



City of Kingston Finance and Audit Committee
Meeting Agenda
Monday, November 30, 2020
6:30 PM

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

United States (Toll Free): 1 877 309 2073
- One-touch: tel:+18773092073,,758423933#

United States: +1 (646) 749-3129
- One-touch: tel:+16467493129,,758423933#

Access Code: 758-423-933

This meeting will be live-streamed at the City of Kingston YouTube channel: <https://youtu.be/jXJWjd1XJ4A>

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

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United States: +1 (646) 749-3129
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Access Code: 758-423-933

NEW BUSINESS

Approval of City's 2021 Sewer Fund Budget
[City of Kingston 2021 Sewer Fund Budget.pdf](#)

North Street
[North Street.pdf](#)

Request from Corporation Counsel
[Corp Counsel Request.pdf](#)

DPW Transfer
[Finance - DPW transfer.pdf](#)

40 Conde Street
[Common Council Ltr.pdf](#)

1 OLD BUSINESS

Finance and Audit Committee Agenda Item Report

Meeting Date: November 30, 2020

Submitted by: Elisa Tinti

Submitting Department: Engineering

Item Type: Informational Purposes

Agenda Section:

Subject:

Approval of City's 2021 Sewer Fund Budget

Suggested Action:

Attachments:

[City of Kingston 2021 Sewer Fund Budget.pdf](#)



KINGSTON WATER DEPARTMENT
PO BOX 1537, CITY OF KINGSTON, NY 12402

November 17, 2020

City of Kingston Common Council
420 Broadway
Kingston, NY 12401

Honorable Members of the Common Council:

Pursuant to the Charter of the City of Kingston, New York, Chapter 16-5 and Section 395-29 of the Administrative Code of the City of Kingston, NY:

C16-5:

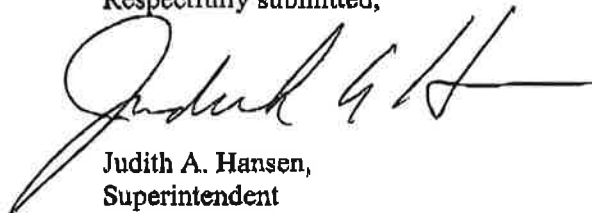
Water charges shall be a lien upon real estate until paid. Annually, before December 1, the Board of Water Commissioners shall transmit a statement to the Common Council of water charges in arrears for more than three months, with a description of the affected property. The Common Council, upon receipt of the statement, shall cause such unpaid charges, with 6% thereon, to be levied in addition to the general city tax at the time of the next levy, and such charges may be enforced in the same manner as provided in the City Charter for the collection of property taxes. Unpaid water charges remaining unpaid for a prescribed period of time subject the affected property to tax foreclosure. The Comptroller will pay the Water Commissioners for unpaid water charges on or before June 10 in each year.

S395-29:

In the event that water rents are in arrears for more than three months, the water rents and interest and charges thereon shall become a lien upon the real estate against which the water rents shall have been laid, levied or charged.

A breakdown of the amounts that are to be re-levied on the 2021 general tax bills is attached.

Respectfully submitted,



Judith A. Hansen,
Superintendent

Cc: John Tucey, Comptroller

OFFICE: 111 JANSEN AVE. • (845)331-0175 FAX (845)340-9209
E-MAIL: water@kingston-ny.gov



KINGSTON WATER DEPARTMENT

PO BOX 1537, CITY OF KINGSTON, NY 12402

THE FOLLOWING IS A LIST OF ALL **UN-PAID** WATER CHARGES DUE THE

KINGSTON WATER DEPARTMENT AS OF:

November 17, 2020

WHICH WILL BE RELEVIED ONTO THE

2021 GENERAL TAX BILLS:

WATER	AMOUNT	PENALTY	TOTAL
	\$315,558.73	\$23,558.82	\$ 339,117.36
TOTALS	\$315,558.73	\$23,558.82	\$ 339,117.35

PLEASE NOTE:

50% SEWER USAGE FEE PENALTY
DUE FROM COMPTROLLER:

\$13,943.91

TOTAL AMOUNT DUE KINGSTON WATER DEPARTMENT FROM COMPTROLLER'S OFFICE:	\$ 353,061.26
--	---------------

SEWER TOTALS RELEVIED ONTO THE

2021 GENERAL TAX BILLS:

SEWER	AMOUNT	50% SEWER FEE	6% ADMIN FEE	TOTAL
	\$371,284.72	\$13,943.91	\$44,300.74	\$429,539.37
TOTALS	\$371,284.72	\$13,943.91	\$44,300.74	\$ 429,539.37

TOTAL SEWER:

\$ 429,539.37

GRAND TOTAL SEWER & WATER

\$ 782,600.63

OFFICE: 111 JANSEN AVE. • (845)331-0175 FAX (845)340-9209
E-MAIL: water@kingston-ny.gov

Finance and Audit Committee Agenda Item Report

Meeting Date: November 30, 2020

Submitted by: Elisa Tinti

Submitting Department: Engineering

Item Type: Informational Purposes

Agenda Section:

Subject:

North Street

Suggested Action:

Attachments:

[North Street.pdf](#)

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

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

DEPARTMENT: Engineering

DATE: November 30, 2020

Adopting a finding that the length of North Street is surplus property, and authorizing the Mayor to negotiate sale of this street, approximately 6-acres of land to Quarry Waters LLC or their successor in title, in exchange for a public trail access easement over the alignment of the Hudson River Brickyard Trail, to be granted to the City by Quarry Waters LLC or their successor in title.

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		

Finance and Audit Committee Agenda Item Report

Meeting Date: November 30, 2020

Submitted by: Elisa Tinti

Submitting Department: Corporation Counsel

Item Type: Informational Purposes

Agenda Section:

Subject:

Request from Corporation Counsel

Suggested Action:

Attachments:

[Corp Counsel Request.pdf](#)

CITY OF KINGSTON
Office of Corporation Counsel
kbryant@kingston-ny.gov

Steven T. Noble, Mayor



Kevin R. Bryant, Corporation Counsel
Daniel Gartenstein, Asst. Corporation Counsel

TO: Andrea Shaut, President, Common Council

FROM: Kevin R. Bryant *KB*
Corporation Counsel

DATE: November 2, 2020

RE: Luther vs. City of Kingston

Please be advised that I wish to discuss the above matter at the next Finance/Audit Meeting.

Finance and Audit Committee Agenda Item Report

Meeting Date: November 30, 2020

Submitted by: Elisa Tinti

Submitting Department: Public Works

Item Type: Informational Purposes

Agenda Section:

Subject:

DPW Transfer

Suggested Action:

Attachments:

[Finance - DPW transfer.pdf](#)

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND ECONOMIC DEVELOPMENT

COMMITTEE REPORT

Internal Transfer	<u>XX</u>	Contingency Transfer	
Transfer		Authorization	
Budget Modification		Bonding Request	
Claims	<u>Zoning</u>	Other	
Department: <i>WWTP</i>		Date: <i>October 23, 2020</i>	
G1	Transfer To:	G1	Transfer From:
8121 14 5443	<i>Pump Station Building Maintenance</i>	2,000.00	G1 8121 11 5101 <i>Pump Station Regular Pay</i> 7,100.00
8121 14 5484	<i>Pump Station Chemical Materials</i>	2,500.00	
8130 14 5401	<i>WWT General Contract Expense</i>	1,200.00	
8130 14 5443	<i>WWT Building Maintenance</i>	1,400.00	
<i>TOTAL</i>		7,100.00	<i>TOTAL</i> 7,100.00
 TOTAL TRANSFER FROM			
Estimated Financial Impact _____		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 _____

Committee Vote	Yes	No
Douglas Koop, Ward 2 Chairman		
Reynolds Scott-Childress, Ward 3		
Tony Davis, Ward 6		
Steven Schabot, Ward 8		
Michelle Hirsch, Ward 9		

Finance and Audit Committee Agenda Item Report

Meeting Date: November 30, 2020

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

40 Conde Street

Suggested Action:

Attachments:

[Common Council Ltr.pdf](#)

TITLEsQ
CLOSING & ESCROW SERVICES INC.
78 Main Street, P.O. Box 4148
Kingston, New York 12402

TEL 845-338-4993

FAX 845-338-9358

November 23, 2020

***By E-mail to commoncouncil@kingston-ny.gov
and First Class Mail***

Ms. Andrea Shaut
Common Council
335 Hasbrouck Ave.
Kingston, NY 12401

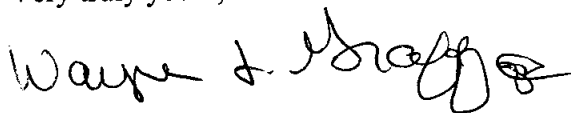
Re: 40 Conde Street

Dear Andrea:

Pursuant to my telephone call with Janet Higgins, we are requesting a resolution or letter of consent approving the transfer of these premises from Gerald M. McCloskey and Bernice McCloskey to Jeffrey C. Klitner and Catherine F. Klitzner as was required in the Deed to McCloskey from the City. Copies of both Deeds are enclosed.

Thank you for your assistance in this matter.

Very truly yours,



Wayne L. Graff

WLG:jam
Enc.

Ulster County
Albert Spada
County Clerk
Kingston, NY 12401



60 2005 00024211

Instrument Number: 2005- 00024211

Recorded On: September 12, 2005

As
D01 - Deed

Parties: KINGSTON CITY

To

MCCLOSKEY GERALD M

Billable Pages: 12

Recorded By: CITY OF KINGSTON

Num Of Pages: 4

Comment: KINGSTON CITY

**** Examined and Charged as Follows: ****

D01 - Deed	61.00	RP5217 - 165	165.00	Tax Affidavit TP 584	5.00
Recording Charge:	231.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	32.00	7,675.00	960	Basic	0.00
				Additional	0.00
				Special Additional	0.00
				Transfer	32.00
Tax Charge:	32.00				

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Clerk's Office For. Ulster County.

File Information:

Document Number: 2005- 00024211
 Receipt Number: 329741
 Recorded Date/Time: September 12, 2005 12:54P
 Book-Vol/Pg: Bk-D VI-4138 Pg-281
 Cashier / Station: s smar / Cashier Workstation 6

Record and Return To:

GERALD M MCCLOSKEY
 40 CONDIE ST
 KINGSTON NY 12401



Albert Spada

ALBERT SPADA, ULSTER COUNTY CLERK

THIS INDENTURE, made the 2nd day of September, year two thousand and five

BETWEEN City of Kingston, a municipal corporation with its principal place of business at 420 Broadway, Kingston, New York 12401

party of the first part, and

Gerald M. McCloskey and Bernice McCloskey, residing at 40 Condie Street, Kingston, New York 12401

parties of the second part,

WITNESSETH, that the party of the first part, in consideration of One and no/100 (\$1.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Kingston, County of Ulster, State of New York, and more particularly described as follows:

Beginning at a point on the Northeastly side of Condie Street, said point also being the Southeastly corner of lands of Gerald M. And Bernice L. McCloskey, and running:

1. Thence from said point of beginning along the southeasterly line of lands of McCloskey, northeasterly on a curve to the left having a radius of 1877.00 feet, 396.03 feet to a recovered bar on the southeasterly line of lands of George and Kiki Demosthenous, Liber 1531, page 767, said point also being the southwesterly corner of other lands of the City of Kingston, Liber 3833, Page 068;
2. Thence along the southerly line of other lands of the City of Kingston South 51 degrees 58' 52" East, 66.00 feet to a point on the westerly line of lands of Robert chambers Family Trust, Liber 2956, Page 240;
3. Thence along the westerly line of lands of Robert Chambers Family Trust southwesterly on a curve to the right having a radius of 1943.00 feet, 405.68 feet to a point on the northeasterly side of Condie Street;
4. Thence along the northeasterly side of Condie Street North 43 degrees 34' 56" West, 66.13 feet to the place of beginning.

Containing 0.607 acre.

All bearings referred to Magnetic North.

Being a portion of premises conveyed by Penny Radel, Comptroller of the City of Kingston to City of Kingston by deed dated February 12, 2004, and recorded in the Ulster County Clerk's Office on February 26, 2004 in Liber 3833 of deeds at page 68.

SUBJECT, however, to the following conditions:

- a. The premises herein are to be merged with a parcel of land presently owned and subdivided by Gerald and Bernice McCloskey within 30 days after closing on the within parcel to create a building lot for the construction of a single family dwelling. Proof of said merging is to be provided to the City of Kingston.
- b. That said property cannot be sold in the future by Gerald and Bernice McCloskey without the prior written consent of the Common Council of the City of Kingston.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

✓ City of Kingston

CHECKED

ENTERED

MARK/OFF

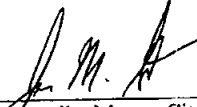
OC
SM

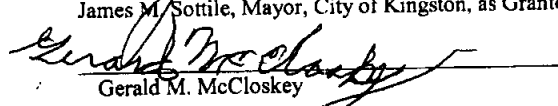
AND the party of the first part, in compliance with §13 of the Lien Law, hereby covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

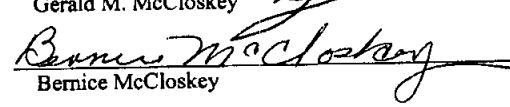
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN THE PRESENCE OF

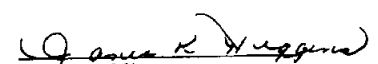

James M. Sottile, Mayor, City of Kingston, as Grantor


Gerald M. McCloskey


Bernice McCloskey

State of New York }
 } ss:
County of Ulster }

On the 6th day of September in the year 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **James M. Sottile**, Mayor of the City of Kingston, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

JANET K. HIGGINS
Notary Public, State of New York
No. 01HI4283985
Qualified in Ulster County
Commission Expires Sept. 30, 2005

State of New York }
 } ss:
County of Ulster }

On the 2nd day of September in the year 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Gerald M. McCloskey**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JANET K. HIGGINS
Notary Public, State of New York
No. 01HI4283985
Qualified in Ulster County
Commission Expires Sept. 30, 2005

State of New York }
 } ss:
County of Ulster }

On the 2nd day of September in the year 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bernice McCloskey**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JANET K. HIGGINS
Notary Public, State of New York
No. 01H14283985
Qualified in Ulster County
Commission Expires Sept. 30, 20 05

Record & Return to:
Gerald M. & Bernice McCloskey
40 Condie Street
Kingston, New York 12401

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401



60 2005 00026072

Instrument Number: 2005- 00026072

As

D01 - Deed

Recorded On: September 28, 2005

Parties: MCCLOSKEY GERALD M

To

KLITZNER JEFFREY C

Billable Pages: 5

Recorded By: COOK

Num Of Pages: 5

Comment: KINGSTON CITY

** Examined and Charged as Follows: **

D01 - Deed	40.00	RP5217-75	75.00	Tax Affidavit TP 584	5.00
Recording Charge:	120.00				
		Consideration			
	Amount	Amount	RS#/CS#		
Tax-Transfer	0.00	0.00	1350	Basic	0.00
				Additional	0.00
				Special Additional	0.00
				Transfer	0.00
Tax Charge:	0.00				

** THIS PAGE IS PART OF THE INSTRUMENT **

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

File Information:

Document Number: 2005- 00026072
 Receipt Number: 336185
 Recorded Date/Time: September 28, 2005 03:04P
 Book-Vol/Pg: Bk-D VI-4149 Pg-326
 Cashier / Station: r rsec / Cashier Workstation 2

Record and Return To:

ROBERT D COOK
 COOK NETTER CLOONAN KURTZ
 PO BOX 3939
 KINGSTON NY 12402



Nina Postupack

Nina Postupack Acting County Clerk

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 23rd day of September, Two Thousand Five,

between

GERALD M. McCLOSKEY and BERNICE L. McCLOSKEY, husband and wife, residing at 40 Condie Street, Kingston, New York 12401,

party of the first part, and

JEFFREY C. KLITZNER and CATHERINE F. KLITZNER, husband and wife, residing at 123 Old Flatbush Road, Kingston, New York 12401,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND ----- 00/100 (\$10.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Kingston, County of Ulster and State of New York, Identified as Lot # 2 on Subdivision Map No. 05-1258 filed in the Ulster County Clerk's office on September 22, 2005 and more particularly described in Schedule A attached hereto.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the

NYSBA PRACTICE FORMS 3/98

CHECKED

ENTERED

MARK/OFF

AD
RE067.16
-1-

Copa

purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



GERALD M. McCLOSKEY



BERNICE L. McCLOSKEY

STATE OF NEW YORK)

COUNTY OF ULSTER)

ss.:

On the 23rd day of September, 2005 before me, the undersigned personally appeared, GERALD M. McCLOSKEY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

BEVERLY J. RIGNEY
Notary Public, State of New York
No. 01R14657354

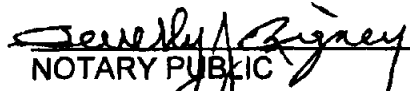
Qualified in Ulster County
Commission Expires October 31, 2005

STATE OF NEW YORK)

COUNTY OF ULSTER)

ss.:

On the 23rd day of September, 2005 before me, the undersigned personally appeared, BERNICE L. McCLOSKEY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

R & R:

Robert D. Cook, Esq.

Cook, Netter, Cloonan, Kurtz & Murphy, P.C.

85 Main Street, PO Box 3939

Kingston, New York 12402

BEVERLY J. RIGNEY
Notary Public, State of New York
No. 01R14657354
Qualified in Ulster County
Commission Expires October 31, 2025

SCHEDULE "A"

Beginning at a point on the Northeasterly side of Condie Street, said point being the most Westerly corner of lands of Ronald Chambers Family Trust, Liber 2956 Page 240, and running:

1) thence from said point of beginning along the Northeasterly side of the Condie Street North $43^{\circ} 34' 56''$ West, 100.00 feet to a point;

2) thence along other lands of Mc Closkey (Lot 1) the following courses and distances: North $25^{\circ} 24' 29''$ East, 52.82 feet to a point;

3) thence North $19^{\circ} 41' 43''$ East, 91.58 feet to a point;

4) thence along the Southerly line of lands of George and Kiki Demosthenous, Liber 1531 Page 767, the following courses and distances: North $68^{\circ} 47' 04''$ East, 67.71 feet to a point;

5) thence South $79^{\circ} 55' 30''$ East, 25.00 feet to a point;

6) thence North $10^{\circ} 04' 30''$ East, 24.82 feet to a point;

7) thence North $55^{\circ} 17' 04''$ East, 155.37 feet to a recovered bar;

8) thence South $73^{\circ} 08' 56''$ East, 26.14 feet to a recovered bar;

9) thence along lands of the City of Kingston, Liber 3833 Page 068, South $51^{\circ} 58' 52''$ East, 66.00 feet to a point;

6) thence along the Northwesterly line of lands of Robert Chambers Family Trust Southwesterly on a curve to the right having a radius of 1943.00 feet, 405.68 feet to the place of beginning.

CONTAINING: 1.133 Acres

All bearings are referred to Magnetic North.

Being Lot 2 as shown on Map of Subdivision of Lands of Gerald M. and Bernice L. Mc Closkey, prepared by Brinnier and Larios, P.C., dated June 20, 2005.