



City of Kingston Kingston Common Council
Meeting Agenda
Tuesday, May 5, 2020
7:30 PM
Common Council Chambers
City Hall, 420 Broadway

VIDEO RECORDING OF MEETING: - <https://youtu.be/W2GGGgZALDQ>

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

G.1. Public comment

[20200504090256.pdf](#)

[20200504090304.pdf](#)

G.2. Public Comment

[Public Comment Pike Plan.pdf](#)

G.3. Public Comment

[20200505073846.pdf](#)

G.4. Public Comment

[20200505082806.pdf](#)

H CLAIMS

I COMMUNICATIONS - J. Shultheis, Wurts St. Bridge & Empire State Trail

I.1. Determination of Significance for Kingston Open Space Plan

[Letter to Council Regarding SEQR Determination for Open Space Plan.pdf](#)

[Open Space Plan FEAF Part 1.pdf](#)

[Open Space Plan FEAF Part 2 DRAFT.pdf](#)

[Open Space Plan FEAF Part 3 Draft.pdf](#)

[RESOLUTION_36_of_2020_Establish Lead Agency.pdf](#)

[RESOLUTION_192 or 2019_Undertake Coordinated Review_Determine Type 1 Action.pdf](#)

I.2. Budget Transfer, Kingston Parks and Recreation Department, OPRHP Forsyth Park Grant

[Letter to President Shaut- Forsyth Park Budget Transfer Communication and Committee Report](#)

[4-23-20.pdf](#)

- I.3. Economic Impact Plan
[Council Covid-19 Economic Impact Plan.pdf](#)
- I.4. Wurts St. Bridge & Empire State Trail
[20200505093355.pdf](#)
- I.5. Grants Activity Update
[20200505093616.pdf](#)
- I.6. Standard Workday
[20200505093803.pdf](#)
- I.7. Repairs at Rondout Neighborhood Center
[20200505093930.pdf](#)
- I.8. SEQR Determination Wilbur Avenue Paving
[20200505094126.pdf](#)
- I.9. City Code Revision
[20200505094255.pdf](#)
- I.10. Commission of Deed 2020
[20200505094440.pdf](#)
- I.11. The OTARD rule of the FCC
[20200505094610.pdf](#)
- I.12. Arc of Mid-Hudson
[20200505094811.pdf](#)

J DISPENSE WITH THE SECOND READING OF THE GENERAL BILLS AND PAY SAME

K REPORT OF THE COMMITTEES

- K.1. Proposed Resolutions
[20200505084102.pdf](#)
- K.2. proposed resolution
[20200505163804.pdf](#)
[20200505163833.pdf](#)

L LOCAL LAWS

- L.1. Local Law # 3
[LL 2020 amend Section 332 3 Landlord Registration \(1\).docx](#)

M ADJOURNMENT

N VIRTUAL MEETING INFORMATION - *You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)*

*United States (Toll Free): 1 866 899 4679
- One-touch: tel:+18668994679,,167020133#*

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- One-touch: tel:+16467493117,,167020133#

Access Code: 167-020-133

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Public comment

Suggested Action:

Attachments:

[20200504090256.pdf](#)

[20200504090304.pdf](#)



April 27, 2020

Dear Common Council Members:

I write today on behalf of the Ulster County Board of REALTORS®(UCBR) in regards to the resolution before the Kingston Common Council regarding an eviction moratorium beyond the Governor's current 90 day order. In addition, the resolution would prohibit the filing of evictions for 180 days after the pandemic to allow tenants to pay any rent in arrears, provided that their post-pandemic rent payments are current. This global pandemic has had severe economic and financial repercussions for millions of people across this country, and the impacts will be felt for years to come. I would like to highlight a few things that as an Association we believe the Council should consider before approving this resolution.

Governor Andrew Cuomo signed an executive order on April 19th that enacted a statewide eviction moratorium for 90 days. That means that all renters in New York, no matter where they live, or what their circumstances are, cannot be evicted from their homes until after June 20th. Part of that same executive order prohibits landlords from even filing new eviction cases until at least May 7th, which was extended from April 19th. Throughout this pandemic, Governor Cuomo has shown flexibility in dealing with a myriad of issues that have arisen due to the current state of emergency. He has extended the stay-at-home order based on data, and there is potential that he will extend the statewide eviction moratorium past June 20th.

At the April 21st Special Housing Committee meeting, members of the Committee raised the issue of possible legal questions regarding this proposed resolution. There was not a consensus from committee members whether the proposal was legal or not. As stated above, the statewide eviction moratorium is in effect until June 20th. We encourage the Council to continue to research the issue, and if and when it confirms the legality of this proposal, then take it up at a full Council meeting. Again, there is no need to rush this proposal as renters in Kingston would still maintain eviction protections from the statewide order.

It is also important to point out that due to the passage of the "Housing Stability and Tenant Protection Act of 2019" by the State Legislature, tenants in NY currently have substantial protections from evictions. The Act expanded the protections of stays for warrants of eviction. As amended, a court may stay the issuance of a warrant of eviction and any execution to collect costs of the proceeding for a period of up to 1 year—increased from 6 months—upon application of the occupant and if the following conditions are met: (i) the premises were used for dwelling purposes, (ii) the application was made in good faith, and (iii) the applicant cannot secure suitable premises in its neighborhood similar to those occupied by the applicant after making reasonable efforts to secure other premises, or it would cause "extreme hardship" to the applicant's family if the stay were not granted. Notably, the amended statute now defines what scenarios would cause "extreme hardship." Specifically, the court is advised to

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UlsterCountyBoardofRealtors.com

consider serious ill health, significant exacerbation of an ongoing condition, a child's enrollment in a local school, and any other "extenuating life circumstances affecting the ability of the applicant or the applicant's family to relocate and maintain quality of life."

Finally, it is critical to not forget the financial impact that this pandemic is going to have on landlords. Most landlords throughout Ulster County and Kingston are not large corporations or LLC's. They are 2nd or 3rd generation landlords who own a property or two and provide great service to their tenants. Currently there is no financial assistance for this key part of the housing continuum that begins after this pandemic ends. They have not received relief from mortgage payments that will come due. Is the Council also considering assistance of any kind to landlords? We believe addressing only one side of the landlord/tenant relationship is shortsighted and will simply lead to future housing challenges in Kingston.

Thank you very much for taking the time to read our thoughts and concerns on this resolution. Our association appreciates the hard work that you have been doing over the course of this pandemic. Please do not hesitate to reach out if you have any questions or if you would like to discuss these issues more.

Sincerely,



Alfred Peavy

2020 President, Ulster County Board of REALTORS®

Tinti, Elisa

From: Tinti, Elisa
Sent: Friday, May 01, 2020 11:53 AM
To: Shaut, Andrea; Alderman
Subject: FW: [EXTERNAL EMAIL] Re: Special Housing Committee Meeting

Public comment for Council

Elisa Tinti

City Clerk and Registrar
City of Kingston

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

Kingston City Clerk Webpage



From: Clark Richters [mailto:clark12401@gmail.com]
Sent: Friday, May 01, 2020 11:51 AM
To: Hirsch, Michele <mhirsch@kingston-ny.gov>; Tinti, Elisa <emtinti@kingston-ny.gov>
Cc: Rebecca Martin <ourcitizens@gmail.com>
Subject: [EXTERNAL EMAIL] Re: Special Housing Committee Meeting

My Public comment for the next, Common Council Meeting on MAY 5, 2020

Kingston lacks transparency... Channel 23 would be a great opportunity for the city and the towns to utilize by posting notices, filming meetings and local news, which serves City of Kingston, Town of Kingston, Ulster, Rosendale, Hurley, Marbletown. Currently Channel 23 is now under Esopus Community TV 23.

Blog <https://kingstontv23.blogspot.com/>

Support and use Public Access Television to inform the Senior Citizens. who don't have the internet OR Facebook..

Former producer/commissioner,

Clark Richters Sr. Kingston

On Wed, Apr 29, 2020 at 6:12 PM Clark Richters <clark12401@gmail.com> wrote:

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Public Comment

Suggested Action:

Attachments:

[Public Comment Pike Plan.pdf](#)

Giovanna Righini
Ward 5, Kingston

Dear Members of the Common Council,

I would like to wholeheartedly commend and support Mayor Noble's suggestion and that of the Finance/Audit Committee to pause construction on the Pike Plan replacement at 43-45 North Front Street in the Uptown Stockade Historic District.

The public deserves to learn more about the full economic impact of the canopy repair and its continued maintenance into the future. The original public survey was flawed in that it did not address any cost to taxpayers. In these troubled fiscal times, it becomes particularly relevant as City monies will be stretched and sorely needed elsewhere.

I also feel that the public should have an opportunity to envision what the streetscape could be without the canopy. The Pike Plan was originally conceived in the 1970s as part of Kingston's disastrous urban renewal and its time has passed. Similar canopies have been successfully removed in other communities and they haven't looked back.

It is my personal hope that we could eventually move toward restoring the building façades in our Historic District. Kingston is an architectural diamond in the rough – we need to treat it with the stewardship that it deserves as a great cultural resource.

Thank you all for your time and consideration.

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

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Agenda Section:

Subject:

Public Comment

Suggested Action:

Attachments:

[20200505073846.pdf](#)

Tinti, Elisa

From: Sarah Wenk <smwenk2@gmail.com>
Sent: Tuesday, May 05, 2020 8:28 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Comments for tonight's meeting

Hello, I am writing in support of the decision by the Finance Committee to pause work on the Pike Plan - obviously after all safety precautions are taken - to re-evaluate the best way forward in this new economic landscape.

Thank you,

Sarah Wenk
Kingston, NY

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Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Public Comment

Suggested Action:

Attachments:

[20200505082806.pdf](#)

Tinti, Elisa

From: maraki9@earthlink.net
Sent: Tuesday, May 05, 2020 9:14 AM
To: mac@maclawkingston.com; Giovanna Righini; Tinti, Elisa
Cc: Andrea Shaut; Morell, Jeffrey; Scott-Childress, Reynolds; Koop, Douglas; Worthington, Rita; Tallerman, Donald; Davis, Tony; O'Reilly, Patrick; Schabot, Steven; Hirsch, Michele; Noble, Steve
Subject: [EXTERNAL EMAIL] Public Comment on Pike Plan for City Council Meeting

May 5, 2020

To the members of the Common Council,

My name is Maria Philippis, and I am the owner of 43-45 and 47 N. Front St. I bought 47 N. Front St in 2008 and opened Boitson's Restaurant in 2010. In 2012, I bought the adjacent building 43-45, renovated that building, opened and closed KOVO Rotisserie. now rent that space to Kingston Bread & Bar, a newly vacated storefront, as well as 2 residential tenants. I live and work at 47 N. Front St, employ 20 local residents, and am an active member in the Kingston community. I am a graduate of SUNY New Paltz, former Stone Ridge resident, and have strong ties to this area for over 30 years.

I have been watching dangerous rot and decay increase on a large section of the overhang in front of my building at 45 N. Front St, as well as many other spots Uptown. Three years ago, temporary posts were put in place to keep that section from collapsing. Those posts rotted out after a year, and new ones were put in. After numerous emails, calls, and requests for something to be done, a group of men showed up with no notice, on April 22, 2020. Scaffolding, chain link fences, dumpsters, a portable bathroom and numerous trucks showed up to 'repair' the canopy. All this while Boitson's and the newly opened Kingston Bread & Bar are struggling to stay open, now hidden under boarded up windows and construction.

Had this been the 'repair' to the section that has been an eyesore for years, we might not be having this discussion at this time. With the removal of the entire structure from my property, and seeing my building in a new light, I think the time to re address the controversial "Pike Plan" is now. We have an opportunity to see what our future might look like.

I ask that all the members of the Common Council, as well as city residents, pay a visit to the location and see for themselves what the building looks like before relying on nostalgia or a skewed survey to keep the overhang. If the survey asked city residents how much of their tax money they'd like to spend on the perpetual upkeep and renovations of the 2 block structure, the survey would probably look very different.

This 1970's urban renewal project has been a money pit from its inception. How long do we continue to throw good money after bad? I know there are better things to spend taxpayers money on, especially now.

I ask that we remove the scaffolding from my building and really see what our historic district could look like, before burying it. Please let our historic buildings shine once again.

Thank you for listening,

Maria Philippis

Ward 2

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Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Julie Noble

Submitting Department:

Item Type: Proposed Resolution

Agenda Section:

Subject:

Determination of Significance for Kingston Open Space Plan

Suggested Action:

Attachments:

[Letter to Council Regarding SEQR Determination for Open Space Plan.pdf](#)

[Open Space Plan FEAF Part 1.pdf](#)

[Open Space Plan FEAF Part 2 DRAFT.pdf](#)

[Open Space Plan FEAF Part 3 Draft.pdf](#)

[RESOLUTION_36_of_2020_ Establish Lead Agency.pdf](#)

[RESOLUTION_192 or 2019_Undertake Coordinated Review_Determine Type 1 Action.pdf](#)

CITY OF KINGSTON
Office of Environmental Education and Sustainability
climatesmart@kingston-ny.gov

Julie L. Noble, Coordinator



Steven T. Noble, Mayor

April 23, 2020

Honorable Andrea Shaut
President/Alderman-at -Large
Kingston Common Council
420 Broadway
Kingston, NY 12401

Re: SEQR Type 1 Determination of Significance for Kingston Open Space Plan

Dear President Shaut,

This is a follow up to previous communications with the Council regarding the SEQR determination for the Kingston Open Space Plan, following the passage of Resolution 192 of 2019, and Resolution 36 of 2020 which established the Kingston Common Council as the Lead Agency in the coordinated review.

As the next step of the SEQR Review, I would request for members of the appropriate committee to review the completed Part 1 which I am submitting as the applicant, and DRAFTS of Parts 2 and 3 for the Common Council's completion as Lead Agency, of the Full Environmental Assessment Form (FEAF) and the associated documents. Based on the completion of the FEAF, as the majority of the impacts are none or not applicable, due to the nature of the project being a Plan, I recommend the passage of a resolution determining a Negative Declaration for SEQR. Attached you will find the completed FEAF Part 1, and Draft Parts 2 and 3 and the two relevant resolutions.

I am further requesting the placement on the next appropriate Committee meeting, recommending Laws and Rules, for consideration of a resolution to declare the determination of significance.

Thank you for your consideration.

Sincerely,

Julie L. Noble

Sustainability Coordinator

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

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

C. Planning and Zoning

C.1. Planning and zoning actions

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

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

C.2. Adopted land use plans

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes ☐ No
 If Yes, describe: _____

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

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

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

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

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

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

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

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

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

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

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

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

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

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

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

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

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

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____	☐ Yes ☐ No ☐ Yes ☐ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☐ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	☐ Yes ☐ No ☐ Yes ☐ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☐ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? Yes No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ _____ • Operation: _____ _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ _____ • Operation: _____ _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

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

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No i. If Yes: explain: _____	
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No If Yes, i. Identify Facilities: _____ _____	
e. Does the project site contain an existing dam? ☐ Yes ☐ No If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No If Yes: i. Has the facility been formally closed? ☐ Yes ☐ No • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____ _____	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____ _____	
E.2. <u>Natural Resources On or Near Project Site</u>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ _____ % _____ _____ % _____ _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i>, continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____	
E.3. <u>Designated Public Resources On or Near Project Site</u>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature Julia L. Noble _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. <u>Impact on Land</u> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐		
h. Other impacts: _____ _____		☐	☐		

2. <u>Impact on Geological Features</u> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☐ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. <u>Impacts on Surface Water</u> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

I. Other impacts: _____ _____		☐	☐
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4. <u>Impact on groundwater</u> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. <u>Impact on Flooding</u> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. <u>Impacts on Air</u> The proposed action may include a state regulated air emission source. ☐ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. <u>Impact on Plants and Animals</u> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☐ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. <u>Impact on Agricultural Resources</u> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. <u>Impact on Aesthetic Resources</u> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. <u>Impact on Historic and Archeological Resources</u> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3: e. i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property’s setting or integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐	☐ ☐ ☐

11. <u>Impact on Open Space and Recreation</u> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. <u>Impact on Critical Environmental Areas</u> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. ☐ NO ☐ YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. ☐ NO ☐ YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☐ YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. <u>Impact on Human Health</u> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> ☐ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☐ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Project :

Date :

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

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 5th day of

February, 2020



Elisa Tinti, City Clerk

Approved by the Mayor this 5th day of

February, 2020



Steven T. Noble, Mayor

Adopted by Council on February 4, 2020

**LAWS & RULES
COMMITTEE REPORT**

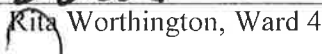
DATE: 1-15-20

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

Signature:

Seconded by RSC

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,

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

Elisa Tinti,
City Clerk

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.

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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

CITY OF KINGSTON, NEW YORK, COMMON COUNCIL
HONORABLE ANDREA SHAUT, PRESIDENT

01/01/2020-12/31/2021

COMMITTEE: L&R

DATE: 2/4/2020

RESOLUTION TITLE *Resolution #36 of 2020 authorizing the Common Council of the City of Kingston to declare itself lead agency on the Open Space Plan*

OFFERED BY: ALDERMAN _____
SECONDED BY: ALDERMAN _____

ALDERMAN	YES	NO	ABSENT	REASON
1.JEFFREY VENTURA MORELL (D)				
2.DOUGLAS KOOP (D)				
3.REYNOLDS SCOTT-CHILDRESS (D)				
4. RITA WORTHINGTON (D)				
5. DONALD TALLERMAN (D)				
6. TONY DAVIS (D)				
7. PATRICK O'REILLY (D)				
8. STEVEN SCHABOT (D)				
9. MICHELE HIRSCH (D)				

TOTALS CARRIED 9 DEFEATED 0

ELISA TINTI
CITY CLERK

RESOLUTION 192 of 2019

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, TO UNDERTAKE A COORDINATED REVIEW OF THE CITY OF KINGSTON, NY OPEN SPACE PLAN

Sponsored By: Laws and Rules Committee: Alderman Shaut,
Alderman Ventura Morell, Alderman Scott-Childress,
Alderman Carey, Alderman O'Reilly

WHEREAS, the City of Kingston and the Conservation Advisory Council began the process of developing a Natural Resources Inventory and Open Space Index for the City, which identifies the natural resources and related areas of the community; and

WHEREAS, the Kingston Conservation Advisory Council would like to recommend that the City of Kingston Common Council adopt the Open Space Plan as an element of the Kingston Comprehension Plan-Kingston 2025, which would necessitate that SEQR requirements be met, including the establishment of Lead Agency and SEQR review.

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

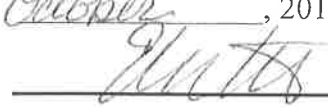
SECTION-1. That pursuant to 6NYRCC Part 617, (b)(1), the City of Kingston Common Council hereby determines that this action is a Type I action under SEQR Act and a coordinated review must be undertaken.

SECTION-2. That the Common Council will circulate a request to all involved and interested agencies requesting that it act as Lead Agency in the SEQR review process.

SECTION-3. That this resolution shall take effect immediately.

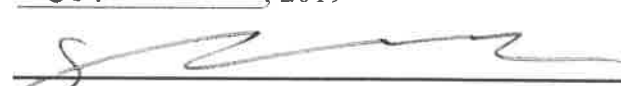
Submitted to the Mayor this 2nd day of

October, 2019


Elisa Tinti, City Clerk

Approved by the Mayor this 2nd day of

October, 2019


Steven T. Noble, Mayor

Adopted by Council on October 1, 2019

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THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT	Parks and Recreation	DATE	9/18/19
Description	A Resolution to undertake a coordinated review of the City of Kingston, NY Open Space Plan and as such		
	- determine such action to be a Type 4 Action as defined in 6 NYCRR Part 617.4 (b)(1) of the SEQRA Act and a coordinated review must be undertaken		
	and		
	- that the Common Council will circulate a request to all involved and interested agencies, to request to act as lead agency in the SEQRA review process		
Signature	Julie L. Noble		

Motion by BC

Seconded by JVM

Action Required:

SEQRA Decision:

Type I Action ☐

Type II Action ☐

Unlisted Action ☐

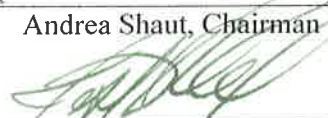
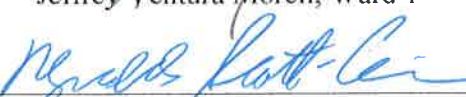
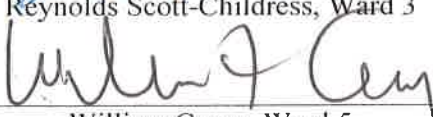
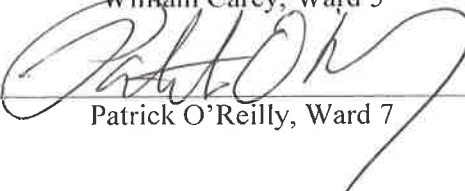
Negative Declaration of Environmental Significance: ☐

Conditioned Negative Declaration: ☐

Seek Lead Agency Status: ☐

Positive Declaration of Environmental Significance: ☐

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Committee Vote	YES	NO
 Andrea Shaut, Chairman	☒	☐
 Jeffrey Ventura Morell, Ward 1	☒	☐
 Reynolds Scott-Childress, Ward 3	☒	☐
 William Carey, Ward 5	☒	☐
 Patrick O'Reilly, Ward 7	☒	☐

RESOLUTION 182 of 2019

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, TO UNDERTAKE A COORDINATED REVIEW OF THE CITY OF KINGSTON, NY OPEN SPACE PLAN

Sponsored By: Laws & Rules Committee: Alderman: Shaut ,
Ventura Morell, Koop, Carey

WHEREAS, the City of Kingston and the Conservation Advisory Council began the process of developing a Natural Resources Inventory and Open Space Index for the City, which identifies the natural resources and related areas of the community; and

WHEREAS, the Kingston Conservation Advisory Council would like to recommend that the City of Kingston Common Council adopt the Open Space Plan as an element of the Kingston Comprehensive Plan-Kingston 2025, which would necessitate that SEQRA requirements be met, including the establishment of Lead Agency and SEQRA review.

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 617.4 (b)(1), the City of Kingston Common Council hereby determines that this action is a Type I action under SEQR Act and a coordinated review must be undertaken.

SECTION 2. That the Common Council will circulate a request to all involved and interested agencies requesting that it act as Lead Agency in the SEQR review process.

SECTION 3 . This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2019

Approved by the Mayor this ____ day of _____, 2019

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2019

City of Kingston, New York Common Council
Honorable James Noble Presiding
01/01/2018- 12/31/2019

Roll Call

Committee _____ Date October 1, 2019

Resolution Title:

RESOLUTION 192 of 2019
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW
YORK, TO UNDERTAKE A COORDINATED REVIEW OF THE CITY OF KINGSTON,
NY OPEN SPACE PLAN

Offered By: Alderman _____

Seconded By: Alderman _____

Record of Vote

Alderman	Yes	No	Absent	Reason
1. Jeffrey Ventura Morell (D)				
2. Douglas Koop (D)				
3. Reynolds Scott Childress (D)				
4. Rita Worthington (D)				
5. William Carey (D)				
6. Tony Davis (D)				
7. Patrick O'Reilly (D)				
8. Steven Schabot (D)				
9. Andrea Shaut (D)				

Totals Carried 9-0 Defeated _____

Elisa Tinti, City Clerk

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Julie Noble

Submitting Department:

Item Type: Budget Transfer

Agenda Section:

Subject:

Budget Transfer, Kingston Parks and Recreation Department, OPRHP Forsyth Park Grant

Suggested Action:

Attachments:

[Letter to President Shaut- Forsyth Park Budget Transfer Communication and Committee Report 4-23-20.pdf](#)

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

Steven T. Noble, Mayor



Lynsey Timbrouck, Director

April 23, 2020

Honorable Andrea Shaut
President/Alderman- at-Large
Kingston Common Council
420 Broadway
Kingston, NY 12401

Re: Budget Transfers for Services Provided by Contractors Funded by the OPRHP Forsyth Park Grant

Dear President Shaut,

This is a request for placement on the agenda of the next appropriate Committee, expected to be the Finance and Audit Committee, to discuss budget transfers to pay contractors to perform services to complete the tennis court lot parking and three other small Forsyth Park parking areas as part of the OPRHP funded Forsyth Park grant project.

Resolutions 54 and 171 of 2015 authorize the Mayor to execute documents and expend funds for the grant projects, and there are still grant funds available to reimburse these expenses and for the project's completion. We are requesting a budget transfer of \$22,434.32 from A17110 23 43389 to A1 7110 13 5301 to cover expenses for the project.

Please feel free to contact me with any questions regarding the project. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynsey Timbrouck", is written over a light blue horizontal line.

Director of Recreation
Kingston Parks and Recreation

Cc: Julie Noble
John Tuey

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: Parks and Recreation

DATE: 4/23/2020

Description: Transfer funds in the amount of \$ 22,434.32 in the 2020 Parks and Recreation budget to pay contractors to perform services to complete the tennis court lot parking and three other small Forsyth Park parking areas as part of the OPRHP funded Forsyth Park grant project #C142737 for \$304,354.00.

From:

Parks and Recreation Account: A17110 43389

To:

Parks and Recreation Account: A17110 13 5301

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		

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Mayor

Item Type: Informational Purposes

Agenda Section:

Subject:

Economic Impact Plan

Suggested Action:

Attachments:

[Council Covid-19 Economic Impact Plan.pdf](#)

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



May 1, 2020

Council President Andrea Shaut
Kingston City Hall
420 Broadway
Kingston, New York 12401

Dear President Shaut,

Due to the COVID-19 global pandemic, and the necessity for local businesses to close, the City expects to collect drastically less sales and property tax revenue than the original 2020 budgeted amounts. Other revenue sources such as investment interest, parking revenue, fees, permits and others are going to be impacted as well. After working with City Comptroller John Tuey, and taking a hard look at these devastating impacts, we are expecting the City of Kingston to have revenue reductions in the range of \$2,500,000-\$5,000,000 in 2020.

It has become clear that, as a City, we should prepare ourselves in the event that the Republican leadership of the U.S. Congress and the United States Senate fails to provide aid to adequately support our ability to deliver essential services to our residents. If our Federal government will not be taking desperately-needed action, then cities across the country, like Kingston, will be left to fend for ourselves. And so we must make some difficult decisions on how to make up the gap in funding.

With very little available data, the Comptroller's office has devised three estimates of potential revenue losses: a low loss estimate, a mid-range loss estimate, and a high loss estimate. These numbers are fluid and should be seen as an anticipation for varying circumstances, and therefore subject to significant change.

Low loss estimate of revenues/aid: \$2,521,630

Mid-range loss estimate of revenues/aid: \$4,010,680

High loss estimate of revenues/aid: \$5,039,538

Looking at these figures for potential losses to our budget, I have developed an economic recovery plan in three phases that would significantly reduce our operating costs and in some cases, our municipal services. The first phase of the plan can and should be implemented now and I believe will have minimal negative impact on the services requested by our residents. The subsequent phases are more drastic in approach, and will lessen the quality of life that we enjoy in the City of Kingston. I hope we won't have to execute all phases of this recovery plan, but I know we must do whatever we can to pull our community out of this dark economic time. By having a strong municipal financial plan, we can make sure that we still serve our community during this time.

I am proposing the following phased approach to reduce the impending deficit. As stated before, these plans, dates and strategies are all subject to change based on the emerging financial picture of the City over the coming months ahead.

Phase 1 (Immediate Implementation): Departmental budget cuts, hiring freeze, and overtime pay reductions. By strictly cutting back budgetary spending across all City departments, leaving currently unoccupied positions unfilled, and limiting overtime pay across City Departments, the City will save approximately **\$1,611,889.58**.

In order to meet the planned reduction in revenue, this phase would also include the plan to allocate a corresponding up to \$1.6 million from the Fund Balance to cover budget shortfalls expected under the low loss estimate forecast.

Phase 2 (June 1): Phase 2 would be implemented if mid-range estimates become more realistic based on early sales tax returns and/or confirmation of local aid cuts by New York State. During this phase, temporary layoffs would occur in multiple areas of City government and will cause a temporary impact in the delivery of some City services. Phase 2 could also include a targeted retirement incentive for those employees who may be eligible.

Phase 3 (September 1): Phase 3 would be implemented if the fiscal outlook showed signs that the City would be facing the high-loss scenario. Far-reaching permanent layoffs would take place along with severe cuts to the City services we depend on each and every day.

As someone who has spent his entire career in public service, surrounded by hard-working, dedicated civil servants, I recommend this plan with a heavy heart. My staff are so important – not just to the working operations of the City, but to me personally. I would not propose this extreme economic recovery plan if I did not believe we were facing the largest financial catastrophe in the City of Kingston's history.

I strongly urge the Common Council to carefully consider and adopt this plan.

Respectfully submitted,



Steven T. Noble
Mayor

Updated 5.1.20

	<u>Estimated Budgetary Loss Range</u>		
	<u>Low</u>	<u>Mid-Range</u>	<u>High</u>
Sales Tax	\$ 1,610,080	\$ 1,902,400	\$ 2,194,720
NYS Revenue Sharing	\$ -	\$ 613,830	\$ 767,288
Mortgage Tax	\$ 55,000	\$ 115,000	\$ 175,000
Property Tax	\$ 354,000	\$ 708,000	\$ 1,062,000
Investment Interest	\$ 65,000	\$ 95,000	\$ 125,000
Parking Revenues	\$ 287,550	\$ 351,450	\$ 415,350
Other Revenue	\$ 150,000	\$ 225,000	\$ 300,000
	<u>\$ 2,521,630</u>	<u>\$ 4,010,680</u>	<u>\$ 5,039,358</u>

ORG	OBJ	ACCOUNT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	TRANFRS/A DJSMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRA NCES	AVAILABLE BUDGET	% USED	15%	Fixed Dollar	Total
											Reduction From Original Budget	Reduction From Original Budget	Reduction from Original Budget
A1121012	5202	A1 -1-1210-12-5202 -	FURNITURE & FIXTURES	1,000	0	1,000	0.00	0.00	1,000	0.00	-	1,000	1,000.00
A1362012	5202	A1 -3-3620-12-5202 -	FURNITURE & FIXTURES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00		225.00
A1698912	5202	A1 -6-6989-12-5202 -	FURNITURE & FIXTURES	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1699012	5202	A1 -6-6990-12-5202 -	FURNITURE & FIXTURES	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1802012	5202	A1 -8-8020-12-5202 -	FURNITURE & FIXTURES	700	0	700	0.00	0.00	700	0.00	-	200	200.00
A1511012	5203	A1 -5-5110-12-5203 -	MOTOR VEHICLES	137,000	0	137,000	0.00	74,456.63	62,543	54.30	-	62,000	62,000.00
A1513212	5203	A1 -5-5132-12-5203 -	MOTOR VEHICLES	65,000	0	65,000	0.00	0.00	65,000	0.00	-	65,000	65,000.00
A1711012	5203	A1 -7-7110-12-5203 -	MOTOR VEHICLES	41,000	0	41,000	0.00	0.00	41,000	0.00	-	16,000	16,000.00
A1131512	5205	A1 -1-1315-12-5205 -	DATA PROCESSING EQUIPMENT	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00		300.00
A1135512	5205	A1 -1-1355-12-5205 -	DATA PROCESSING EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1168012	5205	A1 -1-1680-12-5205 -	DATA PROCESSING EQUIPMENT	6,000	0	6,000	369.73	4,776.84	853	85.80	-	2,000	2,000.00
A1341012	5205	A1 -3-3410-12-5205 -	DATA PROCESSING EQUIPMENT	500	0	500	32.62	0.00	467	6.50	75.00		75.00
A1699012	5205	A1 -6-6990-12-5205 -	DATA PROCESSING EQUIPMENT	1,500	635	2,135	0.00	635.20	1,500	29.70	225.00		225.00
A1721012	5205	A1 -7-7210-12-5205 -	DATA PROCESSING EQUIPMENT	800	0	800	0.00	0.00	800	0.00	120.00		120.00
A1168012	5206	A1 -1-1680-12-5206 -	COMPUTER SOFTWARE	800	0	800	0.00	0.00	800	0.00	120.00		120.00
A1341012	5206	A1 -3-3410-12-5206 -	COMPUTER SOFTWARE	2,500	0	2,500	0.00	0.00	2,500	0.00	375.00		375.00
A1513212	5206	A1 -5-5132-12-5206 -	COMPUTER SOFTWARE	5,000	0	5,000	900.00	576.00	3,524	29.50	750.00		750.00
A1101012	5211	A1 -1-1010-12-5211 -	OTHER EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1162012	5211	A1 -1-1620-12-5211 -	OTHER EQUIPMENT	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1165012	5211	A1 -1-1650-12-5211 -	OTHER EQUIPMENT	800	0	800	0.00	0.00	800	0.00	120.00		120.00
A1332012	5211	A1 -3-3320-12-5211 -	OTHER EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1341012	5211	A1 -3-3410-12-5211 -	OTHER EQUIPMENT	45,000	2,837	47,837	4,066.20	0.00	43,771	8.50	-	15,000	15,000.00
A1362012	5211	A1 -3-3620-12-5211 -	OTHER EQUIPMENT	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00		300.00
A1511012	5211	A1 -5-5110-12-5211 -	OTHER EQUIPMENT	15,100	0	15,100	0.00	0.00	15,100	0.00	-	7,000	7,000.00
A1513212	5211	A1 -5-5132-12-5211 -	OTHER EQUIPMENT	12,700	0	12,700	591.00	0.00	12,109	4.70	1,905.00		1,905.00
A1711012	5211	A1 -7-7110-12-5211 -	OTHER EQUIPMENT	18,000	0	18,000	0.00	0.00	18,000	0.00	2,700.00		2,700.00
A1714212	5211	A1 -7-7142-12-5211 -	OTHER EQUIPMENT	1,800	0	1,800	0.00	0.00	1,800	0.00	270.00		270.00
A1718012	5211	A1 -7-7180-12-5211 -	OTHER EQUIPMENT	3,500	0	3,500	0.00	0.00	3,500	0.00	525.00		525.00
A1724012	5211	A1 -7-7240-12-5211 -	OTHER EQUIPMENT	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00		450.00
A1762013	5301	A1 -7-7620-13-5301 -	CONTRACTED SERVICES	7,500	0	7,500	0.00	0.00	7,500	0.00	1,125.00		1,125.00
A1149013	5302	A1 -1-1490-13-5302 -	CONST. MATERIALS & SUPPLIES	3,000	0	3,000	0.00	0.00	3,000	0.00	-	1,000	1,000.00
A1513213	5302	A1 -5-5132-13-5302 -	CONST. MATERIALS & SUPPLIES	4,000	0	4,000	0.00	0.00	4,000	0.00	600.00		600.00
A1724013	5302	A1 -7-7240-13-5302 -	CONST. MATERIALS & SUPPLIES	7,000	0	7,000	0.00	0.00	7,000	0.00	1,050.00		1,050.00
A1565113	5311	A1 -5-5651-13-5311 -	DOWNTOWN BUSINESS DISTRICT	20,000	0	20,000	0.00	0.00	20,000	0.00	-	20,000	20,000.00
A1565113	5312	A1 -5-5651-13-5312 -	MIDTOWN BUSINESS DISTRICT	20,000	0	20,000	0.00	0.00	20,000	0.00	-	20,000	20,000.00
A1565113	5313	A1 -5-5651-13-5313 -	UPTOWN BUSINESS DISTRICT	20,000	0	20,000	0.00	0.00	20,000	0.00	-	20,000	20,000.00
A1143014	5401	A1 -1-1430-14-5401 -	GENERAL CONTRACT EXPENSE	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1193014	5401	A1 -1-1930-14-5401 -	GENERAL CONTRACT EXPENSES	200,000	0	200,000	6,074.18	0.00	193,926	3.00	30,000.00		30,000.00
A1312014	5401	A1 -3-3120-14-5401 -	GENERAL CONTRACT EXPENSES	3,000	0	3,000	639.00	0.00	2,361	21.30	450.00		450.00
A1101014	5402	A1 -1-1010-14-5402 -	OFFICE SUPPLIES	1,200	0	1,200	214.94	285.00	700	41.70	180.00		180.00
A1113014	5402	A1 -1-1130-14-5402 -	OFFICE SUPPLIES	7,000	0	7,000	0.00	1,410.00	5,590	20.10	1,050.00		1,050.00
A1121014	5402	A1 -1-1210-14-5402 -	OFFICE SUPPLIES	700	0	700	0.00	0.00	700	0.00	-	350	350.00
A1131514	5402	A1 -1-1315-14-5402 -	OFFICE SUPPLIES	4,500	0	4,500	650.82	1,119.53	2,730	39.30	675.00		675.00
A1133014	5402	A1 -1-1330-14-5402 -	OFFICE SUPPLIES	4,000	0	4,000	0.00	2,906.29	1,094	72.70	600.00		600.00
A1134014	5402	A1 -1-1340-14-5402 -	OFFICE SUPPLIES	200	0	200	0.00	0.00	200	0.00	30.00		30.00
A1134514	5402	A1 -1-1345-14-5402 -	OFFICE SUPPLIES	400	0	400	230.78	28.28	141	64.80	60.00		60.00
A1135514	5402	A1 -1-1355-14-5402 -	OFFICE SUPPLIES	1,500	0	1,500	302.50	177.87	1,020	32.00	225.00		225.00
A1136414	5402	A1 -1-1364-14-5402 -	OFFICE SUPPLIES	250	0	250	0.00	0.00	250	0.00	37.50		37.50
A1142014	5402	A1 -1-1420-14-5402 -	OFFICE SUPPLIES	600	0	600	0.00	0.00	600	0.00	90.00		90.00
A1143014	5402	A1 -1-1430-14-5402 -	OFFICE SUPPLIES	3,500	0	3,500	69.02	0.00	3,431	2.00	525.00		525.00
A1144014	5402	A1 -1-1440-14-5402 -	OFFICE SUPPLIES	800	0	800	51.99	0.00	748	6.50	120.00		120.00
A1149014	5402	A1 -1-1490-14-5402 -	OFFICE SUPPLIES	3,500	0	3,500	123.50	323.08	3,053	12.80	525.00		525.00
A1165014	5402	A1 -1-1650-14-5402 -	OFFICE SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1167014	5402	A1 -1-1670-14-5402 -	OFFICE SUPPLIES	3,000	0	3,000	743.29	201.25	2,055	31.50	450.00		450.00
A1168014	5402	A1 -1-1680-14-5402 -	OFFICE SUPPLIES	750	0	750	0.00	0.00	750	0.00	-	350	350.00

A1312014	5402	A1	-3-3120-14-5402	-	OFFICE SUPPLIES	8,000	0	8,000	3,477.75	1,954.31	2,568	67.90	1,200.00	1,200.00
A1341014	5402	A1	-3-3410-14-5402	-	OFFICE SUPPLIES	2,000	0	2,000	31.52	0.00	1,968	1.60	300.00	300.00
A1361014	5402	A1	-3-3610-14-5402	-	OFFICE SUPPLIES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00
A1362014	5402	A1	-3-3620-14-5402	-	OFFICE SUPPLIES	4,400	0	4,400	548.69	483.30	3,368	23.50	660.00	660.00
A1398914	5402	A1	-3-3989-14-5402	-	OFFICE SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1402014	5402	A1	-4-4020-14-5402	-	OFFICE SUPPLIES	2,500	0	2,500	6.30	93.42	2,400	4.00	375.00	375.00
A1699014	5402	A1	-6-6990-14-5402	-	OFFICE SUPPLIES	750	0	750	0.00	37.08	713	4.90	112.50	112.50
A1701014	5402	A1	-7-7010-14-5402	-	OFFICE SUPPLIES	500	0	500	59.00	230.73	210	57.90	75.00	75.00
A1702014	5402	A1	-7-7020-14-5402	-	OFFICE SUPPLIES	1,400	0	1,400	45.17	99.00	1,256	10.30	210.00	210.00
A1721014	5402	A1	-7-7210-14-5402	-	OFFICE SUPPLIES	2,500	0	2,500	0.00	0.00	2,500	0.00	375.00	375.00
A1752014	5402	A1	-7-7520-14-5402	-	OFFICE SUPPLIES	300	0	300	0.00	0.00	300	0.00	45.00	45.00
A1802014	5402	A1	-8-8020-14-5402	-	OFFICE SUPPLIES	500	0	500	0.00	207.40	293	41.50	75.00	75.00
A1804014	5402	A1	-8-8040-14-5402	-	OFFICE SUPPLIES	100	0	100	0.00	0.00	100	0.00	15.00	15.00
A1142014	5403	A1	-1-1420-14-5403	-	BOOKS,LITERATURE,PERIODICALS	3,600	0	3,600	627.27	0.00	2,973	17.40	540.00	540.00
A1144014	5403	A1	-1-1440-14-5403	-	BOOKS,LITERATURE,PERIODICALS	300	0	300	0.00	0.00	300	0.00	45.00	45.00
A1312014	5403	A1	-3-3120-14-5403	-	BOOKS,LITERATURE,PERIODICALS	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00
A1801014	5403	A1	-8-8010-14-5403	-	BOOKS,LITERATURE,PERIODICALS	400	0	400	0.00	0.00	400	0.00	60.00	60.00
A1101014	5404	A1	-1-1010-14-5404	-	MISCELLANEOUS	600	0	600	0.00	0.00	600	0.00	90.00	90.00
A1131514	5404	A1	-1-1315-14-5404	-	MISCELLANEOUS	100	0	100	0.00	0.00	100	0.00	15.00	15.00
A1162014	5404	A1	-1-1620-14-5404	-	MISCELLANEOUS	450	0	450	140.76	0.00	309	31.30	67.50	67.50
A1312014	5404	A1	-3-3120-14-5404	-	MISCELLANEOUS	25,000	787	25,787	11,245.38	7,074.56	7,467	71.00	3,750.00	3,750.00
A1398914	5404	A1	-3-3989-14-5404	-	MISCELLANEOUS	250	0	250	0.00	0.00	250	0.00	37.50	37.50
A1802014	5404	A1	-8-8020-14-5404	-	MISCELLANEOUS	100	0	100	8.98	0.00	91	9.00	15.00	15.00
A1101014	5405	A1	-1-1010-14-5405	-	CONTRACT UPDATE CODE BOOK	9,000	0	9,000	2,135.00	0.00	6,865	23.70	1,350.00	1,350.00
A1136414	5406	A1	-1-1364-14-5406	-	FILE CERTIF & RECORD DEED	6,500	0	6,500	930.00	0.00	5,570	14.30	975.00	975.00
A1714114	5407	A1	-7-7141-14-5407	-	ARTS & CRAFTS SUPPLIES	600	0	600	0.00	57.30	543	9.60	90.00	90.00
A1149014	5408	A1	-1-1490-14-5408	-	DATA PROCESSING SUPP. & EQUIP.	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00	450.00
A1136414	5408	A1	-1-1364-14-5408	-	DATA PROCESSING SUPPLIES	200	0	200	0.00	0.00	200	0.00	30.00	30.00
A1141014	5408	A1	-1-1410-14-5408	-	DATA PROCESSING SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1144014	5408	A1	-1-1440-14-5408	-	DATA PROCESSING SUPPLIES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00
A1168014	5408	A1	-1-1680-14-5408	-	DATA PROCESSING SUPPLIES	200	0	200	0.00	0.00	200	0.00	-	100.00
A1312014	5408	A1	-3-3120-14-5408	-	DATA PROCESSING SUPPLIES	5,000	0	5,000	1,909.71	721.63	2,369	52.60	750.00	750.00
A1331014	5408	A1	-3-3310-14-5408	-	DATA PROCESSING SUPPLIES	1,100	0	1,100	0.00	0.00	1,100	0.00	165.00	165.00
A1341014	5408	A1	-3-3410-14-5408	-	DATA PROCESSING SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1362014	5408	A1	-3-3620-14-5408	-	DATA PROCESSING SUPPLIES	900	0	900	349.00	0.00	551	38.80	135.00	135.00
A1398914	5408	A1	-3-3989-14-5408	-	DATA PROCESSING SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1513214	5408	A1	-5-5132-14-5408	-	DATA PROCESSING SUPPLIES	2,200	0	2,200	0.00	0.00	2,200	0.00	330.00	330.00
A1802014	5408	A1	-8-8020-14-5408	-	DATA PROCESSING SUPPLIES	650	0	650	0.00	39.03	611	6.00	97.50	97.50
A1762014	5409	A1	-7-7620-14-5409	-	SPECIAL SPONSOR PROGRAM	10,000	0	10,000	4,280.00	0.00	5,720	42.80	1,500.00	1,500.00
A1711014	5409	A1	-7-7110-14-5409	-	SPECIAL SPONSOR PROGRAMS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1714014	5409	A1	-7-7140-14-5409	-	SPECIAL SPONSOR PROGRAMS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1714114	5409	A1	-7-7141-14-5409	-	SPECIAL SPONSOR PROGRAMS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1724014	5409	A1	-7-7240-14-5409	-	SPECIAL SPONSOR PROGRAMS	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00	450.00
A1731014	5409	A1	-7-7310-14-5409	-	SPECIAL SPONSOR PROGRAMS	10,500	5,272	15,772	720.00	6,846.50	8,206	48.00	1,575.00	1,575.00
A1677214	5409	A1	-6-6772-14-5409	-	TRIPS	20,000	0	20,000	0.00	0.00	20,000	0.00	3,000.00	3,000.00
A1131514	5411	A1	-1-1315-14-5411	-	CONSULTANTS	4,000	0	4,000	0.00	0.00	4,000	0.00	600.00	600.00
A1135514	5411	A1	-1-1355-14-5411	-	CONSULTANTS	30,000	0	30,000	1,253.50	0.00	28,747	4.20	-	11,250.00
A1142014	5411	A1	-1-1420-14-5411	-	CONSULTANTS	75,000	0	75,000	6,600.00	0.00	68,400	8.80	11,250.00	11,250.00
A1144014	5411	A1	-1-1440-14-5411	-	CONSULTANTS	16,000	0	16,000	0.00	0.00	16,000	0.00	2,400.00	2,400.00
A1698914	5411	A1	-6-6989-14-5411	-	CONSULTANTS	5,000	0	5,000	0.00	0.00	5,000	0.00	750.00	750.00
A1802014	5411	A1	-8-8020-14-5411	-	CONSULTANTS	20,000	4,313	24,313	0.00	4,312.50	20,000	17.70	3,000.00	3,000.00
A1113014	5412	A1	-1-1130-14-5412	-	DATA PROCESSING SUPPORT	65,000	0	65,000	17.64	65,000.00	-18	100.00	9,750.00	9,750.00
A1131514	5412	A1	-1-1315-14-5412	-	DATA PROCESSING SUPPORT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1133014	5412	A1	-1-1330-14-5412	-	DATA PROCESSING SUPPORT	6,000	0	6,000	1,270.78	0.00	4,729	21.20	900.00	900.00
A1144014	5412	A1	-1-1440-14-5412	-	DATA PROCESSING SUPPORT	5,500	0	5,500	0.00	0.00	5,500	0.00	825.00	825.00
A1565114	5412	A1	-5-5651-14-5412	-	DATA PROCESSING SUPPORT	4,200	0	4,200	0.00	0.00	4,200	0.00	630.00	630.00
A1131514	5414	A1	-1-1315-14-5414	-	EMPLOYEE TRAINING	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1144014	5414	A1	-1-1440-14-5414	-	EMPLOYEE TRAINING	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1312014	5414	A1	-3-3120-14-5414	-	EMPLOYEE TRAINING	44,000	11,115	55,115	1,520.22	1,115.00	52,480	4.80	6,600.00	6,600.00

A1341014	5414	A1	-3-3410-14-5414	-	EMPLOYEE TRAINING	40,000	0	40,000	59.98	310.00	39,630	0.90	6,000.00		6,000.00
A1699014	5414	A1	-6-6990-14-5414	-	EMPLOYEE TRAINING	2,500	0	2,500	0.00	0.00	2,500	0.00	-	2,500	2,500.00
A1362014	5416	A1	-3-3620-14-5416	-	EDUCATION MATERIALS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1341014	5416	A1	-3-3410-14-5416	-	EDUCATIONAL MATERIALS	4,000	0	4,000	0.00	0.00	4,000	0.00	600.00		600.00
A1714114	5416	A1	-7-7141-14-5416	-	EDUCATIONAL MATERIALS	2,500	0	2,500	0.00	0.00	2,500	0.00	375.00		375.00
A1714314	5416	A1	-7-7143-14-5416	-	EDUCATIONAL MATERIALS	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00		225.00
A1724014	5416	A1	-7-7240-14-5416	-	EDUCATIONAL MATERIALS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1725014	5416	A1	-7-7250-14-5416	-	EDUCATIONAL MATERIALS	3,000	0	3,000	228.26	500.00	2,272	24.30	450.00		450.00
A1816414	5416	A1	-8-8164-14-5416	-	EDUCATIONAL MATERIALS	12,000	0	12,000	0.00	0.00	12,000	0.00	1,800.00		1,800.00
A1312014	5417	A1	-3-3120-14-5417	-	SUPPLIES FOR PROMO. CAMP.	2,000	0	2,000	0.00	794.90	1,205	39.70	300.00		300.00
A1142014	5419	A1	-1-1420-14-5419	-	COURT & WITNESS FEES	10,000	0	10,000	160.00	0.00	9,840	1.60	1,500.00		1,500.00
A1144014	5421	A1	-1-1440-14-5421	-	TELEPHONE	750	0	750	207.99	0.00	542	27.70	112.50		112.50
A1149014	5421	A1	-1-1490-14-5421	-	TELEPHONE	5,300	0	5,300	1,307.52	0.00	3,992	24.70	795.00		795.00
A1168014	5421	A1	-1-1680-14-5421	-	TELEPHONE	25,000	0	25,000	3,022.18	0.00	21,978	12.10	-		-
A1312014	5421	A1	-3-3120-14-5421	-	TELEPHONE	20,000	0	20,000	3,910.39	0.00	16,090	19.60	3,000.00		3,000.00
A1332014	5421	A1	-3-3320-14-5421	-	TELEPHONE	2,500	0	2,500	536.97	0.00	1,963	21.50	375.00		375.00
A1714214	5421	A1	-7-7142-14-5421	-	TELEPHONE	2,400	0	2,400	1,171.74	0.00	1,228	48.80	360.00		360.00
A1721014	5421	A1	-7-7210-14-5421	-	TELEPHONE	2,200	0	2,200	394.97	0.00	1,805	18.00	330.00		330.00
A1816114	5421	A1	-8-8161-14-5421	-	TELEPHONE	400	0	400	0.00	0.00	400	0.00	60.00		60.00
A1756214	5422	A1	-7-7562-14-5422	-	ELECTRIC	14,000	0	14,000	1,389.78	0.00	12,610	9.90	2,100.00		2,100.00
A1136414	5422	A1	-1-1364-14-5422	-	ELECTRICITY	375	0	375	67.68	0.00	307	18.00	56.25		56.25
A1162014	5422	A1	-1-1620-14-5422	-	ELECTRICITY	29,000	0	29,000	5,779.17	0.00	23,221	19.90	4,350.00		4,350.00
A1312014	5422	A1	-3-3120-14-5422	-	ELECTRICITY	40,000	0	40,000	5,685.39	0.00	34,315	14.20	6,000.00		6,000.00
A1711014	5422	A1	-7-7110-14-5422	-	ELECTRICITY	19,000	0	19,000	4,588.43	0.00	14,412	24.10	2,850.00		2,850.00
A1714114	5422	A1	-7-7141-14-5422	-	ELECTRICITY	5,200	0	5,200	2,856.67	0.00	2,343	54.90	780.00		780.00
A1714214	5422	A1	-7-7142-14-5422	-	ELECTRICITY	5,800	0	5,800	1,684.06	0.00	4,116	29.00	870.00		870.00
A1714314	5422	A1	-7-7143-14-5422	-	ELECTRICITY	4,400	0	4,400	1,407.14	0.00	2,993	32.00	660.00		660.00
A1718014	5422	A1	-7-7180-14-5422	-	ELECTRICITY	4,300	0	4,300	262.27	0.00	4,038	6.10	645.00		645.00
A1721014	5422	A1	-7-7210-14-5422	-	ELECTRICITY	15,000	0	15,000	1,068.76	0.00	13,931	7.10	2,250.00		2,250.00
A1762014	5422	A1	-7-7620-14-5422	-	ELECTRICITY	8,200	0	8,200	492.33	0.00	7,708	6.00	1,230.00		1,230.00
A1798914	5422	A1	-7-7989-14-5422	-	ELECTRICITY	2,000	0	2,000	290.16	0.00	1,710	14.50	300.00		300.00
A1714114	5423	A1	-7-7141-14-5423	-	GAS	5,700	0	5,700	1,939.55	0.00	3,760	34.00	855.00		855.00
A1162014	5423	A1	-1-1620-14-5423	-	NATURAL GAS	18,000	0	18,000	6,381.92	0.00	11,618	35.50	2,700.00		2,700.00
A1312014	5423	A1	-3-3120-14-5423	-	NATURAL GAS	8,000	0	8,000	3,300.81	0.00	4,699	41.30	1,200.00		1,200.00
A1711014	5423	A1	-7-7110-14-5423	-	NATURAL GAS	1,400	0	1,400	618.34	0.00	782	44.20	210.00		210.00
A1714214	5423	A1	-7-7142-14-5423	-	NATURAL GAS	22,000	0	22,000	11,529.61	0.00	10,470	52.40	3,300.00		3,300.00
A1714314	5423	A1	-7-7143-14-5423	-	NATURAL GAS	3,300	0	3,300	1,060.60	0.00	2,239	32.10	495.00		495.00
A1721014	5423	A1	-7-7210-14-5423	-	NATURAL GAS	4,000	0	4,000	564.44	0.00	3,436	14.10	600.00		600.00
A1798914	5423	A1	-7-7989-14-5423	-	NATURAL GAS	2,500	0	2,500	907.75	0.00	1,592	36.30	375.00		375.00
A1721014	5425	A1	-7-7210-14-5425	-	WATER	2,750	0	2,750	0.00	0.00	2,750	0.00	412.50		412.50
A1756214	5425	A1	-7-7562-14-5425	-	WATER	300	0	300	138.31	0.00	162	46.10	45.00		45.00
A1135514	5426	A1	-1-1355-14-5426	-	VEHICLE FUEL	150	0	150	0.00	0.00	150	0.00	22.50		22.50
A1144014	5426	A1	-1-1440-14-5426	-	VEHICLE FUEL	350	0	350	69.70	0.00	280	19.90	52.50		52.50
A1149014	5426	A1	-1-1490-14-5426	-	VEHICLE FUEL	120,000	0	120,000	16,805.77	159.24	103,035	14.10	-	10,000	10,000.00
A1312014	5426	A1	-3-3120-14-5426	-	VEHICLE FUEL	90,000	0	90,000	14,001.89	0.00	75,998	15.60	13,500.00		13,500.00
A1332014	5426	A1	-3-3320-14-5426	-	VEHICLE FUEL	2,500	0	2,500	421.27	0.00	2,079	16.90	375.00		375.00
A1341014	5426	A1	-3-3410-14-5426	-	VEHICLE FUEL	25,000	0	25,000	3,091.44	159.24	21,749	13.00	3,750.00		3,750.00
A1362014	5426	A1	-3-3620-14-5426	-	VEHICLE FUEL	1,200	0	1,200	190.98	0.00	1,009	15.90	180.00		180.00
A1711014	5426	A1	-7-7110-14-5426	-	VEHICLE FUEL	20,000	0	20,000	1,839.59	159.24	18,001	10.00	3,000.00		3,000.00
A1101014	5441	A1	-1-1010-14-5441	-	MAINTENANCE OF EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1144014	5441	A1	-1-1440-14-5441	-	MAINTENANCE OF EQUIPMENT	1,800	74	1,874	708.76	120.36	1,045	44.30	270.00		270.00
A1162114	5441	A1	-1-1621-14-5441	-	MAINTENANCE OF EQUIPMENT	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1162514	5441	A1	-1-1625-14-5441	-	MAINTENANCE OF EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1312014	5441	A1	-3-3120-14-5441	-	MAINTENANCE OF EQUIPMENT	6,500	109	6,609	1,184.59	108.96	5,315	19.60	975.00		975.00
A1331014	5441	A1	-3-3310-14-5441	-	MAINTENANCE OF EQUIPMENT	2,300	0	2,300	0.00	0.00	2,300	0.00	345.00		345.00
A1332014	5441	A1	-3-3320-14-5441	-	MAINTENANCE OF EQUIPMENT	30,000	0	30,000	823.00	218.96	28,958	3.50	4,500.00		4,500.00
A1341014	5441	A1	-3-3410-14-5441	-	MAINTENANCE OF EQUIPMENT	31,000	2,248	33,248	512.00	4,045.50	28,690	13.70	4,650.00		4,650.00
A1511014	5441	A1	-5-5110-14-5441	-	MAINTENANCE OF EQUIPMENT	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00		450.00
A1513214	5441	A1	-5-5132-14-5441	-	MAINTENANCE OF EQUIPMENT	6,000	0	6,000	768.88	0.00	5,231	12.80	900.00		900.00

A1514214	5441	A1	-5-5142-14-5441	-	MAINTENANCE OF EQUIPMENT	8,000	0	8,000	564.73	418.73	7,017	12.30	1,200.00	1,200.00	
A1565114	5441	A1	-5-5651-14-5441	-	MAINTENANCE OF EQUIPMENT	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00	
A1702014	5441	A1	-7-7020-14-5441	-	MAINTENANCE OF EQUIPMENT	200	0	200	0.00	0.00	200	0.00	30.00	30.00	
A1711014	5441	A1	-7-7110-14-5441	-	MAINTENANCE OF EQUIPMENT	4,500	0	4,500	229.15	953.77	3,317	26.30	675.00	675.00	
A1718014	5441	A1	-7-7180-14-5441	-	MAINTENANCE OF EQUIPMENT	400	0	400	0.00	0.00	400	0.00	60.00	60.00	
A1814014	5441	A1	-8-8140-14-5441	-	MAINTENANCE OF EQUIPMENT	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1817014	5441	A1	-8-8170-14-5441	-	MAINTENANCE OF EQUIPMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00	
A1162014	5442	A1	-1-1620-14-5442	-	MAINT. OF BLDG.-VOL.FIRE.MUS,	3,000	0	3,000	769.50	0.00	2,231	25.70	450.00	450.00	
A1149014	5443	A1	-1-1490-14-5443	-	MAINTENANCE OF BUILDING	5,000	0	5,000	0.00	0.00	5,000	0.00	750.00	750.00	
A1162014	5443	A1	-1-1620-14-5443	-	MAINTENANCE OF BUILDING	42,000	856	42,856	510.10	7,397.97	34,948	18.50	6,300.00	6,300.00	
A1341014	5443	A1	-3-3410-14-5443	-	MAINTENANCE OF BUILDING	22,900	0	22,900	767.65	0.00	22,132	3.40	3,435.00	3,435.00	
A1513214	5443	A1	-5-5132-14-5443	-	MAINTENANCE OF BUILDING	5,000	0	5,000	278.02	0.00	4,722	5.60	750.00	750.00	
A1798914	5443	A1	-7-7989-14-5443	-	MAINTENANCE OF BUILDING	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00	450.00	
A1162514	5443	A1	-1-1625-14-5443	-	MAINTENANCE OF BUILDINGS	3,000	0	3,000	42.03	0.00	2,958	1.40	450.00	450.00	
A1362014	5443	A1	-3-3620-14-5443	-	MAINTENANCE OF BUILDINGS	5,000	2,969	7,969	3,350.25	0.00	4,619	42.00	750.00	750.00	
A1711014	5443	A1	-7-7110-14-5443	-	MAINTENANCE OF BUILDINGS	6,500	0	6,500	799.09	199.53	5,501	15.40	975.00	975.00	
A1714114	5443	A1	-7-7141-14-5443	-	MAINTENANCE OF BUILDINGS	4,000	0	4,000	1,200.76	0.00	2,799	30.00	600.00	600.00	
A1714214	5443	A1	-7-7142-14-5443	-	MAINTENANCE OF BUILDINGS	5,000	0	5,000	1,137.22	0.00	3,863	22.70	750.00	750.00	
A1714314	5443	A1	-7-7143-14-5443	-	MAINTENANCE OF BUILDINGS	3,500	0	3,500	53.85	0.00	3,446	1.50	525.00	525.00	
A1718014	5443	A1	-7-7180-14-5443	-	MAINTENANCE OF BUILDINGS	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00	
A1816114	5443	A1	-8-8161-14-5443	-	MAINTENANCE OF BUILDINGS	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00	
A1874514	5443	A1	-8-8745-14-5443	-	MAINTENANCE OF BUILDINGS	250	0	250	0.00	0.00	250	0.00	37.50	37.50	
A1898914	5443	A1	-8-8989-14-5443	-	MAINTENANCE OF BUILDINGS	6,000	0	6,000	0.00	0.00	6,000	0.00	900.00	900.00	
A1135514	5444	A1	-1-1355-14-5444	-	VEHICLE MAINTENANCE	200	0	200	0.00	0.00	200	0.00	30.00	30.00	
A1144014	5444	A1	-1-1440-14-5444	-	VEHICLE MAINTENANCE	1,000	0	1,000	20.48	0.00	980	2.00	150.00	150.00	
A1162114	5444	A1	-1-1621-14-5444	-	VEHICLE MAINTENANCE	3,000	0	3,000	158.57	303.50	2,538	15.40	450.00	450.00	
A1312014	5444	A1	-3-3120-14-5444	-	VEHICLE MAINTENANCE	100,000	0	100,000	45,875.51	9,668.60	44,456	55.50	15,000.00	15,000.00	
A1331114	5444	A1	-3-3311-14-5444	-	VEHICLE MAINTENANCE	10,000	0	10,000	73.59	3,556.82	6,370	36.30	1,500.00	1,500.00	
A1332014	5444	A1	-3-3320-14-5444	-	VEHICLE MAINTENANCE	1,500	0	1,500	143.08	0.00	1,357	9.50	225.00	225.00	
A1341014	5444	A1	-3-3410-14-5444	-	VEHICLE MAINTENANCE	45,000	0	45,000	1,210.36	0.00	43,790	2.70	6,750.00	6,750.00	
A1351014	5444	A1	-3-3510-14-5444	-	VEHICLE MAINTENANCE	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00	
A1362014	5444	A1	-3-3620-14-5444	-	VEHICLE MAINTENANCE	1,400	0	1,400	326.13	0.00	1,074	23.30	210.00	210.00	
A1398914	5444	A1	-3-3989-14-5444	-	VEHICLE MAINTENANCE	500	0	500	8.36	0.00	492	1.70	75.00	75.00	
A1143014	5451	A1	-1-1430-14-5451	-	APPOINTED OFFICIALS	500	0	500	144.00	0.00	356	28.80	75.00	75.00	
A1135514	5451	A1	-1-1355-14-5451	-	BOARD OF REVIEW EXPENSES	50	0	50	0.00	0.00	50	0.00	7.50	7.50	
A1143014	5458	A1	-1-1430-14-5458	-	EXAM FEES	4,000	0	4,000	657.83	0.00	3,342	16.40	600.00	600.00	
A1701014	5459	A1	-7-7010-14-5459	-	MARKETING	1,600	0	1,600	123.87	0.00	1,476	7.70	240.00	240.00	
A1131514	5461	A1	-1-1315-14-5461	-	TRAVEL REIMBURSEMENT	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1135514	5461	A1	-1-1355-14-5461	-	TRAVEL REIMBURSEMENT	100	0	100	0.00	0.00	100	0.00	15.00	15.00	
A1143014	5461	A1	-1-1430-14-5461	-	TRAVEL REIMBURSEMENT	300	0	300	0.00	0.00	300	0.00	45.00	45.00	
A1144014	5461	A1	-1-1440-14-5461	-	TRAVEL REIMBURSEMENT	250	0	250	0.00	0.00	250	0.00	37.50	37.50	
A1168014	5461	A1	-1-1680-14-5461	-	TRAVEL REIMBURSEMENT	500	0	500	0.00	0.00	500	0.00	-	300	300.00
A1312014	5461	A1	-3-3120-14-5461	-	TRAVEL REIMBURSEMENT	2,000	300	2,300	0.00	300.00	2,000	13.00	300.00	300.00	
A1341014	5461	A1	-3-3410-14-5461	-	TRAVEL REIMBURSEMENT	2,500	0	2,500	198.77	0.00	2,301	8.00	375.00	375.00	
A1362014	5461	A1	-3-3620-14-5461	-	TRAVEL REIMBURSEMENT	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1513214	5461	A1	-5-5132-14-5461	-	TRAVEL REIMBURSEMENT	250	0	250	5.00	0.00	245	2.00	37.50	37.50	
A1698914	5461	A1	-6-6989-14-5461	-	TRAVEL REIMBURSEMENT	250	0	250	0.00	0.00	250	0.00	37.50	37.50	
A1699014	5461	A1	-6-6990-14-5461	-	TRAVEL REIMBURSEMENT	1,000	0	1,000	0.00	0.00	1,000	0.00	-	1,000	1,000.00
A1702014	5461	A1	-7-7020-14-5461	-	TRAVEL REIMBURSEMENT	100	0	100	10.00	0.00	90	10.00	15.00	15.00	
A1804014	5461	A1	-8-8040-14-5461	-	TRAVEL REIMBURSEMENT	15	0	15	0.00	0.00	15	0.00	2.25	2.25	
A1165014	5462	A1	-1-1650-14-5462	-	DUES, SEMINAR, ASSOCIATION FEE	200	0	200	0.00	0.00	200	0.00	30.00	30.00	
A1168014	5462	A1	-1-1680-14-5462	-	DUES, SEMINAR, ASSOCIATION FEE	2,000	0	2,000	0.00	0.00	2,000	0.00	-	2,000	2,000.00
A1699014	5462	A1	-6-6990-14-5462	-	DUES, SEMINAR, ASSOCIATION FEE	400	0	400	0.00	0.00	400	0.00	-	400	400.00
A1701014	5462	A1	-7-7010-14-5462	-	DUES, SEMINAR, ASSOCIATION FEE	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00	
A1725014	5462	A1	-7-7250-14-5462	-	DUES, SEMINAR, ASSOCIATION FEE	500	0	500	0.00	0.00	500	0.00	-	500	500.00
A1134514	5462	A1	-1-1345-14-5462	-	DUES, SEMINARS & ASSOC. FEES	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1135514	5462	A1	-1-1355-14-5462	-	DUES,SEMINAR,ASSOCIATION FEES	700	0	700	132.50	0.00	568	18.90	105.00	105.00	
A1144014	5462	A1	-1-1440-14-5462	-	DUES,SEMINARS & ASSOC.. FEES	400	0	400	86.88	0.00	313	21.70	60.00	60.00	
A1121014	5462	A1	-1-1210-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,200	0	1,200	0.00	0.00	1,200	0.00	-	600	600.00

A1131514	5462	A1	-1-1315-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,250	0	1,250	180.00	0.00	1,070	14.40	187.50		187.50
A1141014	5462	A1	-1-1410-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1142014	5462	A1	-1-1420-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1312014	5462	A1	-3-3120-14-5462	-	DUES,SEMINARS,ASSOC. FEES	7,500	125	7,625	110.00	250.00	7,265	4.70	1,125.00		1,125.00
A1362014	5462	A1	-3-3620-14-5462	-	DUES,SEMINARS,ASSOC. FEES	800	0	800	0.00	0.00	800	0.00	120.00		120.00
A1698914	5462	A1	-6-6989-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,500	0	1,500	90.00	0.00	1,410	6.00	225.00		225.00
A1702014	5462	A1	-7-7020-14-5462	-	DUES,SEMINARS,ASSOC. FEES	1,950	0	1,950	720.00	0.00	1,230	36.90	-	1,230	1,230.00
A1804014	5462	A1	-8-8040-14-5462	-	DUES,SEMINARS,ASSOC. FEES	20	0	20	0.00	0.00	20	0.00	3.00		3.00
A1143014	5462	A1	-1-1430-14-5462	-	DUES,SEMINARS,ASSOCIATION FEES	935	0	935	100.00	0.00	835	10.70	140.25		140.25
A1149014	5462	A1	-1-1490-14-5462	-	DUES,SEMINARS,ASSOCIATION FEES	3,000	0	3,000	930.00	0.00	2,070	31.00	450.00		450.00
A1341014	5462	A1	-3-3410-14-5462	-	DUES,SEMINARS,ASSOCIATION FEES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00		150.00
A1398914	5462	A1	-3-3989-14-5462	-	DUES,SEMINARS,ASSOCIATION FEES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00		225.00
A1101014	5463	A1	-1-1010-14-5463	-	POSTAGE,FREIGHT & EXPRESS	150	0	150	12.00	0.00	138	8.00	22.50		22.50
A1113014	5463	A1	-1-1130-14-5463	-	POSTAGE,FREIGHT & EXPRESS	9,000	0	9,000	3,345.85	0.00	5,654	37.20	1,350.00		1,350.00
A1121014	5463	A1	-1-1210-14-5463	-	POSTAGE,FREIGHT & EXPRESS	100	0	100	6.30	0.00	94	6.30	15.00		15.00
A1131514	5463	A1	-1-1315-14-5463	-	POSTAGE,FREIGHT & EXPRESS	2,000	0	2,000	484.95	0.00	1,515	24.20	300.00		300.00
A1134514	5463	A1	-1-1345-14-5463	-	POSTAGE,FREIGHT & EXPRESS	550	0	550	52.45	0.00	498	9.50	82.50		82.50
A1135514	5463	A1	-1-1355-14-5463	-	POSTAGE,FREIGHT & EXPRESS	4,750	0	4,750	76.95	0.00	4,673	1.60	712.50		712.50
A1141014	5463	A1	-1-1410-14-5463	-	POSTAGE,FREIGHT & EXPRESS	600	0	600	227.20	0.00	373	37.90	90.00		90.00
A1142014	5463	A1	-1-1420-14-5463	-	POSTAGE,FREIGHT & EXPRESS	1,000	0	1,000	17.15	0.00	983	1.70	150.00		150.00
A1143014	5463	A1	-1-1430-14-5463	-	POSTAGE,FREIGHT & EXPRESS	2,000	0	2,000	285.65	0.00	1,714	14.30	300.00		300.00
A1144014	5463	A1	-1-1440-14-5463	-	POSTAGE,FREIGHT & EXPRESS	500	0	500	230.65	0.00	269	46.10	75.00		75.00
A1149014	5463	A1	-1-1490-14-5463	-	POSTAGE,FREIGHT & EXPRESS	3,000	0	3,000	526.70	0.00	2,473	17.60	450.00		450.00
A1165014	5463	A1	-1-1650-14-5463	-	POSTAGE,FREIGHT & EXPRESS	100	0	100	7.35	0.00	93	7.40	15.00		15.00
A1168014	5463	A1	-1-1680-14-5463	-	POSTAGE,FREIGHT & EXPRESS	100	0	100	0.00	0.00	100	0.00	15.00		15.00
A1312014	5463	A1	-3-3120-14-5463	-	POSTAGE,FREIGHT & EXPRESS	2,500	117	2,617	317.59	157.00	2,142	18.10	375.00		375.00
A1341014	5463	A1	-3-3410-14-5463	-	POSTAGE,FREIGHT & EXPRESS	2,000	0	2,000	156.51	0.00	1,843	7.80	300.00		300.00
A1361014	5463	A1	-3-3610-14-5463	-	POSTAGE,FREIGHT & EXPRESS	400	0	400	22.00	0.00	378	5.50	60.00		60.00
A1362014	5463	A1	-3-3620-14-5463	-	POSTAGE,FREIGHT & EXPRESS	3,500	0	3,500	573.99	0.00	2,926	16.40	525.00		525.00
A1402014	5463	A1	-4-4020-14-5463	-	POSTAGE,FREIGHT & EXPRESS	750	0	750	156.40	0.00	594	20.90	112.50		112.50
A1698914	5463	A1	-6-6989-14-5463	-	POSTAGE,FREIGHT & EXPRESS	400	0	400	93.50	0.00	307	23.40	60.00		60.00
A1699014	5463	A1	-6-6990-14-5463	-	POSTAGE,FREIGHT & EXPRESS	300	0	300	1.15	0.00	299	0.40	45.00		45.00
A1701014	5463	A1	-7-7010-14-5463	-	POSTAGE,FREIGHT & EXPRESS	200	0	200	0.00	0.00	200	0.00	30.00		30.00
A1702014	5463	A1	-7-7020-14-5463	-	POSTAGE,FREIGHT & EXPRESS	750	0	750	96.75	0.00	653	12.90	112.50		112.50
A1752014	5463	A1	-7-7520-14-5463	-	POSTAGE,FREIGHT & EXPRESS	450	0	450	0.00	0.00	450	0.00	67.50		67.50
A1802014	5463	A1	-8-8020-14-5463	-	POSTAGE,FREIGHT & EXPRESS	500	0	500	133.15	0.00	367	26.60	75.00		75.00
A1804014	5463	A1	-8-8040-14-5463	-	POSTAGE,FREIGHT & EXPRESS	10	0	10	1.00	0.00	9	10.00	1.50		1.50
A1101014	5464	A1	-1-1010-14-5464	-	ADVERTISING	2,500	0	2,500	868.28	0.00	1,632	34.70	375.00		375.00
A1134514	5464	A1	-1-1345-14-5464	-	ADVERTISING	400	0	400	50.40	0.00	350	12.60	60.00		60.00
A1135514	5464	A1	-1-1355-14-5464	-	ADVERTISING	200	0	200	0.00	0.00	200	0.00	30.00		30.00
A1136214	5464	A1	-1-1362-14-5464	-	ADVERTISING	4,000	0	4,000	81.48	0.00	3,919	2.00	600.00		600.00
A1136414	5464	A1	-1-1364-14-5464	-	ADVERTISING	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00		450.00
A1143014	5464	A1	-1-1430-14-5464	-	ADVERTISING	2,250	0	2,250	0.00	0.00	2,250	0.00	337.50		337.50
A1144014	5464	A1	-1-1440-14-5464	-	ADVERTISING	1,500	0	1,500	54.32	0.00	1,446	3.60	225.00		225.00
A1698914	5464	A1	-6-6989-14-5464	-	ADVERTISING	500	0	500	16.20	0.00	484	3.20	75.00		75.00
A1699014	5464	A1	-6-6990-14-5464	-	ADVERTISING	600	0	600	0.00	0.00	600	0.00	90.00		90.00
A1702014	5464	A1	-7-7020-14-5464	-	ADVERTISING	2,000	0	2,000	1,231.72	0.00	768	61.60	300.00		300.00
A1752014	5464	A1	-7-7520-14-5464	-	ADVERTISING	400	0	400	0.00	0.00	400	0.00	60.00		60.00
A1802014	5464	A1	-8-8020-14-5464	-	ADVERTISING	500	0	500	127.35	0.00	373	25.50	75.00		75.00
A1193014	5467	A1	-1-1930-14-5467	-	CERTIORARI ACTIONS	25,000	0	25,000	90.00	0.00	24,910	0.40	3,750.00		3,750.00
A1168014	5471	A1	-1-1680-14-5471	-	SERVICE CONTRACTS	219,805	3,870	223,675	76,999.81	5,520.00	141,155	83.50	-	7,850	7,850.00
A1131514	5472	A1	-1-1315-14-5472	-	CONTRACTED SERVICES	250	0	250	156.00	0.00	94	62.40	37.50		37.50
A1136414	5472	A1	-1-1364-14-5472	-	CONTRACTED SERVICES	100	0	100	0.00	0.00	100	0.00	15.00		15.00
A1143014	5472	A1	-1-1430-14-5472	-	CONTRACTED SERVICES	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1144014	5472	A1	-1-1440-14-5472	-	CONTRACTED SERVICES	500	0	500	0.00	0.00	500	0.00	75.00		75.00
A1162514	5472	A1	-1-1625-14-5472	-	CONTRACTED SERVICES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00		225.00
A1165014	5472	A1	-1-1650-14-5472	-	CONTRACTED SERVICES	3,000	0	3,000	245.91	0.00	2,754	8.20	450.00		450.00
A1331114	5472	A1	-3-3311-14-5472	-	CONTRACTED SERVICES	5,000	0	5,000	510.00	1,250.00	3,240	35.20	750.00		750.00
A1341014	5472	A1	-3-3410-14-5472	-	CONTRACTED SERVICES	50,000	0	50,000	0.00	0.00	50,000	0.00	-	25,000	25,000.00

A1365014	5472	A1	-3-3650-14-5472	-	CONTRACTED SERVICES	50,000	0	50,000	0.00	0.00	50,000	0.00	7,500.00	7,500.00
A1513214	5472	A1	-5-5132-14-5472	-	CONTRACTED SERVICES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1518214	5472	A1	-5-5182-14-5472	-	CONTRACTED SERVICES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00
A1677214	5472	A1	-6-6772-14-5472	-	CONTRACTED SERVICES	1,300	0	1,300	0.00	0.00	1,300	0.00	195.00	195.00
A1698914	5472	A1	-6-6989-14-5472	-	CONTRACTED SERVICES	10,000	0	10,000	0.00	0.00	10,000	0.00	1,500.00	1,500.00
A1701014	5472	A1	-7-7010-14-5472	-	CONTRACTED SERVICES	4,500	0	4,500	0.00	0.00	4,500	0.00	675.00	675.00
A1714014	5472	A1	-7-7140-14-5472	-	CONTRACTED SERVICES	1,800	0	1,800	0.00	0.00	1,800	0.00	270.00	270.00
A1714114	5472	A1	-7-7141-14-5472	-	CONTRACTED SERVICES	2,500	0	2,500	928.35	0.00	1,572	37.10	375.00	375.00
A1714214	5472	A1	-7-7142-14-5472	-	CONTRACTED SERVICES	500	0	500	96.98	0.00	403	19.40	75.00	75.00
A1714314	5472	A1	-7-7143-14-5472	-	CONTRACTED SERVICES	21,150	0	21,150	798.96	0.00	20,351	3.80	3,172.50	3,172.50
A1718014	5472	A1	-7-7180-14-5472	-	CONTRACTED SERVICES	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00
A1721014	5472	A1	-7-7210-14-5472	-	CONTRACTED SERVICES	6,500	0	6,500	30.40	0.00	6,470	0.50	975.00	975.00
A1724014	5472	A1	-7-7240-14-5472	-	CONTRACTED SERVICES	7,000	6,115	13,115	380.92	6,114.59	6,619	49.50	1,050.00	1,050.00
A1731014	5472	A1	-7-7310-14-5472	-	CONTRACTED SERVICES	11,200	0	11,200	6,054.50	0.00	5,146	54.10	1,680.00	1,680.00
A1751014	5472	A1	-7-7510-14-5472	-	CONTRACTED SERVICES	750	0	750	0.00	0.00	750	0.00	112.50	112.50
A1804014	5472	A1	-8-8040-14-5472	-	CONTRACTED SERVICES	3,000	0	3,000	2,625.00	0.00	375	87.50	375	375.00
A1814014	5472	A1	-8-8140-14-5472	-	CONTRACTED SERVICES	1,000	0	1,000	500.00	0.00	500	50.00	150.00	150.00
A1816014	5472	A1	-8-8160-14-5472	-	CONTRACTED SERVICES	1,250	0	1,250	0.00	0.00	1,250	0.00	187.50	187.50
A1816114	5472	A1	-8-8161-14-5472	-	CONTRACTED SERVICES	5,000	0	5,000	146.00	0.00	4,854	2.90	750.00	750.00
A1513214	5473	A1	-5-5132-14-5473	-	EQUIPMENT RENTAL	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1711014	5473	A1	-7-7110-14-5473	-	EQUIPMENT RENTAL	300	0	300	0.00	0.00	300	0.00	45.00	45.00
A1817014	5473	A1	-8-8170-14-5473	-	EQUIPMENT RENTAL	10,000	0	10,000	0.00	0.00	10,000	0.00	1,500.00	1,500.00
A1513214	5474	A1	-5-5132-14-5474	-	FIXED MECHANICAL EQUIPMENT	250	0	250	0.00	0.00	250	0.00	37.50	37.50
A1874514	5474	A1	-8-8745-14-5474	-	FIXED MECHANICAL EQUIPMENT	250	0	250	0.00	0.00	250	0.00	37.50	37.50
A1804014	5476	A1	-8-8040-14-5476	-	MINOR EQUIPMENT	100	0	100	0.00	0.00	100	0.00	15.00	15.00
A1142014	5476	A1	-1-1420-14-5476	-	MINOR OFFICE EQUIPMENT	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1312014	5476	A1	-3-3120-14-5476	-	MINOR OFFICE FURN. & EQUIP.	3,000	0	3,000	100.00	0.00	2,900	3.30	450.00	450.00
A1362014	5476	A1	-3-3620-14-5476	-	MINOR OFFICE FURN. & EQUIP.	1,400	0	1,400	0.00	0.00	1,400	0.00	210.00	210.00
A1121014	5476	A1	-1-1210-14-5476	-	MINOR OFFICE FURNITURE & EQUIP	100	0	100	0.00	0.00	100	0.00	100.00	100.00
A1144014	5476	A1	-1-1440-14-5476	-	MINOR OFFICE FURNITURE & EQUIP	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1802014	5476	A1	-8-8020-14-5476	-	MINOR OFFICE FURNITURE & EQUIP	150	0	150	0.00	0.00	150	0.00	22.50	22.50
A1312014	5477	A1	-3-3120-14-5477	-	TOWING CHARGES	4,000	0	4,000	2,035.00	0.00	1,965	50.90	600.00	600.00
A1134514	5479	A1	-1-1345-14-5479	-	MINOR EQUIPMENT	100	0	100	0.00	0.00	100	0.00	15.00	15.00
A1162114	5479	A1	-1-1621-14-5479	-	MINOR EQUIPMENT	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1341014	5479	A1	-3-3410-14-5479	-	MINOR EQUIPMENT	13,500	0	13,500	1,332.65	523.02	11,644	13.70	2,025.00	2,025.00
A1513214	5479	A1	-5-5132-14-5479	-	MINOR EQUIPMENT	2,650	0	2,650	0.00	0.00	2,650	0.00	397.50	397.50
A1702014	5479	A1	-7-7020-14-5479	-	MINOR EQUIPMENT	400	0	400	250.00	0.00	150	62.50	60.00	60.00
A1714314	5479	A1	-7-7143-14-5479	-	MINOR EQUIPMENT	750	0	750	0.00	0.00	750	0.00	112.50	112.50
A1724014	5479	A1	-7-7240-14-5479	-	MINOR EQUIPMENT	600	0	600	0.00	0.00	600	0.00	90.00	90.00
A1312014	5479	A1	-3-3120-14-5479	-	MINOR EQUIPMENT - OTHER	7,500	0	7,500	0.00	0.00	7,500	0.00	1,125.00	1,125.00
A1714214	5479	A1	-7-7142-14-5479	-	MINOR EQUIPMENT - OTHER	2,700	0	2,700	407.00	0.00	2,293	15.10	405.00	405.00
A1718014	5479	A1	-7-7180-14-5479	-	MINOR EQUIPMENT - OTHER	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1731014	5479	A1	-7-7310-14-5479	-	MINOR EQUIPMENT - OTHER	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00
A1144014	5479	A1	-1-1440-14-5479	-	MINOR EQUIPMENT OTHER	250	0	250	69.99	0.00	180	28.00	37.50	37.50
A1817014	5479	A1	-8-8170-14-5479	-	MINOR EQUIPMENT OTHER	3,000	0	3,000	0.00	0.00	3,000	0.00	450.00	450.00
A1398914	5479	A1	-3-3989-14-5479	-	MINOR EQUIPMENT, OTHER	600	0	600	0.00	0.00	600	0.00	90.00	90.00
A1711014	5479	A1	-7-7110-14-5479	-	OTHER MINOR EQUIPMENT	6,000	0	6,000	555.78	327.00	5,117	14.70	900.00	900.00
A1714014	5479	A1	-7-7140-14-5479	-	OTHER MINOR EQUIPMENT	800	0	800	0.00	168.21	632	21.00	120.00	120.00
A1731014	5481	A1	-7-7310-14-5481	-	ATHLETIC SUPPLIES	1,000	0	1,000	14.00	0.00	986	1.40	150.00	150.00
A1762014	5481	A1	-7-7620-14-5481	-	ATHLETIC SUPPLIES	1,250	0	1,250	352.97	0.00	897	28.20	187.50	187.50
A1341014	5482	A1	-3-3410-14-5482	-	MECHANICAL MATERIALS&SUPPLIES	23,400	0	23,400	2,501.89	1,564.00	19,334	17.40	3,510.00	3,510.00
A1362014	5482	A1	-3-3620-14-5482	-	MECHANICAL MATERIALS&SUPPLIES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1817014	5482	A1	-8-8170-14-5482	-	MECHANICAL MATERIALS&SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00
A1341014	5483	A1	-3-3410-14-5483	-	ELECTRONIC MATERIALS&SUPPLIES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00
A1513214	5483	A1	-5-5132-14-5483	-	ELECTRONIC MATERIALS&SUPPLIES	300	0	300	0.00	0.00	300	0.00	45.00	45.00
A1518214	5483	A1	-5-5182-14-5483	-	ELECTRONIC MATERIALS&SUPPLIES	15,000	0	15,000	0.00	0.00	15,000	0.00	2,250.00	2,250.00
A1513214	5484	A1	-5-5132-14-5484	-	CHEMICAL MATERIAL & SUPPLIES	2,000	0	2,000	258.48	518.00	1,224	38.80	300.00	300.00
A1341014	5484	A1	-3-3410-14-5484	-	CHEMICAL MATERIALS & SUPPLIES	6,000	0	6,000	675.14	675.74	4,649	22.50	900.00	900.00
A1718014	5484	A1	-7-7180-14-5484	-	CHEMICAL MATERIALS & SUPPLIES	4,250	0	4,250	0.00	2,723.60	1,526	64.10	637.50	637.50

A1362014	5485	A1	-3-3620-14-5485	-	GENERAL MATER. & SUPPLIES	2,400	0	2,400	0.00	0.00	2,400	0.00	360.00	360.00	
A1711014	5485	A1	-7-7110-14-5485	-	GENERAL MATER. & SUPPLIES	8,500	0	8,500	187.40	0.00	8,313	2.20	1,275.00	1,275.00	
A1752014	5485	A1	-7-7520-14-5485	-	GENERAL MATERIAL & SUPPLIES	850	0	850	0.00	0.00	850	0.00	127.50	127.50	
A1816414	5485	A1	-8-8164-14-5485	-	GENERAL MATERIAL & SUPPLIES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00	
A1144014	5485	A1	-1-1440-14-5485	-	GENERAL MATERIALS & SUPPLIES	500	0	500	7.19	0.00	493	1.40	75.00	75.00	
A1312014	5485	A1	-3-3120-14-5485	-	GENERAL MATERIALS & SUPPLIES	8,000	3,500	11,500	1,473.31	3,500.00	6,527	43.20	1,200.00	1,200.00	
A1341014	5485	A1	-3-3410-14-5485	-	GENERAL MATERIALS & SUPPLIES	14,000	0	14,000	923.87	509.52	12,567	10.20	2,100.00	2,100.00	
A1398914	5485	A1	-3-3989-14-5485	-	GENERAL MATERIALS & SUPPLIES	300	0	300	0.00	0.00	300	0.00	45.00	45.00	
A1677214	5485	A1	-6-6772-14-5485	-	GENERAL MATERIALS & SUPPLIES	800	0	800	0.00	0.00	800	0.00	120.00	120.00	
A1698914	5485	A1	-6-6989-14-5485	-	GENERAL MATERIALS & SUPPLIES	500	0	500	64.15	0.00	436	12.80	75.00	75.00	
A1699014	5485	A1	-6-6990-14-5485	-	GENERAL MATERIALS & SUPPLIES	150	0	150	0.00	0.00	150	0.00	22.50	22.50	
A1701014	5485	A1	-7-7010-14-5485	-	GENERAL MATERIALS & SUPPLIES	2,500	0	2,500	0.00	500.00	2,000	20.00	375.00	375.00	
A1714014	5485	A1	-7-7140-14-5485	-	GENERAL MATERIALS & SUPPLIES	5,000	0	5,000	0.00	0.00	5,000	0.00	750.00	750.00	
A1714114	5485	A1	-7-7141-14-5485	-	GENERAL MATERIALS & SUPPLIES	3,250	0	3,250	880.77	489.91	1,879	42.20	487.50	487.50	
A1714214	5485	A1	-7-7142-14-5485	-	GENERAL MATERIALS & SUPPLIES	600	0	600	65.60	0.00	534	10.90	90.00	90.00	
A1714314	5485	A1	-7-7143-14-5485	-	GENERAL MATERIALS & SUPPLIES	1,000	0	1,000	2.88	0.00	997	0.30	150.00	150.00	
A1718014	5485	A1	-7-7180-14-5485	-	GENERAL MATERIALS & SUPPLIES	2,000	0	2,000	4.23	75.27	1,921	4.00	300.00	300.00	
A1721014	5485	A1	-7-7210-14-5485	-	GENERAL MATERIALS & SUPPLIES	3,500	0	3,500	47.80	0.00	3,452	1.40	525.00	525.00	
A1724014	5485	A1	-7-7240-14-5485	-	GENERAL MATERIALS & SUPPLIES	9,800	0	9,800	1,656.96	0.00	8,143	16.90	1,470.00	1,470.00	
A1755114	5485	A1	-7-7551-14-5485	-	GENERAL MATERIALS & SUPPLIES	4,000	0	4,000	0.00	0.00	4,000	0.00	600.00	600.00	
A1762014	5485	A1	-7-7620-14-5485	-	GENERAL MATERIALS & SUPPLIES	5,800	0	5,800	0.00	0.00	5,800	0.00	870.00	870.00	
A1803014	5485	A1	-8-8030-14-5485	-	GENERAL MATERIALS & SUPPLIES	700	0	700	0.00	0.00	700	0.00	105.00	105.00	
A1816014	5485	A1	-8-8160-14-5485	-	GENERAL MATERIALS & SUPPLIES	6,000	0	6,000	204.24	123.40	5,672	5.50	900.00	900.00	
A1714214	5486	A1	-7-7142-14-5486	-	CLEAN. & SANITATION SUPPLIES	700	0	700	0.00	0.00	700	0.00	105.00	105.00	
A1724014	5486	A1	-7-7240-14-5486	-	CLEAN. & SANITATION SUPPLIES	250	0	250	0.00	0.00	250	0.00	37.50	37.50	
A1513214	5486	A1	-5-5132-14-5486	-	CLEAN. MATERIALS & SUPPLIES	1,000	0	1,000	386.70	123.40	490	51.00	150.00	150.00	
A1714114	5486	A1	-7-7141-14-5486	-	CLEANING & SANITATION SUPP.	1,000	0	1,000	0.00	175.28	825	17.50	150.00	150.00	
A1162014	5486	A1	-1-1620-14-5486	-	CLEANING & SANITATION SUPPLIES	2,000	0	2,000	674.63	500.35	825	58.70	300.00	300.00	
A1312014	5486	A1	-3-3120-14-5486	-	CLEANING & SANITATION SUPPLIES	25,000	0	25,000	1,137.41	500.24	23,362	6.60	3,750.00	3,750.00	
A1341014	5486	A1	-3-3410-14-5486	-	CLEANING & SANITATION SUPPLIES	4,900	0	4,900	261.46	807.69	3,831	21.80	735.00	735.00	
A1711014	5486	A1	-7-7110-14-5486	-	CLEANING & SANITATION SUPPLIES	4,000	0	4,000	28.85	350.56	3,621	9.50	600.00	600.00	
A1714314	5486	A1	-7-7143-14-5486	-	CLEANING & SANITATION SUPPLIES	1,500	0	1,500	23.98	175.28	1,301	13.30	225.00	225.00	
A1718014	5486	A1	-7-7180-14-5486	-	CLEANING & SANITATION SUPPLIES	550	0	550	0.00	175.28	375	31.90	82.50	82.50	
A1162114	5487	A1	-1-1621-14-5487	-	CONST. MATERIALS & SUPPLIES	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00	
A1162514	5487	A1	-1-1625-14-5487	-	CONST. MATERIALS & SUPPLIES	2,000	0	2,000	0.00	0.00	2,000	0.00	300.00	300.00	
A1331014	5487	A1	-3-3310-14-5487	-	CONST. MATERIALS & SUPPLIES	35,000	2,897	37,897	4,936.76	2,180.10	30,780	18.80	5,250.00	5,250.00	
A1331114	5487	A1	-3-3311-14-5487	-	CONST. MATERIALS & SUPPLIES	12,000	0	12,000	111.80	0.00	11,888	0.90	1,800.00	1,800.00	
A1332014	5487	A1	-3-3320-14-5487	-	CONST. MATERIALS & SUPPLIES	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00	
A1362014	5487	A1	-3-3620-14-5487	-	CONST. MATERIALS & SUPPLIES	2,500	0	2,500	338.83	0.00	2,161	13.60	375.00	375.00	
A1513214	5487	A1	-5-5132-14-5487	-	CONST. MATERIALS & SUPPLIES	2,500	0	2,500	673.94	0.00	1,826	27.00	375.00	375.00	
A1514214	5487	A1	-5-5142-14-5487	-	CONST. MATERIALS & SUPPLIES	155,000	1,188	156,188	25,498.11	75,689.62	55,000	64.80	-	50,000	50,000.00
A1518214	5487	A1	-5-5182-14-5487	-	CONST. MATERIALS & SUPPLIES	4,000	0	4,000	-135.63	0.00	4,136	-3.40	600.00	600.00	
A1711014	5487	A1	-7-7110-14-5487	-	CONST. MATERIALS & SUPPLIES	7,000	0	7,000	207.78	0.00	6,792	3.00	1,050.00	1,050.00	
A1724014	5487	A1	-7-7240-14-5487	-	CONST. MATERIALS & SUPPLIES	350	0	350	0.00	0.00	350	0.00	52.50	52.50	
A1744014	5487	A1	-7-7440-14-5487	-	CONST. MATERIALS & SUPPLIES	10,000	0	10,000	0.00	0.00	10,000	0.00	1,500.00	1,500.00	
A1755114	5487	A1	-7-7551-14-5487	-	CONST. MATERIALS & SUPPLIES	1,500	0	1,500	0.00	0.00	1,500	0.00	225.00	225.00	
A1756214	5487	A1	-7-7562-14-5487	-	CONST. MATERIALS & SUPPLIES	1,000	0	1,000	21.70	0.00	978	2.20	150.00	150.00	
A1814014	5487	A1	-8-8140-14-5487	-	CONST. MATERIALS & SUPPLIES	25,000	0	25,000	326.93	0.00	24,673	1.30	3,750.00	3,750.00	
A1816014	5487	A1	-8-8160-14-5487	-	CONST. MATERIALS & SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1817014	5487	A1	-8-8170-14-5487	-	CONST. MATERIALS & SUPPLIES	2,500	0	2,500	0.00	0.00	2,500	0.00	375.00	375.00	
A1874514	5487	A1	-8-8745-14-5487	-	CONST. MATERIALS & SUPPLIES	500	0	500	0.00	0.00	500	0.00	75.00	75.00	
A1341014	5487	A1	-3-3410-14-5487	-	CONSTRUCTION MAINT. SUPPLIES	5,000	0	5,000	0.00	0.00	5,000	0.00	750.00	750.00	
A1312014	5488	A1	-3-3120-14-5488	-	AMMUNITION & GAS	27,500	13,939	41,439	11,774.00	9,213.30	20,452	50.60	4,125.00	4,125.00	
A1312014	5489	A1	-3-3120-14-5489	-	FILM SUPPLIES & DEVELOPING	5,000	0	5,000	0.00	0.00	5,000	0.00	750.00	750.00	
A1312014	5496	A1	-3-3120-14-5496	-	TROPHIES & AWARDS	1,000	0	1,000	0.00	0.00	1,000	0.00	150.00	150.00	

328,163.25

343,105

671,268.25

Department	Dept #	Change	<u>Regular Pay</u> .5101	<u>Longevity</u> .5102	<u>Temp Status</u> .5109	<u>Shift Differential</u> .5110	<u>Seasonal Employees</u> .5111	<u>Part Time Employees</u> .5112	<u>Standby Pay</u> .5118	<u>College</u> .5119	<u>Snow and Ice Incentive</u> .5128	FICA .5811	NYS Retirement .5812 (15%)	Fire Retirement .5813 (25%)	Police Retirement .5814 (25%)	Medical .5821	Dental .5822	Optical .5826	Meal Allowance .5835	Total
Snow and Ice	5142	Reduce Snow Incentive									4,000	306	600							4,906.00
Rendout Center	7141	Reduce Seasonal					3,000					650	-							3,650.00
																				8,556.00

												Fixed Dollar	Total			
												Reduction	Reduction			
ORG	OBJ	ACCOUNT	DESCRIPTION	ORIGINAL APPROP	TRANFRS/AD JSMTS	REVISED BUDGET	Encumbrance \$	YTD EXPENDED	AVAILABLE BUDGET	% USED	30% Reduction	From	from	Social Security	Total	
											From Original	Original	Original			
												Budget	Budget	Budget		
A1131511	5103	A1 -1-1315-11-5103 -	OVERTIME	1,000	0	1,000	0	121.80	878	12.20	300		300	23	323	
A1134511	5103	A1 -1-1345-11-5103 -	OVERTIME	500	0	500	0	42.92	457	8.60	150		150	11	161	
A1135511	5103	A1 -1-1355-11-5103 -	OVERTIME	800	0	800	0	0.00	800	0.00	240		240	18	258	
A1141011	5103	A1 -1-1410-11-5103 -	OVERTIME	1,200	0	1,200	0	337.17	863	28.10	360		360	28	388	
A1143011	5103	A1 -1-1430-11-5103 -	OVERTIME	2,000	0	2,000	0	508.03	1,492	25.40	-	1,491	1,491	114	1,605	
A1149011	5103	A1 -1-1490-11-5103 -	OVERTIME	14,000	0	14,000	0	4,400.51	9,599	31.40	4,200		4,200	321	4,521	
A1312011	5103	A1 -3-3120-11-5103 -	OVERTIME	320,000	0	320,000	0	118,102.62	201,897	36.90	-	32,000	32,000	2,448	34,448	
A1331011	5103	A1 -3-3310-11-5103 -	OVERTIME	2,000	0	2,000	0	0.00	2,000	0.00	600		600	46	646	
A1331111	5103	A1 -3-3311-11-5103 -	OVERTIME	2,000	0	2,000	0	629.97	1,370	31.50	600		600	46	646	
A1332011	5103	A1 -3-3320-11-5103 -	OVERTIME	10,000	0	10,000	0	4,450.51	5,549	44.50	3,000		3,000	230	3,230	
A1341011	5103	A1 -3-3410-11-5103 -	OVERTIME	300,000	0	300,000	0	55,392.40	244,608	18.50	-	30,000	30,000	2,295	32,295	
A1362011	5103	A1 -3-3620-11-5103 -	OVERTIME	2,000	0	2,000	0	289.43	1,711	14.50	600		600	46	646	
A1398911	5103	A1 -3-3989-11-5103 -	OVERTIME	1,500	0	1,500	0	0.00	1,500	0.00	450		450	34	484	
A1511011	5103	A1 -5-5110-11-5103 -	OVERTIME	40,000	0	40,000	0	1,954.36	38,046	4.90	12,000		12,000	918	12,918	
A1513211	5103	A1 -5-5132-11-5103 -	OVERTIME	10,000	0	10,000	0	3,198.23	6,802	32.00	3,000		3,000	230	3,230	
A1514211	5103	A1 -5-5142-11-5103 -	OVERTIME	85,000	0	85,000	0	9,074.82	75,925	10.70	25,500		25,500	1,951	27,451	
A1518211	5103	A1 -5-5182-11-5103 -	OVERTIME	1,000	0	1,000	0	0.00	1,000	0.00	300		300	23	323	
A1698911	5103	A1 -6-6989-11-5103 -	OVERTIME	3,500	0	3,500	0	0.00	3,500	0.00	1,050		1,050	80	1,130	
A1702011	5103	A1 -7-7020-11-5103 -	OVERTIME	500	0	500	0	0.00	500	0.00	150		150	11	161	
A1711011	5103	A1 -7-7110-11-5103 -	OVERTIME	14,000	0	14,000	0	1,424.86	12,575	10.20	4,200		4,200	321	4,521	
A1714011	5103	A1 -7-7140-11-5103 -	OVERTIME	1,500	0	1,500	0	547.00	953	36.50	450		450	34	484	
A1714111	5103	A1 -7-7141-11-5103 -	OVERTIME	1,800	0	1,800	0	716.98	1,083	39.80	540		540	41	581	
A1714211	5103	A1 -7-7142-11-5103 -	OVERTIME	3,500	0	3,500	0	187.34	3,313	5.40	1,050		1,050	80	1,130	
A1718011	5103	A1 -7-7180-11-5103 -	OVERTIME	600	0	600	0	0.00	600	0.00	180		180	14	194	
A1721011	5103	A1 -7-7210-11-5103 -	OVERTIME	11,000	0	11,000	0	331.74	10,668	3.00	3,300		3,300	252	3,552	
A1724011	5103	A1 -7-7240-11-5103 -	OVERTIME	6,500	0	6,500	0	1,763.80	4,736	27.10	1,950		1,950	149	2,099	
A1725011	5103	A1 -7-7250-11-5103 -	OVERTIME	5,500	0	5,500	0	1,817.00	3,683	33.00	1,650		1,650	126	1,776	
A1755111	5103	A1 -7-7551-11-5103 -	OVERTIME	3,000	0	3,000	0	0.00	3,000	0.00	900		900	69	969	
A1762011	5103	A1 -7-7620-11-5103 -	OVERTIME	1,750	0	1,750	0	851.72	898	48.70	525		525	40	565	
A1802011	5103	A1 -8-8020-11-5103 -	OVERTIME	2,500	0	2,500	0	202.42	2,298	8.10	-	1,000	1,000	77	1,077	
A1816011	5103	A1 -8-8160-11-5103 -	OVERTIME	13,000	0	13,000	0	911.91	12,088	7.00	3,900		3,900	298	4,198	
A1816411	5103	A1 -8-8164-11-5103 -	OVERTIME	7,000	0	7,000	0	0.00	7,000	0.00	2,100		2,100	161	2,261	
A1817011	5103	A1 -8-8170-11-5103 -	OVERTIME	4,000	0	4,000	0	0.00	4,000	0.00	1,200		1,200	92	1,292	
A1874511	5103	A1 -8-8745-11-5103 -	OVERTIME	500	0	500	0	0.00	500	0.00	150		150	11	161	
												74,595	64,491	139,086	10,640	149,726

Below is a list of all current vacant positions within the City of Kingston. All of these positions are not being refilled at this time. This will continue to be reevaluated as financial data becomes available.

City Clerk	Remove Vacant FT Clerk, Keep existing PT Clerk
Police	Vacant Police Officer Position 3/31
Police	Vacant Police Officer Position 4/30
Street Maintenance	HMEO Vacancy in budget 1/1
Street Maintenance	HMEO Vacancy in budget 2/29
Street Maintenance	HMEO Vacancy in budget 4/30
Stadium	Vacant Rec Leader 4/30
Sewer	Laborer Vacancy in budget 1/1
Pump Station	Main Mechanic III vacancy in budget 1/1
Sewer	MEO vacancy in budget 1/1

Total Personnel Savings: \$782,339.25

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT <u>Mayor's office</u>	DATE <u>5/1/20</u>
Description: _____ <u>Reduce the General Fund budget in the amount of</u> <u>\$ 829,550.33 in spending.</u> _____ _____ _____	
Estimated Financial Impact <u>+ 829,550.33</u>	Signature <u></u>

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	☐	☐

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Engineering

Item Type: Informational Purposes

Agenda Section:

Subject:

Wurts St. Bridge & Empire State Trail

Suggested Action:

Attachments:

[20200505093355.pdf](#)

Tinti, Elisa

P
FID

From: Schultheis, John
Sent: Friday, May 01, 2020 11:45 AM
To: Tinti, Elisa
Cc: Shaut, Andrea; Noble, Steve
Subject: Communications for CC
Attachments: NYSDOT Easements Wurst and EST 5-1-20.pdf; Wurts Street Bridge Resolution NYSDOT.pdf; EST Resolution NYSDOT.pdf

Hi Elisa-

Attached describes a request to authorize the Mayor to approve transactions with the NYSDOT related to the Wurts Street Bridge Construction and Empire State Trail construction projects.

For the Wurts Street Project, NYSDOT is requesting that the City:

- Grant a temporary construction easement. NYSDOT's offer is \$3,050.00 for this easement (a payment to the City)
- Move a shed that is currently in the DOT highway boundary. NYSDOT will pay the city's costs to do so on a reimbursement basis.

For the Empire State Trail work, the NYSDOT is requesting that the City:

- Grant a temporary construction easement. NYSDOT's offer is \$650.00 for this easement (a payment to the City)

Please forward to the appropriate committee for action at next available meeting. Let me know which committee is most appropriate for this and I will draft the committee report.

I am also attaching the NYSDOT resolutions. Can you have these adapted to a Kingston standard format?

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
jschultheis@kingston-ny.gov

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

May 1, 2020

Andrea Shaut, President
City of Kingston Common Council
via email

Re: NYSDOT request for easements (Wurts Street Bridge and Empire State Trail)

Dear President Shaut:

The NYSDOT has requested that the City of Kingston grant 2 easements to allow construction of the above-referenced projects.

For the Wurts Street Project, NYSDOT is requesting that the City:

- Grant a temporary construction easement. NYSDOT's offer is \$3,050.00 for this easement
- Move a shed that is currently in the DOT highway boundary. NYSDOT will pay the city's costs to do so on a reimbursement basis.

For the Empire State Trail work, the NYSDOT is requesting that the City:

- Grant a temporary construction easement. NYSDOT's offer is \$650.00 for this easement.

I am recommending that the Common Council authorize the Mayor to accept these payments to the City in exchange for granting the requested easements.

Two resolutions with sample language are attached. I will work with the Clerk to adopt these to the suitable City-standard format.

Please let me know if you have any questions regarding this matter.

Sincerely,

John M. Schultheis, P.E.
City Engineer

RESOLUTION

Resolved at the regular meeting of the Board of Directors or Governing Body of the City of Kingston, on _____, 20____, the following Resolution was adopted, offered by _____, and seconded by _____ and passed by the Board of Directors or Governing Body that _____ (title) of the Board of Directors or Governing Body of the City of Kingston, be empowered to execute the Agreements and any subsequent papers which might be required to secure payment of this claim: Proceeding 14881; PIN 8808.62.221; State Highway 5599-C, Kingston – Port Ewen; Map 66; Parcels 84 and 85.

Resolution carried,

(Title)

I, _____ of the Board of Directors or Governing Body of the City of Kingston, do hereby certify that the above Resolution was passed by the Board of Directors or Governing Body of the City of Kingston, and that this is a true and exact copy thereof.

RESOLUTION

Resolved at the regular meeting of the Board of Directors or Governing Body of the, City of Kingston on _____, 20____, the following Resolution was adopted, offered by _____, and seconded by _____ and passed by the Board of Directors or Governing Body that _____ (title) of the Board of Directors or Governing Body of the City of Kingston, be empowered to execute the Agreements and any subsequent papers which might be required to secure payment of this claim: Proceeding 14815; PIN 8EST.11.201; City of Kingston: The Boulevard; Map 31; Parcel 31.

Resolution carried,

(Title)

I, _____ of the Board of Directors or Governing Body of the City of Kingston, do hereby certify that the above Resolution was passed by the Board of Directors or Governing Body of the City of Kingston, and that this is a true and exact copy thereof.

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Grants Management

Item Type: Informational Purposes

Agenda Section:

Subject:

Grants Activity Update

Suggested Action:

Attachments:

[20200505093616.pdf](#)

Fin

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

Kristen E. Wilson, Director



Steven T. Noble, Mayor

May 1, 2020

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

Re: Grants Activity Update

Dear President Shaut,

The Office of Grants Management is preparing a grants activity update to present to Common Council members in May 2020. This update will share statuses for each of the grant-funded projects and details on the funding and matching requirements for each grant. I will share a draft electronic copy as a PDF prior to the meeting. After review and comment by the Council members at the meeting, I will share the finalized update electronically on the City's website.

I am requesting placement on the agenda of the appropriate committee in May for the presentation of the update.

Thank you for your consideration.

Sincerely,

Kristen Wilson

Digitally signed by Kristen Wilson
DN: cn=Kristen Wilson, o=City of Kingston, ou=Grants
Management, email=kwilson@kingston-ny.gov, c=US
Date: 2020.05.01 10:08:22 -04'00'

Kristen E. Wilson
Director

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: City Clerk/Registrar

Item Type: Informational Purposes

Agenda Section:

Subject:

Standard Workday

Suggested Action:

Attachments:

[20200505093803.pdf](#)

CITY OF KINGSTON

Fin

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

April 27, 2020

Andrea Shaut
Kingston Common Council
420 Broadway
Kingston, New York 12401

RE: Standard work day

Dear Ms. President,

I respectfully request that you refer the Standard Work Day Resolution to the Finance Committee for consideration at the May meeting. The City is required to file this resolution within 180 days of the new term of any Council Members participation in the NYS Retirement System.

Thank you,

A handwritten signature in black ink, appearing to read "Elisa Tinti", is written over a faint, larger signature.

Elisa Tinti
City Clerk

Record of Activities

Name: Anthony Davis

Title: Alderman Ward 6

Employer: City of Kingston

** Due to the Coronavirus several meetings in the month of March were cancelled.

Date	Activity	Start Time	End Time	Hours
January 1, 2020	Council Swearing In Ceremony at City Hall	12:00pm	2:00pm	2
January 6, 2020	Special Public Safety committee meeting at City Hall	6:30pm	7:00pm	.5
January 6, 2020	Caucus meeting at City Hall	7:00pm	9:30pm	2.5
January 7, 2020	Common Council meeting at City Hall	7:30pm	9:30pm	2
January 11, 2020	Returned phone to M. Ham regarding Water Dept. grant funding	12:00pm	1:00pm	1
January 14, 2020	Attended a Kingston Tenant Housing General meeting at Kingston Library	6:00pm	8:00pm	2
January 15, 2020	Attended the Police Commission meeting as the Liaison to Common Council at City Hall	4:00pm	5:00pm	1
January 15, 2020	Attended the Laws and Rule Committee meeting at City Hall	6:30pm	8:00pm	1.5
January 22, 2020	Attended General Government/Public Safety Committee meeting at City Hall	6:30pm	8:00pm	1.5
January 29, 2020	Attended Finance Committee meeting at City Hall	6:30pm	8:00pm	1.5
February 3, 2020	Spoke to constituent and Kingston Housing Authority regarding apartment in Stuyvesant Charter Housing complex	8:30am	9:30am	1
February 3, 2020	Attended Active Shooter Training for Common Council at City Hall	5:00pm	7:00pm	2
February 3, 2020	Attended Caucus meeting at City Hall	7:00pm	8:30pm	1.5
February 4, 2020	Attended Common Council meeting at City Hall	7:30pm	9:00pm	1.5

February 8, 2020	Attended Ward 6 Community meeting at 84 Emerick St discussions were on Gage Street traffic flow and Eviction Tenants Protection Rights	12:00pm	2:00pm	2
February 10, 2020	Attended Ulster County Area Transit meeting at 1 Danny Court, Kingston, NY regarding City and County public bus routes and concerns	5:30pm	7:00pm	1.5
February 11, 2020	Attended Fire Commission at City Hall	4pm	6pm	2
February 12, 2020	Attended Finance Committee meeting at City Hall	6:30pm	8pm	1.5
February 14, 2020	Attended meeting with Mayor Noble at City Hall	3:15pm	4:15pm	1
February 19, 2020	Attended Police Commission meeting at City Hall	4pm	5pm	1
February 19, 2020	Attended Laws and Rule Committee meeting at City Hall	6:30pm	9pm	2.5
February 26, 2020	Conducted research on Public Safety committee resolution – drawing maps of City road intersections	4:30pm	5:30pm	1
February 26, 2020	Attended Public Safety Committee meeting at City Hall	6:30pm	8:30pm	2

Date	Activity	Start Time	End Time	Hours
March 2, 2020	Caucus meeting at City Hall	7pm	9pm	2
March 3, 2020	Common Council meeting at City Hall	7:30pm	9:30pm	2
March 4, 2020	Conducted a Public Safety Forum on City crime and safety at City Hall	6:30pm	8:30pm	2
March 11, 2020	Attended Finance Committee meeting at City Hall	6:30pm	9:30pm	3
Total Hrs for 3 Months				45 hrs

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Parks and Recreation

Item Type: Informational Purposes

Agenda Section:

Subject:

Repairs at Rondout Neighborhood Center

Suggested Action:

Attachments:

[20200505093930.pdf](#)

Fin

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

Steven T. Noble, Mayor



Lynsey Timbrouck, Director

April 22, 2020

Dear President Shaut:

We are seeking repairs to the lower roof and HVAC units at the Rondout Neighborhood Center.

These expenses will be reimbursed with CDBG funds. I respectfully request a \$1,300 fund transfer below:

From: A1 7141 22 42020 (CDBG Reimbursement)
To: A1 7141 13 5301 (Contracted Services)

Thank you in advance for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Lynsey Timbrouck".

Lynsey Timbrouck
Director of Recreation

cc: Brenna L. Robinson, Director, Office of Economic and Community Development
John Tuey, Comptroller

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT <u>Parks and Recreation</u>	DATE <u>April 22, 2020</u>
Description: Transfer \$1,300 for facility improvements to the Rondout Neighborhood Center for replacement of the lower roof and HVAC units. The funding for the improvements will be reimbursed by CDBG. Transfer from: A1-7-7141- 22-42020 – CDBG Reimbursement to: A1-7-7141-13-5301 – Contracted Services	
Estimated Financial Impact <u> 0 </u>	Signature <u></u>

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		

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Engineering

Item Type: Informational Purposes

Agenda Section:

Subject:

SEQR Determination Wilbur Avenue Paving

Suggested Action:

Attachments:

[20200505094126.pdf](#)

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



John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

May 4, 2020

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

RE: Request for Common Council Consideration to Render a Declaration of Negative Environmental Impact Related to the Proposed Wilbur Avenue Repaving Project, PIN 8762.02

Dear President Shaut:

In 2019 the City was awarded a Complete Streets Grant through the New York State Department of Transportation Surface Transportation Program (STP) for the repaving and reconstruction of Wilbur Avenue. As part of the Design process and pursuant to provisions of the New York State Environmental Quality Review Act 6 NYCRR PART 617 (SEQR), a determination of environmental impact must be made.

Based upon the nature of the work involved in this project, it is a Type II Action under SEQR.

As such, it is respectfully requested that the Common Council through Resolution issue a Determination of Negative Declaration for the project.

Please forward this communication to the next regularly scheduled Laws and Rules Committee for consideration and discussion.

Should you have any questions, do not hesitate to contact me.

Respectfully,

Alan Adin
Engineering Technician

Cc: Jeffrey Ventura-Morell, Committee Chairman

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT: Engineering

DATE:

Description:

A resolution that pursuant to 6 NYRCC Part 617, the City of Kingston Common Council hereby determines that the Wilbur Avenue Repaving Project is a Type II action under SEQRA, will have no potentially significant adverse environmental impacts and hereby renders a negative declaration in connection with this action pursuant

No financial impact.

Signature _____

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____
Type II Action X
Unlisted Action _____

Negative Declaration of Environmental Significance: X

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffery Ventura Morell, Chairman		
Rita Worthington, Ward 4		
Donald Tallerman, Ward 5		
Reynolds Scott-Childress, Ward 3		
Patrick O'Reilly, Ward 7		

RESOLUTION ____ OF 2020

**RESOLUTION OF THE CITY OF KINGSTON COMMON COUNCIL ISSUING A NEGATIVE
DECLARATION IN CONNECTION WITH THE WILBUR AVENUE REPAVING PROJECT IN
THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) PROCESS PURSUANT TO 6
NYCRR PART 617**

Sponsored By: _____ Committee: Aldermen _____

WHEREAS, the Wilbur Avenue Repaving Project was initiated with funding from the NYSDOT Surface Transportation Program (STP) Flex; and

WHEREAS, the Wilbur Avenue Repaving Project will improve the pavement surface along Wilbur Avenue using cost effective treatments including reconstruction and mill and inlay of the flexible pavement section from 800 feet south of Greenkill Avenue to 200 feet north of West O'Reilly Street. The pavement treatment will extend the service life of the pavement by correcting pavement deficiencies, maintain and/or restore appropriate riding characteristics of the roadway, and correct minor safety and maintenance concerns including drainage guiderail, and signage; and

WHEREAS, the Wilbur Avenue Repaving Project will reconstruct and resurface the existing pavement to provide a more rideable surface and to address existing drainage concerns. The proposed roadway section will consist of two 11-foot travel lanes and 3-foot shoulders. Drainage updates will include gutters, swales, and ditches. Additional improvements include striping, signing, and guiderail improvements; and

WHEREAS, the City of Kingston has engaged Greenman Pederson, Inc. (GPI) to provide design and engineering services for the Wilbur Avenue Repaving Project; and

WHEREAS, the Common Council has determined that this action should be classified as a Type II action under SEQR; classified as action (5) on the (c) list: "repaving of existing highways not involving the addition of new travel lanes"; and

WHEREAS, no potentially significant adverse environmental impacts were identified by the City of Kingston; and

WHEREAS, the Common Council considered all documentation submitted to determine significance of the Action on the environmental in compliance with Article 8 of the New York State Environmental Conservation Law and the SEQR regulations promulgated thereunder by the New York Department of Environmental Conservation (6 NYCRR, Part 617); and

WHEREAS, the City of Kingston has reviewed all supporting plans and documents prepared by the City and its consultants and found that the project would not have a significant impact on the environment.

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 determines that this action is a Type II action under SEQR, will have no potentially significant adverse environmental impacts in connection with this action pursuant

SECTION-2. That the Kingston Office of Economic and Community Development is directed to submit notice of the aforesaid negative declaration to the Environmental Notice Bulletin for publication as required by 6 NYCRR Part 617.12 of the SEQR regulations.

SECTION-3. That 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

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

City Code Revision

Suggested Action:

Attachments:

[20200505094255.pdf](#)

1472

From: Owen D. Harvey [<mailto:owen@mhinvest.com>]
Sent: Wednesday, April 22, 2020 12:59 PM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Subject: [EXTERNAL EMAIL] A matter for Laws & Rule discussion

Dear President Shaut:

On March 10th, 2020, the City's Director of Building Safety & Zoning Enforcement wrote of City Code, Chapter 172, Article 172-5: I to a property owner about their building permit, "While the aforementioned Article exists, a review of building department files has not revealed an instance of its usage. It is the Building Department's position that it would be unfair to arbitrarily enforce said Article by invalidating building permit #19564 at this time." **Why does the City of Kingston have laws on its books that it won't enforce?**

Prior to this letter, on February 25th, 2020, the Director of Building Safety & Zoning Enforcement explained, "I have spoken with all the departments involved with this project and gathered the info I need. I will be meeting with the Mayor on Friday to go over what actions will be taken." This Executive administration decision has implications for the legislative authority of the Common Council and needs to be examined. Therefore, we request that the matter be placed on the upcoming agenda for the Laws & Rules Committee of the Common Council to discuss.

While the issue of "usage" would seem to be immaterial to the job of enforcing the code regardless of when it became law, the fact that the code in this instance was enacted less than two years ago (in late 2018) underlines something of note. Requiring historical instances of usage as a criteria for enforcement would mean that any new or modified ordinance, rule, regulation and local law put forth by the Common Council and approved by the mayor would be unenforceable because there would be no instances of "usage." New codes could never meet this criteria, as with Chapter 172. The same is true of codes which are updated, since they obviously would have no precedent of usage either.

We respectfully request that the Council investigate and review this matter at the next meeting of the Laws & Rules Committee.

Sincerely,
Hillary and Owen Harvey
JoAnne Myers
Rebecca Martin
Lynn Woods
Deanna Baum
Barbara Scott
Tanya Garment
Sarah Wenk
Susan Piperato
Julie Hedrick
Peter Wexler

Documentation available upon request.

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: City Clerk/Registrar

Item Type: Informational Purposes

Agenda Section:

Subject:

Commission of Deed 2020

Suggested Action:

Attachments:

[20200505094440.pdf](#)

CITY OF KINGSTON

L+R

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

April 27, 2020

Andrea Shaut
Kingston Common Council
420 Broadway
Kingston, New York 12401

RE: Commissioner of Deeds

Dear Ms. President,

The current City of Kingston Commissioner of Deeds appointments will expire on June 30, 2020. Historically this list has included City employees from various departments who may be required to use this as a function of their job performance, as well as members of the Common Council, Ulster County Legislature and Kingston Housing Authority.

I have attached the current list, adopted June 2018, and request that you refer this matter to committee for discussion.

Respectfully,

Elisa Tinti
City Clerk

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: City Clerk

DATE: 4/27/20

Description: Resolution to establish Commissioner of Seeds
list effective 7/1/2020 - 6/30/2022 AS per Attached

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>
Jeffrey Ventura Morell, Chairman		
Patrick O'Reilly Ward 7		
Rennie Scott-Childress, Ward 3		
Don Tallerman, Ward 5		
Rita Worthington, Ward 4		

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

The OTARD rule of the FCC

Suggested Action:

Attachments:

[20200505094610.pdf](#)

PS/66

Tinti, Elisa

From: Barba Stemke <bstemke@gmail.com>
Sent: Monday, April 20, 2020 3:16 PM
To: Hirsch, Michele; Koop, Douglas; Scott-Childress, Reynolds; Morell, Jeffrey; Worthington, Rita; Tallerman, Donald; Davis, Tony; Schabot, Steven; Hirsch, Michele; Noble, Steve; Kate Reese Hurd; Tinti, Elisa
Cc: Kathy.Nolan@co.ulster.ny.us; Eve.Walter@co.ulster.ny.us; Victoria Ann Fabella; Lynn.Archer@co.ulster.ny.us; MannaJo.Greene@co.ulster.ny.us
Subject: [EXTERNAL EMAIL] Urgent to join legal doc against FCC OTARD rule. Join Dafna Tachover & RFK Jr. Submission - A Simple Click to Action
Attachments: ATT00001.bin; ATT00002.bin; ATT00003.bin; ATT00004.bin; image.png; OTARD - Ex Parte - 4-17 FINAL.pdf; uc.jpeg; uc.png

Dear Elected representatives of Kingston Common Council and Ulster County Representatives,

Please share this and take action with your colleagues in the Legislature and on the Common Council and please sign this petition as individuals. This is a Public Safety and Public Health issue.

This one is time-sensitive. The OTARD ** rule that FCC is claiming **would allow them to put 5G antennas on your dwelling like it or not.** So this signing is part of the legal effort to stop it. Dafna Tachover and RFK Jr. want to submit the signatures ASAP. **OTARD = Over-The-Air-Reception-Device, in this case for 5G

→ At the page you're sent to in order to sign, you have to scroll to the bottom, and the signing is minimal, with just a couple questions to answer, and a comment field if you like.

(Here's a little 2019 video that explains some of what's up with the OTARD rule:

<https://americansforresponsibletech.us8.list-manage.com/track/click?u=c3128cbc75b5968aacd624e4b&id=714148c4ba&e=9f2cded38a>

Thank you for signing as an individual and for sharing this petition and this Public Health and Public Safety issue with your colleagues.

Barbara Stemke
Ward 9
Kingston, NY
Ph: 845 339 3207

Sent from Mail for Windows 10

From: Kate Reese Hurd

Sent: Sunday, April 19, 2020 7:23 PM

To: Barbara Stemke

Cc: pilgrimpeace .; Pam Timmins

Subject: Urgent to join legal doc against FCC OTARD rule Fwd: Join Dafna & RFK jr. Submission - A Simple Click to Action

Dear Barbara, Pam and Steve,

Hi there!

This one is time-sensitive, The OTARD ** rule that FCC is claiming **would allow them to put 5G antennas on your dwelling like it or not**. So this signing is part of the legal effort to stop it. Dafna and RFK jr. want to submit the signatures ASAP. **OTARD = Over-The-Air-Reception-Device, in this case for 5G

→ **At the page you're sent to in order to sign, you have to scroll to the bottom, and the signing is minimal**, with just a couple questions to answer, and a comment field if you like.

(Here's a little 2019 video that explains some of what's up with the OTARD rule:

<https://americansforresponsibletech.us8.list-manage.com/track/click?u=c3128cbc75b5968aacd624e4b&id=714148c4ba&e=9f2cded38a>)

Y'all take care now!

Kate

Begin forwarded message:

From: Dafna Tachover <dafna@wearetheevidence.org>

Subject: Join Dafna & RFK jr. Submission - A Simple Click to Action

Date: April 18, 2020 at 3:49:41 PM EDT

To: undisclosed-recipients;;

Hi All.

I haven't written for a while, not because I didn't have any updates or actions to report, but to the contrary - because too much is going on. I've been posting our action alerts and news on Facebook - it was faster and easier. I will send a separate email with all the updates.

This email is a call to an IMPORTANT CLICK TO ACTION to join CHD's letter to the FCC.

On 4/17/2020, Children's Health Defense submitted an Ex-Parte letter in opposition to the FCC proposed OTARD rule change. This is a call to action to ask you to join CHD's submission. You may have heard about the OTARD rule and some of you may have submitted a comment to the docket in response to a call for action from other

organizations in the past. **But this call for action is different. We are not asking you to submit a comment but instead, join CHD's "legal notice" type letter.**

What is OTARD - The Over The Air Reception Devices (OTARD) rule change will allow transmitting (not only receiving) antennas (including 5G antennas) to be located on people's homes without any limitations or due process to object their installations. This rule will enable what I call - a "Wireless Wild West". I suspect that the purpose of this rule is to allow the "HOME 5G" MMW boosters and mainly, to enable the installation of the 1,000,000 ground antennas for the satellites. We considered the legal options in regard to attacking the 5G Satellites expansion and we think that attacking the OTARD rule is the best route. To learn more about 5G satellites - read the article I wrote - What You Should Know About 5G Satellites—How Musk's Sci-Fi Dreams Are Becoming Our Living Nightmare

CHD's Ex-Parte Opposition Letter Provides the Legal Arguments Against the OTARD Rule - CHD's submission asserts that adopting the OTARD rule change will violate Constitutional rights as well as Federal, state and municipal laws including criminal laws. It asserts the rights of those who were injured as well as of those who object on other grounds.

Why CHD's Ex-Parte Letter is important - To the best of my knowledge, no one on our side submitted a "legal" comment - one which explains the various legal issues, violations and potential ramifications. CHD's letter is a professionally written legal notice type letter, not "just" a comment to the docket. While submitting comments to dockets is important they are not effective. We know that the FCC doesn't really care about what we think. The importance of submitting to the docket is to establish "Standing" to sue. But standing is insufficient. Unless the legal arguments were made in the comments, they cannot be raised in litigation. So unless someone submits a thoroughly prepared legal document those comments are not very helpful. CHD's Ex-Parte legal notice type document, provides the legal arguments and will enable us to take action if necessary.

Why it is important to join CHD's letter - We hope that our arguments showing that the FCC does not have the authority to adopt the rule change, will get the FCC to discontinue this effort. Furthermore, we hope that by getting thousands to join the submission, the message will be heard louder and clearer - that the FCC abuse of its powers will be met with **quality resistance**.

Our campaign was launched: Sign to Join CHD's Submission to Stop FCC Rule Allowing 5G & Satellites Antennas on Homes. The Instagram image is attached.

Our Campaign to get thousands (maybe tens of thousands?) of signatures to our Ex-Parte Submission will strengthen our message and chances of stopping the FCC without legal action. We want to get thousands of signatures on our submission. For that purpose, today we launched a campaign to get people to sign on to our document. While we submitted the Ex-Parte document to the FCC, we will submit an amended document with the signatures in a few days.

Please support this campaign and share it widely. We want as many signatures as possible.

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

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Updating the Commission's Rule for) WT Docket No. 19-71
Over-the-Air Reception Devices (OTARD))

Written Ex Parte by Children's Health Defense

Children's Health Defense is a 501(c)(3) nonprofit advocacy organization dedicated to ending children's chronic health conditions by eliminating harmful toxic exposures. Wireless technology radiation is a toxin and a major contributory factor to increased sickness in children. Children's Health Defense (CHD) advocates on children's behalf and seeks science-based safeguards to help the injured and prevent harm to others. This written *ex parte* is submitted pursuant to that mission.

SUMMARY

The *NPRM*¹ proposes to allow a service provider to place an antenna on one property and “serve” “multiple customer locations” or users on entirely different properties. This antenna, however, will not just “serve” properties with “users” that want the service. It will also extend pulsed and modulated radiofrequency and microwave electromagnetic radiation (“wireless radiation”) over and through properties of owners that affirmatively **do not want** any such intrusion. It will irradiate people who have not consented to exposure and **do not want** to be irradiated. It will frustrate the choices and expectations of people who chose their home location because it was located in an area with little to no wireless radiation.

The rule change will violate the Constitution and upend long-standing common law personal and property rights. The Commission does not have the power or authority to override

¹ Notice of Proposed Rulemaking, *In the Matter of Updating the Commission's Rule for Over-the-Air Reception Devices*, WT Docket No. 19-71, 34 FCC Rcd 2695, 2696 ¶3 (Apr. 12, 2019)(“*NPRM*”).

WT Docket No. 19-71; Written *Ex Parte* by Children's Health Defense

people's right to bodily autonomy or their property-based right to "exclude" wireless radiation emitted by third parties from their home. The FCC does not have the power to allow a person to send noxious emissions past his or her property line and "serve" a property where the owner does not want to be "served" with toxic wireless radiation. The same limitation applies to wireless radiation, which are also a nuisance. The FCC cannot preempt state, common law or constitutional rights that protect those who seek to avoid harmful wireless radiation in their own home.

Among those who wish to be left alone and to exclude involuntary irradiation in their own homes is a significant population that has developed cancer or other ailments as a result of exposure. Many have developed and suffer from "Microwave Sickness," also known as "Radiation Sickness," or "Electromagnetic Hypersensitivity Syndrome" ("EHS"). These individuals, and especially children, experience adverse health effects when exposed to wireless radiation; exposure makes them sick and often exacerbates other underlying conditions. Microwave Sickness is a disability under the ADA and a handicap under the FHA. The proposed rule will violate disabled individuals' legal rights under the Constitution, federal law and many state equivalent laws that protect disabled and handicapped individuals from discrimination and ensure access to housing.

The fact is lots of people, for various reasons, do not want an antenna next door or nearby emitting radiation that intrudes on their own property and invades their bodies against their will. They have the right to oppose this invasion whether the Commission likes it or not. Many have Microwave Sickness and demand that they not be exposed to emissions that will make them even sicker, experience tortuous pain or even kill them. Approval of this rule will lead to massive suffering, extensive litigation and likely public protest. It will expose the providers and public

WT Docket No. 19-71; Written *Ex Parte* by Children's Health Defense

treasury to liability for the damages inflicted on those who object to being forced to experience radiation authorized under purported color of law and who physically suffer from the exposure that will follow.

If the Commission persists it must first provide for more meaningful and fair due process procedures than is presently contemplated by Rule 1.400(a)(4). It must at least require notice and an opportunity to object and/or seek accommodations. The Commission cannot be the exclusive venue. Injunctive or other interlocutory relief must be available. There must be the possibility of fee-shifting.

The proposed rule cannot be adopted in its present form.

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I. Introduction

The *NPRM*² proposes to allow “hub or relay” antennas “on property within the exclusive use or control of the antenna user where the user has a direct or indirect ownership or leasehold interest in the property.” If the rule is changed, that antenna will be able to operate as a hub, relay or mesh and serve “multiple customer locations” or users on entirely different properties.³ The owner or tenant on Property A will be able to install a hub, relay or mesh antenna that can support service to potential users in Properties B, C and D; indeed it will be able to “serve” any “user” in any property within the reach of the antenna. But what the *NPRM* fails to acknowledge is that the hub or relay antenna will not just “serve” properties with “users” that want the service. It will also extend pulsed and modulated radiofrequency and microwave electromagnetic radiation (wireless radiation) over and through properties of owners that affirmatively **do not want** any such intrusion. It will irradiate people who have not consented to exposure and **do not want** to be irradiated. It will negate the conscious choices of people who selected their home location because it had low levels of this radiation. It will irradiate people who must avoid exposure. It will inflict severe pain and injuries and even lead to deaths.

The rule change will violate the Constitution and upend long-standing common law personal and property rights. The Commission does not have authority to override people's right

² Notice of Proposed Rulemaking, *In the Matter of Updating the Commission's Rule for Over-the-Air Reception Devices*, WT Docket No. 19-71, 34 FCC Rcd 2695, 2696 ¶3 (Apr. 12, 2019)(“*NPRM*”).

³ See Statement of Chairman Pai, 34 FCC Rcd at 2711. The First Report and Order and Further Notice of Proposed Rulemaking in WT Docket No. 99217, Fifth Report and Order and Memorandum Opinion and Order in CC Docket No. 96-98, and Fourth Report and Order and Memorandum Opinion and Order in CC Docket No. 88-57, *Promotion of Competitive Networks in Local Telecommunications Markets, et al.*, 15 FCC Rcd 22983 (2000) excluded hub and relay antennas from “protection” under the OTARD rule. A hub antenna can “transmit signals to and/or receive signals from multiple customer locations.” *Id.* at 23028, ¶ 99. A relay antenna is basically a repeater, akin to a Wi-Fi range extender. The rule did “protect” “mesh” antennas, but only insofar as the equipment “was “‘installed in order to serve the customer on [its] premises’ and otherwise complied with all of the limitations in the OTARD rule (e.g., antenna size).” *NPRM* ¶4 (emphasis added). The current OTARD rule does not “protect” antennas used to serve users on a different property; it applies only insofar as all users occupy the same property. The proposed rule would eliminate the “same property” restriction.

to bodily autonomy and their property-based right to “exclude” wireless radiation emitted by third parties from their home. The FCC does not have the power to allow a person to send noxious emissions past his or her property line and “serve” a property where the owner does not want to be “served” with toxic radiation.

The Commission could not pass a rule purporting to allow a person to place loudspeakers outside and constantly play extremely loud obnoxious music all hours of the day merely because it regulates FM radio stations. That would be a nuisance under most municipal or county ordinances, and the FCC does not have preemptive authority over noise ordinances based on its statutorily-delegated powers over “wireless” matters. The same limitation applies to RF emissions, which are also a nuisance. The FCC cannot preempt state, common law or constitutional rights that protect those who seek to avoid RF emissions in their own home.

Among those who wish to be left alone and to exclude involuntary irradiation in their own homes is a significant population that suffers from “Radiation Sickness” also known as “Microwave Sickness,” or “Electromagnetic Hypersensitivity Syndrome” or “EHS.” These individuals, including children, have developed and suffer from a recognized disability (or handicap), one which has been acknowledged by the Architectural and Transportation Barriers Compliance Board. *See* Architectural and Transportation Barriers Compliance Board, ADA Accessibility Guidelines for Recreation Facilities, 68 FR 56351 (Sept. 3, 2002) (“The Board recognizes that ...electromagnetic sensitivities may be considered disabilities under the ADA if they so severely impair the neurological, respiratory or other functions of an individual that it substantially limits one or more of the individual’s major life activities.”). The proposed rule will violate their legal rights under federal law and many state equivalent laws that protect disabled and handicapped individuals from discrimination and ensure access to housing.

WT Docket No. 19-71; Written *Ex Parte* by Children's Health Defense

The Commission has already been directly informed by many people who submitted comments indicating that they object to forced irradiation and the invasion of their rights. They do not want an antenna next door or somewhere nearby that emits radiation that intrudes on their own property and invades their bodies against their will.⁴ Over 40 individuals objected to the proposed rule based on their opposition to wireless radiation, and specifically mentioned the adverse impact on disabled individuals.⁵ They, and many others, objected to additional and forced exposure in their homes. Children's Health Defense is collecting statements by additional people who expressly object to intrusions on their property, consider non-consensual irradiation to be a battery on them and their family and a form of child endangerment. Many of those have Microwave Sickness and will demand that they not be exposed to emissions that will make them even sicker. Those statements will be provided in a subsequent filing. The Commission is and will be on notice that this proposed rule would unreasonably interfere with recognized personal and property rights and violate disabled and handicapped individuals' legal rights.

The proposed rule cannot be adopted.

II. Constitution

This Commission – like all governmental entities – is bound by the federal Constitution and Supreme Court precedent on constitutional issues. There are limits to the FCC's authority and this proposed rule would exceed those limits.

⁴ A few examples are Roberta Anthes June 17, 2019 comment, <https://www.fcc.gov/ecfs/filing/10618852930266>; Alexis Schroeder June 17, 2019 comment, <https://www.fcc.gov/ecfs/filing/10618618300992>; Community Associations Institute Reply Comments, June 17, 2019 [https://ecfsapi.fcc.gov/file/10618133852975/Community%20Associations%20Institute WT%20Docket%20No.%2019-71%20Reply%20Comments.pdf](https://ecfsapi.fcc.gov/file/10618133852975/Community%20Associations%20Institute%20WT%20Docket%20No.%2019-71%20Reply%20Comments.pdf); Larry Trivieri, Jr. June 17, 2019 comment, <https://www.fcc.gov/ecfs/filing/10617773608127>; John Frink June 3, 2019 comment <https://www.fcc.gov/ecfs/filing/106040853928052>; Virginia Cottone June 3, 2019 comment, <https://www.fcc.gov/ecfs/filing/10603183726745>.

⁵ Number obtained by using search utility on ECFS and searching for “disability” using this proceeding as a filter.

WT Docket No. 19-71; Written *Ex Parte* by Children's Health Defense

1. Property rights

The proposed rule contemplates a taking and would purport to authorize a nuisance. The Supreme Court has consistently recognized common law property rights when assessing whether “property” has been taken. “The hallmark of a protected property interest is the right to exclude others. That is ‘one of the most essential sticks in the bundle of rights that are commonly characterized as property.’” *Coll. Sav. Bank v. Fla. Prepaid Postsecondary Educ. Expense Bd.*, 527 U.S. 666, 673, 119 S. Ct. 2219, 2224 (1999), citing *Kaiser Aetna v. United States*, 444 U.S. 164, 176, 62 L. Ed. 2d 332, 100 S. Ct. 383 (1979).

Government-authorized interference with enjoyment and use of the land is a compensable taking. *United States v. Causby*, 328 U.S. 256, 66 S. Ct. 1062 (1946) (non-physical intrusion of airport noise).⁶ *Kyllo v. United States*, 533 U.S. 27, 32 (2001) involved government agents that directed thermal energy at the defendant’s home to obtain heat signatures allowing them to discern activity inside the home. The Court held this was a search for Fourth Amendment purposes. It so held because the energy waves intruded on the defendant’s property.⁷ Although the method used in that case merely detected heat emitted from outside walls the Court observed

⁶ RF intrusion on property is akin to the release of loud noises. It may not be aural but it still has a biological effect on the body. There are some who can, in effect, “hear” emissions or at least sense them. Others may not sense the constant impact of these emissions hitting their body, but their body does. RF emissions, for example, have been shown to negatively impact sleep by, among other things, causing a reduction in melatonin production. See, e.g., Altpeter ES, Roosli M, Battaglia M, Pfluger D, Minder CE, Abelin T., Effect of short-wave(6-22 MHz) magnetic fields on sleep quality and melatonin cycle in humans: the Schwarzenburg shut-down study. Bioelectromagnetics (2006); 27(2):142-150; Abelin T, Altpeter E, Roosli M., Sleep Disturbances in the Vicinity of the Short-Wave Broadcast Transmitter, Schwarzenburg. Somnologie (2005); 9:203-209. The effect is qualitatively similar to loud noises that prevent someone from getting a good night’s rest.

⁷ The intrusion will not be physical, so it will likely be a “nuisance” rather than a “trespass” under most state property laws. For example, California. Civ. Code §3479 defines a “nuisance” as “Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a nuisance.” (emphasis added). Sections 3480, 3481 and 3493 go on to distinguish between a public nuisance and private nuisance, and address when a private action can be maintained.

that more modern directed beam surveillance could penetrate walls,⁸ thereby becoming an illegal invasion of people's most protected spaces. 533 U.S. at 34-40. "In the home, our cases show, all details are intimate details, because the entire area is held safe from prying government eyes." 533 U.S. at 37.

The Commission does not have the power to override the property rights protected by the Constitution by purporting to allow others to intrude on someone's land and send noxious radiation into their home. This rule is not about a "viewer's ability to receive video programming," so it does not derive from §207 of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56. Nor is this particular proposed rule reasonably necessary to the effective performance of the FCC's various responsibilities. But even if the Communications Act can somehow be read to allow this, it cannot override fundamental rights guaranteed by other Federal laws and by the Constitution.

If the FCC proceeds with this rule it will open itself to an extraordinary amount of litigation and a potential huge drain on the federal budget due to claims under the Tucker Act (28 U.S.C §1346). Every homeowner whose property is "served" by an antenna located on someone else's property could potentially have a claim. The D.C. Circuit has already twice found that FCC action can lead to potential Tucker Act liability in an "as applied" case. One such decision related to a previous OTARD decision. *Bldg. Owners & Managers Ass'n Int'l v. FCC*, 254 F.3d 89, 99 (D.C. Cir. 2001), denying facial challenge to Second Report and Order, *In the Matter of Implementation of Section 207 of the Telecommunications Act of 1996; Restrictions on Over-the-*

⁸ See 533 U.S. at 36, n. 3, describing radar, ultrasound and "devices emitting "low levels of radiation (presumably within FCC "safe" limits) that can travel "through-the-wall." There are already systems that can detect activities inside a home by sending Wi-Fi signals through external walls and interpreting the reflected signals. See [Using WiFi to see through walls](https://www.extremetech.com/extreme/133936-using-wifi-to-see-through-walls), Anthony, Extreme Tech (Aug. 3, 2012), available at <https://www.extremetech.com/extreme/133936-using-wifi-to-see-through-walls>. This is exactly the type of "through-the-walls" technology the *Kyllo* court held violated the defendant's property rights and his right to privacy.

Air Reception Devices: Television Broadcast, Multichannel Multipoint Distribution and Direct Broadcast Satellite Services, 13 FCC Rcd 23874 (Oct. 1998) (“*Second OTARD Order*”). See also Randolph Concurrence, 254 F.3d at 99-102 and *Bell Atl. Tel. Cos. v. FCC*, 24 F.3d 1441, 1445-1446 (D.C. Cir. 1994). This Commission should not cavalierly run roughshod over non-consenting landowners’ constitutionally-protected property rights. If the rule change is affirmed in the face of a facial challenge under the Hobbs Act, a flood of Tucker Act claims for the as-applied taking will follow.

2. Bodily autonomy and Informed consent

The proposed rule will violate individuals’ right to bodily autonomy and purport to authorize battery on non-consenting citizens. It will lend color of law to activity that is cruel and inhumane. “Bodily autonomy” and “autonomy privacy” derive from the “negative” individual liberty rights embodied in the Constitution. U.S. Supreme Court decisions starting in the 1950s held that the people have a right to privacy relating to personal choice, personal access to information and to associate with others. *United States v. Rumely*, 345 U.S. 41 (1953); *NAACP v. Patterson*, 357 U.S. 449 (1958); *Stanley v. Georgia*, 394 U.S. 557 (1969). The court also found that the Constitution protected privacy in “marital relations” (*Griswold v. Connecticut*, 381 U.S. 479 (1965)), and – for couples in general or women in particular – the right to decide whether to have children (*Eisenstadt v. Baird*, 405 U.S. 438 (1972); *Roe v. Wade*, 410 U.S. 113 (1973)). In each of these instances the Court interpreted multiple parts of the “individual liberty” provisions in the Bill of Rights to collectively provide a “penumbral” constitutional right to privacy and bodily autonomy as against federal and state government action. Citizens have a “right to be let alone.” The Constitution proscribes government-sanctioned interference with bodily autonomy.

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In common law and most state statutes, non-consensual irradiation is a “battery.” The basic elements are: (1) the defendant touched the plaintiff, or caused the plaintiff to be touched, with the intent to harm or offend the plaintiff; (2) the plaintiff did not consent to the touching; (3) the plaintiff was harmed or offended by the defendant’s conduct; and (4) a reasonable person in the plaintiff’s position would have been offended by the touching. *See, e.g., Carlsen v. Koivumaki*, 227 Cal. App. 4th 879, 890, 174 Cal. Rptr. 3d 339, 351 (2014). RF radiation “touches” the body and penetrates the skin. The people who are touched and suffer penetration after enunciating a lack of consent will be both harmed and offended. The defendant will or should know there is an objection to the touching, but will intentionally still cause the touching. The defendant who unleashes non-consensual touching of anyone who has presented an objection it will be committing a battery. Non-consensual irradiation of children is “child endangerment” under the criminal and civil laws,⁹ and there is usually a civil action for those who suffer at the hands of the criminal.¹⁰

At common law, even the touching of one person by another without consent and without legal justification was a battery. *See* W. Keeton, D. Dobbs, R. Keeton, & D. Owen, Prosser and Keeton on Law of Torts § 9, pp. 39-42 (5th ed. 1984). Before the turn

⁹ For example, California Penal Code §2073a(a) and (b) provide:

(a) Any person who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, ... or willfully causes or permits that child to be placed in a situation where his or her person or health is endangered, shall be punished by imprisonment in a county jail not exceeding one year, or in the state prison for two, four, or six years.

(b) Any person who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, ... or willfully causes or permits that child to be placed in a situation where his or her person or health may be endangered, is guilty of a misdemeanor.

¹⁰ ... [U]nder *Angie M. v. Superior Court* (1995) 37 Cal.App.4th 1217, 1224 (*Angie M.*), any injured member of the public for whose benefit a criminal statute has been enacted may bring a civil suit. In *Angie M.*, the court found that “[v]iolation of a criminal statute embodying a public policy is generally actionable even though no specific civil remedy is provided in the criminal statute.” (*Id.* at p. 1224.) A presumption of negligence may arise from a statutory violation if (1) the defendant violated a statute; (2) the violation proximately caused injury to the plaintiff; (3) the injury resulted from an occurrence which the statute was designed to prevent; and (4) the plaintiff was one of the class of persons for whose protection the statute was adopted. (Evid. Code, § 669; *Nowlon v. Koram Ins. Center, Inc.* (1991) 1 Cal.App.4th 1437, 1444-1445.)

Pagarian v. Greater Valley Med. Grp., B172642, 2006 Cal. App. Unpub. LEXIS 7445, at *52 (Aug. 23, 2006).

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of the century, this Court observed that “no right is held more sacred, or is more carefully guarded, by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority of law.” *Union Pacific R. Co. v. Botsford*, 141 U.S. 250, 251, 35 L. Ed. 734, 11 S. Ct. 1000 (1891). This notion of bodily integrity has been embodied in the requirement that informed consent is generally required for medical treatment....The logical corollary of the doctrine of informed consent is that the patient generally possesses the right not to consent, that is, to refuse treatment. *Cruzan v. Dir., Mo. Dep’t of Health*, 497 U.S. 261, 269-70 (1990).

Every person or parent has the constitutional right of “informed consent” prior to any lawful bodily intrusion, and they can absolutely refuse a bodily insult, although they may be required to pay a fine. In *Jacobson v. Massachusetts*, 197 U.S. 11, 25 S. Ct. 358 (1905) (involving an individual’s assertion of a variety of liberty interests, including substantive due process, in the context of a public emergency), the Court ruled that a state may impose mandatory vaccines on penalty of fine in the interest of the general public health and safety, even over an individual’s conscience or religious objection. Individual rights must by necessity sometimes yield to a state’s police power, subject to the general requirements of equal protection and nondiscrimination. The Court closed its opinion, however, with an important caveat: if the individual can show a *special sensitivity due to a medical condition* because the immunization may be unduly hazardous, there **must** some process for case-by-case exceptions before a fine can be imposed for the refusal. Further, the Court held that judicial relief is and must be available (not some administrative process in a far-away venue) when the requirement would lead to “wrong or oppression.” This is necessary to avoid the ultimate liberty deprivations – denial of life itself or cruelty. 197 U.S. at 38-39, 25 S. Ct. at 366-67.¹¹

Jacobson involved a state’s exercise of police power in the context of a medical emergency. This proposed rule is not related to or justified by any claim of a medical emergency,

¹¹ “It is easy, for instance, to suppose the case of an adult who is embraced by the mere words of the act, but yet to subject whom to vaccination in a particular condition of his health or body, would be cruel and inhuman in the last degree.”

and the federal government does not have “police powers” in any event. *United States v. Lopez*, 514 U.S. 549, 566, 115 S. Ct. 1624, 1633 (1995) (Constitution withheld from Congress a plenary police power); *id.*, at 584-585, (Thomas concurrence) (“We always have rejected readings of the Commerce Clause and the scope of federal power that would permit Congress to exercise a police power”). But even if the effort to force radiation on non-consenting citizens can be sourced to some power granted to the federal government, as a general matter the Court’s ultimate limitation has direct application here. With the growing exposure to RF and Microwave radiation, more and more people, including children, are directly harmed by non-consensual RF emissions. The Commission may prefer science denial and purposeful evasion of facts, but no reasonable person can insist that RF radiation, even within the Commission’s guidelines, never has and never will cause severe medical problems to anyone. It has, it does and it will. Children in particular are uniquely affected by exposure. Some have pre-existing conditions that are exacerbated by exposure. The FCC may not think Microwave Sickness is a real condition and is only a figment of someone’s imagination, but the Commissioners are not doctors, and this agency is incompetent to determine by *fiat* the condition does not exist. Microwave Sickness is a horrible and impossible reality for far too many adults and children.

For many adults and children government-sanctioned exposure to RF radiation can rise to the level of cruelty and inhumane treatment described in *Jacobson*. For some it is effectively a death sentence. Some have died or committed suicide because constant RF exposure was torturing them beyond their ability to survive or cope. The FCC’s previous callous disregard for their situation has caused them to lose hope of ever being able to participate in society or appear in public spaces because of the pervasive radiation that already exists. Approving this rule change and allowing further non-consensual exposure in peoples’ homes – their last sanctuary –

will sentence many to an impossible situation and turn their lives into a living hell from which there is no escape. The Communications Act simply cannot be read to give the FCC the power to authorize death, cruelty or inhumane treatment.

Thus, *Jacobson* applies and the Commission must at least make some provision for exceptions for those who need one on account of a disability or handicap. The proposed rule will violate the people's constitutional right to bodily autonomy and privacy. The FCC must build in a mechanism for advance notice and a way to obtain accommodations, perhaps like those afforded under the Americans with Disabilities Act, before moving forward with any regulation that allows a provider to place an antenna on one property and then flood other people's property with harmful and toxic radiation, irradiating people against their will when they are sheltering in their own home.

III. Americans with Disabilities Act

The proposed rule will violate the ADA. The Americans with Disabilities Act, 42 U.S.C. §§12101 *et seq* protects persons with a disability¹² in the area of employment, public services and public accommodations operated by private entities. The “service” provided by the hub or relay antennas contemplated by the proposed rule will be a “public accommodation” as defined by 43 U.S.C. §12131(7)(f) because it is a “service establishment.” The Communications Act did

¹² 42 U.S.C. §12102(1) defines “disability”:

(1) Disability. The term “disability” means, with respect to an individual—

(A) a physical or mental impairment that substantially limits one or more major life activities of such individual;

(B) a record of such an impairment; or

(C) being regarded as having such an impairment (as described in paragraph (3)).

Subsections (2) and (3) define “major life activities” and “Regarded as having such an impairment.” Subsection (4) provides further rules of construction, and expressly requires a “broad coverage of individuals under this chapter, to the maximum extent permitted by the terms of this chapter.” It also prohibits consideration of potential mitigating measures like medication, assistive technology or adaptive neurological modifications when determining whether an impairment substantially limits a major life activity.

not impliedly repeal the requirements of the ADA, and the Commission cannot repeal the ADA through a legislative rule.

As noted, the Architectural and Transportation Barriers Compliance Board expressly recognizes that “electromagnetic sensitivities may be considered disabilities under the ADA if they so severely impair the neurological, respiratory or other functions of an individual that it substantially limits one or more of the individual’s major life activities.” The Commission lacks the power and medical expertise to decide the Access Board got it wrong, there is no such thing as Microwave Sickness, that it cannot be a disability, or that the ADA does not require accommodations.

It is true those who developed Microwave Sickness *do not want* wireless service so the issue will not be about “denial” of service or unequal services. They want the relentless advance of overwhelming exposure to end at least at their property line, and they most definitely want it to stop at the walls of their home. The cross-property radiation contemplated by the proposed rule will invade many homes with unwanted and harmful emissions. That is a form of discrimination. The plaintiffs want, and must be allowed, the possibility of not being constantly irradiated against their will and with dire consequences to their health. They have the right to have and enjoy life, peace and security in their home. They have every right to object to, and avoid, being tortured by radiation in their own home that interferes with their ability to think, breath and function and causes them torturous pains.

IV. Fair Housing Act

The proposed rule will violate the Fair Housing Act. Handicapped¹³ individuals have the right to avoid exposure in their own homes. Any person that exposes them against their will

¹³ 42 U.S.C. §3602(h) defines a “handicap”:

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interferes with their “exercise or enjoyment of rights granted or protected by” 42 U.S.C. §3617. That is so because the placement of an antenna is an “improvement” of the dwelling and is thus, a “residential real estate-related transaction” under 42 U.S.C. §3605(b)(1)(A). Anyone placing an antenna that irradiates handicapped persons in their own home will violate the Fair Housing Act.

The Communications Act did not impliedly repeal the requirements of the Fair Housing Act, and the Commission cannot repeal the FHA through a legislative rule. If a provider does not adhere to the FHA’s proscriptions and requirements, the injured person can file a civil action and recover actual, punitive and injunctive relief, along with attorneys’ fees. 42 U.S.C. §3613(c). 42 U.S.C. §3631(a) and (a)(1) provide that “whoever, whether or not acting under color of law, willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with” “any person because of his ... handicap ... and because he is “occupying ... any dwelling” is subject to a fine of up to \$1,000 or up to one year imprisonment. If bodily injury results, the penalty increases to up to \$10,000 or up to 10 years’ imprisonment. Any person that irradiates a handicapped person in his or her home will plainly lead to bodily injury, since irradiation is what causes them to be sick or makes their conditions worse. It is a form of violence.

If this rule is approved, the Commission will run afoul of the prohibition as well. They are acting under color of law, and they will be encouraging and providing “color of law” authority under which countless horrible injuries will be inflicted on innocent people who just want to enjoy their God-given and constitutionally-protected right to enjoy life, peace and security in their home. These people’s rights have already been taken in most public spaces.

(h) “Handicap” means, with respect to a person—

(1) a physical or mental impairment which substantially limits one or more of such person’s major life activities,

(2) a record of having such an impairment, or

(3) being regarded as having such an impairment,

but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 802 of title 21).

Many already cannot go on the streets, access medical care, obtain public services, use public transportation, drive on the road, fly, stay at a hotel or have a job. Their children are ridiculed, forced out of schools and into social isolation. They must be home schooled in an environment that has less harmful radiation. Finding a home has become almost impossible: they cannot live in an apartment and most houses are already intolerable because of emissions from macro-cells and small cells.

People live in fear of waking up in the morning with a new “small cell” installed near their home or a booster antenna in their neighbor's home. Many try to move to rural areas, but the FCC is making sure that even rural areas will not be safe for them. These citizens literally have almost nowhere to go to have a tolerable existence, let alone peace and comfort. The Commission cannot authorize yet another invasion of disabled or handicapped people's homes through this proposed rule.

V. Notice, Opportunity to Contest, Venue for disputes

If the rules are changed, the Commission must require advance notice to all who would be exposed, provide a method for those who want to assert their rights to contest the invasion of their rights, and provide a *fair, affordable and unbiased* forum for resolving disputes.

The providers operating these facilities – if this expansion of authority to place and operate them is allowed – must at least be required to grant reasonable accommodations to those who request them. And that means everyone within reach of the emissions that will flow from the antenna must receive advance written notice so they can know to send a request for accommodation, and where to send it. If the Commission moves forward with this rule change, it must provide for notice to all who will be irradiated and an opportunity for them to assert their property and autonomy rights. Those who are disabled or handicapped from Microwave Sickness

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must be allowed a process for seeking and obtaining request accommodations and a reasonable process and venue for dispute resolution.

While notice and opportunity to object is the bare minimum required by basic due process, it would still be unreasonable and unfair. People should not have to beg for security in their own home, or go through an arcane, expensive and extensive process in some distant, unfamiliar and hostile forum to protect their already-vested rights. If a provider fails to abide by an objection or request for accommodations, they cannot suffer torture while the case winds its way through to "justice." For that reason, the Commission must also materially amend the current language in §1.400(a)(4).

Section 1.400(a)(4) was clearly written with the expectation that a local siting or zoning authority would be the one trying to enforce a "restriction." But that is not what would happen if a homeowner or disabled person is contesting a provider's rejection of an objection or request for accommodation. These will be real people; human beings in fear of their life and opposing a deprivation of vested rights.

The Commission cannot require those objecting to exposure to litigate the issue only before the Commission, which is notoriously hostile to citizen complaints.¹⁴ The providers have deep pockets, and their industry associations (like WISPA) have lobbyists constantly schmoozing staff and Commission offices or at swank social events in Washington D.C. The Commission's complaint process is impenetrable, complicated and full of traps for the unwary.¹⁵ The unfairness of requiring simple homeowners to expend legal fees to protect their home and

¹⁴ The ones likely to most need relief are RF sensitive, so they cannot physically go to the Commission since it is chock-full of wireless radiation from Wi-Fi, cellular transmitters and cell phones and probably many other kinds of emissions.

¹⁵ WISPA's August 27, 2018 letter that led to this proceeding correctly points out on page 4 that they are not telecommunications carriers. Thus the complaint process in 47 C.F.R. Part 1, Subpart E does not apply. A new complaint process would be necessary.

defend their rights only at the Commission in Washington, D.C. is flatly unreasonable. Disabled individuals already cannot travel or go in public, and they cannot fly or stay in hotels. Mandated venue at the Commission imposes an impossible burden.

The Declaratory Ruling process is equally “fairness challenged.” Lawyers that can run the gauntlet of a Commission proceeding are not plentiful in many local areas, and their rates are often completely unaffordable to the average middle-class citizen. Many of those who developed this sickness are plainly poor. The Commission has, so far, flatly denied there is any such thing as Microwave Sickness¹⁶ so it is fatally biased. The FCC has already made it patently obvious that it cannot be and will not be a neutral adjudicator of cases where an individual seeks to prevent unwanted radiation in their own home. If the Commission has been sued under the Tucker Act, it will be disqualified from hearing such cases in any event.

Judicial remedies in a court near the location must be available. There must be a way to obtain fee-shifting if the objecting citizen prevails. Further, there must be a way to obtain interlocutory injunctive relief so a disabled or handicapped person can avoid being irradiated – and suffering torture or even dying from exposure – while the case proceeds. The Commission must, at minimum, create a different set of challenge rules since those in 1.400(a)(4) are clearly unreasonable and deny due process in this context.

VI. Conclusion

The FCC should abandon this contemplated course of action. If it proceeds, the Commission will unleash a citizens' revolt and a tide of litigation against the wireless providers and the Commission. This recklessness must end before there is no place anyone that has developed or will develop Microwave Sickness can go to avoid non-consensual exposure. You

¹⁶ See, e.g., Letter from Julius P. Knapp, Chief Office of Engineering and Technology, to The Honorable Doris Matsui, U.S. House of Representatives (May 2, 2019) (“While we recognize EHS symptoms may be real, numerous scientific studies have failed to demonstrate that they are associated with EMF exposure.”)

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have already taken away most public spaces. Leave our homes alone so we might have a small measure of peace.

Adoption of the proposed rule will further extend the ongoing harm to numerous adults and children that has already been allowed under the FCC's prior actions. They have been chased from public spaces, and home is their last refuge. Do not take that away too, and consign them to misery, torture and perhaps even death with no possibility of avoidance or escape. Try to serve the interests of the public, and especially those that are the most vulnerable, rather than the industry that so often controls what happens at the Commission. Any further FCC action that threatens citizens lives' and even further expands the ongoing onslaught on individual rights will have severe consequences for society, the public treasury and the Commission.

The Commission must not adopt the proposed rule. If it insists on proceeding, it must at least make the changes described above to ensure due process rights.

Respectfully Submitted

/s/

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Dated: April 17, 2020

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Arc of Mid-Hudson

Suggested Action:

Attachments:

[20200505094811.pdf](#)

PS/GG

Tinti, Elisa

From: Verspoor, Roy
Sent: Friday, May 01, 2020 8:43 AM
To: Tinti, Elisa
Subject: FW: [EXTERNAL EMAIL] The Arc of Mid-Hudson- Cornell Creative Arts Center- request

From: Scott Dutton [mailto:sdutton@sda-architects.com]
Sent: Thursday, April 30, 2020 9:59 PM
To: Noble, Steve <SNoble@kingston-ny.gov>; Verspoor, Roy <rverspoor@kingston-ny.gov>; 'Gary Bellows' <Gary.Bellows@arcmh.org>; 'John McHugh' <John.McHugh@TheArcUG.org>; 'Lori McCabe' <Lori.McCabe@thearcug.org>; 'Dennis Larios' <dmlarios@blengineers.com>; Cahill, Suzanne <scahill@kingston-ny.gov>; Schultheis, John <jschultheis@kingston-ny.gov>; Wiltshire, MaryJo <mwiltshire@kingston-ny.gov>
Cc: SCOTT@duttonarchitecture.com
Subject: [EXTERNAL EMAIL] The Arc of Mid-Hudson- Cornell Creative Arts Center- request

Sent: 4/30/20 9:58 pm

Mayor,

This evening, on behalf of the Arc of Mid-Hudson, I personally dropped off a package with (6) copies of the attached in the submission drop box at the South Entrance of City Hall requesting that the common council review, through the appropriate committee.

Please do not hesitate to contact me to review the attached on my cell phone which I believe that you have but am sharing for all copied on this email. 914-388-2461.

Thank you!

Scott Dutton / Architect, AIA / DUTTON ARCHITECTURE, PLLC
33 Canfield Street/Kingston, New York 12401/Office: 845-339-2039

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Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Proposed Resolutions

Suggested Action:

Attachments:

[20200505084102.pdf](#)

LEGISLATION LIST- MAY 2020

RESOLUTION 84- MEMORIALIZING RESOLUTION SUPPORTING
EMERGENCY RENTAL ASSISTANCE

RESOLUTION 85- DECLAIRING THE COMMON COUNCIL AS LEAD
AGENCY TO THE REVIEW OF THE ZONING CODE

RESOLUTION 86- REFERRING THE ZONING CODE CHANGE TO THE
CITY PLANNING BOARD, THE COUNTY PLANNING BOARD, AND
HISTORIC LANDMARKS COMMISSION

RESOLUTION 87- REMOVAL OF NO TURN ON RED AT GREENKILL
AVENUE

RESOLUTION 88- BUDGET TRANSFER IN THE ECONOMIC &
COMMUNITY DEVELOPMENT DEPARTMENT IN THE AMOUNT OF
\$195,000.00 FOR RESTORE NY ROUND IV

RESOLUTION 89- REMOVING HANDICAP PARKING ON ORA PLACE

RESOLUTION 90- ADDING HANDICAP PARKING ON RAVINE STREET

RESOLUTION 91- ADDING A STOP SIGN AT THE INTERSECTION OF
WESTBROOK PLACE AND SHARON LANE

RESOLUTION 92- AMENDING THE ZONING MAP TO EXTEND THE
MIXED USE OVERLAY DISTRICT TO INCLUDE 51 SCHWENK DRIVE

RESOLUTION 93- ADDING NO PARKING IN BIKE LANES CITY WIDE

LOCAL LAW #3- FIRST READING

RESOLUTION 84 OF 2020

MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, SUPPORTING EMERGENCY RENTAL ASSISTANCE LEGISLATION

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

WHEREAS, The World Health Organization (“WHO”) has declared the COVID-19 outbreak a global pandemic, defined as the worldwide spread of a new virus for which most people do not have immunity; and

WHEREAS, On March 7, 2020, New York Governor Andrew Cuomo declared a state of emergency based on COVID-19; and

WHEREAS, As of April 1, 2020, there were over 83,000 documented cases of COVID-19 within the State of New York; and

WHEREAS, Both Governor Cuomo and the New York State Department of Health have issued declarations banning non-essential employees from work, closing schools, and limits on public gatherings, as well as recommendations on social distancing, staying home if sick, canceling or postponing large group events,, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, Over half of tenants in New York State are rent-burdened during typical economic conditions. As a result of the state of emergency and the government-recommended precautions, many tenants have experienced sudden income loss, and further income impacts are anticipated, leaving tenants vulnerable to eviction; and

WHEREAS, Housing stability is crucial in a public health emergency in which containment and treatment rely on individuals staying indoors and not being forced to seek shelter or experience homelessness.

WHEREAS, the COVID-19 Rental Emergency Assistance Program was introduced in the New York State Senate on March 29, 2020;

BE IT RESOLVED that the City of Kingston supports and endorses S8140, which would provide rental assistance vouchers for a defined period to those tenants who exhibit significant financial hardship due to the outbreak of COVID-19; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to send a copy of this resolution to U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, Governor Andrew Cuomo, New York State Senator Amedore, JR, New York State Assemblymember Kevin Cahill, Senate Housing Chair Brian Kavanagh, and Assembly Housing Chair Steven Cymbrowitz.

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

(LIR)

Tinti, Elisa

From: Hirsch, Michele
Sent: Friday, April 03, 2020 9:55 AM
To: Shaut, Andrea
Cc: Tinti, Elisa
Subject: Communication for Agenda
Attachments: 2020 Rent Relief Resolution City of Kingston.docx

Dear President Shaut,

This is a request for a placement on the agenda of the next appropriate Council Committee which I would expect to be the Laws and Rules Committee as time is of the essence during the COVID-19 Pandemic.

The **RESOLUTION SUPPORTING EMERGENCY RENTAL ASSISTANCE LEGISLATION** is a resolution in support of a bill currently in process in the NY State Senate.

On March 29, 2020 New York Senate Housing Chair Brian Kavanagh introduced S8140. In summary, this bill creates a new NY State emergency voucher program for tenants impacted by the COVID-19 pandemic. In order for tenants to be eligible for this emergency voucher, they have to demonstrate a substantial loss of income due to the current pandemic. The voucher would cover the amount above 30% of the current income of the impacted individual(s). For clarity, if someone was unemployed, the voucher would cover 100% of the rent. The limit on this assistance would be 3 months in nature as the bill is currently written, and utility payments would be included in the voucher coverage.

This resolution does not have a financial impact on the City of Kingston.

Thank you for your consideration.

With kind regards,

Michele Hirsch
Alderman, Ward 9

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT: Common Council

DATE: 4-15-20

Description: Approve memorializing resolution
supporting Emergency Rental Assistance legislation as
per attached.

Signature: _____

Motion by RSC

Seconded by RW

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

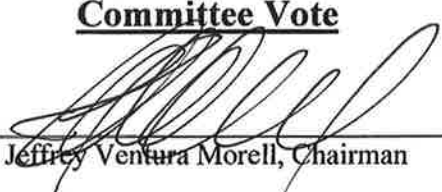
Unlisted Action _____

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	☐	☐
Rennie Scott-Childress, Ward 3	☐	☐
Don Tallerman, Ward 5	☐	☐
Rita Worthington, Ward 4	☐	☐

RESOLUTION 85 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 WITH REGARD TO PROPOSED CHANGES TO THE ZONING CODE OF THE CITY OF KINGSTON

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

WHEREAS, upon consideration the Common Council of the City of Kingston believes that it should be designated lead agency with regard to the review of the annexed proposed changes to the Zoning Code 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 City of Kingston Common Council hereby declares itself lead agency with regard to the annexed proposed changes to the Zoning Code of the City of Kingston.

SECTION 2. That the request for lead agency status be circulated to involved agencies as determined pursuant to applicable law.

SECTION 3. 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

851

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT: Mayor

DATE: 4-15-20

Description: Be it hereby resolved that the Common Council seeks to be declared lead agency with regard to the review of the annexed proposed changes to the Zoning Code of the City of Kingston.
And
Be it hereby resolved that this request for lead agency status be circulated to involved agencies as determined pursuant to applicable law.

Signature: _____

Motion by RSC

Seconded by RW

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

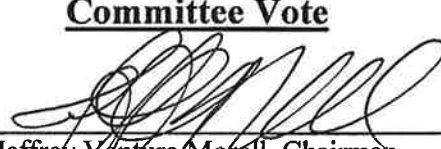
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
 Jeffrey Ventura Morell, Chairman	☒	☐
Patrick O'Reilly Ward 7	☐	☐
Rennie Scott-Childress, Ward 3	☐	☐
Don Tallerman, Ward 5	☐	☐
Rita Worthington, Ward 4	☐	☐

1- Amend section 405-3 “Definitions” to include

Affordable Housing Unit

A dwelling unit available at a cost of no more than 30% of the gross household income of households at or below 80% of the Ulster County Median Income.

Qualified Affordable Housing Unit

An individual or family with household incomes that do not exceed 80% of the median income with adjustments for household size.

2- Renumber current paragraph 405-5 into 405 (A)

3- Renumber 405-8 as 405 (B)

4- Adopt new 405-8 “Affordable Housing”

(A) The Planning Board shall deny site plan approval for development if the applicant does not comply, at a minimum, with the following requirements for affordable housing.

(1) In any [ADD “new development or renovation of an existing structure”] development that includes five or more overall housing units, of the five or more overall housing units, 10% or more of those units shall be dedicated to affordable housing.

(2) The rental cost of affordable housing units will be calculated as not to exceed 30% of a household’s income.

(3) The maximum income for a household to occupy an affordable housing unit will be 80% of the Ulster County median income, with adjustments for family size and shall be updated yearly.

(4) Affordable housing units shall be dispersed throughout the proposed housing development and shall be indistinguishable from market rate units in design, appearance, construction, and quality of materials.

(5) Affordable housing units shall be phased in during any build-out period. Such units shall be provided coincident to the development of market-rate apartments.

(B) Affordable housing units shall continue to comply with the criteria set forth herein for the length of time that the building in question contains residential units.

(C) Final choice of the tenants to occupy the affordable housing units lies

with the owners of the property or their representatives.

- (D) Prior to the entry of an agreement to rent an affordable housing unit, and throughout the tenancy, property owners are required to secure and maintain current documentation which establishes the eligibility of the potential tenant for said affordable housing unit.
- (E) Such documentation shall include written verification of income. Continued eligibility shall be monitored and tenants shall be required to submit documentation on a yearly basis throughout the occupancy.
- (F) Property owners shall make all documents and records outlined herein available to the City of Kingston upon request.
- (G) The City of Kingston reserves the right to review and audit these records to confirm compliance with the provisions set forth herein.
- (H) Site plan approval for all developments of five or more units shall be granted contingent upon compliance with these requirements. The failure to comply with these requirements, upon notice, may result in the revocation of site plan approval.
- (I) Any request to revoke site plan approval as the result of the failure to comply with the provisions of this section shall be made on notice to the property owner who shall be afforded a full and fair opportunity to be heard regarding the request before the City of Kingston Planning Board. Any determination of the Planning Board to revoke site plan approval for failure to comply with these provisions may be appealed in a proceeding pursuant to Article 78 of the Civil Practice Laws and Rules.

5. Replace current section 405-27.1 "Mixed Use Overlay District" with the following:

A. Purpose and Principles.

- (1) The Mixed Use Overlay Districts are intended to implement a City of Kingston Comprehensive Plan Element for the areas known as the Stockade and Midtown Mixed Use Overlay Districts" (see attached maps).
- (2) According to the Comprehensive Plan Element, the creation of the Mixed Use Overlay Zoning District has the following underlying purposes;
 - (a) The first purpose is to provide rental multifamily housing to the present and future residents of the City of Kingston.
 - (b) The second purpose is to encourage mixed use, mixed income, pedestrian neighborhoods to the present and future residents of the City of Kingston.

- (c) The third purpose is to encourage the development of affordable housing units in accordance with the provisions of Section 405-8.

B. Uses permitted by Right.

- (1) The adaptive reuse of existing commercial and industrial buildings to include rental multifamily housing and which encourage mixed use, mixed income, pedestrian neighborhoods.
- (2) The new construction of buildings to include rental multifamily housing and which encourage mixed use, mixed income, pedestrian neighborhoods.

C. Development Standards.

With regard to both adaptive reuses of buildings and new construction, residential uses above retail or commercial uses should be encouraged and the safety, comfort, and interests of pedestrians should be integrated into all site plans.

In the review of all site plans in the Mixed Use Overlay Districts, the following are to be considered as furthering the safety, comfort and interests of pedestrians.

- (1) Street level building spaces are limited to commercial activities with residential spaces allowed at the second or above floors.
- (2) Primary entrances of buildings face a street or small park.
- (3) Sheltering elements and/or shade trees are included.
- (4) An appropriate lighting-plan.
- (5) Pedestrian connections between buildings and streets, between buildings and through parking lots are to clearly established, maintained, and reinforced.
- (6) Parking areas do not dominate the development. In this regard, the screening of parking lots from the streets and making parking lots cooler shall be encouraged.

RESOLUTION 86 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING A COPY OF THE LEGISLATION FOR THE PROPOSED CHANGES TO THE ZONING CODE OF THE CITY OF KINGSTON BE REFERRED FOR COMMENT TO THE CITY OF KINGSTON PLANNING BOARD, ULSTER COUNTY PLANNING BOARD AND THE HISTORIC LANDMARKS PRESERVATION COMMISSION

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

WHEREAS, a request has been made for proposed changes to the Zoning Code of the City of Kingston as annexed hereto.

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 refers the annexed proposed changes to the Zoning Code of the City of Kingston to the City of Kingston Planning Board, Ulster County Planning Board and the Historic Landmarks Preservation Commission for comments.

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: Mayor

DATE: 4-15-20

Description: Be it resolved that a copy of the proposed legislation be referred for comment to the city Planning Board, the Ulster County Planning Board and the Historic Landmarks Preservation Commission.

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:

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

1- Amend section 405-3 "Definitions" to include

Affordable Housing Unit

A dwelling unit available at a cost of no more than 30% of the gross household income of households at or below 80% of the Ulster County Median Income.

Qualified Affordable Housing Unit

An individual or family with household incomes that do not exceed 80% of the median income with adjustments for household size.

2- Renumber current paragraph 405-5 into 405 (A)

3- Renumber 405-8 as 405 (B)

4- Adopt new 405-8 "Affordable Housing"

(A) The Planning Board shall deny site plan approval for development if the applicant does not comply, at a minimum, with the following requirements for affordable housing.

(1) In any [ADD "new development or renovation of an existing structure"] development that includes five or more overall housing units, of the five or more overall housing units, 10% or more of those units shall be dedicated to affordable housing.

(2) The rental cost of affordable housing units will be calculated as not to exceed 30% of a household's income.

(3) The maximum income for a household to occupy an affordable housing unit will be 80% of the Ulster County median income, with adjustments for family size and shall be updated yearly.

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(B) Affordable housing units shall continue to comply with the criteria set forth herein for the length of time that the building in question contains residential units.

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with the owners of the property or their representatives.

- (D) Prior to the entry of an agreement to rent an affordable housing unit, and throughout the tenancy, property owners are required to secure and maintain current documentation which establishes the eligibility of the potential tenant for said affordable housing unit.
- (E) Such documentation shall include written verification of income. Continued eligibility shall be monitored and tenants shall be required to submit documentation on a yearly basis throughout the occupancy.
- (F) Property owners shall make all documents and records outlined herein available to the City of Kingston upon request.
- (G) The City of Kingston reserves the right to review and audit these records to confirm compliance with the provisions set forth herein.
- (H) Site plan approval for all developments of five or more units shall be granted contingent upon compliance with these requirements. The failure to comply with these requirements, upon notice, may result in the revocation of site plan approval.
- (I) Any request to revoke site plan approval as the result of the failure to comply with the provisions of this section shall be made on notice to the property owner who shall be afforded a full and fair opportunity to be heard regarding the request before the City of Kingston Planning Board. Any determination of the Planning Board to revoke site plan approval for failure to comply with these provisions may be appealed in a proceeding pursuant to Article 78 of the Civil Practice Laws and Rules.

5. Replace current section 405-27.1 "Mixed Use Overlay District" with the following:

A. Purpose and Principles.

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- (2) According to the Comprehensive Plan Element, the creation of the Mixed Use Overlay Zoning District has the following underlying purposes;
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C. Development Standards.

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In the review of all site plans in the Mixed Use Overlay Districts, the following are to be considered as furthering the safety, comfort and interests of pedestrians.

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- (3) Sheltering elements and/or shade trees are included.
- (4) An appropriate lighting-plan.
- (5) Pedestrian connections between buildings and streets, between buildings and through parking lots are to clearly established, maintained, and reinforced.
- (6) Parking areas do not dominate the development. In this regard, the screening of parking lots from the streets and making parking lots cooler shall be encouraged.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-89, SCHEDULE VI, PROHIBITED TURNS OF THE KINGSTON CITY CODE ON GREENKILL AVENUE

Sponsored By: Public Safety/General Government Committee:
Alderman: Davis, Scott-Childress, Ventura Morell,
O'Reilly, Hirsch

WHEREAS, a request has been made to amend Prohibited Turns on Greenkill Avenue by removing the sign indicating No Turn on Red at the intersection of Greenkill Avenue with Wilbur Avenue; and

WHEREAS, it is in the best interests of the City to amend Section 390-89, Schedule VI, Prohibited Turns by removing the sign indicating No Turn on Red at the intersection of Greenkill Avenue with Wilbur 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 390-89, Schedule VI, Prohibited Turns , by removing the sign No Turn on Red at the intersection of Greenkill Avenue with Wilbur 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: _____

DATE: 4/22/21

Description: Removal of "No turn on red" at Greenkill Ave.

Amendment to revise the City Code Chapter 390 Vehicles and Traffic, Schedule
VI: Prohibited turns, to delete the prohibition of turns at this location.

Signature: _____

Motion by Jenn
Jenn

Seconded by Pat
RSC

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

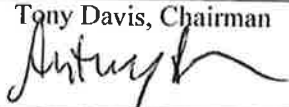
Unlisted Action _____

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>
Tony Davis, Chairman 	☒	☐
Patrick O'Reilly Ward 7  Patrick O'Reilly (Apr 28, 2020)	☐	☐
Rennie Scott-Childress, Ward 3 	☒	☐
Jeffrey Ventura Morell, Ward 1  JV Morell (Apr 28, 2020)	☒	☐
Michele Hirsch, Ward 9  Michele Hirsch (Apr 30, 2020)	☒	☐

(PS-66)

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

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



Steven T. Noble, Mayor

March 6, 2020

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

RE: No Turn on Red, Greenkill Avenue Eastbound at Wilbur Avenue

Dear President Shaut:

Base on a request from Alderman Tallerman, I reviewed the conditions at this location. Signage indicates that right turns on red are prohibited at this location.

In my opinion, the prohibition of right turns on red for traffic eastbound on Greenkill turning onto southbound Wilbur Avenue can be removed.

This will require a revision to City Code Chapter 390 Vehicles and Traffic, Schedule VI: Prohibited Turns, to delete the prohibition of turns at this location.

Following the adoption of this legislation, I will ask the DPW to remove the signage at this location.

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,

A handwritten signature in blue ink, appearing to be "JMS", written over a horizontal line.

John M. Schultheis, P.E.
City Engineer

Cc: Steve Noble, Mayor
Tony Davis, Chair, Public Safety / General Government
Donald Tallerman, Alderman Ward 5

RESOLUTION 88 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AN INCREASE IN ASSOCIATED REVENUE AND EXPENSE ACCOUNTS FOR ACTIVITIES RELATED TO THE CITY'S RESTORE NY ROUND IV GRANT IN THE AMOUNT OF \$195,000

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

WHEREAS, a request is being made for an increase in the associated revenue and expense accounts for activities related to the City's Restore NY Round IV grant in the amount of \$195,000, which would allow a reimbursement to RUPCO of \$305,000 for the cost of demolition of the old bowling alley building and to access \$195,000 toward the renovation costs of two vacant homes on Franklin Street and one on Van Deusen Street.

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 increase in the associates revenue and expense accounts for activities related to the City's Restore NY Round IV Grant in the amount of \$195,000 as follows:

From: 6989-3389 NYS Grant \$195,000

To: 6989-5301 Contracted Services (Capital) \$195,000

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

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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 <u>X</u> _____ BONDING REQUEST _____ OTHER _____	

DEPARTMENT: Economic & Community Development **DATE:** April 3, 2020

Description:
 Budget transfer request to increase associated revenue and expense accounts for activities related to the City's Restore NY Round IV grant in the amount of five hundred thousand dollars and zero cents \$195,000 (~~\$500,000.00~~).

<u>FROM</u>		<u>195,000.00</u>
<u>Increase</u>	6989-3389 NYS Grant	\$500,000.00
<u>Increase</u>	6989-5301 Contracted Services (Capital)	\$500,000.00 <u>195,000.00</u>

Estimated Financial Impact: \$ 0 Signature: [Signature]

Motion by SS

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>
Douglas Koop, Chairman <u>D. A. Koop</u> D. A. Koop (Apr 13, 2020)	✓	
Reynolds Scott-Childress Ward 3 <u>[Signature]</u>	✓	
Anthony Davis, Ward 6 <u>AD2</u> Anthony Davis (Apr 9, 2020)	✓	
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8 <u>Steven Schabot</u> Steven Schabot (Apr 13, 2020)	✓	

(Fin)

CITY OF KINGSTON
Office of Economic and Community Development
brobinson@kingston-ny.gov

Brenna L. Robinson, Director



Steven T. Noble, Mayor

April 3, 2020

Andrea Shaut, Alderwoman-at-Large
President, Kingston Common Council
City Hall, 420 Broadway
Kingston, NY 12401

Dear President Shaut:

In 2018, the City secured a grant award from Empire State Development (ESD) in Round IV of its Restore NY program in the amount of five hundred thousand dollars and zero cents (\$500,000.00). This funding is to be used to support the development of RUPCO's E², Energy Square, project on Cedar St. and the rehabilitation of three vacant homes, two on Franklin Street and one on Van Deusen Street, that will be made available to income-eligible, first-time homebuyers. The ten percent match required by this grant award is far exceeded by RUPCO's other investments in the E² project, as well as the City's already secured Community Development Block Grant funds that have been set aside for the residential rehabilitation work. Therefore, this budget transfer request indicates a zero financial impact to the City's budget.

After procuring all of the required documentation to execute a contract with ESD, we are now prepared to expend the funds, as authorized by the Common Council in Resolution #144 of 2018 (attached).

Please refer this request to the appropriate committee for the Council to consider the budget transfer activities indicated on the attached committee report. This will allow for the increase of my department's NYS Grant revenue line and the associated Contracted Services – Capital Outlay line to reimburse RUPCO for \$305,000 of the cost of demolition of the old bowling alley building at the project site and to access the \$195,000 toward the renovation costs for the residences mentioned above.

If you or other Council members have questions or need additional information, please contact me at your convenience at the phone or email listed below. Thank you.

Respectfully submitted,

Brenna L. Robinson, Director
Office of Economic & Community Development
845-334-3924, brobinson@kingston-ny.gov

RESOLUTION 144 of 2018

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR TO EXPEND FUNDS IN THE FIRST INSTANCE FOR THE RESTORE NEW YORK COMMUNITIES INITIATIVE FROM EMPIRE STATE DEVELOPMENT FOR THE MIDTOWN KINGSTON RESTORE PROJECT

Sponsored by: Finance and Audit Committee
Aldermen: Koop, Scott-Childress, Davis, O'Reilly, Schabot

WHEREAS, the City of Kingston has been awarded a Restore New York Communities Initiative grant in the amount of \$500,000 from Empire State Development for the Midtown Kingston Restore Project; and

WHEREAS, the matching funding requirements of \$55,555 are expected through a contribution by RUPCO; 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. Administration of all funds under these grants will be in accordance with all terms and conditions contained in guidelines provided by Empire State Development

SECTION 2. The Mayor of the City of Kingston is hereby authorized to expend funds in the first instance under the terms of the Restore New York Communities Initiative.

SECTION 3. This resolution shall take effect immediately.

Submitted to the Mayor this 11th day

of July 2018


Cary Winne, City Clerk

^{Acting}
Approved by the Mayor this 16th day

of July 2018


Steven T. Noble, Mayor
^{Acting}

Adopted by Council on July 10, 2018

Financial Impact – No Greater than \$55,555

RESOLUTION 89 OF 2020

**AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO THE
TRAFFIC ON THE PUBLIC STREETS OF THE CITY OF KINGSTON, NEW
YORK, REMOVING HANDICAP PARKING ON ORA PLACE**

Sponsored By: Public Safety/General Government Committee:
Alderman Davis, O'Reilly, Scott-Childress, Ventura
Morell, Hirsch

WHEREAS, in the interest of safety and the needs of residents, parking on the streets must be regulated.

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

SECTION 1. Article 7, Section 390-57, "Handicap Parking" is hereby amending by removing the following:

Handicap Parking (and signage) at 18 Ora Place

SECTION 2. This ordinance shall take effect immediately after passage, approval and publication as provided by law.

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

Public Safety/General Government Committee Agenda Item Report

Meeting Date: April 22, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Remove Handicap Sign 18 Ora Place

Suggested Action:

Attachments:

20200409102436.pdf

ES

Tinti, Elisa

From: Shaut, Andrea
Sent: Friday, April 03, 2020 2:06 AM
To: Tinti, Elisa
Subject: Fw: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34487] (Signage Installation/Removal) - City of Kingston, NY

Please add to communications.

Thank you,

Andrea Shaut

Council President, City of Kingston

From: noreply-kingston@qscend.com <noreply-kingston@qscend.com>
Sent: Monday, March 2, 2020 3:06 PM
To: Alderman
Subject: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34487] (Signage Installation/Removal) - City of Kingston, NY

City of Kingston, NY

A new service request has been filed.

Service Request Details	
ID	34487
Date/Time	3/2/2020 3:06 PM
Type	Signage Installation/Removal
Address	18 Ora Pl, Kingston
Origin	Report2Gov iOS
Comments	Please remove handicap signs in front of 18 Ora Place. Signs were installed to accommodate homeowners' mother, who has since passed away. Thank you. Rita Worthington.
Submitter	Worthington, Rita ward4@kingston-ny.gov

[View in QAlert](#)

THE CITY OF KINGSTON COMMON COUNCIL

PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: _____

DATE: 4/22/20

Description: _____

Remove handicap signs in front of
18 Ora Place as per attach request -

Signature: _____

Anthony Davis

Motion by _____

ASC

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: _____

Committee Vote	YES	NO
Tony Davis, Chairman <i>Anthony Davis</i>	☒	☐
Patrick O'Reilly Ward 7 <i>PO'Reilly</i> Patrick O'Reilly (Apr 28, 2020)	☐	☐
Rennie Scott-Childress, Ward 3 <i>Rennie Scott-Childress</i>	☒	☐
Jeffrey Ventura Morell, Ward 1 <i>JVMorell</i> JVMorell (Apr 28, 2020)	☐	☐
Michele Hirsch, Ward 9 <i>Michele Hirsch</i> Michele Hirsch (Apr 02, 2020)	☒	☐

RESOLUTION 90 OF 2020

**AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO THE
TRAFFIC ON THE PUBLIC STREETS OF THE CITY OF KINGSTON, NEW
YORK, ADDING HANDICAP PARKING ON RAVINE STREET**

Sponsored By: Public Safety/General Government Committee:
Alderman Davis, O'Reilly, Scott-Childress, Ventura
Morell, Hirsch

WHEREAS, in the interest of safety and the needs of residents, parking on the streets must be regulated.

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

SECTION 1. Article 7, Section 390-57, "Handicap Parking" is hereby amending by adding the following:

Handicap Parking (and signage) at 52 Ravine Street

SECTION 2. This ordinance shall take effect immediately after passage, approval and publication as provided by law.

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

90

Public Safety/General Government Committee Agenda Item Report

Meeting Date: April 22, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Handicap Sign Presidents Place

Suggested Action:

Attachments:

20200409102625.pdf

Tinti, Elisa

PS-166

From: Shaut, Andrea
Sent: Friday, April 03, 2020 2:00 AM
To: Tinti, Elisa
Subject: Fw: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34473] (Handicap Requests) - City of Kingston, NY

Please add to communications.

Thank you,

Andrea Shaut

Council President, City of Kingston

From: noreply-kingston@qscend.com <noreply-kingston@qscend.com>
Sent: Monday, March 2, 2020 12:27 PM
To: Shaut, Andrea
Subject: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34473] (Handicap Requests) - City of Kingston, NY

City of Kingston, NY

A new service request has been filed.

Service Request Details	
ID	34473
Date/Time	3/2/2020 12:27 PM
Type	Handicap Requests
Address	52 Ravine St, Kingston
Origin	Website
Comments	#4850080; 2/24 exp #4849817; 6/23 exp
Submitter	52 Ravine Street, Isabel & Richard Die 10 Presidents Pl Kingston, NY 12401-6308 845-338-5060 SSCHABOT@HVC.RR.COM

THE CITY OF KINGSTON COMMON COUNCIL

PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: _____	DATE: <u>4/24/20</u>
Description: _____ <i>Install Handicap signs at 52 Ravine St. as per attach request -</i>	
Signature: <u><i>Anthony Davis</i></u>	

Motion by *AD*

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: _____

Committee Vote	YES	NO
Tony Davis, Chairman <i>Anthony Davis</i>	✓	
Patrick O'Reilly, Ward 7 <i>PO'Reilly</i> Patrick O'Reilly (Apr 28, 2020)	☐	
Rennie Scott-Childress, Ward 3 <i>Rennie Scott-Childress</i>	✓	
Jeffrey Ventura Morell, Ward 1 <i>JVMorell</i> JVMorell (Apr 28, 2020)	✓	
Michele Hirsch, Ward 9 <i>Michele Hirsch</i> Michele Hirsch (Apr 30, 2020)	✓	

RESOLUTION 91 OF 2020

AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO THE TRAFFIC ON THE PUBLIC STREETS OF THE CITY OF KINGSTON, NEW YORK, ADDING A STOP SIGN AT THE INTERSECTION OF WESTBROOK PLACE AND SHARON LANE

Sponsored By: Public Safety/General Government Committee:
Alderman Davis, O'Reilly, Scott-Childress, Ventura
Morell, Hirsch

WHEREAS, in the interest of safety and the needs of residents, parking on the streets must be regulated.

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

SECTION 1. Article 13, Schedule 9, Section 390-92, "Stop Intersections" be amended amending by ADDING the following:

Stop Sign at Westbrook Place and Sharon Lane

SECTION 2. All ordinances and parts thereof, inconsistent here with 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

Public Safety/General Government Committee Agenda Item Report

Meeting Date: April 22, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Adding Stop Sign Westbrook/Sharon Lane

Suggested Action:

Attachments:

20200409102323.pdf

PS

Tinti, Elisa

From: Shaut, Andrea
Sent: Friday, April 03, 2020 9:22 AM
To: Tinti, Elisa
Subject: Fw: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34897] (Signage Installation/Removal) - City of Kingston, NY

Can you add the following to the communications?

Thank you,

Andrea Shaut

Council President, City of Kingston

From: noreply-kingston@qscend.com <noreply-kingston@qscend.com>
Sent: Sunday, March 8, 2020 8:16 AM
To: Alderman
Subject: [EXTERNAL EMAIL] A new Service Request has been created [Request ID #34897] (Signage Installation/Removal) - City of Kingston, NY

City of Kingston, NY

A new service request has been filed.

Service Request Details	
ID	34897
Date/Time	3/8/2020 8:17 AM
Type	Signage Installation/Removal
Address	50 Westbrook Pl, Kingston
Origin	Report2Gov iOS
Comments	Hi, There is no STOP (or yield) sign at the intersection of Westbrook and Sharon. I've only lived here for less than a year, but neighbors have warned me and said there have been close calls between vehicles coming from Westbrook and crossing that intersection in the past. There's not a lot of traffic on Westbrook, but the city may want to consider adding signage to the intersection. Thanks

DEPARTMENT: Engineering DATE: April 20, 2020

Description: For the intersection of Westbrook Place and Sharon Lane:
Add STOP Signs (MUTCD R1-1) for traffic on Westbrook Place
Amend Vehicles and Traffic, 390-92, Schedule IX accordingly

Signature: John Schulthois

Positive Declaration of Environmental Significance: _____

164

ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING THE ZONING MAP TO EXTEND THE MIXED USE OVERLAY DISTRICT TO INCLUDE 51 SCHWENK DRIVE, TAX MAP NO. 48.80-1-24.120

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

WHEREAS, 51 Schwenk Drive, Tax Map No. 48.80-1-24.120 is currently zoned C-2 (Central Commercial); and

WHEREAS, an amendment to the zoning map is requested to extend the mixed use overlay district to include 51 Schwenk Drive, Tax Map No. 48.80-1-24.120; and

WHEREAS, this amendment to the zoning map is in the best interest of the City of Kingston; and

WHEREAS, on December 16, 2019, the Planning Board rendered a negative declaration of environmental significance providing all agencies the ability to render decisions as needed; and

WHEREAS, on February 5, 2020, the Ulster County Planning Board conditionally approved the proposed zoning change based on the inclusion of a 10% affordable housing requirement.

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

SECTION 1. The Common Council has accepted the recommendation of the Ulster County Planning Board and makes the re-zoning conditioned on the inclusion of a 10% affordable housing requirement.

SECTION 2. That the zoning map be amended to extend the mixed use overlay district to include 51 Schwenk Drive, Tax Map No. 48.80-1-24.120.

SECTION 3. All ordinances and parts thereof inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect immediately after passage approval and publication approval 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

THE CITY OF KINGSTON COMMON COUNCIL

**LAWS & RULES
COMMITTEE REPORT**

DEPARTMENT: Mayor DATE: April 15-2008

Description: Ordinance amending the zoning map to
extend the MIXED USE OVERLAY DISTRICT to include
51 Schwenk Drive, Tax Map No 48.80-1-24.120

Signature: _____

Motion by RSC

Seconded by DT

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

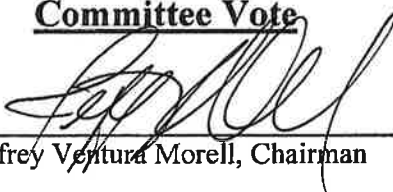
Unlisted Action _____

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		
Rennie Scott-Childress, Ward 3		
Don Tallerman, Ward 5		
Rita Worthington, Ward 4		

(L+R)

Tinti, Elisa

From: Noble, Steve
Sent: Thursday, April 02, 2020 11:04 AM
To: Shaut, Andrea
Cc: Tinti, Elisa; Bryant, Kevin; Gartenstein, Daniel
Subject: Communication regarding Affordable Housing in Kingston
Attachments: 20200402085139.pdf

Dear President Shaut,

Even though we have embarked on a new zoning code in Kingston, a process of which will take over a year, I strongly encourage the Common Council to support the recommendations made by the Zoning Board of Appeals related to clarifying our current Zoning code to mandate an affordable housing provision for all new multi-family housing built within the City of Kingston. I believe this can and should be done now using a 10% requirement for now and that we can have a further community conversation as part of the zoning update as to what the eventual regulations can be.

The ZBA decision stated "Specifically, this Board requests that the Council consider immediately amending the City Code to delete the affordable housing guidelines set forth in the Mixed Use Overlay Districts and replace these guidelines with affordable housing requirements that apply throughout the City of Kingston, and that it amend the Code to specifically and unambiguously permit the new construction of residential units in the Mixed Use Overlay Districts."

Respectfully Submitted,

-Steve

Steven T. Noble
Mayor, City of Kingston
420 Broadway
Kingston, NY 12401
845-334-3902
www.kingston-ny.gov

Steven T. Noble, Mayor
Stephan Knox, Director



David Bence, Plumbing Inspector
Eric Kitchen, Zoning Officer

RECEIVED:

RECEIVED BY *PS*

DATE *3/13/2020*

TIME *12:15 PM*

March 12, 2020

Dear City of Kingston Clerk Elisa Tinti,

Please see the attached Zoning Board of Appeals decision on March 12, 2020 and voting sheet for immediate filing with your office. In reference to the Appeal of the City of Kingston ZEO determination of the Kingstonian project.

Rodenhausen, Chale & Polidoro Attorney for 61 Crown Street LLC, 311 Wall Street LLC, 317 Wall Street LLC, and 323 Wall Street owners LLC (the "applicants"). Owners of property within the City of Kingston Mixed Use Overlay District ("the MUOD"). Appealing the determination of the City of Kingston ZEO as it relates to the Kingstonian Development LLC 9-21 North Front Street and 51 Schwenk Drive, Kingston NY 12401 Zone: C-2 / Partial MUOD Ward: 2 Tax parcels 48.80-1-25,-26,-24.12.

Sincerely,

Eric Kitchen

A handwritten signature in black ink, appearing to read "Eric Kitchen", written over the printed name.

Zoning Enforcement Officer

CITY OF KINGSTON: STATE OF NEW YORK
ZONING BOARD OF APPEALS

-----X
In the Matter of the Appeal of 61 Crown, LLC,
311 Wall Street LLC, 317 Wall Street, LLC., and
323 Wall Street, LLC, from an Interpretation Rendered
by the City of Kingston Zoning Enforcement Officer
regarding the Mixed Use Overlay District as set forth in
Section 405-27.1 of the City of Kingston Code, as applied
to the Proposed Development Known as the
"Kingstonian Project".
-----X

I. Background

Kingstonian Development Group, LLC and Herzogs Supply Company Inc., the owners and proposed developers of parcels located at 9-21 North Front Street (hereinafter referred to collectively as "Respondent") have submitted various applications to the City of Kingston Planning Board, the Common Council of the City of Kingston and other City Boards and Commissions with regard to a proposed development known as the "Kingstonian". Respondents have proposed to construct a mixed use project including approximately one hundred twenty-nine residential apartments. While the property at issue is located in the C-2 Zone where residential apartments are generally not permitted, it is also located within a "Mixed Use Overlay District" (hereinafter referred to as "MUOD") which permits residential uses under specific conditions.

Most relevant to the appeal matter before this Board, an application has been submitted to the Planning Board requesting, inter-alia, a State Environmental Quality Review Determination and Site Plan approval. In addition, a petition has been submitted to the Common Council of the City of Kingston requesting that a portion of the Respondent's property be rezoned to be included in the Mixed Use Overlay District.

Pursuant to the applicable provisions of the City Code, a public hearing was held before the Common Council regarding the application to rezone the property. A number of members of the public requested an interpretation whether the proposed development was allowed in the mixed use overlay district and whether, if allowed, the developers were required to provide for affordable housing as set forth in 405-27.1 of the Code. In addition, the City received a written request for an interpretation from a member of the community.

These requests were forwarded to the Zoning Enforcement Officer (hereinafter referred to as "ZEO") for an interpretation of the applicable sections of the Code. The ZEO received written arguments from counsel for the individuals who requested the interpretation and from counsel for the developer. Therein, counsel for the parties seeking the interpretation argued that the affordable housing provisions applied to the Kingstonian and further argued that new construction of residential units was not permitted in the MUOD.

The ZEO also received a response from counsel for Respondent arguing that the affordable housing provisions apply only to adaptive reuses of existing buildings, they are not applicable to new construction, and that new construction of residential units is permitted in the MUOD.

II. Decision on Review

On or about September 27, the ZEO rendered a written interpretation wherein he found that the affordable housing requirements only apply to adaptive reuses of property. Insofar as the proposal calls for the demolition of an existing structure and subsequent new construction, and the property owners are not proposing an adaptive reuse, the ZEO determined that the affordable housing language provisions do not apply. With regard to the argument that the construction of new residential units is not permitted in the mixed use overlay district, the ZEO cited to the distinction in the City Code between “site enhancements” and “building enhancements” and found that “site enhancements” refer to new construction while building enhancements refer to adaptive reuses.

Based on this distinction set forth in the Code, the ZEO determined that the Code “clearly differentiates between adaptive reuse and other types of development” and that while “building enhancements” pertain to enhancements to an existing structure such as an adaptive reuse, “site enhancements” pertain to new construction on a vacant site.

As such, the ZEO found the Code permits the construction of new residential units in the MUOD and that the affordable housing language in the Code does not apply to such units.

III. Relevant Statute

Section 405-27.1 of the City of Kingston Code created the Mixed Use Overlay Districts (hereinafter referred to as “MUOD”). It provides that the MUOD was created to further two underlying purposes. First, “to adaptively reuse existing commercial and industrial buildings to provide multifamily housing, including affordable housing, to the present and future residents of the City of Kingston” and, second, “to encourage mixed use, mixed income, pedestrian friendly neighborhoods”.

The statute provides that proposals for development in the MUOD “are intended to be based on delineated **guidelines**”¹. The guidelines² are divided into subsections (1) (“affordable housing”) and subsection (2) (“mixed use, mixed income, pedestrian-based neighborhoods”).

Subsection (D) of 405-27.1 provides that “[t]he following uses are subject to the issuance of a special permit by the Planning Board in accordance with the provisions of 405-32 . . . (1) **[t]he conversion of existing commercial or industrial buildings, or sections of them, into residential apartments . . . some of which will be dedicated as affordable housing**” and “(2)**[s]ite and building enhancements that promote a mixed use, mixed-income, pedestrian-based neighborhood**”.

Subsection (E), subtitled “Provision of Affordable Units” provides “[t]he Planning Board shall deny any permit under this zoning chapter if the applicant for special permit approval does not comply, at a minimum, with the following requirements for affordable units. (1) At least 20% of the residential units **in the adaptive reuse of commercial or industrial buildings**, of five or

¹ Emphasis has been supplied to terms and phrases particularly relevant to the arguments raised herein.

² As addressed below, in calling on the Common Council to amend section 405-27.1, this Board has noted the ambiguous use of certain terms and is urging the legislature to take immediate action to amend the Code. The replacement of the permissive term “guidelines” with the mandatory term “requirements” is an example of the type of amendment that this Board would recommend.

more units, shall be established as affordable housing units for rental to qualified affordable housing tenants”.

IV. Appellant’s Claim on Appeal

On or about November 26, 2019, an appeal from the determination of the ZEO was submitted by 61 Crown Street, LLC., 311 Wall Street, LLC, 317 Wall Street, LLC., and 323 Wall Street, LLC. (hereinafter referred to collectively as “Appellant”)³. Appellant argued that the determination of the ZEO was “based on a gross misapplication of the Zoning Law and must be overturned”. Appellant asserted that while the property is located in a C-2 district where residential uses are not permitted, it is also located within the MUOD district “which is meant to provide additional regulations on top of the underlying C-2 district”.

Counsel argued that “[t]he construction of new buildings containing residential uses is not allowed by the MUOD provisions of the Zoning Law since it is not listed as a permitted or specifically permitted use” and continued that “[i]f the law was meant to allow the construction of new residential buildings, it would have explicitly stated so”. Counsel asserted that “the text of the entire MUOD section is centered around the adaptive reuse of existing structures” and that the ZEO’s determination “impermissibly stretches the term “site enhancements” beyond reasonable belief”.

Counsel alternatively argued that “[e]ven if the ZBA determines that new residential units are permitted in the MUOD, it must find that such units are subject to the 20% affordable housing requirement . . . If the ZEO has determined that the Project is taking advantage of the MUOD provisions, all provisions in the MUOD must be complied with . . . To provide otherwise would create a perverse incentive to demolish existing structures”.

V. Respondent’s Claim on Appeal

Counsel for Respondent submitted a letter/memorandum in opposition to the appeal. Counsel argued, inter-alia, that Appellant’s are not aggrieved by the determination of the ZEO and, as such, they do not have standing to bring this appeal.

With regard to the primary argument that new construction of residential units is not permitted in the MUOD, counsel concurred with the ZEO’s interpretation of the relevant sections of the Code and agreed that “site enhancements” refer to new construction whereas “building enhancements” refer to changes to existing structures.

With regard to affordable housing, counsel argued that the “guidelines” set forth in section 405-27.1(B) are not ambiguous and that, by the plain meaning of the Code, these “guidelines” apply only to adaptive reuses of property and not to new construction. Counsel argued that “it is not the responsibility of the ZBA to infer, speculate or hypothesize as to why the 20% affordable housing requirement should be applicable . . . to do so would be wholly at variance with the plain meaning of the statute and plain meaning is to be given highest priority in interpretation of a zoning statute”.

³ Appellant did not request the initial interpretation from the ZEO nor did Appellant assert any interest or submit any arguments prior to submission of the instant appeal.

VI. Standing

Counsel for Respondent cited to a litany of cases in support of the proposition that Appellant does not have standing and is not an aggrieved party. Counsel for Appellant has countered this argument with citations of her own and assertions of fact regarding her client's interest in real property in the immediate vicinity of the proposed development and harm that counsel alleges would befall Appellant as the result of the development.

It is not the role of this Board and this Board is not in a position to hear evidence or make findings of fact or conclusions of law regarding the issue of standing. Moreover, the evidence currently before this Board is insufficient for a determination of the extent of Appellant's interest, whether the project would cause any harm to those interests or whether this interest rises to the level necessary to justify standing. Moreover, this Board is not qualified to adjudicate these legal issues. As such, this Board will not make factual or legal conclusions regarding standing and will proceed under the assumption that the Appellant has standing and is sufficiently aggrieved to raise the issues herein.

The decision of this Board on the merits of the arguments raised by Appellant is specifically made without prejudice on the issue of standing.

By rendering this determination, this Board is, in no way, rendering an opinion regarding the issue of standing or whether Appellant is aggrieved by the decision of the ZEO. This Board specifically notes that counsel has preserved this issue in the event of any subsequent legal challenge to this determination in an Article 78 proceeding

VII. Record of Proceedings⁴

The record before this Board includes the following documents:

- August 1, 2019 Request for Interpretation by ZEO
- August 28, 2019 Memorandum in Respondent to Request for Interpretation
- August 16, 2019 City of Kingston Correspondence, Corporation Counsel
- September 4, 2019 Correspondence from Ulster County Planning Board
- September 9, 2019 Request for Zoning Interpretation
- September 9, 2019 Request for Extension of Time for Response
- September 9, 2019 Response to Expanded Interpretation Request
- September 12, 2019 City of Kingston Correspondence regarding extension
- September 27, 2019 Interpretation by ZEO
- November 26, 2019 Appeal of ZEO Interpretation
- December 10, 2019 City of Kingston Correspondence regarding procedure
- December 16, 2019 Request for Adjournment
- December 17, 2019 Consent to Adjournment
- December 30, 2019 Communication regarding Adjournment

⁴ While the ZBA received and considered public comments regarding the instant appeal, including written submissions received prior to the deadline set forth on the record, these comments were mostly irrelevant to the controlling issues on appeal and are not specifically delineated herein.

December 30, 2019 City of Kingston confirmation of adjournment
 January 23, 2020 City of Kingston Correspondence regarding procedure
 February 10, 2020 Submission by counsel for Appellant
 February 12, 2020 Submission by counsel for Respondent
 February 12, 2020 Communication from counsel for Respondent to Ulster County
 Planning Director
 February 27, 2020 Submission by counsel for Respondent
 February 28, 2020 Submission by Emily Svenson, Esq. dated February 28, 2020
 February 28, 2020 Communication from Sarah Wenk

VIII. ZBA Authority on Appeal

General City Law §81-b (2) provides in relevant part that the Zoning Board of Appeals may reverse, or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appeal from and may make such order, requirement, decision, interpretation, or determination as in its opinion ought to have been made in the matter by the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.

Section §405-54 of the Code of the City of Kingston provides in relevant part that “the Zoning Board of Appeals shall have all the powers and duties prescribed by Section 81-b of Article 5-A of the New York State General City Law and by this chapter.

IX. Applicable Law

“It is fundamental that, because the clearest indicator of legislative intent is the statutory text, the starting point in any case of interpretation must always be the language itself, giving effect to the plain meaning thereof” (*Lisa T. v. King E.T.*, 30 N.Y.3d 548 (2017)). See also, *People v. Finnegan*, 85 N.Y.2d 53 (1995) wherein the Court of Appeals explained that “courts are obligated to interpret a statute to effectuate the intent of the Legislature, and when the statutory language is clear and unambiguous, it should be construed as to give effect to the plain meaning of the words . . . Equally settled is the principle that courts are not to legislate under the guise of interpretation” (internal citations and quotations omitted).

When interpreting legislation, “we first look to the particular words for their meaning, both as they are used in the section and in their context as part of the entire statute . . . For if the statute is unambiguous and its meaning evident from the language . . . we need look no further” (*Ellington v. ZBA of New Hempstead*, 77 N.Y.2d 114 (1990)). The inclusion of language in a statute is presumed to serve a specific purpose and “words are not to be rejected as superfluous” (*Tall Trees Construction v. Huntington ZBA*, 97 N.Y.2d 86 (2001); also, *Rosner v. Metropolitan Property*, 96 N.Y.2d 86 (2001).

X. Findings of Fact and Conclusions

This Board agrees with the ZEO that the term “site enhancements” refers to construction on vacant property and that “building enhancements” refer to renovations to existing structures. As such, this Board rejects Appellant’s argument that the new construction of residential units on vacant parcels is not permitted in the MUOD. This reading of the Code is consistent with

comprehensive plan and the stated purpose of the MUOD which is, in large part, to promote residential development within the district.

This Board has also considered Appellant's argument that the affordable housing provisions of the statute must be applied to all development in the district. While the legislature may have intended this result, the plain language of the statute provides otherwise. Specifically, this Board agrees that the affordable housing "guidelines" in the statute apply to adaptive reuses of structures and do not apply to new construction.

While this Board agrees with the conclusions of the ZEO based on the plain language of the Code, this Board would be remiss in its responsibilities if it did not further address the issues raised by Appellant.

The City of Kingston's current zoning Code was initially adopted in 1963 and has been amended repeatedly since that time. This Board finds based on its review of the record, that the language of the current code discourages progress and development in a City that has fundamentally changed since the adoption of the controlling legislation.

It is the finding of this Board, based upon the litany of applications brought before it, that the current Zoning Code is outdated, it is internally inconsistent and strict application can result in unconscionable and unjust results to individual property owners and to the community at large.

This Board is charged with interpreting and applying this flawed piece of legislation, and herein calls upon the Common Council to act forthwith to address deficiencies. As a result of the legislature's failure to act to address these deficits, this Board is regularly presented with situations that are unconscionable.

As outlined by both parties, the application currently before this Board demonstrates the overwhelming need for the legislature to act, and to act with haste.

It is the unanimous opinion of this Board that while wholesale changes to the Zoning Code are necessary, the Council must consider and adopt such amendments as are necessary to cure defects and inconsistencies as they are brought to light in proceedings such as the one before this Board.

For the foregoing reasons, while the appeal from the determination of the ZEO is hereby affirmed in all respects, it is the unanimous opinion of this Board that a copy of this decision should be forwarded to the Common Council with a formal request from this Board that the provisions of City Code 405-27.1 be amended to address the issues addressed above.

Specifically, this Board requests that the Council consider immediately amending the City Code to delete the affordable housing guidelines set forth in the Mixed Use Overlay Districts, replace these guidelines with affordable housing requirements that apply throughout the City of Kingston, and that it amend the Code to specifically and unambiguously permit the new construction of residential units in the Mixed Use Overlay Districts.

XI. Conclusion

For the foregoing reasons, it is the determination of this Board that the interpretation of the Zoning Enforcement Officer is hereby affirmed in all respects.

It is the further determination of this Board that a copy of this decision shall be forwarded to the Common Council forthwith with the request and recommendation of this Board that amendments to City Code Section 405-27.1 be adopted forthwith to address the issues outlined above.

Motion made by Joe Fitzgerald

Seconded by Mary Ann Neubauer

On a roll call vote as follows:

	<u>AYE</u>	<u>NO</u>
Anthony Argulewicz	<u>✓ Anthony Argulewicz</u>	<u>_____</u>
Joe Fitzgerald	<u>✓ JF</u>	<u>_____</u>
Brian Cafferty	<u>✓ B. Cafferty</u>	<u>_____</u>
John Bonavita-Goldman	<u>_____</u>	<u>_____</u>
Mary Ann Neubauer	<u>✓ Mary Ann Neubauer</u>	<u>_____</u>
Owen Harvey	<u>_____</u>	<u>_____</u>
Ari Goldstein	<u>✓ Ari Goldstein</u>	<u>_____</u>

On a vote of 5 in favor and 0 against the Chairman has declared this Resolution Passed.

Dated March 12, 2020

Anthony Argulewicz
ANTHONY ARGULEWICZ, CHAIR

Ulster County Planning Board



Dennis Doyle, Director

RECOMMENDATION

James L. Noble, Jr.
Common Council
420 Broadway
Kingston, N.Y. 12401

REFERRAL NO: 2020-010
DATE REVIEWED: 2/5/2020

Re: Kingstonian Development Group, LLC – Zoning Map Amendment

Summary

The applicant has petitioned the City of Kingston to extend the City's Mixed-Use Overlay District to a 0.313-acre parcel located to the north of its existing northern boundary at 9-21 North Front Street. The request is directly related to the applicant's current application for a mixed-use development, which includes a proposed hotel, market-rate apartments, parking garage, and retail and commercial spaces. The project also proposes to close Fair Street creating a Pedestrian Plaza at the North Front Street level and access to the parking garage below. The project will require a special permit, site plan, and lot line revision approvals from the City of Kingston's Planning Board to proceed. In addition to the zoning map change, the Common Council would also appear to need to approve the sale of the property, the closing of the Fair Street, and perhaps funding associated with the Downtown Revitalization Initiative (DRI). This is the second time this zoning petition has been referred (previously Referral #2019-159) now that the City Planning Board has completed its SEQRA process and issued a Negative Declaration.

The following materials were received for review:

- Referral Form
- Zoning Petition dated 6/4/19
- Memo to Eric Kitchen, Code Enforcement Officer, from Riseley and Moriello dated 8/28/19
- Verification Form
- Parcel Description
- Existing Conditions Map
- City Zoning Map
- Preliminary Site Plan
- Negative Declaration
- Description of the 0.313-acre parcel

Discussion

The Ulster County Planning Board (UCPB) considered several key factors in rendering its recommendations for the proposed zoning change. This included consistency with the City's Comprehensive Plan, an analysis of the history of the Mixed-Use Overlay District including a review of the Generic Environmental Impact Statement (GEIS) and the purposes found therein, the current zoning standards for the Mixed-Use Overlay District, as well as the petition submitted by the applicant and more recently the Negative Declaration by the City Planning Board as well as the zoning enforcement officer's ruling that interprets the zoning statute to allow for the construction of new buildings without the application of a set aside for affordable housing in the MUOD.

*2020-010 Kingstonian Development Group, LLC.
Zoning Map Amendment*

The UCPB also noted the history of the efforts by the City to encourage the development of the site and the current proposed use of DRI funding to encourage site development.

The UCPB's response to the rezoning proposal was and remains in this follow-up referral response contextual to the broader issues confronting the City as it considers the project. However, its focus is on the affordable housing component of the Mixed-Use Overlay District and the District's overall applicability to the entire project. In reading this response we ask all to understand that the UCPB endorses the redevelopment of this site with the caveat that the City's plans and policies have meaning heightened by the use of public lands and funds while tempered with finding solutions within a discussion of the needed public support.

The Board would note that reviews of this nature tend to focus on items that should be changed or addressed as part of the approval process. What is lost in this focus, is the overall benefit of projects, with reviewing agencies often tagged as being negative or missing broader the objectives. To be sure, the Ulster County Planning Board (UCPB) understands the broader objectives as noted above both from the standpoint of meeting the City's need and from overall good planning practice. Creating density on underutilized lots in urbanized areas with appropriate infrastructure is simply the right thing to do. We have not questioned the overall project but rather highlighted the need to meet the multiple objectives in the City's own plans in particularly affordable housing.

Consistency with the Comprehensive Plan

In our previous response, we noted strategies 1.12 and 1.1.5 which call for "affordable housing for any new or expanded residential building or development project" and to "Abandon mixed-use overlay district in favor of city-wide standards for adaptive reuse and affordable housing".

Since that response, the City's Zoning Enforcement Officer issued an interpretation that new construction needs not to provide any affordable housing. At the same time, the applicant has agreed to spread fourteen affordable units throughout the proposed complex or 10% of the proposed apartments. This has been accomplished by the addition of units (1 story) to the proposed structure. This combination of actions effectively results in the meeting UCPBs prior required modification for the rezoning which was to "Provide for Affordable Housing".

Recommendations

Provision of Affordable Housing

The UCPB appreciates the offer by the applicant to amend the project so as to include affordable housing. The decision of the zoning enforcement officer that no affordable units are needed leads us to recommend that the affordable housing requirement be added to the approval process for the MUO District.

Required Modification

As stated previously the UCPB's overarching goal was to provide for the inclusion of affordable housing. The voluntary provision offered by the developer is offset by the ruling of the ZEO that none is needed. The leads us to a required modification that the affordable housing element as offered by the developer should be made a requirement of the project rather than voluntary and that requirement should be enshrined in the City's planning approvals in a manner that defines affordability and the timeframe (if necessary) for the units to remain so. There are multiple ways to accomplish this that may not be directly tied to the rezoning however we ask that the City include it as part of the reasoning behind such action.

Mixed-Use Overlay District Long-Term – Advisory Comment

The determination of the zoning enforcement officer regarding the requirement for affordable housing as a component of new construction illuminates a compelling need to follow the recommendations in the Comprehensive Plan and abandon the Mixed-Use Overlay District in favor of establishing City-wide

*2020-010 Kingstonian Development Group, LLC.
Zoning Map Amendment*

inclusionary zoning for affordable housing for new multi-family development per Strategy 1.1.5. The linkage between new construction and affordability should be strong such as the language used in the existing MUOD which states "the planning board shall deny ..."

Rezoning of Lower Fair Street

The zoning petition relates solely to a 0.313-acre parcel of land on which a project structure will sit. It is unclear whether lower Fair Street needs to be included as part of this rezoning or whether the existing zoning can be utilized to carry the Project forward. The question will remain a public street, since it will be accessing the proposed parking garage, or will become private in nature may help to answer this question.

Advisory Comment

It should be clarified whether or not it is necessary to include lower Fair Street as part of the zoning action. The UCPB has no objection to this should it be deemed necessary.

Public/Private Partnership - Advisory Comments

The Board reiterates its prior comment on the lack of data on the public funding and/or PILOT that is necessary to accomplish the Project.

Reviewing Officer



Robert A. Leibowitz, AICP
Principal Planner

Cc: Gio Gagliardi, UCPB
John Bonavita-Goldman, UCPB
Suzanne Cahill, Planning Director
Elisa Tinti, City Clerk

RESOLUTION 93 of 2020

Ordinance: Parking Prohibited in General Areas

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-56, ARTICLE VII, PARKING PROHIBITED IN GENERAL AREAS OF THE KINGSTON CITY CODE TO INCLUDE NO PARKING IN DESIGNATED BIKE LANES

Sponsored By: Public Safety/General Government Committee:
Alderman: Davis, Scott-Childress, Ventura Morell,
O'Reilly, Hirsch

WHEREAS, a request has been made to amend Section 390-56, Article VII, Parking Prohibited in General Areas of the Kingston City Code to include no parking in designated bike lanes; and

WHEREAS, it is in the best interests of the City to amend Section 390-56, Article VII, Parking Prohibited in General Areas of the Kingston City Code to include no parking in designated bike lanes

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 390-56, Article VII, by adding "G. No parking in designated bike lanes".

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

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THE CITY OF KINGSTON COMMON COUNCIL

PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: _____

DATE: 4/22/20

Description: _____

Amend the City Code Chapter 390 Vehicle + Traffic
Article VII Parking, Standing + Stopping
Section 56 to add "G" in designated
bike lanes. Subsection

Signature: _____

Anthony Davis

Motion by *JRM*

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
Tony Davis, Chairman <i>Anthony Davis</i>	☒	☐
Patrick O'Reilly Ward 7 <i>PO'Reilly</i> Patrick O'Reilly (Apr 28, 2020)	☐	☐
Rennie Scott-Childress, Ward 3 <i>Rennie Scott-Childress</i>	☒	☐
Jeffrey Ventura Morell, Ward 1 <i>JV Morell</i> Jeffrey Ventura Morell (Apr 28, 2020)	☒	☐
Michele Hirsch, Ward 9 <i>Michele Hirsch</i> Michele Hirsch (Apr 30, 2020)	☒	☐

PS/GG

Tinti, Elisa

From: Shaut, Andrea
Sent: Wednesday, February 26, 2020 6:51 AM
To: Tinti, Elisa
Subject: FW: Parking enforcement

Elisa,

Please include in the communications.

Thank you,

Andrea Shaut

Council President, City of Kingston

From: Morell, Jeffrey
Sent: Tuesday, February 25, 2020 2:37 PM
To: Shaut, Andrea
Subject: Parking enforcement

Dear President Shaut,

The City's parking enforcement officer approached me last week to ask for assistance in amending the code Section 360, Article 10-78; to include parking on a bike lane as a violation.

Apparently this has become a prevailing issue with the new bike lanes on Hurley Ave.

Please refer to the appropriate committee for inclusion on their March agenda.

Thank you,

Jeffrey

Jeffrey Ventura Morell
Alderman, Ward 1, City of Kingston
(845) 663-2665

Higgins, Janet

From: Shaut, Andrea
Sent: Wednesday, April 22, 2020 9:11 AM
To: Gartenstein, Daniel; Higgins, Janet; Davis, Tony; Morell, Jeffrey; Tinti, Elisa
Subject: Public Safety agenda

Good Morning All,

On last month's Public Safety agenda, we had "bike lane parking." It was a communication from Jeffrey by request of Dan Quesnell. This should be placed on tonight's agenda under "Old Business."

But I was looking through the code for clarification, and I don't think Section 360 is correct. It should be Section 390, yes? And then from there, I wasn't sure exactly what should be amended to include parking on bike lanes as a violation. If we can get clarification from Corp. Counsel before tonight's meeting, the council would greatly appreciate it. Jeffrey – can you chime in here to let us know if this ask is for Hurley Ave only, or citywide?

Thank you,

Andrea Shaut

Council President, City of Kingston

Higgins, Janet

From: Morell, Jeffrey
Sent: Wednesday, April 22, 2020 10:37 AM
To: Shaut, Andrea
Cc: Gartenstein, Daniel; Higgins, Janet; Davis, Tony; Tinti, Elisa
Subject: Re: Public Safety agenda

Good Morning,

Thank you Andrea. Dan Gartenstein has asked Dan Quesnell to reach out to me about his concerns, since the complaints he's been getting are from Hurley Ave which is in my ward, but with bike lanes being built as part of the Broadway Streetscape, etc. he asked that the code to be amended to prohibit parking in bike lanes city wide to avoid future issues.

I was surprised to hear this is not already the case.

As to the code numbers, it's possible I wrote them down wrong so clarification on that would be greatly appreciated.

Thank you,

Jeffrey

Sent from my iPhone

On Apr 22, 2020, at 9:10 AM, Shaut, Andrea <ashaut@kingston-ny.gov> wrote:

Good Morning All,

On last month's Public Safety agenda, we had "bike lane parking." It was a communication from Jeffrey by request of Dan Quesnell. This should be placed on tonight's agenda under "Old Business."

But I was looking through the code for clarification, and I don't think Section 360 is correct. It should be Section 390, yes? And then from there, I wasn't sure exactly what should be amended to include parking on bike lanes as a violation. If we can get clarification from Corp. Counsel before tonight's meeting, the council would greatly appreciate it. Jeffrey – can you chime in here to let us know if this ask is for Hurley Ave only, or citywide?

Thank you,

Andrea Shaut

Council President, City of Kingston

**LOCAL LAW 3 OF 2019 OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING
AN AMENDMENT TO LOCAL LAW 1 OF 2019 AMENDING SECTION 332-3 –
LANDLORD REGISTRATION STATEMENT**

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

WHEREAS, the World Health Organization (WHO) has declared the COVID-19 outbreak a global pandemic defined as the worldwide spread of a new virus for which most people do not have immunity; and

WHEREAS, on March 7, 2020, New York Governor Andrew Cuomo declared a State of Emergency to protect New Yorkers from the danger brought on by the COVID-19 pandemic; and

WHEREAS, as of April 27, 2020, there were more than 200,000 documented cases of COVID-19 within the State of New York; and

WHEREAS, both Governor Cuomo and the New York State Department of Health have issued declarations banning non-essential employees from work, closing schools, and placing limits on public gatherings, as well as requiring social distancing, staying home if sick, cancelling or posting large group events, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, more than half of the tenants living in New York State are rent burdened during typical economic conditions and as a result of the State of Emergency and the government recommended precautions are experiencing sudden income loss, leaving them vulnerable to eviction and homelessness; and

WHEREAS, maintaining housing stability is crucial during a public health emergency in which containment and treatment rely on individuals staying indoors and not being forced to seek shelter or experience homelessness; and

WHEREAS, the City of Kingston has a documented and long standing shortage of affordable housing for tenants living in low and middle income brackets, exacerbating the impact of evictions and making it more likely that evictions will increase homelessness thereby posing greater risks of illness to the evictee and family and to the broader community; and

WHEREAS, the inadequacies of our housing stock, when combined with the impact of the pandemic on family incomes will likely cause intolerable conditions from which state law does not offer sufficient redress; and

WHEREAS, on March 27, 2020, by the adoption of the CARES Act, eviction moratoriums for a period of 120 days, were enacted by the Federal government which has thereby provided for important and immediate protections for tenants of a certain class; and

WHEREAS, on March 20, 2020, Executive Order 202.8 was issued by New York Governor Cuomo which would provide an eviction moratorium in accordance with the Chief Judge of the State to limit evictions of tenants for 90 days; and

WHEREAS, the above actions by the State and Federal government create a situation where different properties are potentially subject to moratoriums of different lengths and different conditons; and

WHEREAS, it is in the best interests of both property owners and tenants to be informed regarding which moratoriums are applicable to which specific properties/

NOW THEREFORE, BE IT ENACTED AS FOLLOWS:

SECTION 1. That the Common Council authorizes amending Local Law 1 of 2019, amending Section 332-3 – Landlord Registration Statement as follows:

The owner/landlord shall disclosed in the registration statement whether the property is a dwelling that is covered by Section 4024 (a) of the Federal Coronavirus Aid, Relief and Economic Secuirty Act (CARES Act), specifically notifying the Building Safety Division whether the property:

1. Participates in a covered housing program as defined by the Violence Against Women Act
2. Participates in the rural housing voucher program under Section 542 of the Housing Act of 1949
3. Has a federally backed mortgage loan
4. Has a federally backed multi-family mortgage loan

SECTION 2. That within fifteen days of the enactment of this local law the Building Safety Division shall notify all registered property owners by e-mail transmission or regular mail of their obligation to provide this information on forms provided by the Building Safety Division.

SECTION 3. That for so long as the moratorium set forth in the CARES Act remains in force and effect the City of Kingston shall maintain a current data base of properties which meet the criteria for covered properties set forth in Section 402-4.

SECTION 4. If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

SECTION 5. This local law shall take effect upon filing with the Secretary of State.

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

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

proposed resolution

Suggested Action:

Attachments:

[20200505163804.pdf](#)

[20200505163833.pdf](#)

RESOLUTION 94 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, APPROVING AMENDMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE YEARS 2020-2021

Sponsored By: Community Development Committee: Alderman:
Schabot, Worthington, Tallerman, Ventura Morell,
Koop

WHEREAS, the United States Department of Housing and Urban Development Act of 1974 as amended, authorizes the availability of federal funds to eligible units of local government for the purposes of implementing Community Development Block Grant (CDBG) Entitlement Program, so as to give maximum feasible priority to activities that will provide benefits to low and moderate income persons or aid in the prevention and elimination of slums and blight; and

WHEREAS, a request has been made to amend the CDBG Action Plan for the years 2020-2021 as a result of an increase in the amount of funding in the amount of \$748,668 and the re-allocation of prior year's CDBG funds in the amount of \$65,891 which increased the amount of projected funds made available thereby allowing for increases to some of the programs and facility improvements as set forth in the proposed Action Plan.

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

SECTION 1. That the Annual Action Plan for FY2020-2021 be amended as per the attached list of modifications.

SECTION 2. That the Mayor as the Chief Executive Officer is hereby authorized and directed as the authorized representative of the City of Kingston in connection with the Annual Action Plan to provide such additional information as may be required.

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

**COMMUNITY DEVELOPMENT
COMMITTEE REPORT**

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT: Economic & Community Development

DATE: April 27, 2020

Description: Authorization for the allocation of FY2020 Community Development Block Grant (CDBG) funding in the amount of \$748,668.00 and the re-allocation of prior year's CDBG funds in the amount of \$65,891 for a total of \$814,559.00, as recommended by Mayor Noble in his communication to Council on April 23, 2020 and approved by the Common Council Community Development Committee on April 27, 2020 (attached).

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Signature: _____

Motion by JVM

Seconded by DAK

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>
Steve Schabot, Chairman <u>Steven Schabot</u> Steven Schabot (May 4, 2020)	☒	
Rita Worthington Ward 4 <u>Rita Worthington</u> Rita Worthington (May 5, 2020)	☐	
Don Tallerman, Ward 5 <u>Don Tallerman</u> Don Tallerman (May 4, 2020)	☒	
Jeffrey Ventura Morell, Ward 1 <u>JVMorell</u> JVMorell (May 5, 2020)	☒	
Doug Koop, Ward 2 <u>D. A. Koop</u> D. A. Koop (May 5, 2020)	☒	

CD Committee Report 042820

Final Audit Report

2020-05-05

Created:	2020-05-04
By:	Andrea Shaut (commoncouncil@kingston-ny.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAH4oZ3LjkMtA6vzLNMOSokv8_56rpPHKR

"CD Committee Report 042820" History

-  Document created by Andrea Shaut (commoncouncil@kingston-ny.gov)
2020-05-04 - 8:34:44 PM GMT- IP address: 69.206.47.255
-  Document emailed to Steven Schabot (sschabot@kingston-ny.gov) for signature
2020-05-04 - 8:40:40 PM GMT
-  Document emailed to JVMorell (ward1@kingston-ny.gov) for signature
2020-05-04 - 8:40:40 PM GMT
-  Document emailed to D. A. Koop (dkoop@kingston-ny.gov) for signature
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-  Document emailed to Rita Worthington (ward4@kingston-ny.gov) for signature
2020-05-04 - 8:40:40 PM GMT
-  Document emailed to Don Tallerman (ward5@kingston-ny.gov) for signature
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-  Email viewed by JVMorell (ward1@kingston-ny.gov)
2020-05-04 - 8:46:50 PM GMT- IP address: 69.206.72.37
-  Document e-signed by JVMorell (ward1@kingston-ny.gov)
Signature Date: 2020-05-04 - 8:47:59 PM GMT - Time Source: server- IP address: 69.206.72.37
-  Email viewed by Steven Schabot (sschabot@kingston-ny.gov)
2020-05-04 - 9:01:34 PM GMT- IP address: 24.161.59.3
-  Document e-signed by Steven Schabot (sschabot@kingston-ny.gov)
Signature Date: 2020-05-04 - 9:02:24 PM GMT - Time Source: server- IP address: 24.161.59.3
-  Email viewed by Don Tallerman (ward5@kingston-ny.gov)
2020-05-04 - 9:10:30 PM GMT- IP address: 24.161.58.188



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Email viewed by D. A. Koop (dkoop@kingston-ny.gov)

2020-05-05 - 2:18:39 PM GMT- IP address: 24.161.57.149



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Email viewed by Rita Worthington (ward4@kingston-ny.gov)

2020-05-05 - 3:19:55 PM GMT- IP address: 69.206.39.39



Document e-signed by Rita Worthington (ward4@kingston-ny.gov)

Signature Date: 2020-05-05 - 3:21:47 PM GMT - Time Source: server- IP address: 69.206.39.39



Signed document emailed to D. A. Koop (dkoop@kingston-ny.gov), JVMorell (ward1@kingston-ny.gov), Don Tallerman (ward5@kingston-ny.gov), Rita Worthington (ward4@kingston-ny.gov), and 2 more

2020-05-05 - 3:21:47 PM GMT

Tinti, Elisa

From: Shaut, Andrea
Sent: Friday, April 24, 2020 8:32 AM
To: Noble, Steve
Cc: Alderman; Robinson, Brenna; Tinti, Elisa
Subject: RE: Late Communication: CDBG Allocations for Community Development Committee

Mayor Noble,

Thank you for sending your recommendations.

Elisa – can you include the attached in the agenda packet for next week’s Community Development meeting?

Thank you,
Andrea

From: Noble, Steve
Sent: Thursday, April 23, 2020 1:28 PM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Cc: Alderman <Alderman@kingston-ny.gov>; Robinson, Brenna <brobinson@kingston-ny.gov>; Tinti, Elisa <emtinti@kingston-ny.gov>
Subject: Late Communication: CDBG Allocations for Community Development Committee

Dear President Shaut,

Please accept this late communication related to the 2020-2021 CDBG allocation process. I received the recommendations from the Community Development Advisory Committee and wanted to officially share my recommendations to the Common Council for review. Since the Community Development Committee last met, we did receive our 2020-2021 allocation of just over \$748,000.00. That is an increase over the projected funds available and so my recommendations include increases to some of the programs and facility improvements set forth in the proposed action plan that is attached.

One significant change to note is that Family of Woodstock requested funding for a new walk in cooler ,but has since revised their request due to an equipment price adjustment. This allowed additional funds to be allocated to other capital projects. This was done in concurrence with the leadership of Family of Woodstock and I would like to thank them for taking on that effort. No other funding programs recommended by the Community Development Advisory Committee were adjusted downward in my proposal.

I want to note that these funds are separate from the funds recently allocated by HUD for the City’s Pandemic Recovery Program. We will be issuing a Call for Proposals in the coming days so that interested community organizations can submit proposals to use those funds to assist our residents and will bring those recommendations to the Common Council for the May Community Development Committee Meeting.

Please let me know if you have any questions. I can make myself available to the Community Development Committee if requested.

Respectfully Submitted,

-Steve

RESOLUTION 95 of 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE SUSPENSION OF THE REPAIR WORK BEING CONDUCTED AT 43-45 NORTH FRONT STREET AND A STOP WORK ORDER BE ISSUED

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

WHEREAS, a request is being made directing the contractor for the project at 43-45 North Front Street (Pike Plan Canopy) to suspend work for a period of time until the Common Council of the City of Kingston directs the work to resume or makes a decision to abandon the project in an incomplete condition.

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 suspension of the repair work being conducted at 43-45 North Front Street (Pike Plan Canopy) until such time as the Common Council of the City of Kingston directs the work to resume or makes a decision to abandon the project in an incomplete condition.

SECTION 2. That the Common Council of the City of Kingston authorizes the issuance of an immediate Stop Work Order and directing the City Engineer to follow up with a change work order.

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

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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: Engineering

DATE: 5-4-20

Description: Direct the contractor for the project at 43-45 N. Front Street (Pike Plan Canopy) to suspend work for a period of time until the Common Council directs the work to resume or makes a decision to abandon the project in an incomplete condition.

Direct the City Engineer to negotiate a change order for the suspension of work.

Estimated Financial Impact: \$
Impact TBD

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		

Higgins, Janet

From: Tinti, Elisa
Sent: Tuesday, May 05, 2020 2:07 PM
To: Higgins, Janet
Subject: The communication for the Resolution from Special Finance

DOUGLAS A. KOOP
City of Kingston NY
Ward 2 Alderman
dkoop@kingsson-ny. gov April 30,2020 Ms.

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

Re: Change Order for 43-45 N. Front St

Dear President Shaut:

The City is presently under a \$165,000 contract to demolish and restore the canopy at 43- 45 N. Front St. After completing the demolition, it is apparent that there is considerable interest among the several N. Front St. property owners, business operators and the Mayor to consider changing the scope of work to forgo the restoration and continue the demolition of the entire canopy structures along that contiguous length of N. Front St. only. As time is of the essence, I am requesting that you schedule an emergency meeting of the Finance and Audit Committee on Monday, May 4 at 5:15 pm to consider the Change Order proposal of City Engineer John Schultheis.

Respectfully,
Douglas A. Koop Ward 2 Alderman

Kingston Common Council Agenda Item Report

Meeting Date: May 5, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Local Law # 3

Suggested Action:

Attachments:

[LL 2020 amend Section 332 3 Landlord Registration \(1\).docx](#)

**LOCAL LAW 3 OF 2019 OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING
AN AMENDMENT TO LOCAL LAW 1 OF 2019 AMENDING SECTION 332-3 –
LANDLORD REGISTRATION STATEMENT**

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

WHEREAS, the World Health Organization (WHO) has declared the COVID-19 outbreak a global pandemic defined as the worldwide spread of a new virus for which most people do not have immunity; and

WHEREAS, on March 7, 2020, New York Governor Andrew Cuomo declared a State of Emergency to protect New Yorkers from the danger brought on by the COVID-19 pandemic; and

WHEREAS, as of April 27, 2020, there were more than 200,000 documented cases of COVID-19 within the State of New York; and

WHEREAS, both Governor Cuomo and the New York State Department of Health have issued declarations banning non-essential employees from work, closing schools, and placing limits on public gatherings, as well as requiring social distancing, staying home if sick, cancelling or posting large group events, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, more than half of the tenants living in New York State are rent burdened during typical economic conditions and as a result of the State of Emergency and the government recommended precautions are experiencing sudden income loss, leaving them vulnerable to eviction and homelessness; and

WHEREAS, maintaining housing stability is crucial during a public health emergency in which containment and treatment rely on individuals staying indoors and not being forced to seek shelter or experience homelessness; and

WHEREAS, the City of Kingston has a documented and long standing shortage of affordable housing for tenants living in low and middle income brackets, exacerbating the impact of evictions and making it more likely that evictions will increase homelessness thereby posing greater risks of illness to the evictee and family and to the broader community; and

WHEREAS, the inadequacies of our housing stock, when combined with the impact of the pandemic on family incomes will likely cause intolerable conditions from which state law does not offer sufficient redress; and

WHEREAS, on March 27, 2020, by the adoption of the CARES Act, eviction moratoriums for a period of 120 days, were enacted by the Federal government which has thereby provided for important and immediate protections for tenants of a certain class; and

WHEREAS, on March 20, 2020, Executive Order 202.8 was issued by New York Governor Cuomo which would provide an eviction moratorium in accordance with the Chief Judge of the State to limit evictions of tenants for 90 days; and

WHEREAS, the above actions by the State and Federal government create a situation where different properties are potentially subject to moratoriums of different lengths and different conditons; and

WHEREAS, it is in the best interests of both property owners and tenants to be informed regarding which moratoriums are applicable to which specific properties/

NOW THEREFORE, BE IT ENACTED AS FOLLOWS:

SECTION 1. That the Common Council authorizes amending Local Law 1 of 2019, amending Section 332-3 – Landlord Registration Statement as follows:

The owner/landlord shall disclosed in the registration statement whether the property is a dwelling that is covered by Section 4024 (a) of the Federal Coronavirus Aid, Relief and Economic Secuirty Act (CARES Act), specifically notifying the Building Safety Division whether the property:

1. Participates in a covered housing program as defined by the Violence Against Women Act
2. Participates in the rural housing voucher program under Section 542 of the Housing Act of 1949
3. Has a federally backed mortgage loan
4. Has a federally backed multi-family mortgage loan

SECTION 2. That within fifteen days of the enactment of this local law the Building Safety Division shall notify all registered property owners by e-mail transmission or regular mail of their obligation to provide this information on forms provided by the Building Safety Division.

SECTION 3. That for so long as the moratorium set forth in the CARES Act remains in force and effect the City of Kingston shall maintain a current data base of properties which meet the criteria for covered properties set forth in Section 402-4.

SECTION 4. If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

SECTION 5. This local law shall take effect upon filing with the Secretary of State.

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