respectfully submitted,

Steven T. Noble
Mayor

L + R + F, U

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov



Steven T. Noble
Mayor

January 31, 2020

Ms. Andrea Shaut
Aldерwoman-at-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, NY 12401

Re: Public Works and Parks & Recreation collaboration

Dear President Shaut,

With the impending retirement of Kevin Gilfeather, Superintendent of Parks and Recreation, I have been working with my staff to develop a long-term plan that supports the continued operations of our incredible parks and programming and identifies opportunities for improvement.

As part of this process, I have been in discussion with not only the leadership of Parks and Recreation, but also of the Department of Public Works. While each Department serves critical and unique functions, I believe wholeheartedly that these departments can and should work closer together for the benefit of our community. By collaborating together, we have the opportunity to improve our system so that the services to our community and taxpayers are delivered in an economical, efficient and sustainable manner.

I am respectfully requesting that this matter be referred to both the Finance and Laws and Rules Committees. I will be in attendance at both of these meetings to present my proposal and answer any questions the Council may have. Additional documents supporting this proposal will be sent under separate cover, prior to these meetings, so that the Council members may familiarize themselves.

Thank you for your consideration.

Respectfully submitted,

Steven T. Noble
Mayor

L+R

Tinti, Elisa

From: Don Tallerman <don@dragon360.com>
Sent: Tuesday, January 14, 2020 8:33 PM
To: Hirsch, Michele
Cc: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Legislative Proposal

Hi Andrea –

I believe that vacant retail space is a blight on our community, with many negative effects.

Below and (attached) is a request for an addendum to our zoning laws. The overall purpose is to reduce the number of vacant storefronts/retail spaces in our city. As you will see, there is a particular focus on larger spaces, such as the former Woolworth and Yallum's spaces on Wall Street.

Thank you very much.

Donald Tallerman
917-318-7420

VACANT STOREFRONTS

A vacant storefront is described as a commercial retail space in one of Kingston's 3 business districts, Uptown, Midtown and Rondout. Vacant refers to the storefront being unoccupied for more than 6 months. This is directed at commercial buildings with vacant storefronts – NOT buildings that have been abandoned. Storefronts include the entire square footage of the street level space within a given building.

In addition to fees set forth in Code 179-10, a supplemental fee shall be charged as follows.

Retail spaces 500-2,000 SF

The owner of a vacant storefront shall pay a monthly fee of \$300. \$3,600 annually.

Retail spaces 2,000-4,000 SF

The owner of a vacant storefront shall pay a monthly fee of \$600. \$7,200 annually.

Retail spaces over 4,000 SF

The owner of a vacant storefront shall pay a monthly fee of \$100,000. \$1,200,000 annually.

20

This applies only to buildings on the main commercial thoroughfares:

Uptown: N. Front Street between Clinton & Crown

Wall Street between N. Front and Main

Fair Street between N. Front and John

Midtown: Broadway between St. James & W. Chester St

Rondout: Broadway between Spring & W. Strand

Failure to pay the fee shall result in said fee to be charged against the land on which the building existed, as a municipal lien, or shall be added to the tax roll as an assessment or shall be levied as a special tax against the land upon which the building stands or stood or shall be recovered in a suit at law against the owner.

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

PS/GG

Tinti, Elisa

From: Smith, Summer
Sent: Thursday, January 16, 2020 10:13 AM
To: Tinti, Elisa
Subject: FW: [EXTERNAL EMAIL] Service Request #32746 (Executive Orders) Notification - City of Kingston, NY

This one too. Thanks!

From: noreply-kingston@qscend.com [mailto:noreply-kingston@qscend.com]
Sent: Wednesday, January 15, 2020 5:43 PM
To: Smith, Summer <:ssmith@kingston-ny.gov>
Subject: [EXTERNAL EMAIL] Service Request #32746 (Executive Orders) Notification - City of Kingston, NY

City of Kingston, NY

The service request ID 32746 filed on 1/6/2020 5:37 PM has not been addressed within the allotted time.

Escalation Details	
Date/Time	1/15/2020 5:42 PM
User	admin
Comments	Notification of service request escalation sent to ssmith

Service Request Details	
ID	32746
Date/Time	1/6/2020 5:37 PM
Type	Executive Orders
Address	26 Shufeldt St, Kingston
Comments	Please remove handicap signs from infront of 26 Shufelt st. Thank you.

[View in QAlert](#)

City of Kingston, NY

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PS/GG

Tinti, Elisa

From: Smith, Summer
Sent: Thursday, January 16, 2020 9:22 AM
To: Tinti, Elisa
Subject: FW: [EXTERNAL EMAIL] Service Request #32745 (Executive Orders) Notification - City of Kingston, NY

I'm getting this again. Would this need to go through the Council? I think the QAlert is coming from Patrick O'Reilly.

From: noreply-kingston@qscend.com [mailto:noreply-kingston@qscend.com]
Sent: Wednesday, January 15, 2020 5:43 PM
To: Smith, Summer <:ssmith@kingston-ny.gov>
Subject: [EXTERNAL EMAIL] Service Request #32745 (Executive Orders) Notification - City of Kingston, NY

City of Kingston, NY

The service request ID 32745 filed on 1/6/2020 5:35 PM has not been addressed within the allotted time.

Escalation Details	
Date/Time	1/15/2020 5:42 PM
User	admin
Comments	Notification of service request escalation sent to smith

Service Request Details	
ID	32745
Date/Time	1/6/2020 5:35 PM
Type	Executive Orders
Address	32 Shufeldt St, Kingston
Comments	Requesting placement of handicap parking signs in on Linwood st on side of 32 Shufelt st property across from handicap signs on Linwood st. Thank you.

[View in QAlert](#)

PS/GG

Tinti, Elisa

From: noreply-kingston@qscend.com
Sent: Sunday, January 19, 2020 8:49 PM
To: Alderman
Subject: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #33000]
(Signage Installation/Removal) - City of Kingston, NY

City of Kingston, NY

A new service request has been filed.

Service Request Details	
ID	33000
Date/Time	1/19/2020 8:49 PM
Type	Signage Installation/Removal
Address	23 Van Buren St, Kingston
Origin	Report2Gov iOS
Comments	Request that handicap sign be removed. Resident is deceased.
Submitter	Worthington, Rita ward4@kingston-ny.gov

[View in QAlert](#)

City of Kingston, NY

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

PS/GG

Tinti, Elisa

From: noreply-kingston@qscend.com
Sent: Wednesday, January 22, 2020 3:18 PM
To: Alderman
Subject: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #33053]
(Parking Limitations) - City of Kingston, NY

City of Kingston, NY

A new service request has been filed.

Service Request Details	
ID	33053
Date/Time	1/22/2020 3:18 PM
Type	Parking Limitations
Address	578 Broadway, Kingston
Origin	Website
Comments	Review and Research Parking availability and limitations on Saccoman Lane. For the last twenty years parking was available on the Parking lot side of Saccoman Lane, however, recently, it was discovered in City Code that parking is prohibited on that side. I would like a review to see if some parking can remain in that area.
Submitter	Noble, Steve 420 Broadway Kingston, NY 12401 845-334-3902 snoble@kingston-ny.gov

[View in QAlert](#)

City of Kingston, NY

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PS/GG

CITY OF KINGSTON
Office of the City Engineer
jschultheis@kingston-ny.gov

John M. Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

January 22, 2020

Andrea Shaut., Alderman-At-Large, President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: Stop Sign, Gage Street at Farrelly

Dear President Shaut:

In reviewing the site and city code, I found that there is no stop sign legislated or installed on Gage Street at Farrelly. Traffic engineering considerations require that a stop sign be added on Gage at this location. Currently stop signs are legislated and installed on Farrelly Street. I suggest that those signs remain due to sight distance limitations for the driveway located at the intersection, and since the stop signs on Farrelly seem well-accepted. "All-Way" plaques should be added to all 3 stop signs when the change is made.

Please refer this item to the Public Safety / General Government Committee for further discussion and approval. Should you have any questions concerning this request, do not hesitate to contact me.

Respectfully,

John M. Schultheis, P.E.
City Engineer

Cc: Steve Noble, Mayor
Tony Davis, Chair, Public Safety / General Government

Tinti, Elisa

From: Schultheis, John
Sent: Wednesday, January 22, 2020 4:53 PM
To: Shaut, Andrea; Tinti, Elisa; Davis, Tony
Cc: Davis, Tony; Davis, Tony
Subject: Stop Sign, Gage at Farrelly
Attachments: Gage at Farrelly Stop sign 1-22-20.pdf

Please see attached request to modify 390-92 Schedule IX to add the STOP sign at this location.

Please let me know if you have any questions.

Thank you,

John M. Schultheis, P.E.
City Engineer
City of Kingston
Engineering Department
City Hall
420 Broadway
Kingston, New York 12401
o) 845-334-3967
m) 845-416-0026
jschultheis@kingston-ny.gov

PS/GG

Tinti, Elisa

From: Tinti, Elisa
Sent: Wednesday, January 22, 2020 11:57 AM
To: Shaut, Andrea
Subject: Communication

Dear Madam President,

A gentleman by the name of Robert Fanshel has come into my office in regard to dogs on the waterfront walkway. He and his wife, who is handicap, walk there daily and they have been approached by people with dogs, sometimes un leashed. The walkway has one sign at the entrance to the parking lot that states that there are no dogs allowed. He has gotten into arguments with people who claim to not see the sign. I have contacted the SPCA as well as KPD to request more patrols. Both agencies have agreed to be more vigilant. Mr. Fanshel has requested that more "NO DOGS" signs be placed along the walkway. I am requesting that this be submitted to the appropriate committee for review.

Thank you for your time,
Elisa Tinti

Mr. Fanshel- 845-532-1182

Elisa Tinti

City Clerk and Registrar
City of Kingston

(845) 334-3914 Office
(845) 334-3918 Fax

[Kingston City Clerk Webpage](#)



PS/GG

Tinti, Elisa

From: Andrea Shaut <andishaut@yahoo.com>
Sent: Thursday, January 23, 2020 12:44 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Fw: Handicapped Parking

Hi Elisa,

Please see the communication below from Alderman Schabot.

Andrea Shaut

www.andreashaut.com
www.hvceremonymusic.com

----- Forwarded Message -----

From: STEVEN SCHABOT <sschabot@hvc.rr.com>
To: 'Andrea Shaut' <andishaut@yahoo.com>
Cc: 'Schultheis, John' <jschultheis@kingston-ny.gov>; 'Davis, Tony' <tdavis@kingston-ny.gov>
Sent: Wednesday, January 22, 2020, 09:38:59 AM EST
Subject: Handicapped Parking

#4850024

Exp. 1/24

66 Hunter Street

Signs were recently removed as the previous owner of the building is deceased. New occupant requests replacement.

Thanks

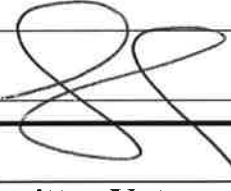
Steven Schabot

Fin

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION _____	BUDGET MODIFICATION <u>X</u> _____	BONDING REQUEST _____
CLAIMS _____	ZONING _____	OTHER _____

DEPARTMENT <u>Comptroller</u>	DATE <u>1/30/2020</u>
Description: <u>Respectfully request 2019 budgetary transfers totaling \$23,436 to balance</u>	
<u>Sewer Fund NYS Retirement System accounts.</u>	
Estimated Financial Impact <u>\$0</u> Signature 	

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman	☐	☐
Reynolds Scott-Childress Ward 3	☐	☐
Anthony Davis, Ward 6	☐	☐
Michele Hirsch, Ward 9	☐	☐
Steven Schabot, Ward 8	☐	☐

Comptroller
2019 Year End Budgetary Transfers - NYS Retirement System

	<u>FUND</u>	<u>DEPARTMENT</u>	<u>OBJECT</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
Transfer To:	G1	8120	5812	NYS Retirement	23,436
Transfer From:	G1	8120	5821	Hospital and Medical	23,436

Fin

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION X _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

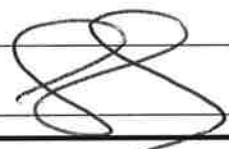
DEPARTMENT Comptroller

DATE 1/30/2020

Description: Respectfully request 2019 budgetary transfers totaling \$1,012,997 to balance

General Fund NYS Retirement System accounts. \$625,000 of fund balance was used to
paydown amortizations with the NYS Retirement System as previously approved by the
Common Council.

Estimated Financial Impact \$625,000

Signature 

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman	☐	☐
Reynolds Scott-Childress Ward 3	☐	☐
Anthony Davis, Ward 6	☐	☐
Michele Hirsch, Ward 9	☐	☐
Steven Schabot, Ward 8	☐	☐

Comptroller

2019 Year End Budgetary Transfers - NYS Retirement System General Fund

TRANSFER TO:	FUND	DEPARTMENT	OBJECT	ACCOUNT DESCRIPTION	AMOUNT
	A1	5630	5812	NYS Retirement	19,770
	A1	1490	5812	NYS Retirement	16,368
	A1	8170	5812	NYS Retirement	16,156
	A1	8164	5812	NYS Retirement	15,567
	A1	5132	5812	NYS Retirement	13,207
	A1	3310	5812	NYS Retirement	11,454
	A1	3410	5812	NYS Retirement	10,674
	A1	8160	5812	NYS Retirement	10,352
	A1	5110	5812	NYS Retirement	10,036
	A1	1621	5812	NYS Retirement	9,807
	A1	7240	5812	NYS Retirement	9,591
	A1	1315	5812	NYS Retirement	9,575
	A1	1355	5812	NYS Retirement	7,730
	A1	7210	5812	NYS Retirement	6,739
	A1	8020	5812	NYS Retirement	6,003
	A1	7142	5812	NYS Retirement	5,454
	A1	3120	5812	NYS Retirement	4,851
	A1	1420	5812	NYS Retirement	4,602
	A1	7110	5812	NYS Retirement	4,288
	A1	7143	5812	NYS Retirement	4,123
	A1	1210	5812	NYS Retirement	3,254
	A1	7020	5812	NYS Retirement	3,128
	A1	1410	5812	NYS Retirement	2,782
	A1	3510	5812	NYS Retirement	2,558
	A1	1330	5812	NYS Retirement	2,539
	A1	1345	5812	NYS Retirement	2,522
	A1	7180	5812	NYS Retirement	2,381
	A1	4020	5812	NYS Retirement	1,863
	A1	7989	5812	NYS Retirement	804
	A1	1620	5812	NYS Retirement	700
	A1	8040	5812	NYS Retirement	44
	A1	3410	5813	Fire Retirement	353,681
	A1	3120	5814	Police Retirement	440,394
					<u>1,012,997</u>

Comptroller

2019 Year End Budgetary Transfers - NYS Retirement System General Fund

TRANSFER FROM:	A1	1130	5812	NYS Retirement	12
	A1	5651	5812	NYS Retirement	17
	A1	8745	5812	NYS Retirement	82
	A1	7140	5812	NYS Retirement	111
	A1	1440	5812	NYS Retirement	222
	A1	5182	5812	NYS Retirement	247
	A1	7141	5812	NYS Retirement	284
	A1	7620	5812	NYS Retirement	288
	A1	7551	5812	NYS Retirement	494
	A1	7310	5812	NYS Retirement	659
	A1	3311	5812	NYS Retirement	1,194
	A1	3620	5812	NYS Retirement	1,258
	A1	1680	5812	NYS Retirement	1,931
	A1	3989	5812	NYS Retirement	1,953
	A1	3621	5812	NYS Retirement	3,099
	A1	8010	5812	NYS Retirement	3,312
	A1	7010	5812	NYS Retirement	3,363
	A1	1650	5812	NYS Retirement	3,686
	A1	1625	5812	NYS Retirement	4,007
	A1	1430	5812	NYS Retirement	4,785
	A1	8161	5812	NYS Retirement	4,855
	A1	4010	5812	NYS Retirement	6,191
	A1	3320	5812	NYS Retirement	6,355
	A1	1010	5812	NYS Retirement	7,236
	A1	6989	5812	NYS Retirement	8,804
	A1	7250	5812	NYS Retirement	10,129
	A1	6990	5812	NYS Retirement	14,553
	A1	5142	5812	NYS Retirement	16,994
	A1	3120	5821	Hospital and Medical	94,000
	A1	3410	5821	Hospital and Medical	66,000
	A1	9060	5821	Hospital and Medical	121,876
	A1	9999	5901	Fund Balance	625,000
					<u>1,012,997</u>

Tinti, Elisa

Fin

From: Shaut, Andrea
Sent: Tuesday, January 28, 2020 9:15 PM
To: Tinti, Elisa
Subject: FW: Taxi Fees

For your information, see below.

Andrea Shaut

Council President, City of Kingston

From: Scott-Childress, Reynolds
Sent: Tuesday, January 28, 2020 5:08 PM
To: Shaut, Andrea; O'Reilly, Patrick
Subject: RE: Taxi Fees

Dear Common Council President Shaut,

Please forward the following communication to the appropriate committee for consideration in February 2020:

Resolved: The Common Council hereby reduces the annual Kingston City taxi driver license fee to \$10 per year.

Best wishes,
Rennie

Reynolds J. Scott-Childress
Alderman, Ward 3, City of Kingston
(845) 616-3687 mobile

From: Shaut, Andrea
Sent: Monday, January 27, 2020 7:06 AM
To: O'Reilly, Patrick; Scott-Childress, Reynolds
Subject: Taxi Fees

Good Morning,

We did discuss during budget season that we will deliberate taxi fees. If either of you wants to send in a communication to me, and if you can do it by Friday morning, we can start these discussions in February.

Thanks!

Andrea Shaut

Council President, City of Kingston

Fin

CITY OF KINGSTON
Office of the City Engineer
jschultheis@kingston-ny.gov

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

January 24, 2020

Andrea Shaut
Alderman-At-Large
President of the Common Council
420 Broadway
Kingston, NY 12401

Re: Wilbur Avenue Paving Project / PIN 8762.02 / Funding

Dear President Shaut,

In 2019 the City of Kingston was the recipient of Federal Highway Funding through the Ulster County Transportation Council (UCTC) Transportation Improvement Program (TIP) – Pavement Rehabilitation and Complete Streets Program for the Wilbur Avenue Paving: Greenkill Avenue to Abeel Street in the amount of \$1,124,000.00. As is standard with this type of Federal Aid Project, 80% of the total cost is reimbursable and 20% (\$224,800.00) is the responsibility of the locality, and the locality must agree to fund the entire 100% of the Project in “the first instance”. The proposed work consisted primarily of milling off the existing pavement and overlay of new asphalt.

On June 4, 2019 the Common Council approved Resolution #103 initiating the Project and authorizing the expenditure of \$92,000.00 to fund the Preliminary and Detailed Design Phases for the Project, Resolution #104 authorizing adoption of a Bond Ordinance and Resolution #105 authorizing the issuance of a Bond in the amount of \$1,124,000.00 (copies attached).

During the initial investigation stage of Preliminary Design to ascertain existing conditions, it was discovered that much of the roadway had inadequate and/or inferior base and subbase material depths and quality. If the Project as proposed was to be undertaken with the unsuitable subbase, the asphalt surface would fail within approximately 2 years, nullifying the time, effort and funds expended. In view of this information and since NYSDOT criteria for nominal expected life span from road rehabilitation should be 10 to 20 years, this approach in all likelihood would not be approved by them.

In discussions with our Consultant for the Project, GPI of Albany, they suggested amending the original plan to decrease the length of roadway to be rehabilitated from 1.2 miles to 2,400 feet but instead of simply milling and overlaying, the amended work scope would entail a full depth reconstruction.

A full depth reconstruction requires a more complex design, a complete highway boundary survey, a more involved construction method and greater degree of oversight-inspection during construction.

Based on an estimate GPI developed of the increased costs associated with the change in project scope, it is requested that Common Council authorize increasing the amount of the original Bond by \$276,000.00 from \$1,124,000.00 to \$1,400,000.00

Wilbur Avenue is a major thoroughfare within the City and is very poor condition so this rehabilitation project is a very important infrastructure improvement.

CITY OF KINGSTON
Office of the City Engineer
jschultheis@kingston-ny.gov

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

Please forward this communication to the next regularly scheduled Finance Committee for further discussion.

Your thoughtful consideration of this matter is respectfully requested and should you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alan Adin", with a stylized flourish at the end.

Alan Adin
Engineering Technician

Cc: Steven T. Noble, Mayor
John Tuey, Comptroller
Douglas Koop, Finance Committee Chairman

RESOLUTION 103 of 2019

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK
AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE
COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATION
FUNDS THEREFORE FOR THE CITY OF KINGSTON WILBUR AVENUE PAVING**

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot

WHEREAS, a Project for the City of Kingston Wilbur Avenue Paving: Greenkill Avenue to Abeel Street, PIN 8762.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Kingston desires to advance the Project by making a commitment of 100% of the costs of Preliminary Design and Detailed Design.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. that the City of Kingston Common Council hereby approves the above-subject project; and it is hereby further

SECTION 2. that the City of Kingston Common Council hereby authorizes the City of Kingston to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary design and detailed design work for the Project or portions thereof; and it is further

SECTION 3. that the sum of \$92,000 is hereby appropriated from bonding and made available to cover the cost of participation in the above phase of the Project; and it is further

SECTION 4. that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City of Kingston Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City of Kingston Mayor thereof, and it is further

SECTION 5. that the Mayor of the City of Kingston be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Kingston with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

SECTION 6. that in addition to the Mayor the following municipal titles: Commissioner of Public Works, City Engineer, City Comptroller, and Director of the Office of Grants Management are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor,

with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

SECTION 7. that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

SECTION 8. This resolution shall take effect immediately.

Submitted to the Mayor this 5th day of

June, 2019



Elisa Tinti, City Clerk

Approved by the Mayor this 6th day of

JUNE, 2019



Steven T. Noble, Mayor

Adopted by Council on June 4,, 2019

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

(15)

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____ AUTHORIZATION <u>X</u> CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT: <u>Office of Grants Management</u> DATE: _____		
Description		
Authorizing the implementation and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore for the Wilbur Avenue Paving Project or portions thereof.		
Estimated Financial Impact: ^{\$} \$18,400 Signature 		

Motion by SSSeconded by RSC

Action Required:

SEORA Decision:

Type I Action

Type II Action

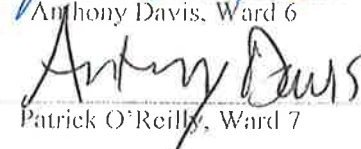
Unlisted Action

Negative Declaration of Environmental Significance:

Conditioned Negative Declaration:

Seek Lead Agency Status:

Positive Declaration of Environmental Significance:

Committee Vote	YES	NO
Douglas Koop, Chairman 	✓	
Reynolds Scott-Childress, Ward 3 	✓	
Anthony Davis, Ward 6 	✓	
Patrick O'Reilly, Ward 7		
Steven Schabel, Ward 8 	✓	

CITY OF KINGSTON
Office of Grants Management
grants@kingston-ny.gov

Kristen Wilson, Director



Steven T. Noble, Mayor

May 3, 2019

Honorable James L. Noble, Jr.
President/Alderman-at-Large
Kingston Common Council
420 Broadway
Kingston, NY 12401

Re: Authorizing funding in the first instance and appropriating funds for the Wilbur Avenue Paving Project
(Greenkill Avenue to Abeel Street)

Dear President Noble,

The City of Kingston has received federal funding for the Wilbur Avenue Paving Project. The total project cost is \$1,123,000. Funding obtained through the New York State Department of Transportation for 80% of the project cost has been awarded to Kingston for this project in the amount of \$898,400. These funds require a 20% match in the amount of \$224,600. The funds can be used to support the costs of the Project's Preliminary Design, Detailed Design, Construction and Construction Inspection phases of the project.

With this funding, the City of Kingston will re-pave the entire length of Wilbur Avenue from Greenkill Avenue to Abeel Street utilizing mill and fill of flexible pavement, install two ADA curb ramps, and address drainage issues on the road.

In order to access these funds, the City must pass a resolution to fund the project costs in the first instance. The attached resolution, originally drafted by NYSDOT, will allow the City to request reimbursements from the NYSDOT for the first \$73,600 for costs of the Preliminary and Detailed Design phases. As we advance the project and the totals for the Preliminary Design, Detailed Design, and Construction costs are more defined, NYSDOT can make more funds from this source available for reimbursement.

The second action requested from the Council is to pass a bond in the amount of \$1,123,000 to appropriate funds for the full Wilbur Avenue Paving Project of which a total of \$898,400 will be reimbursed by the aforementioned DOT funding and \$224,600 will be covered by the bond. This bond is needed to advance the project in a timely manner, engage in a contract with the chosen consultant for the design work, and expedite future use of this federal funding. I am requesting placement on the Finance Committee agenda in May to discuss two actions needed by the Council for this project. Please feel free to contact me with any questions regarding the project. Thank you for your consideration.

Sincerely,

Kristen Wilson

RESOLUTION 104 of 2019

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING ADOPTING A BOND ORDINANCE IN THE SUM OF \$1,124,000 FOR THE PRELIMINARY DESIGN, DETAILED DESIGN, CONSTRUCTION AND CONSTRUCTION INSPECTION PHASES OF THE WILBUR AVENUE PAVING PROJECT

Sponsored By: Finance and Audit Committee: Alderman: Koop, Scott-Childress, Davis, Schabot

WHEREAS, a bond is needed to advance the Wilbur Avenue Paving Project in a timely manner, engage in a contract with the chosen consultant for the design work, and expedite future use of this federal funding; and

WHEREAS, a request is made for bonding in the amount of \$1,124,000 to appropriate funds for the full Wilbur Avenue Paving Project of which a total of \$899,200 is expected to be reimbursed by DOT funding.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Common Council of the City of Kingston authorizes an amount of \$1,124,000 be provided through General Municipal bonding to fund the full Wilbur Avenue Paving Project.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this 5th day of

June, 2019

Elisa Tinti

Elisa Tinti, City Clerk

Approved by the Mayor this 6th day of

JUNE, 2019

Steven T. Noble

Steven T. Noble, Mayor

Adopted by Council on June 4, 2019

CERTIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF ULSTER)

I, the undersigned Clerk of the City of Kingston, Ulster County, DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 4th day of June, 2019.
- 2) That such meeting was a regular meeting.
- 3) That attached hereto is a proceeding of the issuer which was duly adopted at such meeting by the Common Council of the Issuer regarding Resolution number 104 of 2019.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5) That all members of the Common Council of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 14th day of June, 2019.



City Clerk

(CORPORATE SEAL)

#105

BOND ORDINANCE DATED JUNE 4, 2019.

AN ORDINANCE AUTHORIZING THE RECONSTRUCTION OF WILBUR AVENUE IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,124,000, AND AUTHORIZING THE ISSUANCE OF \$1,124,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, by the favorable vote of not less than two-thirds of all members of said Council, as follows:

Section 1. The reconstruction of Wilbur Avenue, including design, construction and construction inspection, together with incidental improvements and expenses in connection therewith, in and for the City of Kingston, Ulster County, New York, is hereby authorized at a maximum estimated cost of \$1,124,000.

Section 2. The plan for the financing thereof is by the issuance of \$1,124,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of state and federal grants received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Bond Ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 10. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman	<u>Ventura Morell</u>	VOTING	<u>Yes</u>
Alderman	<u>Koop</u>	VOTING	<u>Yes</u>
Alderman	<u>Scott-Childress</u>	VOTING	<u>Yes</u>
Alderman	<u>Worthington</u>	VOTING	<u>Absent</u> <u>No</u>
Alderman	<u>Carey</u>	VOTING	<u>Yes</u>
Alderman	<u>Davis</u>	VOTING	<u>Yes</u>
Alderman	<u>O'Reilly</u>	VOTING	<u>Yes</u>
Alderman	<u>Schabot</u>	VOTING	<u>Yes</u>
Alderman	<u>Shaut</u>	VOTING	<u>Yes</u>

The ordinance was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

I, the undersigned Clerk of the City of Kingston, Ulster County, New York, DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the 4th day of June, 2019.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5) That all members of the Common Council of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERE TO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this
7th day of June, 2019.



City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, a summary of which is published herewith, has been adopted on June 4, 2019, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the ordinance summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,

June 7, 2019.



City Clerk

BOND ORDINANCE DATED JUNE 4, 2019.

AN ORDINANCE AUTHORIZING THE RECONSTRUCTION OF WILBUR AVENUE IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,124,000, AND AUTHORIZING THE ISSUANCE OF \$1,124,000 BONDS OF SAID CITY TO PAY THE COST THEREOF.

Specific object or purpose:	Reconstruction of Wilbur Avenue, including design, construction and construction inspection
Maximum Estimated Cost:	\$1,124,000
Period of probable usefulness:	15 years
Amount of obligations to be issued:	\$1,124,000 bonds, to be reduced by any grants-in-aid received therefor

SEQRA Status:	Type II Action
---------------	----------------

Such ordinance pledges the full faith and credit of the City to the payment of the obligations authorized to be issued and delegates to the City Comptroller, the Chief Fiscal Officer, the power to authorize the issuance of and to sell such obligations. Additionally, such ordinance contains the estoppel clause provided for by Section 80.00 of the Local Finance Law and authorizes such ordinance, after taking effect to be published in summary form in the official newspaper, together with a notice of the City Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.

BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of June, 2019, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by President James Noble, and upon roll being called, the following were

PRESENT: Alderman Ventura Morell
Alderman Koop
Alderman Scott-Childress
Alderman Carey
Alderman O'Reilly
Alderman Schabot
Alderman Shaut

ABSENT: Alderman Worthington

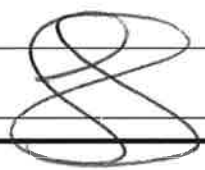
The following ordinance was offered by Alderman Koop, who moved its adoption, seconded by Alderman Scott-Childress, to wit:

Fin

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION _____	BUDGET MODIFICATION <u>X</u> _____	BONDING REQUEST _____
CLAIMS _____	ZONING _____	OTHER _____

DEPARTMENT <u>Comptroller</u>	DATE <u>1/15/2020</u>
Description: <u>Respectfully request 2019 General Fund Budgetary Transfer totaling \$120,663</u> <u>to balance out Medical, Dental, and Optical Insurance. There is no financial impact resulting</u> <u>from this transfer.</u>	
Estimated Financial Impact <u>\$0</u>	Signature 

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman	☐	☐
Reynolds Scott-Childress Ward 3	☐	☐
Anthony Davis, Ward 6	☐	☐
Michele Hirsch, Ward 9	☐	☐
Steven Schabot, Ward 8	☐	☐

FUND	DEPARTMENT	OBJECT	ACCOUNT DESCRIPTION	AMOUNT
TRANSFER TO:				
A1	5110	5821	HOSPITAL & MEDICAL	\$ 37,246
A1	1410	5821	HOSPITAL & MEDICAL	\$ 23,370
A1	1430	5821	HOSPITAL & MEDICAL	\$ 17,318
A1	7020	5821	HOSPITAL & MEDICAL	\$ 7,536
A1	1490	5821	HOSPITAL & MEDICAL	\$ 7,397
A1	3320	5821	HOSPITAL & MEDICAL	\$ 5,328
A1	1440	5821	HOSPITAL & MEDICAL	\$ 4,168
A1	1315	5821	HOSPITAL & MEDICAL	\$ 827
A1	7210	5821	HOSPITAL & MEDICAL	\$ 301
A1	1315	5822	DENTAL	\$ 3,342
A1	1345	5822	DENTAL	\$ 598
A1	1430	5822	DENTAL	\$ 277
A1	1440	5822	DENTAL	\$ 2,236
A1	1490	5822	DENTAL	\$ 1,072
A1	3311	5822	DENTAL	\$ 466
A1	3410	5822	DENTAL	\$ 2,639
A1	7020	5822	DENTAL	\$ 1,853
A1	7141	5822	DENTAL	\$ 385
A1	7240	5822	DENTAL	\$ 29
A1	8020	5822	DENTAL	\$ 2,747
A1	1130	5826	OPTICAL	\$ 21
A1	1315	5826	OPTICAL	\$ 67
A1	1345	5826	OPTICAL	\$ 1
A1	1355	5826	OPTICAL	\$ 1
A1	1420	5826	OPTICAL	\$ 1
A1	1430	5826	OPTICAL	\$ 133
A1	1440	5826	OPTICAL	\$ 198
A1	1490	5826	OPTICAL	\$ 82
A1	1650	5826	OPTICAL	\$ 19
A1	3310	5826	OPTICAL	\$ 1
A1	3320	5826	OPTICAL	\$ 196
A1	3620	5826	OPTICAL	\$ 173
A1	5110	5826	OPTICAL	\$ 116
A1	7020	5826	OPTICAL	\$ 50
A1	7141	5826	OPTICAL	\$ 115
A1	7210	5826	OPTICAL	\$ 122
A1	7240	5826	OPTICAL	\$ 60
A1	8020	5826	OPTICAL	\$ 171
A1	8164	5826	OPTICAL	\$ 1

\$	120,663
----	---------

TRANSFER FROM:

A1	9060	5821	HOSPITAL & MEDICAL	\$ 120,663
				\$ 120,663

Fin

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER X

DEPARTMENT: Purchasing Department

DATE: January 23, 2020

Description: Revised Procurement Policy and Procedures Manual.

There are no deletions to the 2018 version, only three additions which have been hi-lighted:

- * On Page 29 there is an enhanced procedure to document Sole Source Procurements.
- * On Page 38 there is a new introduction to the Procurement Card Program Section.
- * On Page 49 a new section has been added regarding Uniform Guidance Compliance for Federal Awards.

Estimated Financial Impact: \$.00

Signature



Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

Procurement Policy and Procedures
City of Kingston
Central Purchasing Department

Brian J. Woltman
Director of Purchasing



Steven T. Noble, Mayor

INTRODUCTION

It is the intent of this manual to explain to users what the Purchasing Department (hereinafter "Purchasing") does, and to provide users with information that will enable them to make the most effective use of the services offered by Purchasing. It is suggested that you read this manual closely, and ask any questions that you feel necessary to increase your understanding of the purchasing process, and refer to it as frequently as you need to in the course of carrying out your daily responsibilities. This manual will be reviewed frequently and updated accordingly.

A. Mission:

Purchasing shall promote the City's best interest by providing a professional purchasing system of quality and integrity whereby all persons involved in public purchasing are treated fairly and equitably, the value of public funds are maximized and a sufficient supply system is available for all departments/agencies.

Purchasing will implement and maintain the purchasing system in full accordance with the requirements set forth in the General Municipal Law of the State of New York, the City Charter, and with such local laws as passed by the City of Kingston Common Council, and with such directives as issued by the Mayor. Purchasing shall conduct the procurement system for the City in a cost effective, objective manner, devoid of favoritism or special influence.

In the absence of the Director of Purchasing any functions assigned to him/her can be fulfilled by the City Comptroller.

B. Goals:

The goal of Purchasing is to make the purchasing process as competitive and objective as possible, while striving to promote high standards for all business relationships.

C. Objectives:

The objective of the Purchasing Department is to obtain, on a timely basis, quality products and services as economically as possible, as well as to satisfy the specific needs of our various departments. We endeavor to assure that the taxpayers receive the maximum value for each dollar expended. The established purchasing objectives center on the need for efficient and effective operations which are responsive to users' needs, and practices which promote sound purchasing management and render the greatest value for the City taxpayer's dollars. With this in mind, Purchasing is charged with accomplishing the following objectives:

- Promote timely procurement of supplies, equipment, and services necessary to the daily operation of the City.
- Promote prudent spending of City funds by obtaining maximum value for purchasing dollars spent by ensuring competition. Promote fair and open competition among vendors in an impartial manner.
- Promote buying techniques that encourage economies of scale, thereby ordering materials and services in large quantities when applicable and practical.

Purchases to be made with grant money should be planned well in advance of the expiration date of the particular grant. The departments shall immediately notify Purchasing of what commodities need to be purchased with the grant money to allow for a cost effective purchase and prompt payment. Notifying Purchasing in a timely manner will help ensure that grant money will not be lost.

Employees who are involved in their department's procurement process are to familiarize themselves with these policies and procedures. Supervisors are to ensure that new employees have read these policies.

No purchase shall be divided for the purpose of bringing the value of the order down to avoid using more stringent purchasing methods or restrictions, or to avoid statutory competitive bidding requirements.

F. Payments

All invoices and signed vouchers are sent to the requisitioning department by the vendor.

G. Change Orders

Change orders are required when it becomes necessary to increase the dollar amount (10% or more) of a purchase order to cover product price increases, or to cover shipping charge increases. The requisitioning departments are instructed to communicate in writing to Purchasing, any and all change orders. Purchasing will then determine if the particular change order is sufficient to warrant an amended purchase order.

A Change Order may not be used to change the vendor. If you must change the selected vendor, the original purchase order must be cancelled and the requisitioning department must then create a new purchase requisition.

H. Public Works Projects/Contracts

It is important to distinguish between contracts for public works and purchase contracts, as these items are not defined in the General Municipal Law. This distinction is especially important because there is a \$15,000 difference between the bidding thresholds.

In general, purchase contracts involve the acquisition of commodities, materials, supplies or equipment, while contracts for public work involve services, labor or construction. Many times contracts involve both goods and services and it is difficult to determine which bid limit to apply. Each procurement action must be reviewed on a case by case basis and determination must be made as to what kind of contract is involved. As a general rule, if the contract involves a substantial amount of services, such that services are the focal point and the acquisition of goods

- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND HAS AN OUTSIDE CARRIER**, submit form C-105.2, "Certificate of Workers' Compensation Insurance." The VENDOR'S insurance carrier will send this form to the CITY at the VENDOR'S request. **PLEASE NOTE:** The State Insurance Fund provides its own version of this Form (the U-26.3).
- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND IS SELF INSURED**, submit Form SI-12, "Certificate of Workers' Compensation Self-Insurance." The VENDOR'S Group Self-Insurance Administrator will send this form to the CITY at the VENDOR'S request.
- **IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE**, SUBMIT Form CE-200, "Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage." This form and instructions for completing it are available from the link below.

DISABILITY BENEFITS REQUIREMENTS: To assist the State of New York and municipal entities (the CITY) in enforcing WCL Section 220(8), business entities (the VENDOR) seeking to enter into contract with municipalities (the CITY) MUST provide ONE of the following forms to the municipal entity (the CITY) it is entering into a contract with:

- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND HAS AN OUTSIDE CARRIER**, submit Form DB-120.1, "Certificate of Disability Benefits Insurance." The VENDOR'S insurance carrier will send this form to the CITY at the VENDOR'S request.
- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND IS SELF INSURED**, submit Form DB-155, "Certificate of Disability Self-insurance." The VENDOR must call the Workers Comp. Board's Self-Insurance Office at (518)402-0247.
- **IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE**, submit Form CE-200, "Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage." This form and the instructions for completing it are available from the link below.

Form CE-200 and the instructions for completing the application and obtaining the form are available on the New York State Workers' Compensation Board's website, www.wcb.state.ny.us, under the heading "Common Forms." Business entities without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. However, business entities using the manual process may wait up to four (4) weeks before receiving a CE-200. **Employees of the Workers' Compensation Board cannot assist business entities in answering questions about this form. Please contact an attorney if you have any questions regarding Form CE-200. However, if you have questions regarding workers' compensation coverage requirements, please call the Bureau of Compliance at (866) 546-9322.**

AUTOMOBILE LIABILITY INSURANCE:

Automobile Bodily Injury Liability and Property Damage Liability Insurance shall be provided by the VENDOR with a minimum Combined Single Limit (CSL) of **ONE MILLION AND 00/100 (\$1,000,000.00) DOLLARS.**

OTHER CONDITIONS OF AUTOMOBILE LIABILITY INSURANCE:

1. Coverage shall include:
 - A. All owned vehicles
 - B. Hired car and non-ownership liability coverage
 - C. Statutory No-Fault coverage

PROFESSIONAL LIABILITY INSURANCE (e.g. MALPRACTICE INSURANCE)

- [] If this box is checked, Professional Liability Insurance shall be provided by the VENDOR as follows:

Professional Liability Insurance in an amount not less than **ONE MILLION AND 00/100 (\$1,000,000.00) DOLLARS.**

ADDITIONAL CONDITIONS OF INSURANCE:

1. The VENDOR shall submit copies of any or all required insurance policies as and when requested by the CITY.

CERTIFICATE OF INSURANCE:

The VENDOR shall file with the CITY CLERK'S OFFICE, prior to commencing work under this Agreement, a Certificate of Insurance.

1. The Certificate of Insurance shall include:
 - A. Name and address of Insured
 - B. Issue date of certificate
 - C. Insurance company name
 - D. Type of coverage in effect
 - E. Policy number
 - F. Inception and expiration dates of policies included on the certificate
 - G. Limits of liability for all policies included on the certificate
 - H. "Certificate Holder" shall be the City of Kingston, P.O. Box 1627, Kingston, New York 12402.

- **IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE**, submit Form CE-200, "Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Insurance Coverage." This form and the instructions for completing it are available from the link below.

DISABILITY BENEFITS REQUIREMENTS: To assist the State of New York and municipal entities (the CITY) in enforcing WCL Section 220(8), business entities (the VENDOR) seeking to enter into contract with municipalities (the CITY) MUST provide ONE of the following forms to the municipal entity (the CITY) it is entering into a contract with:

- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND HAS AN OUTSIDE CARRIER**, submit Form DB-120.1, "Certificate of Disability Benefits Insurance." The VENDOR'S insurance carrier will send this form to the CITY at the VENDOR'S request.
- **IF THE VENDOR IS REQUIRED TO CARRY COVERAGE AND IS SELF INSURED**, submit Form DB-155, "Certificate of Disability Self-insurance." The VENDOR must call the Workers Comp. Board's Self-Insurance Office at (518)402-0247.
- **IF THE VENDOR IS NOT REQUIRED TO CARRY COVERAGE**, submit Form CE-200, "Certificate of Attestation of Exemption From New York State Workers' Compensation and/or Disability Benefits Insurance Coverage." This form and the instructions for completing it are available from the link below.

Form CE-200 and the instructions for completing the application and obtaining the form are available on the New York State Workers' Compensation Board's website, www.wcb.state.ny.us, under the heading "Common Forms." Business entities without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. However, business entities using the manual process may wait up to four (4) weeks before receiving a CE-200. **Employees of the Workers' Compensation Board cannot assist business entities in answering questions about this form. Please contact an attorney if you have any questions regarding Form CE-200. However, if you have questions regarding workers' compensation coverage requirements, please call the Bureau of Compliance at (866) 546-9322.**

***NOTE: ACORD forms are NOT acceptable proof of New York State Workers' Compensation or Disability Benefits Insurance Coverage. The manner of proof related to Workers' Compensation and Disability Insurance is controlled by New York State Laws, Rules and Regulations.**

OTHER CONDITIONS OF AUTOMOBILE LIABILITY INSURANCE:

1. Coverage shall include:
 - A. All owned vehicles
 - B. Hired car and non-ownership liability coverage
 - C. Statutory No-Fault coverage

PROFESSIONAL LIABILITY INSURANCE (e.g. MALPRACTICE INSURANCE)

[] If this box is checked, Professional Liability Insurance shall be provided by the VENDOR as follows:

Professional Liability Insurance in an amount not less than **TWO MILLION AND 00/100 (\$2,000,000.00) DOLLARS.**

ADDITIONAL CONDITIONS OF INSURANCE:

1. The VENDOR shall submit copies of any or all required insurance policies as and when requested by the CITY.

CERTIFICATE OF INSURANCE:

The VENDOR shall file with the CITY CLERK'S OFFICE, prior to commencing work under this Agreement, a Certificate of Insurance.

1. The Certificate of Insurance shall include:
 - A. Name and address of Insured
 - B. Issue date of certificate
 - C. Insurance company name
 - D. Type of coverage in effect
 - E. Policy number
 - F. Inception and expiration dates of policies included on the certificate
 - G. Limits of liability for all policies included on the certificate
 - H. "Certificate Holder" shall be the City of Kingston, P.O. Box 1627, Kingston, New York 12402.
2. If the VENDOR'S insurance policies should be non-renewed or canceled, or should expire during the life of this Agreement, the CITY shall be provided with a new certificate indicating the replacement policy information as requested above. The CITY requires thirty (30) days prior written notice of cancellation [fifteen (15) days for non-payment of premium] from the Insurer, its agents or representatives.

value, as defined in section 163 of the State Finance Law and as authorized in section 103 of the General Municipal Law, to a responsive and responsible offeror. When the bid specifications state that the bid will be awarded on the basis of "best value," the specifications will also include the criteria that will be used to award the bid. In assessing best value when awarding the purchase contract, non-price factors can be considered. Non-price factors can include, but are not limited to, environmental benefits, energy efficiency, reliability of a product, efficiency of operation, difficulty/ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance, and experience of a service provider with similar contracts. The basis for a best value award, however, must reflect, whenever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offeror's that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section 310 of the Executive Law.

Planning and gathering information is vital. To achieve the best results sufficient lead-time should be built into the procurement process to permit adequate planning, specification writing, bidding, vendor selections, documentation, etc. Departments should allow sufficient time for the Purchasing to review product specifications and/or scopes of work and complete the bid or proposal documents. Additional time will be needed for bids and requests for proposals (RFP's) where the resulting contracts require the approval of the Mayor's Office or the Common Council.

Each bid or RFP shall be numbered before being published.

- Advertisements for public bids and RFP's shall be published in the official City newspaper as designated by the Common Council.

Bids and RFP's may also be published on the Empire State Purchasing Group (ESPG) website where they'll be available for viewing and down loading.

Purchasing will issue bid or proposal specification packages to vendors/contractors at the advertised location, or the vendors/contractors may download them from the ESGP website. Bid or proposal packages may also be sent to vendors/contractors via First Class Mail.

All bid or proposal specification packages picked up at Purchasing or sent out from Purchasing are recorded in the bid file. The ESGP website maintains a record of all firms who download the bid or proposal specification documents from the website.

A. Developing Bid Specifications

Purchasing writes a bid using the department's list of specifications as the specific criteria against which vendors' are evaluated. These specifications must be absolutely clear to all potential bidders. The bid will be awarded to the lowest cost supplier to meet all of the department's needs, exactly as it was defined by the department in the specifications.

Departments will not be allowed to add or delete requirements after the bids open; the evaluation will be based solely on the requirements set forth in the bid. During the bid process, the vendors

service to your department and limit yourself to what actually makes sense in your particular setting.

B. Electronic Advertisement of Bids

In addition to public advertisement, Purchasing posts its Bids/RFPs/Quotes on the Empire State Purchasing Group (ESPG) website. Any vendor wishing to receive automatic notification must register on the ESPG website and pay a small fee for that service. Vendors who do not wish to have automatic notification may register for free to obtain access to downloading any document. Vendors who register for free have the responsibility of checking the ESPG website to look for business opportunities. Purchasing will no longer maintain lists of vendors for commodities or services. In order for specifications to be sent to any vendor, that vendor must first contact Purchasing by mail, email, or fax, requesting that the specifications be sent via regular mail or email. Vendors may pick up specification in person at the Purchasing Office during the business hours indicated in the notice of bid advertisement. Bid or proposal packages will not be "faxed" or sent via overnight carrier (Fed-X) under any circumstances.

C. Bid Security

There are two different types of circumstances that may require bid securities.

1. PURCHASE OF GOODS OR SERVICE – A percentage of the estimated bid is required as security and must be in certified check form and/or bid bond. The certified check and/or bid bond of the awarded vendor is held until Purchasing receives written notification from the requesting department head the bid items or services have been received. The bid security is then returned to the awarded vendor.

2. CAPITAL IMPROVEMENT or PUBLIC WORKS PROJECTS – A percentage or fixed dollar amount bid security in the form of a certified check or bid bond is required. Bid security will be five percent of the total bid amount or a fixed dollar amount. Bid security will be returned once the required performance bonds have been received and the contracts are fully executed.

D. Performance Bond

Performance bonds shall be required when bidding capital improvement or public works projects. Bidders shall be required when bidding capital improvement or public works projects. Bidders are required to submit their performance bonds before or at the time that they sign a contract. This bond will ensure that the bidder fully completes its performance requirements for the municipality between the date of award and the date of completion stated in the contract.

E. Prevailing Wages

Prevailing wages consist of pay scales that have been bargained for by various unions throughout The State of New York, and are set by the NYS Department of Labor. Vendors must pay these rates to those employees who work on public works projects in any municipal building. These wage rates apply regardless of the dollar amount of the contract. It is extremely important to

bidder is not recommended, then a detailed written explanation from the department head must be attached. The Director of Purchasing will review the bids and department recommendation, and, if necessary, contact Corporation Counsel to clear up any legal technicalities and then will approve or disapprove the department's recommendation.

If a contract is required for an individual department, the department head must submit the package with recommendations to Corporation Counsel for appropriate contract review, drafting, and approval. All contracts must be approved by Corporation Counsel and by the Mayor. After approval for the contract is granted, Purchasing will process the necessary notice of award or purchase order. When the award process is finalized, the entire bid package becomes a permanent file in Purchasing.

I. Requests for Proposals (RFP)

An RFP is a competitive process for choosing an individual or firm with which to contract for services. The contract is awarded based on factors such as cost, qualifications, experience and demonstrated ability, and not necessarily to the proposer with the lowest price. These guidelines are for the development, solicitation, evaluation, and award of RFP's consistent with the applicable laws and regulations of the City of Kingston. Generally, a RFP is to be used as a procurement vehicle when the end-user does not have a pre-defined product specification or service requirement, but rather a set of outcomes or deliverables needed to meet the project objective(s). A RFP allows responding proposers to use their best resources to propose solutions that meet the project objective(s).

A thorough, well written RFP will help ensure that meaningful and responsive proposals will be received and that the desired ends for the project will be achieved. The RFP must provide the offeror with a clear, unambiguous statement of work for the project, the rules for submitting responsive proposals, a detailed statement of the requirements and goals of the project, instructions on the preparation of the proposal, and the method and criteria for proposal evaluation.

RFP Administration and Process

1. RFP Development

Purchasing shall work with the requesting department in the development and review of the RFP. The department shall be given a final draft of the RFP for approval before the notice has been advertised.

The evaluation team, evaluation criteria, and evaluation weights shall be determined prior to solicitation. The weight for each evaluation criteria item shall be determined by the evaluation team with the advice of purchasing prior to the solicitation. The weight shall be based on a percentage where the combined weights for all the evaluation criteria shall equal 100%.

2. Forming a RFP Development Team

- Evaluators are instructed not to discuss any part of the proposals outside the evaluation team members;
- For uniformity in scoring, the evaluators are to use the evaluation form supplied by Purchasing;
- All scores must be supported by rational and sufficient documentation to substantiate the evaluators' judgment;
- A team leader, usually from Purchasing, should be established to serve as a proctor for all meetings of the evaluation team, and keep records of all evaluation discussions, forms, scoring and recommendations.
- The team as a whole will discuss the findings of each member, and develop a composite score for each proposal after the evaluators have evaluated the proposals separately. If it is apparent that one or more of the evaluators' scores differ greatly from the majority, the team should discuss the situation to be sure the criteria was clear to all. If an evaluator feels at this point that he did not understand the criteria or did not understand the proposal, he/she may, at his/her discretion, revise the evaluation. All evaluation forms are turned into Purchasing to become part of the public record.

Do's and Don'ts for evaluators:

<u>Do's</u>	<u>Don'ts</u>
Do evaluate each proposal independently, then as a team.	Don't confer with the other team evaluators concerning a particular proposal until after you have first evaluated it independently.
Do record the detailed rationale for scoring each proposal.	Don't use vague or contradictory statements in your evaluation rationale.
Do ask Purchasing for guidance with any question you may have.	Don't discuss the evaluation scores with non-team evaluators prior to an award being made. If you get an inquiry from an offeror, your response should only indicate that you are in the "evaluation process." Any further questions should be directed to Purchasing.
	Don't assume. If you have a question, please ask.

6. Conflict of Interest

A conflict of interest exists whenever there is a situation in which an evaluation team member, advisor or consultant may have a financial or other interest or prejudice through current or past association or relationship with any responding offeror. Any individual who believes a potential conflict of interest exists must inform the Director of Purchasing immediately. The Director of Director of Purchasing will contact the Corporation Counsel's Office for an opinion if he deems it necessary to do so.

This is a detailed description of the work to be performed by the proposer. A well-written SOW enhances the opportunity for all potential proposers to compete equally for City projects and serves as the standard for determining if the proposer meets the stated performance requirements. The SOW should specify in clear, understandable terms the work to be performed by a proposer. Preparation of an effective SOW requires both an understanding of the services that are needed to satisfy a particular requirement and an ability to define what is required in specific, performance-based, quantitative terms. A SOW prepared in explicit terms will enable proposers to clearly understand the City's needs. This facilitates the preparation of responsive proposals and delivery of the required services while shifting the responsibility for preparing the SOW from the City to those responding to the RFP.

Any technical requirements that proposers must meet as an organization or comply with in their proposed program should be detailed in this section. This section should also include any regulatory or legal requirements that must be followed.

The department will need to develop the objectives that the selected proposal will be expected to accomplish. Note: Objectives are not simple benchmarks or milestones (e.g., X number of vehicles serviced per month). They should be outcomes you are looking to achieve (e.g., reduce by X% the number of vehicles with lost service hours).

3. Cost/Budget Proposal Requirements

The department requesting the RFP will be responsible for the details in this section, although some language will be standard in all RFP's and will be provided by Purchasing. You should describe the form and cost breakdown that you will require for this particular project. If you will be attaching a budget form for proposers to complete, you should indicate that here. You may also want to repeat here any funding information that you provided in the previous background or objectives/requirements sections.

4. Evaluation Criteria

Proposers will need to know the criteria that they will be judged upon. Evaluation criteria should be carefully developed, well-thought out and should provide a comprehensive array of qualities on which to judge the proposers. Avoid multiple criteria that are similar to one another, or criteria that can be ambiguous or unclear. Criteria should be chosen and weighted based upon their importance to the project and your mission and as a factor in successfully meeting your project objectives. You should not include criteria that are not relevant or important to the project.

RFP Proposer-City Communication/Contact

1. Proposer Questions and/or Inquiries

Once the legal notice has been published, and the RFP's have been distributed, all proposer questions should be directed to Purchasing in writing. Under no circumstances should a department answer hypothetical or speculative "what if" questions.

Oral presentations are used to clarify or verify the proposer's written proposal and should be used when appropriate. They may be restricted to only those proposers with the highest scores after the initial evaluation of all proposals. Purchasing, in coordination with the requesting department, shall develop discussion points and questions for the proposers to address during their presentations. All proposers will be afforded equal time for their presentations.

All members of the evaluation team should be present for each presentation. Details of competing proposals should not be discussed during presentations. The proposer's presentation and answers to the evaluation team's questions may enhance the proposer's score in the evaluation areas of the RFP. The evaluation team may re-evaluate and make changes to the scores of the proposers based on the information received from the presentations.

4. RFP Award Phase

After the responses to the RFP have been evaluated and tabulated, or re-evaluated after oral presentations, the department head shall make a formal written recommendation to Purchasing. Attached to the recommendation shall be the scoring matrix with supporting documentation justifying why the successful proposer was selected.

Purchasing will issue a Notice of Award to the highest scoring proposer. The department head shall process contract approval through the City's Corporation Counsel's Office.

V Vendor Lists

Purchasing shall no longer maintain a vendor list for the procurement of either commodities or services. Purchasing regularly posts Bids, RFPs, and opportunities for Quotes on the Empire State Purchasing Group (ESPG) website. Any vendor wishing to receive automatic notification must register on the ESPG website and pay a small fee for that service. Vendors who do not wish to receive automatic notification may register for free to obtain access to downloading any document. Vendors who register for free have the responsibility of checking the ESPG website to look for business opportunities.

VI Request for Price Quotations

The Director of Purchasing shall prepare and seek price quotations based on the specifications provided by the requisitioning departments. Methods for obtaining quotes shall include but not be limited to telephone quotes, written quotes faxed quotes or online Request for Quotes (RFQ).

The Director of Purchasing shall receive and evaluate all price quotations; the selection of a vendor shall then be made. However, in the event of a technical or specialized purchase or where uncertainty remains the head of the requisitioning department shall be notified and be required to assist the buyer in vendor selection.

deterioration of a piece of equipment or an out-of-stock condition of a routine supply item, will not withstand the legal scrutiny.

The requesting department should contact the Director of Purchasing for the determination that the situation qualifies as an emergency. If the Director of Purchasing deems it necessary or prudent, he/she will contact Corporation Counsel for an opinion.

When circumstances support an emergency purchase, the requesting department should, with Purchasing's assistance, attempt to locate a source for the goods or services. An attempt should be made to obtain the lowest price from a vendor or contractor who will best meet the requirements. When the supplies and the price have been established, the department head or designee will call Purchasing for emergency purchase procedures. A written determination of the basis for the emergency and the selection of the particular supplier shall be included in the procurement file. As soon as practicable, the requisitioning department shall provide to Purchasing a full record of the emergency procurement action. This record shall document what the circumstances and rationale were for pronouncing a lawful emergency situation, while also explaining what the basis was for selecting the particular vendor. The requisitioning department shall complete the Emergency Procurement Worksheet (found in the Appendix) and submit it along with the Procurement Request. The Emergency Procurement Worksheet shall be included and retained in the procurement file.

The Mayor has the ultimate power to designate an "emergency purchase" or "emergency project," and may waive normal bidding requirements. If the emergency designation is approved and certified by the Mayor, the requesting department will submit all original backup information, such as the vendors' or contractors' proposed contracts or proposals, quotations, letters, etc. to Purchasing for its records.

VIII Purchase Orders

Purchase Orders shall be required for procurements of **\$1000** or more.

Purchasing shall prepare all purchase orders and send copies to the vendors. A copy of the purchase order will be forwarded to the requisitioning department. The Purchasing Department shall keep and maintain a copy of the purchase order along with a signed PR from the requisitioning department.

Blanket Purchase Orders – When a particular department frequently makes small purchases from the same vendor several times a month it is more efficient to issue a single blanket purchase order to the vendor rather than to continuously issue multiple purchase orders.

XI Sole Source Procurements

A) A contract may be awarded without competition when the Director of Purchasing determines in writing, after conducting a good faith review of available resources and advertising the City's intention to make a purchase on a sole source basis prior to the issuance of the award, that there is only one source for the required commodity, supply, service or construction item. The Director of Purchasing shall conduct negotiations, as appropriate, as to price, delivery and terms. A record of sole source procurements shall be maintained as a public record, and shall list each supplier's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the purchase order number of each contract file. Sole-source purchases of software maintenance are exempt from this section.

B) In determining whether procurement qualifies as a sole source, Purchasing and the Department requesting the procurement shall show, at a minimum:

- (1) The unique benefits to the City of the item as compared to other products available in the marketplace;
- (2) That no other product provides substantially equivalent or similar benefits as compared to other products available in the marketplace;
- (3) That there is no possibility of competition, as from competing dealers or distributors.
- (4) That there is no possibility of competition, as from competing dealers or distributors.

C. If a department intends to request a sole-source purchase, it shall consider the following factors and submit the following documentation to the Director of Purchasing.

- (1) A department should take into consideration the additional time which will be required to process a sole-source transaction due to the public advertising requirement, which is publication 14 days prior to issuance of the award;
- (2) A department should be aware that the public advertising requirement provides increased exposure to a challenge by other suppliers;
- (3) A department should be aware that if a challenge to the requested sole-source procurement is found to be warranted, the purchase request shall be withdrawn, and the request will be converted to either a competitive bid or request for proposal, which may result in a further delay in completing the transaction;
- (4) A department must submit to the Director of Purchasing a justification letter providing the information required in Subsection B of this section, the required sole-source justification shall be detailed and sufficient enough to withstand a challenge by another supplier. A difference in price between potential suppliers is not, in and of itself, a proper justification for a sole-source purchase. Additionally, a sole-source letter provided by a supplier does not qualify as a proper justification for a sole-source purchase; and

4. Commodities and services produced by any qualified charitable non-profit making agency for other severely disabled persons approved for such purposes by the Commissioner of Education, or incorporated under the laws of the State of New York and approved for such purposes by the Commissioner of Education.
5. Commodities and services produced by a qualified veterans' workshop providing job and employment skills training to veterans, where such a workshop is operated by the United States Department of Veterans Affairs and is manufacturing products or performing services within New York State, and where such workshop is approved for such purposes by the Commissioner of Education.
6. Commodities and services produced by any qualified charitable non-profit making workshop for veterans approved for such purposes by the Commissioner of Education, or incorporated under the laws of New York State and approved for such purposes by the Commissioner of Education.

Departments must consult the Director of Purchasing for a determination as to whether a particular procurement qualifies under this exemption.

XV True Leases

Equipment leases are not subject to competitive bidding if they meet the following criteria:

1. the term of the lease is less than the useful life of the equipment being leased; AND
2. the lease does NOT provide for a buy out and the end of the term.

The Director of Purchasing has the discretion to require competition in this area.

Leases of real property are not subject to §§103 or 104 of GML.

XVI Procurements From Surplus Government Auctions

If they meet the City's needs, surplus or second-hand supplies, materials, or equipment from the state or federal government or any other political subdivision, district, or public benefit corporation, may be purchased without competitive bidding pursuant to GML §103 (6).

Section III

Review of Purchases; Determination of Bidding Requirements.

Every purchase to be made must be initially reviewed by the Director of Purchasing to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good-faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in

Methods of Purchase

A. PURCHASES OF GOODS/EQUIPMENT/COMMODITIES - \$20,000 OR LESS

UNDER - \$3,000	Awarded at the discretion of the Director of Purchasing.*
\$3,001 - \$20,000	Minimum of three (3) quotes. Written, email or facsimile. Awarded at the discretion of the Director of Purchasing.*
OVER \$20,000	Sealed, Public bid in accordance with GML §103

If the required number of proposals or quotations cannot be obtained, the attempt made at obtaining them shall be documented and made a part of the procurement file. In no event shall the inability to obtain the proposals or quotation be a bar to the procurement.

*The Director of Purchasing may determine more stringent procurement requirements are in the best interest of the city.

A. PURCHASES OF PUBLIC WORKS/SERVICES - \$35,000 OR LESS

“Public Works” relates to most service contracts, and is not limited to contracts for construction and building services.

UNDER \$10,000	Department should negotiate with the vendor.* Department may recommend Award. Contract Awarded at the discretion of the Director of Purchasing.
\$10,001 - \$35,000	Obtain three (3) written quotes/proposals.* Department may recommend Award. Contract Awarded at the discretion of the Director of Purchasing.
OVER \$35,000	Sealed, Public bid in accordance with GML §103

*The Director of Purchasing may determine more stringent procurement requirements are in the best interest of the City.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If purchasing is unable to obtain the required number of proposals or quotations, the Director of Purchasing will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Section IV

PROCEDURES FOR HANDLING BIDDING PROTESTS and APPEALS

I. Policy

It is the policy of the City of Kingston Purchasing Department to provide all bidders with an opportunity to administratively resolve complaints or inquiries related to bid solicitations or pending contract awards. City of Kingston Purchasing encourages bidders to seek resolution of complaints concerning the contract award process through consultation with the Purchasing Department. All such matters will be accorded impartial and timely consideration.

II. Informal Complaints/Protests

It is strongly recommended that staff encourage, be receptive to and resolve issues, inquiries, questions and complaints on an informal basis, whenever possible. Information provided by any interested party should be fully reviewed by the Director of Purchasing. As appropriate, our responses to the inquirer should indicate the existence of a formal protest policy available to them should the informal process fail to resolve the matter. Staff should document the subject matter and results of any informal inquiries.

III. Formal Protests

Bidders may file formal written protests. Final City determinations or recommendations for award generally may only be reconsidered in the context of a formal written protest.

Any potential bidder, who believes it has been aggrieved in the drafting or issuance of a bid solicitation, or by a pending contract award, may present to the City of Kingston Purchasing Department, a formal complaint and request for administrative relief concerning such action ("FORMAL PROTEST").

A. Submission of Protests:

1. Concerning Bid Documents: Formal protests which concern the drafting of bid solicitations must be received by City of Kingston Purchasing at least ten (10) business days before the date set in the solicitation for receipt of bids. If the date set in the solicitation for receipt of bids is less than ten (10) business days from the date of issue, formal protests concerning the bid document must be received by City of Kingston Purchasing at least twenty-four (24) hours before the time designated for receipt of bids.

Concerning Proposed Contract Award: Formal protests concerning a pending contract award must be received within ten (10) business days after the protesting party ("protester") knows, or should have known of the facts which form the basis of a protest.

protester such period may be extended. The protest determination should be recorded and included in the Bid file.

5. The City of Kingston Purchasing Department reserves the right to waive or extend the time requirements for decisions and appeals herein prescribed when, in its sole judgment, circumstances so warrant.

The City of Kingston Purchasing Department will consider all information relevant to the protest, and may, at its discretion, suspend, modify, or cancel the protested procurement action including solicitation of bids or withdraw the recommendation of contract award prior to issuance of a formal protest decision.

If the City of Kingston Purchasing Department determines that there are compelling circumstances, including the need to proceed immediately with contract award in the best interest of the City, then these protest procedures may be suspended and such determination shall be documented in the Bid file.

C. Appeals

1. Should the protester be dissatisfied with the protest determination, a written appeal therefrom may be directed to:

City of Kingston Mayor's Office
420 Broadway
Kingston, NY 12401

2. Written notice of appeal of a determination regarding bid solicitations or a pending contract award must be received at the above address no more than fifteen (15) business days after the date the decision is sent. The decision of the Director of Purchasing shall be a final and conclusive agency determination unless appealed to the Mayor within such time period.
3. The Mayor shall hear and make a final determination on all appeals. The Mayor may designate a person or persons to act on his/her behalf.
4. A formal protest appeal may not introduce new facts unless responding to issues raised by the Director of Purchasing in the initial protest determination.

D. Records Retention

All records related to bidder protests and appeals shall be retained for at least one (1) year following resolution of the protest. All other records shall be retained according to the Records Retention Policy in place at the time.

II. SCOPE

This policy will be applicable to those City departments who have requested and have been approved to use of a procurement card to purchase goods and services for specific expenditures incurred under conditions approved by this policy.

III. APPLICABILITY

This Policy applies to all agencies and departments within City government, with the exception of the Kingston Water Department. The policies and procedures provided herein are minimum standards. Departments may establish additional controls if necessary.

IV. BACKGROUND

The Purchasing Department has used various methods to accomplish the purchase of goods and services. The method of purchase requisitioning, has proven to be time consuming and costly. To promote operational efficiency and vendor acceptance the Purchasing Department and Comptroller's Office are initiating a Procurement Card program.

The Procurement Card system simplifies the procurement/disbursement process. Procurement responsibility is delegated to the ordering Department enabling an authorized cardholder to place an order directly with the vendor. When a purchase authorization is requested by the supplier at the point-of-sale, the Visa Procurement Card system checks the transaction against preset limits. Transactions are approved or declined (electronically) based on the Procurement Card authorization criteria established.

The authorization criteria may be adjusted periodically as needed and shall include, but is not limited to, the following:

- Card purchase limit as set by the Purchasing Office and City Comptroller
- Single purchase limit as set by the Purchasing Office and City Comptroller
- Approved Merchant Category Codes

The authorization process occurs through the electronic system that supports the Procurement Card processing services under the City's agreement with the bank.

V. RESPONSIBILITIES

The following are the responsibilities of the individuals and City Departments involved in the Procurement Card program.

1) Cardholder and or Department Representative (Individual(s) designated by Department Head)

- Hold and secure procurement card issued to self
- Ensure availability of funds and proper account codes
- Order/receive materials and services
- Inspect all ordered goods and services, making sure there are no sales tax or backorders
- Collect, save sales receipts, and invoices
- Match receipts with monthly card statement
- Review monthly statements for validity of all transactions
- Process all billing statements in a timely manner
- Identify disputed charges
- Review monthly charges with supervisor

- Establish and monitor benchmarking objectives
- Conduct semi - annual inventory of procurement cards in conjunction with the Director of Purchasing.

5) Comptroller's Office

- Monitor charges for proper account codes and fund availability
 - Receive approved monthly statements from all card holders
 - Receive consolidated statements from procurement card administrator
 - Confirm that all charges are authorized by department representatives
 - Notify departments when approved monthly statements are not received
 - Pay all monthly charges from consolidated statement
 - Process accounting data
 - File and store statements, receipts, etc.
-
- Monitor missing documentation and notify the Procurement Card Administrator
 - Notify the Procurement Card Administrator of any violations or discrepancies

VI. ASSIGNMENT AND CONTROL OF THE PROCUREMENT CARD

1. REQUESTS FOR AND ISSUANCE OF PROCUREMENT CARDS

- a. Standard Procurement cards will be issued to individual employees who frequently purchase goods and services in single purchase amounts of \$500 or less.
- b. The procurement card will have the employee's name, the City name, notation stating the City's tax exempt status, and the expiration date embossed on the face of the card.
- c. All requests for new card holders, changes to current cardholders, or changes to authorization must be made by the Department Head or Designee by submitting a completed application and request for transfer of funds forms (see Appendix A) to the Procurement Card Administrator.
- d. When the Procurement Card Administrator receives a procurement card from the issuing card company, the cardholder will be required to personally take receipt of the card and sign the receipt form.
- e. The Procurement Card Administrator will notify the requesting department and the Finance Department upon the issuance of all procurement cards.

2. LOST OR STOLEN PROCUREMENT CARDS

- a. If a procurement card is lost or stolen, the cardholder or department representative must immediately notify the procurement card company – and the Procurement Card Administrator of the loss.

- a. Alcoholic Beverages
- b. Any Items for Personal Use
- c. Cash advances
- d. Professional Services
- e. Meals

5. VIOLATIONS

- 1. Using the Procurement Card for personal purchases.
- 2. Using the Procurement Card for purchases which are not Point of Sale Transactions.
- 3. Use of the Procurement Card by a suspended or terminated employee.
- 4. Assignment or transfer of an individual card to an unauthorized individual.
- 5. Making standard purchases that exceed the transaction limit of **\$500**. It is the responsibility of the ordering department to ensure all "extra" charges such as freight handling, set up, etc. are considered before a procurement card transaction is made. A vendor's willingness to honor a procurement card transaction exceeding **\$500** does not authorize departments to make such purchases.
- 6. Purchases from vendors that create conflicts of interest.
- 7. Multiple procurement card transactions (splitting) to circumvent the limit.
- 8. Procurement card transactions referenced in "Prohibited Uses of Procurement Cards".
- 9. Failure to produce proper documentation, receipts, invoices, monthly statements in a timely fashion, to the Comptroller's Office.
- 10. Failure to report lost or stolen procurement card as herein stated.

VIII. PROCEDURES FOR MAKING AND PAYING FOR PURCHASES

1. GENERAL INFORMATION

When using the procurement card, the department will make the purchase at the best possible price.

2. DOCUMENTATION OF OVER-THE-COUNTER PURCHASES

- a. When a purchase is made, the cardholder must obtain the customer's copy of the charge slip in addition to the detailed invoice/receipt. The charge slip or related cash register slip/receipt must show in sufficient detail the type and number of items purchased with the unit cost. Should a detailed receipt not be available, the cardholder shall submit a written detail along with the receipt.
- b. The charge slip and detailed invoice/receipt will be retained by the cardholder or by the department representative until forwarded to the Procurement Card Administrator

time. Continued failure to meet the seven (7) working day deadlines may result in the revocation of procurement cards at the discretion of the Procurement Card Administrator.

6. RETURNS

All returns of merchandise must be credited back to the Procurement card.

7. DISPUTES

1. If items purchased with the procurement card are defective, the cardholder must return the items(s) to the vendor for replacement or credit. If the service paid for with procurement card is faulty, the vendor must be notified and asked to correct the situation or provide a credit. If the vendor refuses to replace or correct the faulty item or service, the purchase will be considered in dispute.
2. It is essential that the time frames and documentation requirements established by the procurement card issuer be followed to protect the cardholder's rights in dispute. The bank must be notified of disputes within 60 days of receipt of the statement.
3. The cardholder contacts the Merchant about the transaction and supplies the necessary information to begin the resolution process, and; only if a resolution can not be reached, the cardholder completes a Dispute Form and faxes it to the Purchasing Department explaining the reason(s) for the dispute as well as a copy of the statement if the item has posted. The Purchasing Department will contact the bank. The bank will then place the transaction into a dispute status.
4. A disputed item must be explained with a note on the cardholder's statement of account before the statement is forwarded to the Purchasing Office and the Comptroller's Office for payment.
5. If an agreement cannot be reached the following steps will be completed:

Based on the present Visa procedures for disputing transactions, all charges must be disputed within 60 days of receipt of the paper billing statement. Disputed items are not removed from the invoice and are still due and payable upon receipt of your monthly invoice.

A cardholder can initiate a dispute by contacting M&T's Commercial Card Customer Service at 1-800-443-8671 to close and reissue the card and identify the transactions that need to be disputed. You will be notified upon resolution of the dispute in writing.

- a. If there continues to be a problem with a particular merchant, the cardholder should notify the Procurement Card Administrator of the problems.

Section VI

Disposition of Surplus Personal Property

I Purpose

No statute prescribes a procedure for the sale of unneeded decommissioned City personal property, and therefore, there is no statutory mandate that such property be sold only after public advertisement for sealed bids or advertisement for public auction. The method chosen for sale is within the sole discretion of the Director of Purchasing. However, in order to fill a fiduciary duty, the method of sale adopted should be one which is thought to bring the best price or maximum benefits and may include sale by auction, private negotiation, or competitive bidding.

II Procedures for determining whether dispositions should be subject to sealed bidding or public auction.

The procedure for determining whether the disposition of unneeded and decommissioned personal property should be subject to competitive bidding or public auction is to obtain an independent source the estimated dollar value of the item(s) to be disposed; if the independent estimate is more than \$10,000, the item(s) to be disposed of should be advertised for competitive bid sale or public auction. The estimate obtained, indicating the source, date and amount, will be documented as part of the disposition record.

III Methods of competition to be used for non-bid or auction dispositions

A. The methods of disposition to be used are as follows:

- (1) For dispositions with an estimated value greater than \$3,000 but less than or equal to \$10,000, there shall be required a written offer for sale and a written offer to purchase from three suppliers;
- (2) For dispositions with an estimated value more than \$1,000 but less than or equal to \$3,000, there shall be required a verbal offer for sale and a verbal offer to purchase from three suppliers;
- (3) For dispositions with an estimated value less than or equal to \$1,000, the decision will be left to the discretion of the Director of Purchasing.

B. A good faith effort shall be made to obtain the required number of offers to purchase. If the City is unable to obtain the required number of offers to purchase, the attempts made shall be documented and become part of the disposition record. In no event will the inability to obtain the required number of offers to purchase be a bar to the disposition.

C. The above notwithstanding, the Director of Purchasing, at his/her discretion, may require standards which exceed those presented in this policy.

Section VII

Article XVI – Uniform Guidance Compliance – Procurement, Suspension and Debarment

§ 140-16. Article XVI, Uniform Guidance Compliance for Federal Awards – Procurement, Suspension and Debarment

§ 140-16.1 Purpose

2 CFR Part 200 (subparts A-F) “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards requires organizations receiving federal awards to establish and maintain effective internal controls over federal awards.”

§140-16.2 General Policy Statement

The requirements for procurements using federal awards are contained in the Uniform Guidance (2 CFR Part 200, subparts A-F), program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

To comply with 2 CFR Part 200 (subparts A-F), the City of Kingston implements policies and procedures, including, but not limited to:

A. The City will use its own documented procurement procedures which reflect applicable State, Local and Tribal laws and regulations; provided that the procurements conform to applicable federal law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, City of Kingston Procurement Policy and Uniformed Guidance Requirements.

B. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.

C. The City will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:

- Micro Purchase
- Small Purchase Procedure
- Sealed Bid
- Competitive Proposal
- Non-Competitive Proposal (Sole Source)

D. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement thresholds, whichever is most restrictive.

E. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her

requesting a written contract, the City Department will be responsible for running the Vendor/Contractor's name through the System for Award Management (SAM) to determine any exclusions. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Purchasing Department will check the SAM to determine if any exclusions exist for the Vendor/Contractor.

If a vendor/contractor is found to be suspended or debarred, the City will immediately cease to do business with the vendor.

N. The City will not use statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals; except in those cases where applicable federal statutes expressly mandate or encourage geographical preference.

O. The City will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor area surplus area firms are used when possible.

P. The City will procure recovered materials in compliance with §200.322.

Q. The City will perform a cost or price analysis relating to every procurement more than the Simplified Acquisition Threshold. (\$150,000)

R. The City will require appropriate bonding requirements as per §200.325.

S. The City will only award contracts to Responsible Vendors and will document, in writing, such determination.

T. City contracts will contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

U. The City will maintain oversight to ensure that contractors perform in accordance with the contracts terms, conditions, and specifications.

**City of Kingston
Emergency Procurement
Worksheet**

(For Individual Emergency Procurements of \$500 or more)

Date of the Emergency: _____

Please describe how this particular accident or unforeseen occurrence presented an immediate threat to Public Buildings, or Public Property, or the Life, Health, Safety or Property of the City's Inhabitants.

Were competitive price quotes received? Please circle: YES or NO

If your answer is NO; please describe the individual circumstances that made it impractical to receive competitive price quotes for this particular procurement:

Value of the Individual Emergency Contract: \$: _____

Vendor: _____

Determination for the basis of selecting the particular Vendor:

Item or Service Procured: _____

Any additional written details may be attached to this worksheet.

Kingston Common Council Agenda Item Report

Meeting Date: February 4, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Report of committees

Suggested Action:

Attachments:

[Resolutions February 2020.pdf](#)

RESOLUTION 24 OF 2020

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2019 BUDGETARY TRANSFER IN THE OFFICE OF ECONOMIC &
COMMUNITY DEVELOPMENT IN THE AMOUNT OF \$309.00**

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-Childress, Davis, Schabot, O'Reilly

WHEREAS, the Office of Economic & Community Development has requested a transfer

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$309.00 be transferred as follows;

FROM:	A1.6989.11.5103	Overtime	\$309.00
TO:	A1.6989.14.5485	Materials & Supplies	\$309.00

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER <u>x</u> _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT <u>Economic & Community Development</u>		DATE <u>December 4, 2019</u>
2019 Description: <u>Transfer from Overtime</u> A1 6 6989 11 5103 \$ 309.00 to General Materials & Supplies A1 6 6989 14 5485 \$ 309.00		
Financial Impact: <u>none</u>		

Motion by AD

Seconded by SS

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

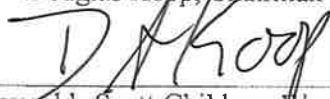
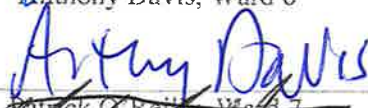
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman 	✓	
Reynolds Scott-Childress Ward 3 	✓	
Anthony Davis, Ward 6 	✓	
Patrick O'Reilly, Ward 7 	✓	
Michelle Hirsch, Ward 9 	✓	
Steven Schabot, Ward 8 	✓	

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER x _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT Economic & Community Development

DATE December 4, 2019

Description: Transfer from Overtime A1 6 6989 11 5103 \$ 309.00
to General Materials & Supplies A1 6 6989 14 5485 \$ 309.00

Financial Impact: none

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Patrick O'Reilly, Ward 7		
Steven Schabot, Ward 8		

(F)

City of Kingston
Office of Economic and Community Development
brobinson@kingston-ny.gov

Steven T. Noble, Mayor



Brenna L. Robinson, Director

December 4, 2019

Dear Council President Shaut:

In an effort to ensure there is funding available in the budget, I respectfully request the following transfer:

Please transfer from A1 6989 11 5103 – Contracted Services - \$ 309.00
to A1 6989 14 5485 – General MA - \$ 309.00

There is no financial impact from this request. A committee report has been drafted to accompany this request.

Respectfully submitted,



Brenna L. Robinson

RESOLUTION 25 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2019 BUDGETARY MODIFICATION IN THE KINGSTON POLICE
DEPARTMENT BUDGET TO COVER A COST INCREASE FOR FOUR POLICE VEHICLES
IN THE AMOUNT OF \$5,000.00

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot, O'Reilly

WHEREAS, the Kingston Police Department has requested a transfer in the
amount of \$5,000.00 to cover a cost increase of four police vehicles;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved
this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$5,000.00 be transferred as follows;

FROM:	A1312014.5472	Contracted Services	\$5,000.00
TO:	A1312012.5203	Motor Vehicles	\$5,000.00

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

CITY OF KINGSTON

Police Department

police@kingston-ny.gov

(F)

Egidio F. Tinti, Chief of Police

Steven T. Noble, Mayor



December 11, 2019

Honorable James Noble
Alderman-at-Large
420 Broadway
Kingston, NY 12401

Dear Mr. Noble,

I am respectfully requesting that you refer this internal transfer from our Contracted Services Account to our Motor Vehicle Account for the purchase of new police vehicles. This transfer is to cover the price increase from our previously approved purchase of four new police cars. We received the mini-bid results from the NYS OGS Procurement Office today and the price of the cars is more than originally estimated.

Thank you for your time and consideration in this matter. If you or your committee needs additional information, please do not hesitate to contact me.

Sincerely,

Egidio F. Tinti
Chief of Police
City of Kingston Police Department

EFT/mab
Enclosure

cc: Honorable Steven. T. Noble
Mayor, City of Kingston

John Tuey
City Comptroller

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION <u>X</u> ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT: <u>Police</u> DATE: <u>December 11, 2019</u> Description: Budget transfer for the 2019 Budget. This is request for an internal transfer from our Contracted Services Account to our Motor Vehicle Account for the purchase of new police vehicles. This money is in addition to the funds previous approved for this purchase. 4 Estimated Financial Impact: <u>\$-0-</u> Signature: _____		

Motion by SS

Seconded by AD

Action Required:

SEQRA Decision:
 Type I Action _____
 Type II Action _____
 Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>DKoop</i>	✓	
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Patrick O'Reilly, Ward 7 <i>MICHELLE HIRSCH WARD 7</i>	✓	
Steven Schabot, Ward 8 <i>Steven Schabot</i>	✓	

2019 Budget Modification

Account #	Transfer Out of	Transfer Into
A1312012		
.203 Motor Vehicles		\$ 5,000.00
A1312014		
.472 Contracted Services	\$ 5,000.00	
TOTALS	\$ 5,000.00	\$ 6,000.00

RESOLUTION 26 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING A 2019 BUDGETARY TRANSFER FROM CONTINGENCY IN THE AMOUNT OF \$104,796.93 TO THE KINGSTON FIRE DEPARTMENTS BUDGET TO COVER PAYOUT FOR FOUR FIREFIGHTER’S AND THE DEPARTMENTS SECRETARY’S RETIREMENT ACCUMULATION

Sponsored By:

Finance/Audit Committee: Alderman Koop, Scott-Childress, Davis, Schabot, O’Reilly

WHEREAS, the Fire Department has requested a transfer from Contingency to cover the expense of four firefighter’s and the departments secretary’s retirement accumulation;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$104,796.93 be transferred as follows;

FROM:	Contingency		\$104,796.93
TO:	Retirement	A3410.105	\$104,796.93

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION			
INTERNAL TRANSFER AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER <u>X</u> BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____	
DEPARTMENT <u>Kingston Fire Department</u>		DATE <u>12/04/2019</u>	
Description: Please consider the following ^{2019 Budget} Transfer request to payout 4 Firefighter's and the Departments Secretary's Retirement Accumulation.			
From Account	Amount	To Account	Amount
Contingency	\$104,796.93	A3410.105	\$104,796.93
Estimated Financial Impact <u>\$104,796.93</u>		Signature <u>[Signature]</u>	

Motion by RS-C

Seconded by SS

Action Required:

SEQRA Decision
Type I Action
Type II Action
Unlisted Action

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <u>[Signature]</u>	✓	
Reynolds Scott-Childress Ward 3 <u>[Signature]</u>	✓	
Anthony Davis, Ward 6 <u>[Signature]</u>	✓	
Patrick O'Reilly, Ward 7 <u>[Signature]</u>	✓	
Steven Schabot, Ward 8 <u>[Signature]</u>	✓	

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CITY OF KINGSTON
Kingston Fire Department
mbrown@kingston-ny.gov

(F)

Mark Brown, Fire Chief



Steven T. Noble, Mayor

December 4, 2019

Alderman at Large Andrea Shaut
City of Kingston Common Council
420 Broadway
Kingston, NY 12401

Dear Alderman at Large Shaut,

Please consider approving the following Transfer according to the attached sheet. This \$104,796.93 to the Retirement Accumulation account will cover the retirements of 4 Firefighters and the Departments Secretary's final payouts.

Sincerely,

Mark Brown
Fire Chief

Cc: John Tuey
Finance Committee
Mayor Noble

RESOLUTION 27 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2019 BUDGETARY TRANSFER FROM THE FIRE DEPARTMENT TO
THE BUILDING SAFETY DIVISION IN THE AMOUNT OF \$84,508.40 TO COVER THE
TRANSFER OF A POSITION

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot, O'Reilly

WHEREAS, the Fire Department has requested a 20019 budgetary transfer of \$84,508.40 from the Fire Departments budget to the Building Safety Division to cover the transfer of an employee position from the Fire Department to the Building Safety Division;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$84,508.40 be transferred as follows;

FROM:	A3410.101	Regular Pay	\$47,118.33
	A3410.811	Social Security	\$3,604.55
	A3410.812	NYS Retirement	\$7,774.52
	A3410.821	Hospital & Medical	\$25,128.00
	A3410.822	Dental Insurance	\$677.00
	A3410.826	Optical Insurance	\$206.00
TO:	A3620.101	Regular Pay	\$47,118.33
	A3620.811	Social Security	\$3,604.55
	A3620.812	NYS Retirement	\$7,774.52
	A3620.821	Hospital & Medical	\$25,128.00
	A3620.822	Dental Insurance	\$677.00

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMPTON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER
AUTHORIZATION
CLAIMS

CONTINGENCY TRANSFER
BUDGET MODIFICATION
ZONING

TRANSFER ☒
BONDING REQUEST
OTHER

DEPARTMENT Kingston Fire Department

DATE 12/04/2019

Description: Please consider the following ²⁰¹⁹ transfer for a position move to the Building Safety Division.

From Account	Amount	To Account	Amount
3410.101 ^{Pg 93} Res Pay	\$47,118.33	3620.101 ^{Pg 98} Res Pay	\$47,118.33
3410.811 FICA	3,604.55	3620.811	3,604.55
3410.812 Retirement	7,774.52	3620.812	7,774.52
3410.821 Hrs/Mod	25,128.00	3620.821 Hrs/Mod	25,128.00
3410.822 Dental	677.00	3620.822	677.00
3410.826 Other	206.00	3620.826	206.00

Total ~~\$87,508.40~~

84,508.40

Estimated Financial Impact 0

Signature [Signature]

Motion by AD

Seconded by SS

Action Required:

SEORA Decision
Type I Action
Type II Action
Unlisted Action

Negative Declaration of Environmental Significance:

Conditioned Negative Declaration

Seek Lead Agency Status:

Positive Declaration of Environmental Significance:

Committee Vote

YES

NO

Douglas Koo, Chairman

[Signature]

Reynolds Scott-Childress Ward 3

[Signature]

Anthony Davis, Ward 6

[Signature]

MICHELLE HART WARD 9

[Signature]

Steven Schabot, Ward 8

[Signature]

✓

✓

✓

✓

✓

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(F)

CITY OF KINGSTON
Kingston Fire Department
mbrown@kingston-ny.gov

Mark Brown, Fire Chief



Steven T. Noble, Mayor

December 4, 2019

Alderman at Large Andrea Shaut
City of Kingston Common Council
420 Broadway
Kingston, NY 12401

Dear Alderman at Large Shaut:

Please consider approving the following Transfer according to the attached sheet. This \$85,508.40 will cover the transfer of a position to the Building Safety Division which was moved from the Fire Department.

Sincerely,

Mark Brown
Fire Chief

Cc: John Tuey
Finance Committee
Mayor Noble

RESOLUTION 28 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2019 BUDGETARY TRANSFER IN THE AMOUNT OF \$19,000.00 IN THE
PARKS & RECREATION DEPARTMENT’S BUDGET TO COVER VARIOUS ACCOUNT
SHORTFALLS AS WELL AS UNANTICIPATED EQUIPMENT/VEHICLE REPAIRS

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot, O’Reilly

WHEREAS, the Fire Department has requested a transfer from various accounts
to cover shortfalls and unanticipated equipment/vehicle repairs.

WHEREAS, the Finance/Audit Committee has received, reviewed and approved
this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$19,000.00 be transferred as follows;

FROM:	A7020.472 Contracted Services	\$8,500.00
	A7110.472 Contracted Services	\$10,500.00
TO:	A7020.471 Service Contracts	\$7,500.00
	A7110.441 Maintenance of Equipment	\$3,000.00
	A7110.444 Vehicle Maintenance	\$8,500.00

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND ADMINISTRATION
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER <u>X</u>	CONTINGENCY TRANSFER	TRANSFER
AUTHORIZATION	BUDGET MODIFICATION	BONDING REQUEST
CLAIMS	ZONING	OTHER

DEPARTMENT Parks and Recreation DATE 12.11/19
2019

Description: Internal Departmental Transfer of funds to cover various account shortfalls and unanticipated equipment/vehicle repairs through the remainder of 2019. There will be zero financial impact, incurred.

TRANSFER TO: 7020.471 - Service Contracts - \$7500
7110.441 - Maintenance of Equipment - \$3000
7110.444 - Vehicle Maintenance - \$8500

TRANSFER FROM: 7020.472 - Contracted Services - \$8500
7110.472 - Contracted Services - \$10,500

Estimated Financial Impact -0- Signature [Signature]

Motion by AD

Recorded by SS

Action Required:

SEQRA Decision:
Type I Action
Type II Action
Unlisted Action

Negative Declaration of Environmental Significance:

Conditioned Negative Declaration:

Seek Lead Agency Status:

Positive Declaration of Environmental Significance:

Committee Vote	YES	NO
Douglas Koon, Chairman, Ward 2	☒	☐
Reynolds Scott-Chidress, Ward 3	☒	☐
Anthony Davis, Ward 6	☒	☐
Michelle Hirsch, Ward 9	☒	☐
Steven Schreyer, Ward 8	☒	☐

City of Kingston
Parks and Recreation Department
kgilfeather@kingston-ny.gov

Steven T. Noble, Mayor



Kevin D. Gilfeather, Superintendent

December 11, 2019

James Noble, President, Common Council

420 Broadway

Kingston, NY 12401

Dear President Noble:

I am submitting a communication for an internal departmental budget transfer of funds to increase the expense lines in the **7020 - Administration** and **7110 - Parks accounts**, that have shortfalls and unanticipated equipment/vehicle repairs through the remainder of 2019. There is zero (0) financial impact to the City.

Transfer To: 7020.471 – Service Contracts - \$7500

7110.441 – Maintenance of Equipment - \$3000

7110.444 – Vehicle Maintenance - \$8500

Transfer From: 7020.472 – Contracted Services - \$8500

7110.472 – Contracted Services - \$10,500

If further information is required, please feel free to contact me, 481-7333 or via email, kgilfeather@kingston-ny.gov.

Sincerely,

Kevin D. Gilfeather

Superintendent

cc: Steven Noble, Mayor

John Tuey, Comptroller

467 Broadway · Kingston, New York 12401 · (845) 331-1682 · Fax (845) 331-2750 · www.kingston-ny.gov

RESOLUTION 29 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2020 BUDGETARY TRANSFER FROM SEWER CONTINGENCY TO THE
WASTE WATER TREATMENT PLANT IN THE AMOUNT OF \$40,000.00 TO COVER THE
EXPENSE OF REPLACING THE GRINDER ASSEMBLY AT THE WILBUR AVENUE
PRETREATMENT STATION

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot, O'Reilly

WHEREAS, the Waste Water Treatment plant has requested a 2020 transfer in the
amount of \$40,000.00 to replace the grinder assembly at the Wilbur Ave.
Pretreatment station

WHEREAS, the Finance/Audit Committee has received, reviewed and approved
this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$40,000.00 be transferred as follows;

FROM: G1.1990.14.5404 Contingency \$40,000.00
TO: G1.8121.12.5211 Fixed Equipment \$40,000.00

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL
FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER	CONTINGENCY TRANSFER	TRANSFER ☒
AUTHORIZATION	BUDGET MODIFICATION	BONDING REQUEST
CLAIMS	ZONING	OTHER

DEPARTMENT WASTE WATER TREATMENT PLANT DATE 2020 BUDGET

Description: Replaced 1000' of 12" sewer line with 15" pipe in the main line

Estimated Financial Impact 0 Signature [Signature]

Motion by RS-C
Seconded by SS
Action Required:

SEORA Decision:
Type I Action
Type II Action
Unfisted Action
Negative Declaration of Environmental Significance
Conditioned Negative Declaration
Seek Lead Agency Status:
Positive Declaration of Environmental Significance:

Committee Vote		YES
D. A. Cap		✓
Anthony Davis, Ward 6		✓
Michael Schabert, Ward 8		✓
[Signature]		✓

contingency

FROM: G1-1990-14-5404

\$40,000.00

TO:

G1-8121-12-5211

\$40,000.00

fixed equipment

RESOLUTION 30 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A 2020 BUDGETARY TRANSFER IN THE PLANNING DEPARTMENT
SHADE TREE ACCOUNT IN THE AMOUNT OF \$62,500.00

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-Childress, Davis, Schabot, O'Reilly

WHEREAS, the Planning Department has requested a 2020 transfer of \$62,500.00 in the Shade tree account to cover the expense of a grant awarded under the Urban and Community Forestry program of the NYS Department of Environmental Conservation to undertake a Tree Maintenance Removal Project.

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the sum of \$62,500.00 be transferred as follows;

FROM:	A1.856023.43389	NYS DEC Grant	\$50,000.00
	A1.856022.42070	Private Agency Grant	\$500.00
	A1199014.5404	Contingency	\$12,000.00
TO:	A1856014.5472	Contracted Services	\$62,500.00

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION <u>x</u>	BUDGET MODIFICATION <u>x</u>	BONDING REQUEST _____
CLAIMS _____	ZONING _____	OTHER _____

DEPARTMENT: Planning (Shade Trees) DATE: 1-27-20

Description: 2020 Budgetary Transfer

- Request that \$62,500.00 which was in FY 2019 budget be re-instated in the FY 2020 budget under AI-8560.14.5472 (Contracted Services)

Original monies from 2019 - AI-8560.23.43389 NYS DEC Grant \$50,000.00
AI-8560.22.42670 Private Agency \$500.00
AI 1990.14.5464 Contingency \$12,000.00

- Authorize Mayor to execute any and all necessary documents.

Estimated Financial Impact: \$ 12,000.00 Signature SC

Motion by SS

Seconded by AD

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>D Koop</i>	✓	
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i>	✓	
Steven Schabot, Ward 8 <i>Steven Schabot</i>	✓	

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CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



January 14, 2020

Ald. At Large Andrea Shaut, President
City of Kingston Common Council
420 Broadway
Kingston NY 12401

RE: Budget Transfer – Shade Trees 8560

Dear Pres. Shaut:

I respectfully request that the following budget amendments be made to the City Shade Tree Budget for FY 2020. As you may be aware, the City was awarded a grant under the Urban and Community Forestry program of the NYS Department of Environmental Conservation to undertake a Tree Maintenance Removal Project. This grant was based on the successful completion of the prior street tree inventory grant and purchase of software, which has already proven to be useful in assessing applications and planning for future work needed.

The project is in the process of being bid, however, the money allocated in the 2019 budget will need to be transferred to the 2020 budget to allow the project to move forward. This project is very time sensitive as the NYS DEC has set standards for no removal of trees beyond March 31 of each year due precautionary measures for habitat preservation. Our next opportunity to address this work would have to wait until the fall of 2020. We would like to execute the work as soon as possible due to the conditions of some trees which are deemed unsafe. Removing threats to public safety, improving quality of life, preparing for future tree maintenance and responsible tree plantings will take this to the next level – tree replacement.

Therefore, I am requesting that the \$62,500.00 which was placed in the FY 2019 budget be put back into the FY 2020 budget under A1-8560.14.5472 (Contracted Services) in order that the project be carried out. I would also request the authorization of my office to execute any and all necessary documents.

I appreciate your consideration and am available should there be any questions.

Respectively,

A handwritten signature in dark ink, appearing to be 'Steven T. Noble', is written over a horizontal line.

Steven T. Noble, Mayor

Cc: Ald. J Ventura Morell, Tree Commission Liaison
Ald. D. Koop, Chair Finance
S. Cahill, Planning Director
J. Tuey, Comptroller
E. Norman, Supt. DPW
K. Gilfeather, Supt. Parks and Rec

RESOLUTION 31 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING APPROVING THE BROADWAY STREETScape PROJECT, APPROPRIATING FUNDS FOR THE PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY AGREEMENTS, CERTIFICATIONS, OR REIMBURSEMENT REQUESTS FOR FEDERAL AID AND/OR STATE AID WITH THE NYSDOT AND OTHER AGENCIES IN CONNECTION WITH ADVANCEMENT OF THE PROJECT

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-Childress, Davis, Schabot, O'Reilly

WHEREAS, a project for the Broadway Streetscape Project (PIN 8780.43/GIGP #1378/RFB K19-26) for the City of Kingston (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program; and

WHEREAS, the City of Kingston has advertised and let this construction contact and received bids on January 16, 2020; and

WHEREAS, seven (7) bids were received, and Peter Luizzi & Bros Contracting, Inc. was determined to be the lowest responsible bidder, and the bid amount was \$7,386,782.65; and

WHEREAS, the construction inspection costs to be delivered by Greenman-Pederson, Inc. are \$1,000,356; and

WHEREAS, the design and right-of-way costs incurred for the project were \$656,110; and

WHEREAS, staff time, both in-kind and reimbursable by the grant funding, on the project totals \$90,000; and

WHEREAS, the total project cost for the Broadway Streetscape Project including design, right-of-way, construction, and construction inspection costs is \$9,133,248.65; and

WHEREAS, the City has secured grant funding for the project from several state agencies including the NYSDOT for \$2,361,500, NYSEDA for \$844,400, the NYSEFC for \$1,400,000, the NYSDEC for \$850,000 totaling \$5,455,900; and

WHEREAS, the City contribution to the project totals \$3,677,348.65, which is approximately 40% of the total project cost; and

WHEREAS, City desires to advance the project by making a commitment of 100% of the work for the Project or portions thereof, and

WHEREAS, the City desires to bond for a portion of the project in the amount of \$4,720,000.00 to cover the City's contribution and a portion of the grant funding that is reimbursable, but can take a significant amount of time for reimbursements to be received; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds; and

WHEREAS, the action is categorized under 6 NYCRR, Part 617.5 as Type II.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the City of Kingston hereby approves the above-subject project.

SECTION 2. That the City of Kingston Council is authorized to pay in the first instance 100% of the construction and construction inspection work for the project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from other sources.

SECTION 3. The sum of \$4,720,000 has been appropriated and made available to cover the City's cost of participation and some of the grant funds that will be reimbursed at the end of the project's completion.

SECTION 4. The sum of \$4,413,248.65 is expected to be reimbursed by the grant funding as costs are incurred.

SECTION 4. The City of Kingston shall be responsible for all costs of the project which exceed the amount of federal-aid and state-aid.

SECTION 5. In the event the project costs not covered by federal-aid, state-aid, other funding exceeds the amount appropriated above, the City of Kingston shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof.

SECTION 6. The Mayor and the Engineer of the City of Kingston is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for federal-

aid and/or State-aid with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project.

SECTION 7. The City will award the project upon receiving authorization from the New York State Department of Transportation to award the project.

SECTION 8. A certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

SECTION 9. This Resolution shall take effect immediately.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____ AUTHORIZATION <u>X</u> CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____

DEPARTMENT: Grants Management DATE: _____

Description:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
APPROVING THE BROADWAY STREETSCAPE PROJECT, APPROPRIATING FUNDS FOR THE
PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY AGREEMENTS,
CERTIFICATIONS, OR REIMBURSEMENT REQUESTS FOR FEDERAL AID AND/OR STATE AID
WITH THE NYSDOT AND OTHER AGENCIES IN CONNECTION WITH ADVANCEMENT OF
THE PROJECT

Estimated Financial Impact: \$1,298,000
~~\$3,677,348.65~~ Signature _____

Motion by SS

Seconded by RS-C

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>D. Koop</i>	✓	
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i>	✓	
Steven Schabot, Ward 8 <i>Steven Schabot</i>	✓	

RESOLUTION 32 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE ADOPTION OF A BOND ORDINANCE FOR THE SUM OF
\$4,720,000 FOR THE BROADWAY STREETSCAPE PROJECT
CONSTRUCTION AND CONSTRUCTION INSPECTION COSTS

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-
Childress, Davis, Schabot, O'Reilly

WHEREAS, a request for bonding is being made in the sum of \$4,720,000 for the
Broadway Streetscape Project construction and construction inspection costs, which is an
increase of \$1,298,000 from Bond Ordinance 197 of 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the Common Council of the City of Kingston authorizes an amount of
\$4,720,000 be provided through General Municipal bonding for the Broadway
Streetscape Project construction and construction inspection costs.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST <u> X </u> OTHER _____
DEPARTMENT: <u>Grants Management</u> DATE: <u>1/29/2020</u> Description: RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE ADOPTION OF A BOND ORDINANCE FOR THE SUM OF \$4,720,000 FOR THE BROADWAY STREETSCAPE PROJECT CONSTRUCTION AND CONSTRUCTION INSPECTION COSTS Estimated Financial Impact: \$3,677,348.65 Signature _____ <u>1,298,000</u>		

Motion by PS-C

Seconded by SS

Action Required:

SEQRA Decision:
 Type I Action _____
 Type II Action _____
 Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman <i>DKoop</i>	✓	
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Michele Hirson, Ward 9 <i>Michele Hirson</i>	✓	
Steven Schabot, Ward 8 <i>Steven Schabot</i>	✓	

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BOND ORDINANCE DATED FEBRUARY 4, 2020.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$1,298,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF PHASE I OF THE BROADWAY STREETScape PROJECT, IN AND FOR SAID CITY.

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Kingston, Ulster County, New York, as follows:

Section 1. For the object or purpose of paying part of the cost of Phase I of the Broadway Streetscape Project, including street improvements, rights-of-way and incidental expenses in connection therewith, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$1,298,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of \$4,720,000.

Section 2. The plan for the financing of such \$4,720,000 maximum estimated cost is as follows:

- a) By the issuance of the \$432,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated May 2, 2017;
- b) By the issuance of the \$490,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated December 5, 2017;
- c) By the issuance of the \$2,500,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated October 1, 2019; and
- d) By the issuance of the additional \$1,298,000 bonds of said City herein authorized; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, the date, denominations, maturities and interest payment dates, and also including the consolidation with other issues, shall be determined by the City Comptroller. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall

otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 10. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The ordinance was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

I, the undersigned Clerk of the City of Kingston, in the County of Ulster, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of February, 2020.
- 2. That such meeting was a **special regular** (circle one) meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5. That all members of the Common Council of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of February, 2020.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on February 4, 2020, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the ordinance summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,
_____, 2020.

City Clerk

BOND ORDINANCE DATED FEBRUARY 4, 2020.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$1,298,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF PHASE I OF THE BROADWAY STREETScape PROJECT, IN AND FOR SAID CITY.

Specific object or purpose:	Phase I of the Broadway Streetscape Project, including street improvements and rights-of-way
Period of probable usefulness:	15 years
Revised maximum estimated cost:	\$4,720,000
Amount of obligations to be issued pursuant to this ordinance:	\$1,298,000 bonds/\$3,422,000 bonds previously authorized

Such ordinance pledges the full faith and credit of the City to the payment of the obligations authorized to be issued and delegates to the City Comptroller, the Chief Fiscal Officer, the power to authorize the issuance of and to sell such obligations. Additionally, such ordinance contains the estoppel clause provided for by Section 80.00 of the Local Finance Law and authorizes such ordinance, after taking effect to be published in summary form in the official newspaper, together with a notice of the City Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.



Orrick, Herrington & Sutcliffe LLP

51 West 52nd Street
New York, NY 10019-6142

+1 212 506 5000

orrick.com

January 30, 2020

VIA E-MAIL (jtuey@kingston-ny.gov)

Mr. John Tuey
City Comptroller
City of Kingston
City Hall, 420 Broadway
Kingston, New York 12401

Re: City of Kingston, Ulster County, New York
Phase I - Broadway Streetscape Project – Additional \$1,298,000 Bonds
Orrick File: 42394-2-75

Douglas E. Goodfriend

E dgoodfriend@orrick.com

D +1 212 506 5211

F +1 212 506 5151

Dear John:

In accordance with your recent request, we have prepared and enclose herewith a draft form of bond ordinance relating to the above matter for adoption by the Common Council.

Please see that this ordinance is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the ordinance, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with the following:

- (a) A certified copy of the enclosed ordinance; and
- (b) An original printer's affidavit of publication of the Legal Notice of Estoppel thereof.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
for

Thomas E. Myers

/es

Enclosures

4155-3106-6639

ADDITIONAL MONEY BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of February, 2020, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following ordinance was offered by Alderman _____, who moved its adoption, seconded by Alderman _____, to-wit:

RESOLUTION 34 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AN AMENDMENT TO INCREASE THE BOND ORDINANCE DATED JULY 2, 2019 FOR \$107,000 BY \$37,000.00 TO TOTAL \$144,000.00 IN ORDER TO FUND THE LOCAL SHARE OF A NYSDOT-MANAGED PROJECT TO CONSTRUCT SIDEWALKS ON ROUTE 32 IN THE CITY OF KINGSTON FROM AMY KAY PARKWAY TO KLINGBERG AVENUE AS PART OF FEDERAL AID PROJECT PIN 8759.13.

Sponsored By: Finance/Audit Committee: Alderman Koop, Scott-Childress, Davis, Schabot, O'Reilly

WHEREAS, a request has been made to increase the bond ordinance dated July 2, 2019 for \$107,000 by \$37,000.00 to total \$144,000.00 in order to fund the local share of a NYSDOT-Managed Project to construct sidewalks on Route 32 in the City of Kingston from Amy Kay Parkway to Klingberg Avenue as part of federal AID Project Pin 8759.13

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the Common Council authorizes an amendment to the bond ordinance dated July 2, 2019 that increases the amount from \$107,000 to \$144,000.00 to be provided through General Municipal bonding to fund the local share of a NYSDOT-Managed Project to construct sidewalks on Route 32 in the City of Kingston from Amy Kay Parkway to Klingberg Avenue as part of federal AID Project Pin 8759.13

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Approved by the Mayor this ____ day of _____, 2020

Steven T. Noble, Mayor

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION X _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT: Grants Management

DATE: 1/29/2020

Description:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AN AMENDMENT TO INCREASE THE BOND ORDINANCE DATED JULY 2, 2019 FOR \$107,000 BY \$36,485.06 TO TOTAL \$143,485.06 IN ORDER TO FUND THE LOCAL SHARE OF A NYSDOT-MANAGED PROJECT TO CONSTRUCT SIDEWALKS ON ROUTE 32 IN THE CITY OF KINGSTON FROM AMY KAY PARKWAY TO KLINGBERG AVENUE AS PART OF FEDERAL AID PROJECT PIN 8759.13.

Estimated Financial Impact: \$36,485.06

Signature _____

\$37,000

Motion by SS

Seconded by RS-C

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>[Signature]</i>	✓	
Reynolds Scott-Childress Ward 3 <i>[Signature]</i>	✓	
Anthony Davis, Ward 6 <i>[Signature]</i>	✓	
Michele Hirsch, Ward 9 <i>[Signature]</i>	✓	
Steven Schabot, Ward 8 <i>[Signature]</i>	✓	

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BOND ORDINANCE DATED FEBRUARY 4, 2020.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$37,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE ROUTE 32 SIDEWALKS PROJECT, IN AND FOR SAID CITY.

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Kingston, Ulster County, New York, as follows:

Section 1. For the object or purpose of paying part of the cost of the Route 32 sidewalks (Klingberg Ave to Amy Kay Parkway) Project, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$37,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of \$571,000.

Section 2. The plan for the financing of such \$571,000 maximum estimated cost is as follows:

- a) By the issuance of the \$107,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated July 2, 2019;
- b) By the expenditure of \$427,000 state grants; and
- c) By the issuance of the additional \$37,000 bonds of said City herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, the date, denominations, maturities and interest payment dates, and also including the consolidation with other issues, shall be determined by the City Comptroller. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 10. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The ordinance was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

I, the undersigned Clerk of the City of Kingston, in the County of Ulster, New York (the "Issuer"),
DO HEREBY CERTIFY:

- 1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of February, 2020.
- 2. That such meeting was a **special regular** (circle one) meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5. That all members of the Common Council of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this
_____ day of February, 2020.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on February 4, 2020, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the ordinance summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,
_____, 2020.

City Clerk

BOND ORDINANCE DATED FEBRUARY 4, 2020.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$37,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE ROUTE 32 SIDEWALKS PROJECT, IN AND FOR SAID CITY.

Specific object or purpose:	Route 32 sidewalks (Klingberg Ave to Amy Kay Parkway) Project
Period of probable usefulness:	10 years
Revised maximum estimated cost:	\$571,000
Amount of obligations to be issued pursuant to this ordinance:	\$37,000 bonds/\$107,000 bonds previously authorized

Such ordinance pledges the full faith and credit of the City to the payment of the obligations authorized to be issued and delegates to the City Comptroller, the Chief Fiscal Officer, the power to authorize the issuance of and to sell such obligations. Additionally, such ordinance contains the estoppel clause provided for by Section 80.00 of the Local Finance Law and authorizes such ordinance, after taking effect to be published in summary form in the official newspaper, together with a notice of the City Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.



Orrick, Herrington & Sutcliffe LLP
51 West 52nd Street
New York, NY 10019-6142
+1 212 506 5000
orrick.com

January 30, 2020

VIA E-MAIL (jtuey@kingston-ny.gov)

Mr. John Tuey
City Comptroller
City of Kingston
City Hall, 420 Broadway
Kingston, New York 12401

Re: City of Kingston, Ulster County, New York
Route 32 Sidewalks Project – Additional \$37,000 Bonds
Orrick File: 42394-2-82

Douglas E. Goodfriend

E dgoodfriend@orrick.com
D +1 212 506 5211
F +1 212 506 5151

Dear John:

In accordance with your recent request, we have prepared and enclose herewith a draft form of bond ordinance relating to the above matter for adoption by the Common Council.

Please see that this ordinance is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the ordinance, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with the following:

- (a) A certified copy of the enclosed ordinance; and
- (b) An original printer's affidavit of publication of the Legal Notice of Estoppel thereof.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
for

Thomas E. Myers

/es

Enclosures

4136-4213-3794

ADDITIONAL MONEY BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of February, 2020, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following ordinance was offered by Alderman _____, who moved its adoption, seconded by Alderman _____, to-wit:

RESOLUTION 36 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE COMMON COUNCIL OF THE CITY OF KINGSTON TO DECLARE ITSELF LEAD AGENCY ON THE OPEN SPACE PLAN

Sponsored By: Laws & Rules Committee: Alderman: Ventura
Morell, O'Reilly, Scott-Childress, Tallerman,
Worthington

WHEREAS, upon consideration of various criteria set forth in Section 617.6 of the SEQRA Act, the Common Council of the City of Kingston believes that it should be designated lead agency on the Open Space Plan; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That pursuant to 6 NYCRR Part 617.6 the City of Kingston Common Council hereby declares itself lead agency on the Open Space Plan.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

**LAWS & RULES
COMMITTEE REPORT**

DEPARTMENT: Parks and Rec. DATE: 1-15-20

Description: Motion for the City of Kingston Common
Council to declare itself dead agency on the
Open Space Plan.

Signature: [Signature]

Motion by P O'R

Seconded by RSC

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

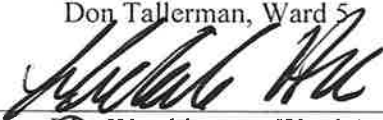
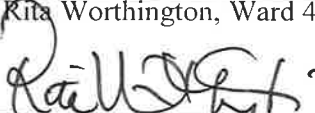
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
 Jeffrey Ventura Morell, Chairman	✓	
 Patrick O'Reilly Ward 7		
 Bennie Scott-Childress, Ward 3	✓	
Don Tallerman, Ward 5 	✓	
Rita Worthington, Ward 4 	✓	

Tinti, Elisa

From: Noble, Julie
Sent: Tuesday, October 08, 2019 11:45 AM
To: Cahill, Suzanne; Tinti, Elisa
Subject: Open Space Plan SEQR

Hey Sue and Elisa,

I want to thank you for your guidance in the SEQR process for the Open Space Plan.

My DEC rep on the project sent me the following comment and I am not sure how this plays into the whole thing:

Regarding SEQR, it's possible the open space plan is already covered by the city's Generic Environmental Impact Statement that was developed for the comp plan. I found the following "GEI Discussion" for the Kingston comp plan's "Open Space Resources" chapter (page 31):

The protection and conservation of environmentally constrained lands by identifying important natural resources and implementing appropriate land use controls will result in enhanced protection of the environment. No adverse environmental impacts are likely to result. To the extent that environmental resources exist close to urbanized areas and to the extent buffering may be required in the future in order to protect these resources as identified in the Natural Resources Inventory, social impacts such as impacts to housing affordability and availability may result. The Open Space Plan will need to consider these types of impacts as well as economic impacts in developing appropriate specific land use controls. The land use controls suggested herein (steep slope, surface water resource protection and maximum cross-sections for rural roads, are likely to be more protective of the environment, and the benefit of these protections outweighs potential impacts to housing affordability and economic development, especially given that adequate economic development and housing opportunities exist in unconstrained areas closer to the City's mixed-use cores. A 24' cross-section for rural roads is believed to be adequate to support public safety and emergency access to remote areas.

If you haven't already, I suggest checking with the city's land-use attorney. The GEIS language makes it sound like there's agreement that open space planning doesn't cause adverse environmental impacts. It's possible this would allow for a neg-dec.

Thoughts? How might this effect the process, if at all?

Julie

Julie L. Noble
City of Kingston
Environmental Education and Sustainability Coordinator
Recycling Coordinator
467 Broadway
Kingston, NY 12401
845-481-7339

CITY OF KINGSTON

Office of the City Clerk & Registrar of Vital Statistics

cityclerk@kingston-ny.gov

Steven T. Noble, Mayor
Elisa Tinti, City Clerk & Registrar



Deidre Sills, Deputy Clerk
Susan Mesches, Deputy Registrar

October 2, 2019

TO: INVOLVED AND INTERESTED AGENCIES (Attached Schedule A)

RE: DESIGNATION OF CITY OF KINGSTON COMMON COUNCIL AS LEAD AGENCY

To Whom It May Concern:

The City of Kingston and the Conservation Advisory Council has developed a Natural Resource Inventory and Open Space Plan Index for the City of Kingston. This index identifies natural resources and related areas of the community. The Kingston Conservation Advisory Council has recommended that the City of Kingston include this index as an element of the Kingston Comprehension Plan- Kingston 2025. This requires that SEQR requirements be met, including the establishment of Lead Agency and SEQR review.

The project is considered a Type I Action under SEQR section 617.4(b)(9). As part of the coordinated review, designation of a "lead agency" and a determination of the significance of the action on the environment must be made in order to comply with the New York State Environmental Conservation Law (SEQR Act) and the regulations promulgated there under (the Regulation) by the New York Department of Environmental Conservation.

Upon consideration of the various criteria set forth in Section 617.6 of the SEQR Act, the Common Council of the City of Kingston believes that it should be designated lead agency. Please indicate your concurrence with such designation within thirty (30) days. To the extent that you have any questions with respect to the Act or designation of this agency as lead agency, Ms. Julie Noble is available and may be contacted by calling (845) 334-7339, or by writing to Environmental Educator, at the Parks & Recreation Office, 420 Broadway, Kingston, New York 12401.

Following the designation as lead agency, a determination of significance shall be made in accordance with the Regulations. You will be notified of said determination immediately thereafter in accordance with Section 617.12 of the Regulations. Your agency cannot take any action or render any decision on the project until after the lead agency makes a determination and the SEQR process is concluded in accordance with 6NYCRR Part 617.

Sincerely,

Elisa Tinti,
City Clerk

City Hall 420 Broadway • Kingston, New York 12401 • (845) 334-3915 (845) 334-3918 cityclerk@kingston-ny.gov

Tinti, Elisa

From: Noble, Julie
Sent: Tuesday, October 08, 2019 11:45 AM
To: Cahill, Suzanne; Tinti, Elisa
Subject: Open Space Plan SEQR

Hey Sue and Elisa,

I want to thank you for your guidance in the SEQR process for the Open Space Plan.

My DEC rep on the project sent me the following comment and I am not sure how this plays into the whole thing:

Regarding SEQR, it's possible the open space plan is already covered by the city's Generic Environmental Impact Statement that was developed for the comp plan. I found the following "GEI Discussion" for the Kingston comp plan's "Open Space Resources" chapter (page 31):

The protection and conservation of environmentally constrained lands by identifying important natural resources and implementing appropriate land use controls will result in enhanced protection of the environment. No adverse environmental impacts are likely to result. To the extent that environmental resources exist close to urbanized areas and to the extent buffering may be required in the future in order to protect these resources as identified in the Natural Resources Inventory, social impacts such as impacts to housing affordability and availability may result. The Open Space Plan will need to consider these types of impacts as well as economic impacts in developing appropriate specific land use controls. The land use controls suggested herein (steep slope, surface water resource protection and maximum cross-sections for rural roads, are likely to be more protective of the environment, and the benefit of these protections outweighs potential impacts to housing affordability and economic development, especially given that adequate economic development and housing opportunities exist in unconstrained areas closer to the City's mixed-use cores. A 24' cross-section for rural roads is believed to be adequate to support public safety and emergency access to remote areas.

If you haven't already, I suggest checking with the city's land-use attorney. The GEIS language makes it sound like there's agreement that open space planning doesn't cause adverse environmental impacts. It's possible this would allow for a neg-dec.

Thoughts? How might this effect the process, if at all?

Julie

Julie L. Noble
City of Kingston
Environmental Education and Sustainability Coordinator
Recycling Coordinator
467 Broadway
Kingston, NY 12401
845-481-7339

**City of Kingston Common Council
Response to Request for Determination of Lead Agency**

Re: Open Space Plan Index for the City of Kingston.

Kingston Common Council Designation as Lead Agency

On behalf of:

Agency Name: _____

Agency mailing address: _____

Agency telephone: _____

I acknowledge the receipt of the notice, dated October 2, 2019 requesting our consent to the City of Kingston Common Council acting as Lead Agency in the SEQR Coordinated Review of the above matter.

The above named agency hereby:

() CONSENTS that the City of Kingston Common Council be declared Lead Agency for the purpose of the environmental review of the above referenced project.

() DOES NOT CONSENT to the City of Kingston Common Council being designated as Lead Agency in this application and wishes that _____ serve as Lead Agency.

DATED: _____ AGENCY NAME: _____

BY: _____
(Please Print)

SIGNATURE: _____

Please Return To:

City Clerk's Office
Elisa Tinti, City Clerk & Registrar
City Hall – 420 Broadway
Kingston, New York 12401

SCHEDULE A OPEN SPACE PLAN

INVOLVED AGENCIES:

Wayne D. Platte, Chairman
City of Kingston planning Board
City Hall – 420 Broadway
Kingston, New York 12401

Hayes Clement, Chairperson
Heritage Area Commission
420 Broadway
Kingston, New York 12401

Mark Grunblatt, Chairman
Historic Landmark Preservation Commission
420 Broadway
Kingston, New York 12401

Dennis Doyle, Director
Ulster County Planning Board
244 Fair Street
Kingston, NY 12401

Zoning Board of Appeals
Attn: Eric Kitchen
Building Safety Division
5 Garraghan Drive
Kingston, NY 12401

INTERESTED AGENCIES

Conservation Advisory Commission
Attn: Julie Noble

Recreation Commission
Attn: Kevin Gilfeather
467 Broadway
Kingston NY 12401

Kingston Land Trust
Julia Farr
15 Railroad Ave.
Suite 102
Kingston, New York 12401

CITY OF KINGSTON

Office of Planning

planning@kingston-ny.gov

(LR) (R)

Suzanne Cahill, Planning Director



Steven T. Noble, Mayor

December 17, 2019

TO: ALL IDENTIFIED INVOLVED AND INTERESTED AGENCIES

RE: DESIGNATION OF CITY OF KINGSTON PLANNING BOARD AS LEAD AGENCY

To Whom It May Concern:

We have reviewed preliminary plans along with the Full Environmental Assessment Form Part I, prepared for The Scenic Hudson Land Trust and the City of Kingston. (the Applicants), to ”), for construction of a trail on property owned by Quarry Waters LLC a subsidiary of The Scenic Hudson Landtrust Inc. The project is located at #348-680, 682-798 North Street & 280-362 R Delaware Avenue & Devils Lake Road (SBL 48.16-6-4, 48.84-1-3, 48.16-6-3.100, 48.16-3-8.100.) in the City of Kingston and Town of Ulster, (the Action).

The Action has been classified as an Unlisted Action under SEQR, however, due to the number of approvals and funding sources involved and the spanning of two municipalities, the Board will be conducting a coordinated review under SEQR.

Upon consideration of the various criteria set forth in Part 6 NYRCC Part 617 and the Kingston Planning Board’s past role as Lead Agency in review of the Hudson Landing Development, the Kingston Planning Board believes that it should be designated lead agency and adopted a resolution to reaffirm this role. Please indicate your concurrence with such designation within thirty (30) days. To the extent that you have any questions with respect to the Act or designation of this agency as lead agency, Ms. Suzanne Cahill is available and may be contacted by calling (845) 334-3955, or by writing to the Planning Director’s Office, 420 Broadway, Kingston, New York 12401.

Following the designation as lead agency, a determination of significance shall be made in accordance with the Regulations. You will be notified of said determination immediately thereafter.

Sincerely,

Suzanne Cahill
Planning Director

City of Kingston Planning Board
Response to Request for Determination of Lead Agency

Re: The Hudson River Brickyard Trail
Quarry Waters LLC (The Scenic Hudson Land Trust LLC)
#348-680, 682-798 North Street & 280-362 R Delaware Ave & Devils Lake Rd
(SBL 48.16-6-4, 48.84-1-3, 48.16-6-3.100, 48.16-3-8.100.)

Kingston Planning Board Designation as Lead Agency

On behalf of:

Agency Name: _____

Agency mailing address: _____

Agency telephone: _____

I acknowledge the receipt of the notice, dated _____, requesting our consent to the City of Kingston Planning Board acting as Lead Agency in the SEQR Coordinated Review of the above matter.

The above named agency hereby:

() CONSENTS that the City of Kingston Planning Board be declared Lead Agency for the purpose of the environmental review of the above referenced project.

() DOES NOT CONSENT to the City of Kingston Planning Board being designated as Lead Agency in this application and wishes that _____ serve as Lead Agency.

DATED: _____ AGENCY NAME: _____

BY: _____
(Please Print)

SIGNATURE: _____

Please Return By January 17, 2019 To:

City of Kingston Planning Office
Suzanne Cahill, Planning Director
City Hall – 420 Broadway
Kingston, New York 12401

SCHEDULE A

Hudson River Brickyard Trail

#348-680, 682-798 North Street & 280-362 R Delaware Avenue & Devils Lake Road
(SBL 48.16-6-4, 48.84-1-3, 48.16-6-3.100, 48.16-3-8.100.)

INVOLVED AGENCIES:

Wayne D. Platte, Chairman
City of Kingston Planning Board
City Hall – 420 Broadway
Kingston, New York 12401

Kingston Common Council
420 Broadway
Kingston NY, 12401

NYSDEC
Ms. Kelly Turturro, Region 3 Director
21 South Putt Corners Rd
New Paltz, NY 12561

New York State Division for Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189
(Submitted via Cultural Resource Information System "CRIS")

Hayes Clement, Chairperson
Heritage Area Commission
420 Broadway
Kingston, New York 12401

NYS Department of State
One Commerce Plaza, 99 Washington Ave
Albany, NY 12231-0001

Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany NY 12207

Town of Ulster
Town Clerk
1 Town Hall Drive
Lake Katrine, NY 12449

NYSDEC
Ms. Kelly Turturro, Region 3
21 South Putt Corners Rd
New Paltz, NY 12561

Town of Ulster Planning Board
584 East Chester Street Bypass
Kingston NY 12401

INTERESTED AGENCIES

Edward Norman, Supt.
Department of Public Works
25 East O'Reilly Street
Kingston, NY 12401
Emailed

Dennis Doyle, Director
Ulster County Planning Board
244 Fair Street
Kingston, NY 12401

US Dept of Interior Fish and Wildlife
Ms. Robyn Niver
3817 Luker Rd
Cortland, NY 13045

Dept of Parks and Recreation & Recreation Commission
Attn: Kevin Gilfeather
467 Broadway
Kingston NY 12401

Kingston Land Trust
15 Railroad Avenue
Kingston, NY 12401

Town of Rhinebeck
Town Clerk
80 East Market Street
Rhinebeck, NY 12572

APPLICANTS

City of Kingston
Steve Noble, Mayor
Emailed

John Shultheis, City Engineer
Emailed

The Scenic Hudson Land Trust, Inc
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601
Emailed

Kingston Tree Commission
420 Broadway
Kingston, NY 12401

Open Space Institute
1350 Broadway #201
New York, NY 10018

Scenic Hudson
1 Civic Center Plaza #200
Poughkeepsie, NY 12601

RESOLUTION 37 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE PLANNING BOARD OF THE CITY OF KINGSTON TO ACT AS LEAD AGENCY FOR THE CONSTRUCTION OF A TRAIL ON PROPERTY OWNED BY QUARRY WATERS LLC

Sponsored By: Laws & Rules Committee: Alderman: Ventura
Morell, O'Reilly, Scott-Childress, Tallerman,
Worthington

WHEREAS, upon consideration of various criteria set forth in Part 6 NYRCC Part 617 of the SEQRA Act, the Common Council of the City of Kingston has no objection to the Planning Board of the City of Kingston acting as lead agency for the construction of a trail on property owned by Quarry Waters LLC.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That pursuant to 6 NYCRR Part 617 the City of Kingston Common Council hereby authorizes the Planning Board of the City of Kingston to act as lead agency for the construction of a trail on property owned by Quarry Waters LLC.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of
_____, 2020

Approved by the Mayor this ____ day of
_____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

Positive Declaration of Environmental Significance: _____

142

CITY OF KINGSTON

Office of Planning

planning@kingston-ny.gov

(148) 334-3955

Suzanne Cahill, Planning Director



Steven T. Noble, Mayor

December 17, 2019

TO: ALL IDENTIFIED INVOLVED AND INTERESTED AGENCIES

RE: DESIGNATION OF CITY OF KINGSTON PLANNING BOARD AS LEAD AGENCY

To Whom It May Concern:

We have reviewed preliminary plans along with the Full Environmental Assessment Form Part I, prepared for The Scenic Hudson Land Trust and the City of Kingston. (the Applicants), to "), for construction of a trail on property owned by Quarry Waters LLC a subsidiary of The Scenic Hudson Landtrust Inc. The project is located at #348-680, 682-798 North Street & 280-362 R Delaware Avenue & Devils Lake Road (SBL 48.16-6-4, 48.84-1-3, 48.16-6-3.100, 48.16-3-8.100.) in the City of Kingston and Town of Ulster, (the Action).

The Action has been classified as an Unlisted Action under SEQR, however, due to the number of approvals and funding sources involved and the spanning of two municipalities, the Board will be conducting a coordinated review under SEQR.

Upon consideration of the various criteria set forth in Part 6 NYRCC Part 617 and the Kingston Planning Board's past role as Lead Agency in review of the Hudson Landing Development, the Kingston Planning Board believes that it should be designated lead agency and adopted a resolution to reaffirm this role. Please indicate your concurrence with such designation within thirty (30) days. To the extent that you have any questions with respect to the Act or designation of this agency as lead agency, Ms. Suzanne Cahill is available and may be contacted by calling (845) 334-3955, or by writing to the Planning Director's Office, 420 Broadway, Kingston, New York 12401.

Following the designation as lead agency, a determination of significance shall be made in accordance with the Regulations. You will be notified of said determination immediately thereafter.

Sincerely,

Suzanne Cahill
Planning Director

RESOLUTION 38 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REFERRING RISE UP KINGSTON’S PROPOSED LEGISLATION TO THE SPECIAL POLICING SUB-COMMITTEE

Sponsored By: Laws & Rules Committee: Alderman: Ventura
Morell, O’Reilly, Scott-Childress, Tallerman,
Worthington

WHEREAS, Rise Up Kingston requested that they be added to the Laws and Rules agenda to discuss guidelines and rules relating to the Kingston Police Commission; and

WHEREAS, it has been determined that said matter should be referred to the Special Policing Sub-Committee.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Common Council of the City of Kingston hereby refers Rise Up Kingston’s proposed legislation to the Special Policing Sub-Committee.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Laws & RulesDATE: 1-15-20

Description: Refer Rise Up legislation to special policies sub-committee.

Signature: [Signature]

Motion by RW

Seconded by RSC

Action Required:

SEQRA Decision:
Type I Action
Type II Action
Unlisted Action

Negative Declaration of Environmental Significance:

Conditioned Negative Declaration:

Seek Lead Agency Status:

Positive Declaration of Environmental Significance:

Committee Vote	YES	NO
<u>[Signature]</u> Jeffrey Ventura Morell, Chairman	✓	
<u>[Signature]</u> Patrick O'Reilly Ward 7	✓	
<u>[Signature]</u> Rennie Scott-Childress, Ward 3	✓	
<u>[Signature]</u> Don Tallerman, Ward 5	✓	
<u>[Signature]</u> Rita Worthington, Ward 4	✓	

Tinti, Elisa

From: Noble, James
Sent: Friday, December 27, 2019 6:31 PM
To: Tinti, Elisa
Subject: Fwd: Agenda Item
Attachments: 2019 1216 Police Commission Legislation Draft (1).pdf; ATT00001.htm

Hi Elisa

Please refer this communication to the L&R Committee. Thank you.

Sent from my iPhone

Begin forwarded message:

From: "Worthington, Rita" <ward4@kingston-ny.gov>
Date: December 17, 2019 at 12:14:40 PM CST
To: "Noble, James" <jnoble@kingston-ny.gov>
Cc: "Tinti, Elisa" <emtinti@kingston-ny.gov>, "Shaut, Andrea" <ward9@kingston-ny.gov>
Subject: Agenda Item

President Noble:

Rise Up Kingston is requesting that they be added to the laws and rules agenda to discuss guidelines and rules relating to the Kingston Police Commission (see attachment). I would ask that this communication be added to the agenda for January's meeting.

Thank you.

Rita



Draft Resolution to Establish Guidelines and Practices Relating to the Kingston Police Commission

RiseUpKingston.org | @RiseUpKingston | 140 Tremper Ave. | (845) 383-1947

Updated: 12.16.19

Purpose:

Whereas the members of the Police Commission must deal with some of the most fraught community and safety issues in Kingston;

Whereas the members of the Police Commission must represent a wide constituency of groups and individuals;

Whereas a great deal of recent research has demonstrated the potential dangers of both explicit and implicit bias and, further, the KPD has endeavored to understand the effects of such bias;

Therefore, the following terms and conditions should apply to the Kingston Police Commission, who shall do everything in their power to:

A. Commission Composition, Appointment, Vacancy and Removal

- a. *Members of the Commission shall reflect the City's diverse community, including, but not limited to: age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, marital status and source of income.*
- b. *Be appointed by the Mayor with advice and input from the Common Council in concert and with the former having the power of approval of each member.*
- c. **The appointment process will be transparent, careful, and deliberate.***Be recruited through a process that is inclusive, is open to public scrutiny done in a timely manner publicly and widely announced, Members of the Commission and their immediate family shall not be currently or formerly employed by the KPD or any other local, state, or federal law enforcement agencies.*
- d. *Serve staggered terms of three years each ending on March 31,*
 - i. *Except for the initial Commission, each term shall commence on April 1st and end on March 31st. If a person is appointed to complete the unexpired term of a former Commission member, they shall complete the term.*
 1. *First appointment: 1/3 receive one year, 1/3 receive two years, and 1/3 receive three years by random drawing.*
- e. *Receive reappointment only after evaluation and re-application utilizing the recruitment guidelines noted above,*
- f. *Be removed for cause as determined by the Mayor,*
- g. **Additional considerations for Commission Composition:**
 - i. **Conflict of Interest**
 1. *No Commission member or Commission employees shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of their duties in the public interest. A conflict of interest shall include, but is not limited to: if they have reason to believe or expect that they will derive a direct monetary gain or suffer a direct monetary loss, by reason of their official activity; or if any benefit or detriment accrues to them as a member of a business, profession, occupation, or group to a greater extent than any other member of the business, profession, occupation, or group. Commission members may not represent a complainant or an KPD sworn member before the Commission. If a Commission member has a personal, business or other relationship or*

association with a party to or a witness in a matter before the Commission, the member shall disclose the situation to the Chairperson, and shall recuse themselves from deliberations or action in connection with that case.

B. Powers and Duties

- a. *The Commission shall be independent of the KPD and shall investigate and adjudicate complaints of misconduct against the KPD or any of its officers, staff, administrative and executive professionals, including but not limited to the Chief, deputies, captains, lieutenants, commanders, and all other law enforcement,*
- b. *The Commission and staff shall seek and participate in a broad range of training annually. Training resources will be selected by the Commission and may include individuals and organizations such as social justice organizations, attorneys, and any national, state, or local resources with expertise and experience in civilian complaints, investigation, police policies, auditing/monitoring, and other appropriate skills and knowledge. The Commission and staff orientation and ongoing training shall include but not be limited to, the following:*
 1. *All relevant local, state, and federal law*
 2. *implicit bias and anti-racism*
 3. *gender identity and sexuality*
 4. *disability rights, including but not limited to physical disabilities, intellectual and developmental disabilities, psychiatric disabilities and traumatic brain injuries;*
 5. *classism, poverty and homelessness*
 6. *trauma-informed policing and crisis intervention*
 7. *KPD employee patterns, practices, policies,*
 8. *Procedures of the KPD Police Commission and Local Law X*
 9. *civilian oversight history, models, trends, theories, standards and best practices*
 10. *how to conduct independent and objective civilian complaint investigations, e.g. interviewing, collection and preservation of evidence;*
 11. *community outreach to inform how the Commission functions and serves the community and public reporting;*
 12. *discipline and remediation, education-based discipline, early warning systems, processes of arbitration/grievance*
- c. *Have the authority to set departmental practices in recruiting, hiring, promoting, and disciplining officers in accordance with statutory authority, utilizing the Discipline Matrix outlined below,*
- d. *Make recommendations to the Police Chief and Mayor regarding practices, procedures, policy & planning.*
 - i. *Determine policy for the police department after consultation with the community at large and calling on community expertise,*
 - ii. *Have the power to review, evaluate and change police policy,*
 - iii. *Will also establish guidelines, directives, and mandatory training for city employees responsible for taking and handling complaints.*
- e. *Conduct investigations into the conduct of members of the KPD concerning any investigative category, even in the absence of a civilian complaint,*

- i. *The Commission shall have the power to conduct independent investigations, the power to use subpoenas to compel testimony and the production of evidence, and the power to discipline KPD employee(s) if a complaint of misconduct is sustained.*
- ii. *The Commission shall have the power to investigate any and all conduct, acts, or omissions by any KPD employee.*
- iii. *It will put in place multi-language reporting lines, forms, and other methods of complaint submission, discussion, and review, including in-person, online, and over the phone.*
- iv. *Complaint forms and instructions shall be made available by KPD employees and at the Commission office, at Commission meetings, libraries, recreation centers, police stations, public safety building, courts, and all other government buildings, and on the City, KPD, and Commission websites.*
- v. *The Chief shall take no action on a complaint, whether received directly by the KPD or by the Commission, until receipt of the Commission findings and decision, or notice that the Commission has determined no disciplinary action is appropriate. Nonetheless, the Chief shall retain the authority to suspend an KPD employee during the investigation and adjudication of a complaint against the KPD employee.*
- f. *In addition to regular monthly business meetings that include review of complaints, the Commission shall hold public meetings in each City district a minimum of at least once annually, to invite public input or comment, and to provide information education about the Commission process and its work.*
- g. Possess full administrative access to all databases maintained by the Kingston Police Department,
 - i. *The KPD and the City shall provide to the Commission, as requested: access to all documents and evidence, including but not limited to KPD personnel files, all other KPD databases, criminal and civil case files, disciplinary hearing records, video and audio recordings from body cameras or other sources, all KPD policies, procedures, and practices, the General Manual, and any other documents that pertain to policies, tactics, complaints, or charges against KPD employees and their subsequent investigation and adjudication, or other sources of information deemed appropriate by the Commission.*
- h. Have input in the interviewing and hiring of all police officers.
- i. **Additional Powers and Duties:**
 - i. **Accessibility:**
 - 1. *The Commission shall provide language access for limited or non-English proficient complainants and witnesses at all stages of the investigative and adjudicative process. Language access shall be available during all operating hours of the Commission.*
 - 2. *The Commission shall provide reasonable accommodations in accordance with the federal, state and local law to individuals with disabilities at all stages of the investigative and adjudicative process. Such accommodations shall be available during all operating hours of the Commission and shall include but not be limited to: accessible means of egress, accessible means of communication via auxiliary aids or services giving primary*

consideration to preferences of the individual deserving such services, and access to ASL interpreters.

ii. Initiation of Complaints:

- 1. Complaints may be received directly by the Commission, or upon referral from the Mayor, the Council, any Councilmember, or the Chief.*
- 2. The Commission shall receive complaints by telephone, in person, by mail, email or web form. Complaints shall be received and considered whether submitted with a signature or anonymously. Efforts to simplify the procedure shall be made to encourage filing. Professional standards of confidentiality with regard to the written release of information and informed consent will apply to all complaints filed. With respect to the confidentiality of all interested parties, the Commission shall comply with all local, state, and federal law, including Civil Rights Law Section 50-a.*
- 3. Before proceeding with the complaint process, the complainant shall be made aware of and referred to organizations that advocate for people who have experienced police misconduct and can explain the process of the Commission and complainant may, at any time, decline to have their complaint investigated and reviewed by the Commission. Such declination must be made in writing by the complainant, and shall be forwarded to the Chief by the Commission.*

C. Complaint Process

- a. The process will incorporate supportive initial interviews and follow-ups, access to and for relevant community groups for complainant support
- b. Reporting of complaints alleging criminal actions by officers to the District Attorney for investigation
- c. Implementation of an appeals process for complainants to decisions by the Commission regarding complaints
- d. After disposition of complaint - record is public about category of complaint, disposition of case (with training and disciplinary actions in place to prevent this need)
 - i. *All complaints shall be issued a public tracking number, which shall be included in the quarterly and annual reports.*
- e. Complaints and all evidence *must* be reviewed by commissioners at next meeting prior to questioning of complainants, victims, and witnesses, if they are willing
 - i. *The panel shall report its findings and decisions to the Commission at its next scheduled meeting.*
- f. Process for evidence to be submitted by community
- g. Decisions should be made within sixty (60) days
 - i. *Within thirty (30) days of the receipt of a Notice of Panel Decision or Notice of Commission Decision, the Chief shall provide the Commission with a written explanation of the exact discipline imposed in accordance with the **Discipline matrix**.*
- h. Decision by quorum (actions and rulings must have votes from all eleven (11) commissioners)
 - i. *A quorum of six (6) Commission members must be present to conduct Commission business, regardless of vacancies. No business shall be*

*transacted by the Commission without a quorum being present.
Commission action shall be decided by a simple majority of Commission members present.*

- i. Identify ways to ensure all commissioners have access to all evidence and resources
- j. Emergency meeting must be called after complaints that include Bodily Harm or Sexual Assault.
- k. Emergency meetings can be called by three (3) Commissioners within 48 hours (can take place via video call)
- l. The actions of the Commission shall not preclude action by the criminal or civil justice system.

D. Discipline Matrix

- a. The Commission shall establish a disciplinary matrix in conjunction with the Chief of the Kingston Police Department. The Commission shall request input from the Chief with respect to the disciplinary matrix. The disciplinary matrix shall include clearly delineated penalty levels with ranges of sanctions which progressively increase based on the gravity of the misconduct and the number of prior sustained complaints. The Commission, in consultation with the Chief shall review the disciplinary matrix annually, and consider any recommended changes. The Commission shall decide the final version of the disciplinary matrix to be used.
- b. Commission decisions may include disciplinary sanctions including but not limited to counseling, reprimand, retraining, suspension, demotion, or dismissal.

E. Policy Review

- a. At least annually, the Commission shall review and assess KPD policies, procedures, patterns and practices and recommend changes with input from the community.
- b. The Commission shall send its policy recommendations to the Chief, the Mayor, and City Council.
- c. The Commission shall publish its policy recommendations on the Commission website.

F. Commission Reports

- a. The Commission shall publish on its website monthly data on the receipt and disposition of complaints. All complaints shall be issued a public tracking number, which shall be included in the quarterly and annual reports. The Commission shall publish on its website for the public and deliver hard copy to the Office of the Common Council and the Office of the Mayor public quarterly and annual reports that shall document:
 - i. The total number and type of complaints and the City districts in which they happened;
 - ii. The categories of each complaint;
 - iii. The public tracking number of each complaint;
 - iv. Detailing information that legally available to the Commission, including but not limited to: the date, time, and location of each incident, whether there is a video of the incident or not, age, race, and gender of adult complainant(s), rank(s), gender(s), section(s), and race(s) of the KPD employee(s) and if there were witnesses, how many, and whether they are employed by any local, state, or federal law enforcement agency and which agency; the Commission shall comply with local, state, and federal law and redact any information that may not be disclosed publicly. The number of previous complaints against the KPD employee(s) within ten

- (10) years of the incident and whether or not those complaints were sustained.
- v. The number of times and the types of use of force used per complaint and the total number of times and types of use of force used;
 - vi. The number of times pepper spray was deployed per complaint and the total number of times pepper spray was deployed;
 - vii. The number of times and types of pain compliance tactics used per complaint and the totals for each use of pain compliance tactic;
 - viii. The number of times and types of use where a Taser was deployed;
 - ix. Complaint and sustain rates for each KPD section;
 - x. In the event where an KPD employee uses their firearm:
 1. the type of weapon used (firearm, brand, type);
 2. number of shots fired;
 3. the range from which the firearm was fired;
 4. injuries sustained by the complainant, animal(s), KPD employee(s), and/or any bystanders;
 5. any medical care provided and what type; whether the person or animal was killed.
 - xi. The number of cases where the Commission's disciplinary decision was enforced by the chief
 - xii. The number of cases where the Chief disputed the disciplinary decision of the panel;
 - xiii. The type of sanctions imposed;
 - xiv. The type of sanctions decided upon;
 - xv. The number of cases reviewed by the Commission;
 - xvi. The number of complaints found not to have reasonable cause to be heard;
 - xvii. The number of complainants contacting the Commission but not following through with a formal signed complaint;
 - xviii. The length of time each case was pending before the Commission;
 - xix. The number of complainants who filed a notice of claim against the City while their complaint was being considered by the Commission.
- b. The annual report is to be published on the Commission's website for the public and delivered as a hard copy to the Office of the City Council and the Office of the Mayor and shall contain:
1. The recommendations related to changes in KPD patterns, practices, policies, and procedures;
 2. Whether the prior year's recommended changes have been implemented;
 3. A summary of complainant and public survey data with an assessment of if and how Commission policies should change to accommodate concerns.
 4. Quarterly and annual reports shall be publicly available on the Commission's website.
 5. Any video associated with the complaint that can be made public, shall be made publicly available.

RESOLUTION 39 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RE-REFERRING THE KINGSTONIAN RE-ZONING PETITION TO THE ULSTER COUNTY PLANNING BOARD FOR ITS FEBRUARY 2020 MEETING

Sponsored By: Laws & Rules Committee: Alderman: Ventura
Morell, O'Reilly, Scott-Childress, Tallerman,
Worthington

WHEREAS, in light of changes to the Kingstonian's re-zoning petition since the review by the Planning Board of the City of Kingston, it has been requested that said matter be re-referred to the Ulster County Planning Board; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Common Council of the City of Kingston hereby re-refers the Kingstonian's re-zoning petition to the Ulster County Planning Board for its February 2020 meeting.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

Positive Declaration of Environmental Significance:

155

CITY OF KINGSTON

Office of the City Clerk & Registrar of Vital Statistics

cityclerk@kingston-ny.gov

Steven T. Noble, Mayor
Elisa Tinti, City Clerk & Registrar



Deidre Sills, Deputy Clerk
Susan Mesches, Deputy Registrar

Referral Officer
Ulster County Planning Board
PO Box 1800
Kingston, New York 12402

January 16, 2020

To whom it may concern,

In light of changes to the proposal since the review of the Planning Board, we are re-referring this matter to your body for further consideration and comment.

Please see attached referral submittal form. Thank you for your time and consideration with this matter.

A handwritten signature in dark ink, appearing to read "Elisa Tinti", is written over a light blue horizontal line.

Elisa Tinti
City Clerk
City of Kingston

Ulster County Planning Board

Print Form

General Municipal Law 239 M-N Referral Submittal Form

Please Fill Out All Sections - Type or Print Only

Municipality:

City of Kingston

Referring Board:

Common Council

Referring Official:

Jim Noble

Phone Number:

845-334-3914

Local File #:

Applicant Name:

Kingston Dev Group LLC

Project Name:

239-M:

Type of Referral

(Check All Those That Apply)

- ☐ Site Plan Review
- ☐ Special Permit
- ☐ Area Variance
- ☐ Use Variance
- ☐ Amend Zoning Statute
- ☒ Amend Zoning Map
- ☐ Comprehensive Plan
- ☐ Other Special Authorizations
- ☐ Subdivision

239-N:

SEQRA Determination

- ☐ Type I Action
- ☐ Type II Action
- ☐ Unlisted Action

GML/Ulster County Charter Referral Criteria:
(Choose One)

- ☐ **Within 500 feet of a:** County Road or State Road, City, Village, Or Town Boundary, County or State Park or Other Recreation Area, Stream or Drainage
- ☐ Channel Owned or Established Channel Line by County, County or State Owned Land with public building or institution Located on it, or Boundary of Parcel with a farm operation
- ☐ **Greater than 500 feet of:** Any of the Above Listed Conditions

Parcel(s) Information

Section	Lot	Block

Section	Lot	Block

Number of Lots

Project Acreage

Zoning District(s) of Project

Parcel Utilities

- ☐ Central Water
- ☐ Private Water
- ☐ Central Sewer
- ☐ Individual Septic

Location of Project: (Address or Nearest Intersection)

See Attached

Project Description: (Please Be As Specific as Possible)

See Attached

Referring Official - Signature - Certification of Application's Completeness

Received Stamp:

UCPB Staff Use Only

Referral #

Agenda Date:

Major Project? ☐

Return Form to:

Referral Officer
Ulster County Planning Board
P.O. Box 1800
Kingston, NY 12402

Mail or Hand Delivery
Only Please!

Questions? - Call
845-340-3340

RECEIVED:

RECEIVED BY Maria Lemus

DATE 6/05/19

TIME 2:58 pm

Richard F. Riseley
Michael A. Moriello

RISELEY & MORIELLO
ATTORNEYS AT LAW
111 Green Street
Post Office Box 4465
Kingston, New York 12402

Tel: (845) 338-6603
Fax: (845) 340-1614

ZONING PETITION

IN THE MATTER OF THE APPLICATION OF
KINGSTONIAN DEVELOPMENT GROUP, LLC

FOR a zoning district overlay change of 0.313 acres of improved lands which are situate adjacent to and outside of the Mixed Use Overlay District for inclusion within the Mixed Use Overlay District by extension of the present Mixed Use Overlay District and by the accompanying Zoning Map Amendment in the City of Kingston, County of Ulster and State of New York.

TO: The Honorable City Council of the City of Kingston, via the City Clerk, Ulster County, New York

Upon this Petition and a certain November 28, 2018 Site Plan, Special Use Permit and Lot Line Revision Application by Petitioner, the Petition of Kingstonian Development Group, LLC [Bradley W. Jordan, Member and Michael A. Moriello, Esq. as Attorney], (Collectively hereinafter "Petitioners") respectfully shows this honorable body as follows, pursuant to Article X of the City of Kingston Zoning Law:

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

Bradley W. Jordan and Michael A. Moriello, being duly sworn, depose and say as follows:

FIRST: The name and address of the contract vendees of the premises which is the subject of this Petition is Kingstonian Development Group, LLC, 2975 Route 9W, New Windsor, New York, 12553 and the fee owner of said premises, Herzog's Supply Co. Inc., has consented to this Petition pursuant to the City of Kingston Application Forms following formal Application for Site Development Plan Approval, Special Use Permit Approval and Lot Line Revision Approval in accordance with applicable provisions of the City of

Kingston Code and the City of Kingston Zoning Law.

SECOND: Petitioner is the Contract Vendee for re-development of the City of Kingston Garage Property, Herzog's Warehouse, the Uptown Grill Parcels, and lands of the City of Kingston for a mixed use re-development project consisting of the following specific uses:

- a.) 420 Car Garage.
- b.) 129 Apartments.
- c.) 32 Hotel Rooms.
- d.) 8,000 Square Feet of Retail Space.
- e.) Open Air Pedestrian Plaza.
- f.) Walkway Bridge.
- g.) Additional Project Appurtenances.

Said lands are located at 9-21 North Front Street in the City of Kingston, County of Ulster and State of New York, more particularly described by copy of a description of the premises, which description is annexed hereto and made a part hereof as Exhibit "1". [See also, Deed [Db. 5909, P. 329], previously submitted with the Application documents.]

The subject premises is depicted on the current City of Kingston Tax Map as Section, Block and Lot Number 48.10-1-24.120. [A copy of the pertinent portion of said Tax Map parcel is annexed hereto as Exhibit "2".]

The subject premises is physically bounded as follows:

- a.) On the East by Schwenk Drive.
- b.) On the West by Fair Street Extension.
- c.) On the South developed lands of Herzog's Supply Co. Inc. and One North Front LLC.
- d.) On the North by Schwenk Drive.

THIRD: Improvements.

The subject premises is improved by the following:

- a.) Diner Building.
- b.) Parking and roadway improvements.
- c.) Remaining lands and appurtenances.

FOURTH: Description of the Subject Premises:

The purpose of this Petition is to extend and conform the adjacent Mixed Use Overlay District to all of the 0.313 subject premises so that all of the lands comprising the re-development will be situate within the Mixed Use Overlay District. In this regard, mixed use designation is the predominant overlay use with the immediate vicinity of the parcel and changing the overlay designation of the parcel will more appropriately acknowledge the pattern of consistent designation within the City of Kingston. It is noted that this 0.313 parcel of improved lands is owned in fee by Herzog's Supply Co. Inc. and said lands are to be merged with an adjacent 0.488 acre parcel owned in fee by Herzog's Supply Co. Inc. by way of Lot Line Revision [see Exhibit "2" annexed].

FIFTH: Current Overlay Zoning of Site.

The subject premises is currently omitted from the Mixed Use Overlay District on the City of Kingston Zoning Map and by the Zoning Ordinance of the City of Kingston, which was enacted in 1984 and from time to time amended.

The subject premises is further situate adjacent and contiguous to the existing Mixed Use Overlay District as shown and depicted on the City of Kingston Zoning Map. [A copy of the relevant portion said

Zoning Map is annexed hereto as Exhibit "3".]

It is submitted that the physically developed premises is appropriate for inclusion within the Mixed Use Overlay District use and, as it is adjacent to said Overlay District, the extension and alteration of zoning requested herein is entirely appropriate and does not constitute spot zoning. Save Our Forest Action Coalition v. City of Kingston, 246 AD2d 217 (3rd Dept., 1998),

SIXTH: Proposed Zoning of the Site.

The Petitioners are requesting that the subject premises be included within Mixed Use Overlay District by way of overlay district designation extension to encompass the subject premises and which extension would amend the City of Kingston Zoning Map [City of Kingston Zoning Ordinance Section 405.27.1 permits multi-family uses thereon].

SEVENTH: Description of the Petition and Associated Action:

A.) The Petitioner proposes for the subject premises a mixed use retail, residential, hotel and parking improvement re-development project, which re-development of the area comprising the subject premises is currently undergoing Type I Action coordinated SEQRA Review under the applicable regulations of the Environmental Conservation Law of New York State [6 NYCRR Part 617 et. seq.].

This project will further require Site Plan, Special Permit and Lot Line Revision review by the City of Kingston Planning Board under the City of Kingston Zoning Ordinance and which agency assumed its duties as Lead Agency for SEQRA review previously as part of the coordinated SEQRA review.

Upon close examination of the Zoning Map of the City of Kingston by the project engineer, Dennis M. Larios, PE, it was determined that this 0.313 acre parcel is not included within the Mixed Use Overlay District. Accordingly, in order to conform the project plans with the permitted uses within the Mixed Use Overlay District, this resultant Petition was undertaken by the Petitioner.

B.) As part of the above described action and in addition to the Zoning Ordinance Amendment proposed, the Applicant is currently undergoing simultaneous coordinated review upon the Site Plan, Special Permit and Lot Line Revision by the City of Kingston Planning Board and other involved/interested agencies.

C.) Pursuant to SEQRA [6 NYCRR Part 617 et seq], a Long Environmental Assessment Form (EAF), with Addenda and Part 1 prepared by the Project Sponsor, was previously submitted to the City of Kingston Planning Board. The Application and associated documentation attempts to identify, analyze and evaluate certain relevant site-specific impacts that may result from the proposed project. During the pendency of review, additional project related studies, project changes and mitigation measures will be made to eliminate any potentially large impacts from an environmental perspective.

D.) Site Plan Regulations are found within the City of Kingston Zoning Ordinance at Sections 405-30 and 405-32 and Lot Line Revision Regulations are found within the City of Kingston Code.

E.) A detailed Site Development Plan has been submitted to the City of Kingston Planning Board for consideration at upcoming meetings. Presently, the project plans consist of documentation prepared by Brinnier & Larios, PC. [A copy of a portion of the Site

Plan, showing the proposed re-development thereon, is annexed hereto and made a part hereof as Exhibit "4".]

F.) An examination of the Mixed Use Overlay District shows that multi-family housing is a permitted use therein, subject to Site Development Plan Approval [see Section 405-27.1 of the City of Kingston Zoning Law].

G.) Further examination of the Mixed Use Overlay District shows that rental multi-family housing is a permitted use, subject to Special Use Permit Approval. [See Section 405-32 of the City of Kingston Zoning Law.]

EIGHTH: The statutory references for this Rezoning Petition and related Site Plan Application, Special Use Permit and Lot Line Revision are as follows:

- a.) City of Kingston Zoning Ordinance, Article X.
- b.) General City Law of the State of New York, Section 29.
- c.) City of Kingston Zoning Ordinance, Sections 405.27.1, 405-30 and 405-32.
- d.) General City Law of the State of New York, Section 26.
- e.) General City Law of the State of New York, Section 27-a.
- f.) General City Law of the State of New York, Section 27-b.
- g.) SEQRA [6 NYCRR Part 617 et. seq.].

It is noted that this Petition will become part of the Application documents before the City of Kingston Planning Board and it is requested that this Application for Rezoning be referred by the City of Kingston Common Council to the City of Kingston Planning Board, the City of Kingston Historic Landmark Preservation Commission and the Ulster County Planning Board for associated review, pursuant

to Section 405-73 of the City of Kingston Zoning Ordinance and Section 239-m of the General Municipal Law of New York State.

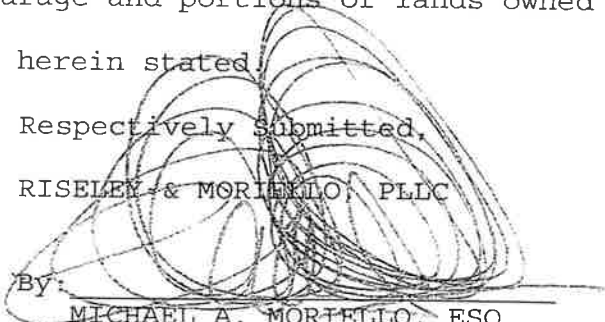
WHEREFORE, upon full submittal and complete administrative/legislative review, your Petitioners request that the City of Kingston Common Council amend the City of Kingston Zoning Ordinance in a consistent fashion with this Petition by following all requisite coordinated SEQRA review and all attendant Site Plan, Special Use Permit and Lot Line Revision procedures associated with the Kingstonian Development Group, LLC Mixed Use Re-development Project of the former City of Kingston Parking Garage and portions of lands owned in fee by Herzog's Supply Co. Inc. as herein stated.

KINGSTONIAN DEVELOPMENT GROUP LLC

By: 
BRADLEY W. JORDAN, Member

Respectively Submitted,

RISELEY & MORIELLO, PLLC

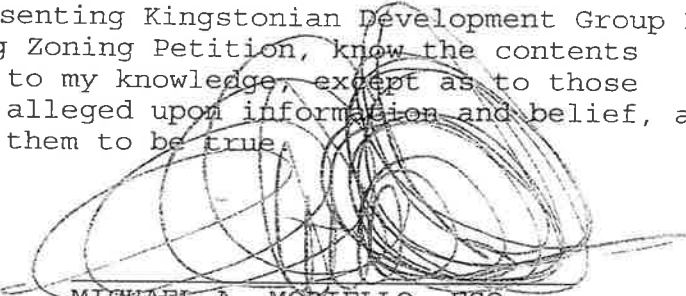
By: 
MICHAEL A. MORIELLO, ESQ.

VERIFICATION

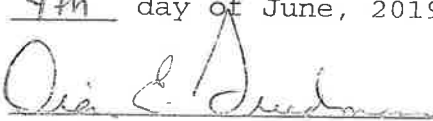
STATE OF NEW YORK)
COUNTY OF ULSTER)ss.:

MICHAEL A. MORIELLO, ESQ., being duly sworn, deposes and says:

I am the Attorney representing Kingstonian Development Group LLC and I have read the foregoing Zoning Petition, know the contents thereof and the same is true to my knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to said matters I believe them to be true.


MICHAEL A. MORIELLO, ESQ.

Sworn to before me this
4th day of June, 2019


Notary Public

DIANE E. FRIEDMANN
Notary Public, State of New York
Qualified in Ulster County
Commission Expires May 18, 2022

DESCRIPTION OF 0.313 ACRE PARCEL
TO BE ADDED TO THE MIXED-USE OVERLAY DISTRICT
CITY OF KINGSTON, ULSTER COUNTY, NEW YORK

Beginning at the point formed by the intersection of the Easterly side of Fair Street Extension with the Southerly side of Schwenk Drive, and running:

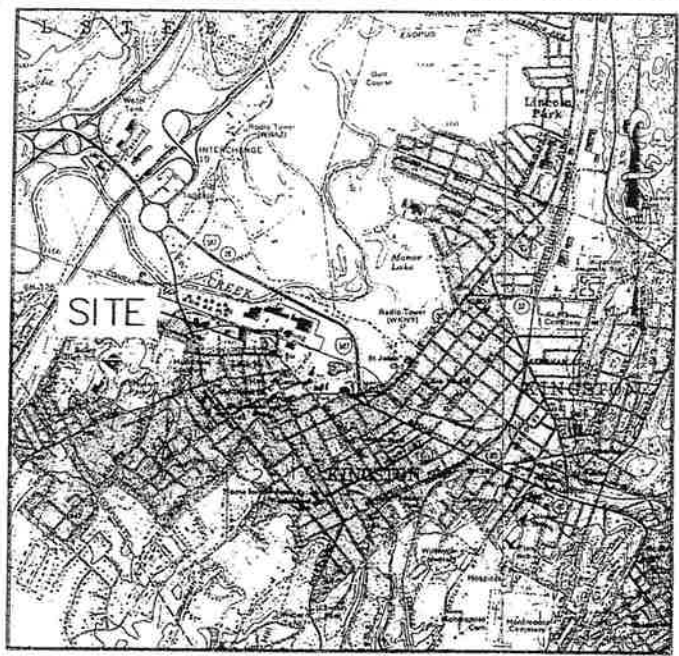
- 1) thence from said point of beginning, along the Southerly side of Schwenk Drive, the following courses and distances: North 58° 03' 58" East, 24.53 feet to a point;
- 2) thence Southeasterly on a curve to the Right, having a radius of 794.52 feet, 237.61 feet to a point at the Northeasterly corner of lands of One North Front LLC, Liber 5088 – Page 63;
- 3) thence along the Northerly line of lands of One North Front LLC, South 85° 52' 38" West, 80.58 feet to a point on the Easterly line of lands of Herzog Supply Company, Inc., Liber 3812 – Page 109;
- 4) thence along the Easterly line of lands of Herzog Supply Company, Inc., North 14° 37' 42" West, 51.75 feet to a point;
- 5) thence partially along a common building wall, and continuing along the Northerly line of lands of Herzog Supply Company, Inc., South 73° 52' 58" West, 93.40 feet to a point on the Easterly side of Fair Street Extension;
- 6) thence along the Easterly side of Fair Street Extension, North 10° 12' 02" West, 120.00 feet to the place of beginning.

CONTAINING: 0.313 Acres

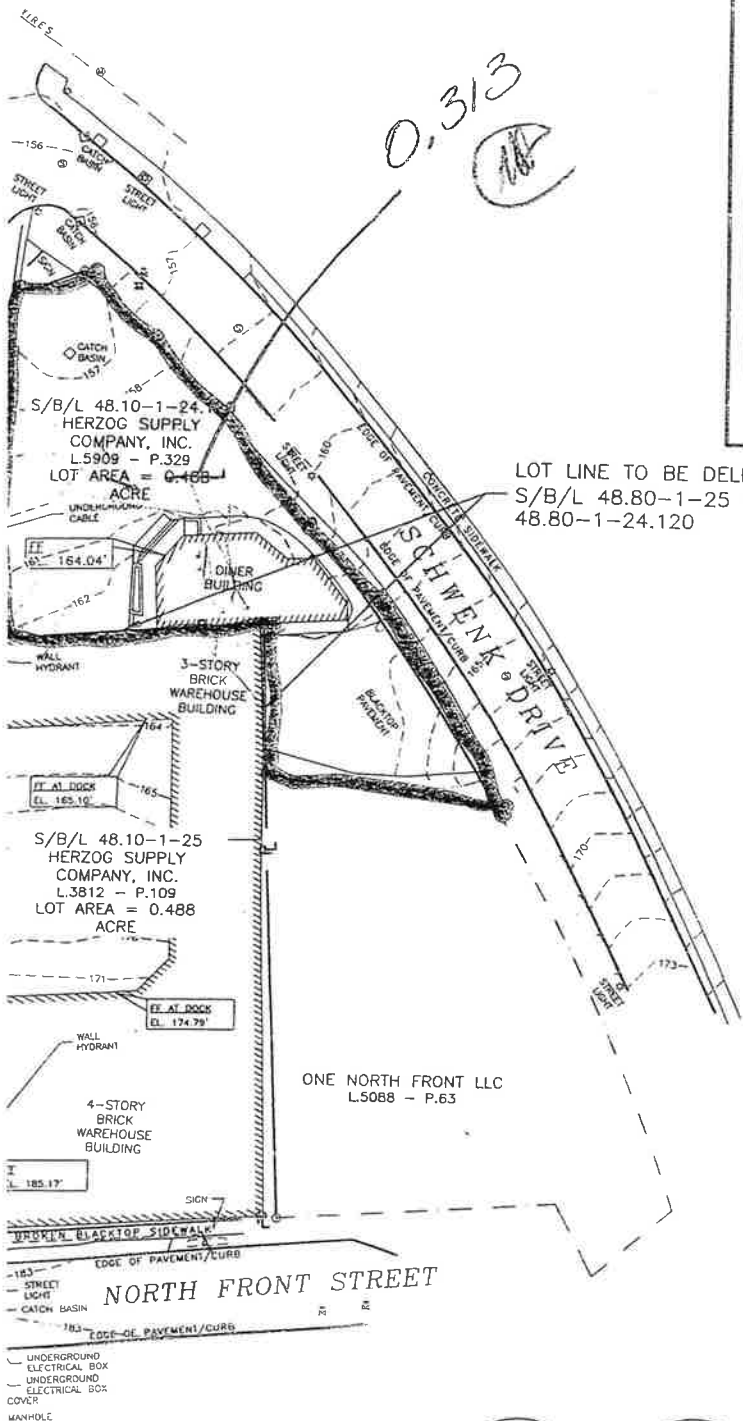
All bearings are referred to Magnetic North.

May 28, 2019

CHRISTOPHER J. ZELL, P.L.S.
BRINNIER & LARIOS, P.C.



USGS - KINGSTON WEST QUADRANGLE
LOCATION MAP
SCALE: 1" = 2,000'



LOT LINE TO BE DELETED BETWEEN
S/B/L 48.80-1-25 AND
48.80-1-24.120

CITY ZONING INFORMATION

DISTRICT: C-2 CENTRAL COMMERCIAL

MINIMUM LOT SIZE:	-- S.F.
MINIMUM LOT WIDTH:	-- FEET
MINIMUM LOT DEPTH:	-- FEET
MINIMUM SETBACKS:	-- FEET
FRONT YARD:	*
SIDE YARD:	*
REAR YARD:	*
MAXIMUM BUILDING HEIGHT:	-- FEET
MAXIMUM LOT COVERAGE:	-- %
FLOOR TO AREA RATIO:	2.8

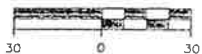
*No side or rear yard is required, but, if provided they must be at least six feet and if a rear yard is contiguous to a residential district, it must be at least 10 feet in the C-2 and C-3 Districts and 30 feet in the M-2 Districts. In an M-2 District no building may be built within 10 feet of a street line.

PRELIMINARY

EXISTING CONDITIONS

KINGSTONIAN
9-21 NORTH FRONT STYREET

CITY OF KINGSTON		ULSTER COUNTY		NEW YORK	
DATE	REVISION	RECORD	BRINNIER & LARIOS, P.C.		
			ENGINEERS & LAND SURVEYORS		
			67 MAIDEN LANE KINGSTON, N.Y.		
			Phone: 845-336-7622 Fax: 845-336-7680		
SCALE			DATE	SHEET NO.	
			NOV. 2018	1 OF 2	
1" = 30'			DWG	CHK	DATE
			P.R.	DM	



Unauthorized alteration or addition to a plan bearing a licensed engineer's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.



RESOLUTION 40 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE SALE OF 51-53 SYCAMORE STREET, TAX MAP NO. 56.36-3-5 TO ULSTER YOUTHBUILD, LLC AND RECOMMENDING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFANCE

Sponsored By: Finance/Audit Committee: Alderman: Koop, Scott-Childress, Davis, Hirsch, Schabot,

WHEREAS, Ulster YouthBuild, LLC is interested in purchasing 51-53 Sycamore Street, Tax Map No. 56.36-3-5, so that the Kingston Area YouthBuild (KAYB) program can build a new home on the property to be sold to a low-income first time homebuyer; and

WHEREAS, the sale of 51-53 Sycamore Sreet to Ulster YouthBuild, LLC is in the best interest of the City of Kingston.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Mayor is authorized to execute a quitclaim deed conveying all of the City of Kingston’s interest in the property located at 51-53 Sycamore Street, Tax Map No. 56.36-3-5 for the sum of One (\$1.00) Dollar, plus all necessary filing fees, to Ulster YouthBuild, LLC, upon payment in full of the purchase price, recording and filing fees.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Approved by the Mayor this ____ day of _____, 2020

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____ AUTHORIZATION <u>X</u> _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT: <u>Mayor's Office</u> DATE: <u>1/3/2020</u> Description: <u>auth. for Mayor to</u> <u>Request to transfer 51-53 Sycamore St. to</u> <u>Youth Build to construct a home to be made</u> <u>available to a low-income first-time home-</u> <u>buyer</u> Estimated Financial Impact: \$ _____ <u>\$3593.52</u> <u>taxes over</u> Signature _____		

Motion by R 5-C

Seconded by AD

Action Required:

SEQRA Decision:
 Type I Action _____
 Type II Action _____
 Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>DKoop</i>	✓	
Reynolds Scott-Childress Ward <i>Reynolds Scott Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i>	✓	
Steven Schabot, Ward 8 <i>SSchabot</i>	✓	

ULSTER YOUTHBUILD, LLC

2 Main Street, Box 5, Kingston, NY 12401 - (845) 331-2381 Fax (845) 331-2531

BONNIE LANDI, YouthBuild Executive Director
JOAN KEATING, YouthBuild Program Manager

YMCA, Partner
Ulster BOCES, Partner
RUPCO, Partner
UC AIC, Partner
UC Habitat for Humanity, Partner
City of Kingston, Partner

January 2, 2020

Steven T. Noble, Mayor
City of Kingston New York
City Hall - 420 Broadway
Kingston, NY 12401

Dear Mayor Noble:

I am sure you are aware that the Ulster YouthBuild, LLC Kingston Area YouthBuild (KAYB) program received a 2019 DOL YouthBuild award from the U.S. Department of Labor. Today I received our formal notice of award which includes as one of the conditions of the award, that the KAYB program receive a final commitment letter from the City of Kingston for donation of a city-owned property for our housing construction training component.

The letter you provided for our grant application indicated that if our application was successful you would request that the Common Council transfer property to Ulster YouthBuild, LLC for our housing construction training component. I have been in touch with Brenna Robinson, who conferred with the Corporation Counsel's office to ascertain availability of City-owned property for this purpose. A vacant land property located at 51-53 Sycamore Street has been identified for our use. We have already looked at the property and determined it is suitable for building the same house we are currently building on Emerick Street.

At this time, I write to request that you ask the Common Council to transfer the 51-53 Sycamore property to the Ulster YouthBuild, LLC so that the KAYB program can build a new home on the property. Once the house is completed it will be sold to a low-income first-time homebuyer, which is consistent with what YouthBuild has been doing in the city for many years.

The U.S. Department of Labor has given us only 30 days from today to submit a letter of commitment from the city along with completion of their ETA-9143 property identification form. Therefore, I would appreciate your expediting the request to the Common Council and getting your letter of commitment to me as soon as possible.

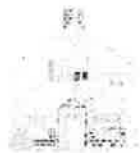
Thank you for your support of the YouthBuild program. We look forward to continuing our collaboration with the City in addressing the lack of affordable housing in Kingston, and for the opportunity to build another quality home for a low-income first-time homebuyer.

Sincerely,

Bonnie Landi

Bonnie Landi, Executive Director
Ulster YouthBuild, LLC

Kate Furi



ULSTER YOUTHBUILD, LLC

2 Main Street, Box 5, Kingston, NY 12401 - (845) 331-2381 Fax (845) 331-2531

BONNIE LANDI, YouthBuild Executive Director
JOAN KEATING, YouthBuild Program Manager

YMCA, Partner
Ulster BOCES, Partner
RUPCO, Partner
UC AJC, Partner
UC Habitat for Humanity, Partner
City of Kingston, Partner

January 2, 2020

Steven T. Noble, Mayor
City of Kingston New York
City Hall – 420 Broadway
Kingston, NY 12401

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Thank you for your support of the YouthBuild program. We look forward to continuing our collaboration with the City in addressing the lack of affordable housing in Kingston, and for the opportunity to build another quality home for a low-income first-time homebuyer.

Sincerely,

Bonnie Landi, Executive Director
Ulster YouthBuild, LLC

RESOLUTION 41 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING A LEASE OF SITE B, SLIP 1, ON THE RONDOUT CREEK TO SEA TOW MID-HUDSON

Sponsored By: Finance/Audit Committee: Alderman: Koop, Scott-Childress, Davis, Hirsch, Schabot,

WHEREAS, Sea Tow Mid-Hudson has submitted a request to lease dock space from the City of Kingston; and

WHEREAS, said lease is in the best interest of the City of Kingston.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Mayor is hereby authorized to enter into a lease with Sea Tow Mid-Hudson for the rental of Site B, Slip 1 dock space onf the4 Rondout Creek, as per the attached.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT: Corporation Counsel DATE: January 29, 2020		
Description: Approval to enter into a three year lease with Sea Tow and authorizing the Mayor to execute said lease		
Estimated Financial Impact: \$ Signature _____		

Motion by SS

Seconded by AD

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
Douglas Koop, Chairman <i>DAKoop</i>	✓	
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Anthony Davis, Ward 6 <i>Anthony Davis</i>	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i>	✓	
Steven Schabot, Ward 8 <i>Steven Schabot</i>	✓	

LEASE

Made this ____ day of _____, 2020, between the **City of Kingston** a municipal corporation, with its municipal offices located at 420 Broadway, Kingston, New York 12401, hereinafter referred to as the "City," and **Sea Tow Mid Hudson**, with offices at PO Box 456, Lake Katrine, New York 12449, hereinafter referred to as the "Lessee" provides as follows:

W I T N E S S E T H:

1. That the City has agreed to LET and hereby does LET and the Lessee has agreed to TAKE, and hereby does TAKE, those certain premises situated in the City of Kingston, located in the downtown Rondout area and more particularly described as a boat slip with floating dock space from May 1st through October 15th each consecutive year covered by the term of this lease with its specific location being within the area designated as site "B," slip one. It is provided herein that in the event of an emergency, the City of Kingston has the authority to move Lessee's boats or the boats of patrons any time during this lease. The City of Kingston shall use reasonable judgment in exercising said right.
2. Said premises are LET to the Lessee for the sole purpose and in connection with the operation of Lessees' business as a Marine Towing Assistance for vessels with identification numbers Lafco DP470822, Twin Vee TVG26308B404, Parker PXM25131C989, Lafco I4010586 and Alumaline ESF02112A787 as defined by New York State Department of Motor Vehicles.
3. The term of this lease shall be from the 1st day of May, 2020, to the 15th day of October 2022. However, in the event the Lessee ceases to use the property in connection with its business as a Marine Towing Assistance as described in the previous paragraph, the lease shall terminate and the Lessee shall vacate the premises and leave them in as good condition as they were in at the time of entry thereon by the Lessee. Lessee will be entitled to dock off the bulkhead during the period of October 16th through April 30th for each consecutive year covered by this lease. Should the Lessee dock off the bulkhead during the aforesaid period of October 16th through April 30th for each consecutive year, Lessee will be responsible for the payment of an additional electrical surcharge for any electricity used for any of his equipment hooked up to said electric for each of said years used by Lessee.
4. The Lessee agrees to pay the City rent for the term of lease as follows \$43.00 per linear foot for 2020, \$43.00 per lineal foot for 2021, \$43.00 per linear for 2022, for 60 feet of dock space. The abovementioned price includes \$1.00 per linear foot for refuse collection by the City of Kingston. Annual payment shall be made to the City no later than April 15 of

- each year commencing on April 15, 2020. In the event payment is not made by that date, this lease shall be null and void and the City may negotiate with other prospective tenants.
5. The Lessee agrees that it will, at its own expense, at all times during the term of this lease, furnish electricity, and sewage removal. In the alternative, any services provided by the City will be provided at the prevailing rate for said service.
 6. The City agrees to maintain the site with respect to the following: shall perform general clean-up and litter control; shall perform any maintenance work and/or damage repair to the deck and docking platform; shall maintain and operate the sewage pump-out station; shall perform all capital improvements to the site.
 7. The City shall provide management of the site through the Mayor and the City Clerk.
 8. Lessee agrees that it will, at its own expense, at all times during the term of this lease, maintain in force a policy of insurance written by one or more responsible insurance carriers which will insure the City against any liability for an injury to, or death of persons or loss or damage to their property occurring in or about the premises. The liability under such insurance shall be not less than \$1,000,000.00 for any person injured or killed, \$1,000,000.00 for any one accident, and \$50,000.00 property damage. Proof of said insurance will be provided to the City on or before May 1st for each consecutive year covered by this lease. Failure of the Lessee to provide proof of insurance may, at the option of the City, result in termination of this lease agreement.
 9. The Lessee shall indemnify, save and hold harmless the City from any and all liability, damages, expenses, causes of action, suits, claims, penalties or judgments arising from injury to person or property or from loss of life or property sustained by anyone in and about demised premises, or any part thereof, or in or upon adjacent property or adjoining walkways of any and every nature and from any matter or thing except as otherwise provided herein.
 10. Lessee will be responsible to the City for the acts and behavior of his crew, guests and any others present upon the premises of the docking area at the invitation of the Lessee. Slips, moorings and launch services are occupied and used at the sole risk of the Lessee, his guests and agents and servants.
 11. Lessees will operate his boats with due care for safety of other boats, property and persons, and will be responsible for damages and injuries which he, his patrons, guests, agents or servants, may cause to other persons, boats, or property in and about the docking facilities. Lessee is required to provide to City valid Master Captain's license as issued by the Coast Guard for each person operating a vessel.

12. It shall be the responsibility of the Lessee to provide insurance covering theft, fire and other casualty which may occur to said boat. The City shall in no way be responsible for such theft, fire or casualty to said boat.
13. It is expressly agreed by the Lessee that the City is not in any way an insurer of the Lessee's property or invites, employees or agents. The City shall not be liable for personal injury, loss of life, property loss, or property damage to the above described boat, motor, and accessories or the contents thereof, due to fire, theft, vandalism, collision, marina equipment failure, windstorm, rain, hurricane, or other casualty loss, or the negligence of the marina, its employees, and agents.
14. During period which Lessee's boat is absent from the rental site, the Mayor and/or City Clerk can designate said area for the purpose of pick-up and drop-off by non-commercial vessels, and non-local commercial vessels solely for the purpose of dropping off passengers and picking up passengers for return to out-of-town ports. However, Lessee shall have priority upon return to dock site for docking, except for emergency purposes as established by the Mayor and/or City Clerk.. It is understood that there will be NO LOCAL commercial use other than that of the Lessee from the rented slip.

Lessee is indemnified and held harmless from any damage and/or injury arising from the use of lease space by parties directed by the Mayor and/or City Clerk to use said space pursuant to the provisions of this paragraph; and from any damage and/or injury arising from the use of said dock space for emergency purposes as provided in paragraph "1," herein. The City will be responsible for any damage to Lessee's vessel arising from relocation of said vessel pursuant to the emergency provision in paragraph "1," providing Lessee is not the cause of said emergency.

15. The Lessee shall not assign this lease or any interest therein, or sublet the premises or any part thereof, or license the use of all or any portion of the premises without first obtaining with written consent of the City; and assignment, subletting or licensing of this lease, without such prior consent shall, at the option of the City, terminate this lease.
16. If the Lessee shall fail to promptly perform any condition, term or agreement contained in this lease or if the Lessee breaches any obligation under this lease, then, in any such event, the Lessee shall be deemed to be in default and the City may without further notice terminate this lease.
17. It is agreed that the City of Kingston will remove the docks from the water during the Winter season and return same to the water in the Spring.

18. This lease may be modified or amended only by writing duly authorized and executed by both the City and the Lessee. It may not be amended or modified by oral agreements or understandings between the parties, unless the same shall be reduced to writing duly authorized and executed by both the City and the Lessee.

City of Kingston

By: _____
Steven T. Noble, Mayor

Sea Tow Mid Hudson

By: _____
Joseph Thomas, Captain

State of New York

ss.:

County of Ulster

On the _____ day of _____ in the year 2020, before me, the undersigned a Notary Public in and for said State, personally appeared **Steven T. Noble**, personally known to me or proved to on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the same.

State of New York

ss.:

County of Ulster

On the _____ day of _____ in the year 2020, before me, the undersigned a Notary Public in and for said State, personally appeared **Joseph Thomas**, personally known to me or proved to on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the same.

Kingston Common Council Agenda Item Report

Meeting Date: February 4, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Proposed Resolutions

Suggested Action:

Attachments:

[20200204085427.pdf](#)

RESOLUTION 42 of 2020

Ordinance: The Parking or Standing of Vehicles is Prohibited at all times

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-97, SCHEDULE XIV, NO PARKING OR STANDING AT ANY TIME OF THE KINGSTON CITY CODE ON BROWN AVENUE

Sponsored By: Public Safety/General Government Committee:
Alderman: Davis, O'Reilly, Ventura Morell, Scott-Childress, Hirsch

WHEREAS, a request has been made to amend the manner in which parking is permitted on Brown Avenue by restricting parking to one side of the street only; and

WHEREAS, it is in the best interests of the City to amend parking on Brown Avenue to one side of the street only, to wit.: No parking permitted on the entire length of the north side of Brown Avenue

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

SECTION 1. That the Common Council of the City of Kingston authorizes the amendment of Section 390-97, Schedule XIV, No Parking or Standing at any time, by restricting parking on Brown Avenue as follows: No parking permitted on the entire length of the north side of Brown Avenue

SECTION 2. All ordinances and parts thereof, inconsistent herewith, are hereby repealed.

SECTION 3. This ordinance shall take effect immediately after passage, approval and publication as provided by law.

Submitted to the Mayor this ____ day of _____, 2020

Approved by the Mayor this ____ day of _____, 2020

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2020

THE CITY OF KINGSTON COMMON COUNCIL
PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: Public Safety DATE: 1/22/20

Description: _____

Parking and street congestion on Brown Ave.
Proposal to restrict parking to one
side of street only.
See attach

Signature: _____

Motion by RSE

Seconded by JVM

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Tony Davis, Chairman <i>Antony Davis</i>	✓	
Patrick O'Reilly Ward 7 <i>PO</i>		✓
Rennie Scott-Childress, Ward 3 <i>Rennie Scott-Childress</i>	✓	
Jeffrey Ventura Morell, Ward 1 <i>Jeffrey Ventura Morell</i>	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i>	✓	

Tinti, Elisa

From: Shaut, Andrea
Sent: Monday, February 03, 2020 11:46 AM
To: Tinti, Elisa
Subject: FW: Brown Avenue

Hi Elisa,

Here is the info needed for Brown Ave. Let me know if there is anything else at this time.

Andrea Shaut

Council President, City of Kingston

From: Schultheis, John
Sent: Monday, February 3, 2020 11:28 AM
To: Shaut, Andrea; Norman, Edward; Koop, Douglas
Subject: Brown Avenue

For the one-sided parking, this office is recommending permitting parking on the south side and prohibiting parking on the north side of Brown Avenue.

Let me know if you need anything further on this matter

Thank you,

John M. Schultheis, P.E.
City Engineer
City of Kingston
Engineering Department
City Hall
420 Broadway
Kingston, New York 12401
o) 845-334-3967
m) 845-416-0026
jschultheis@kingston-ny.gov

CITY OF KINGSTON
Office of the City Engineer
jshulteis@kingston-ny.gov

John M. Shulteis, P.E. City Engineer
Edward Norman, Public Works Superintendent

Steven T. Noble, Mayor

REQUEST FOR EVALUATION
TRAFFIC CONTROL OR PARKING CONTROL

Date: 11/19/2019

Location: Brown Ave

Cross Street: Elmendorf St and Down St

Ward: 7

Alderman: Douglas Koop

Request Submitted by:

Name: Tina / Mike Tinas

Address/Phone: 13 Brown Ave (845) 339-3980

Email: mycheckles4u@aol.com

Describe Concern: (Attach additional sheet if necessary) Parking and street congestion
on Brown Ave. SEE ATTACHED

Check All That Apply

Signalized Intersection

Yes: ☐

No: ☐

Crosswalk

Yes: ☐

No: ☐

Traffic Control or Signal Marking

Add: ☐

Remove: ☐

Parking Controls

Add: ☒

Remove: ☐

Other

Describe: Restrict parking to one side
of street only.

Describe attachments to this document:

FOR OFFICE USE ONLY:

Received by:

Date Received:

Reviewed

City Engineer

Approved: ☐

Denied: ☐ N/A: ☐

Public Works

Approved: ☐

Denied: ☐ N/A: ☐

Other

Approved: ☐

Denied: ☐ N/A: ☐

Recommendations: