



City of Kingston Kingston Common Council
Meeting Agenda
Tuesday, August 1, 2017

- A CALL TO ORDER**
- B PLEDGE OF ALLEGIANCE TO THE FLAG**
- C MOMENT OF SILENCE**
- D ROLL CALL**
- E DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING AND APPROVE SAME AS PREPARED AND FILED BY THE CITY CLERK.**
- F DISPENSE WITH THE READING OF THE GENERAL BILLS**
- G PUBLIC SPEAKING - *A Maximum of 30 Minutes is Allotted for this Purpose***
- H CLAIMS - #17-23 - Auto Damage**
- I COMMUNICATIONS**
 - I.1. Daniel Baker, Assessor Re: Board of Assessment Review Appointment
[BAR.pdf](#)
 - I.2. Joe Chenier, DPW Re: Request for No Parking on Main St and Stop Sign on Lucas Ave
[Memo to J. Noble Main St. Parking and Lucas Green St.pdf](#)
 - I.3. R Swenson, Engineer. Re: Washington Ave Signals - Supplemental Agreement 5
[Supplemental Agreement 5_8760.29.pdf](#)
[Noble_Washington Avenue Signals Supplemental Agreement No 5_072817.pdf](#)
 - I.4. Alderman Dawson Re: Parking Issue near St. Joseph's School
[Parking Issues.pdf](#)
 - I.5. Mayor Noble Re: Pike Plan
[Communication- Pike Plan 7-31-17.pdf](#)
 - I.6. Mayor Noble Re: Henry Street Pedestrian Improvements
[Henry Street Appropriations Resolution Draft.pdf](#)
[Communication- Henry Street Pedestrian Improvements 7-31-17.pdf](#)
 - I.7. Mayor Noble Re: Budget transfer- part time position
[Communication- Budget Transfer- part time position 7-31-17.pdf](#)
 - I.8. Mayor Noble Re: NOVO Grant
[Communication- NOVO Grant 7-31-17.pdf](#)
 - I.9. Mayor Noble Re: SAFER Program
[Communication- SAFER Program 7-31-17.pdf](#)

- I.10. Allen Winchell, WWTF Re: Budget Modification Request
[20170731145018.pdf](#)

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

K REPORT OF THE COMMITTEES

- K.1. August 22017 Proposed Legislation
[August 2017 Legislation.pdf](#)

LOCAL LAWS

Proposed Local Law #8 of 2017

Proposed Local Law #9 of 2017
[LL # 9 2017.pdf](#)

Proposed Local Law #10 of 2017
[LL #10 2017.pdf](#)

L ADJOURNMENT

Kingston Common Council Agenda Item Report

Agenda Item No. 143
Submitted by: Dan Baker
Submitting Department: Assessor
Meeting Date: August 1, 2017

SUBJECT

Daniel Baker, Assessor Re: Board of Assessment Review Appointment

Recommendation:

ATTACHMENTS

- [BAR.pdf](#)

The City of Kingston Board (BAR) of Assessment Review is a five person board that resolves assessment/exemption disputes for property owners in the City of Kingston. BAR members must attend an official training upon appointment that is held by the Ulster County Real Property Tax Director. This communication is to ensure that the City of Kingston maintains a 5 person board in place prior to the 2017 October Meeting.

The term of Jane Perry will expire on 9/30/2017.

See Chapter 8 of the City of Kingston Charter “Assessment Review Board”

<http://ecode360.com/12699984>

I respectfully request you please forward this proposal to the most appropriate committee of your choosing.

Board of Assessment Review

Jane Perry	17 Flatbush Ave	Exp. 9/30/17
Andrew Champ Doran	59 Elizabeth Street	Exp. 9/30/18
Wayne Platte, Jr.	245 Pearl Street	Exp. 9/30/19
Bernard Matthews	37 Wilson Avenue	Exp. 9/30/20
Matthew Branford	155 Harding Ave	Exp. 9/30/21

Kingston Common Council Agenda Item Report

Agenda Item No. 147
Submitted by: Carly Winnie
Submitting Department: Public Works
Meeting Date: August 1, 2017

SUBJECT

Joe Chenier, DPW Re: Request for No Parking on Main St and Stop Sign on Lucas Ave

Recommendation:

ATTACHMENTS

- [Memo to J. Noble Main St. Parking and Lucas Green St.pdf](#)

City of Kingston
Department of Public Works

25 East O'Reilly St
Kingston, NY 12401



Telephone: 845 331-0682
Fax: 845 331-0295

Joseph A. Chenier
Superintendent

MEMO

July 12, 2017

Memo to: James Noble, Council President

Memo from: Joseph A. Chenier

Re: No Parking Main St. at Wall St. and Stop sign at Lucas Ave. and Green St.

A crosswalk has been requested at the Main Street and Wall Street intersection. The proposed crosswalk will cross Main Street east of Wall Street near St. Joseph's church. I have reviewed the location with Safety Officer, Diane Bergquist and we agree that this will enhance pedestrian safety. Yield to pedestrian signs will be installed on both sides of Main Street and a yield bar pavement marking will be installed accross Main Street 20' in advance of the crosswalk. The installation will require parking to be eliminated from the driveway on the south side of Main Street east of the church to the intersection. This will also increase sight distance for drivers at the stop sign on Wall Street at this intersection. There are currently no meters or hatched parking stalls at this location. Please provide the necessary resolution to create a No Parking zone. Attached is documentation to support our position and outline the need to eliminate the parking.

Additionally, I am requesting a resolution to install a stop sign on Lucas Avenue at Green Street. The stop sign will decrease vehicle and pedestrian conflict. The stop sign will enhance pedestrian safety as well. If you have any questions do not hesitate to contact me. Thank you for your attention to this matter.

CITY OF KINGSTON
Department of Public Works
publicworks@kingston-ny.gov

Diane Bergquist, Safety Officer



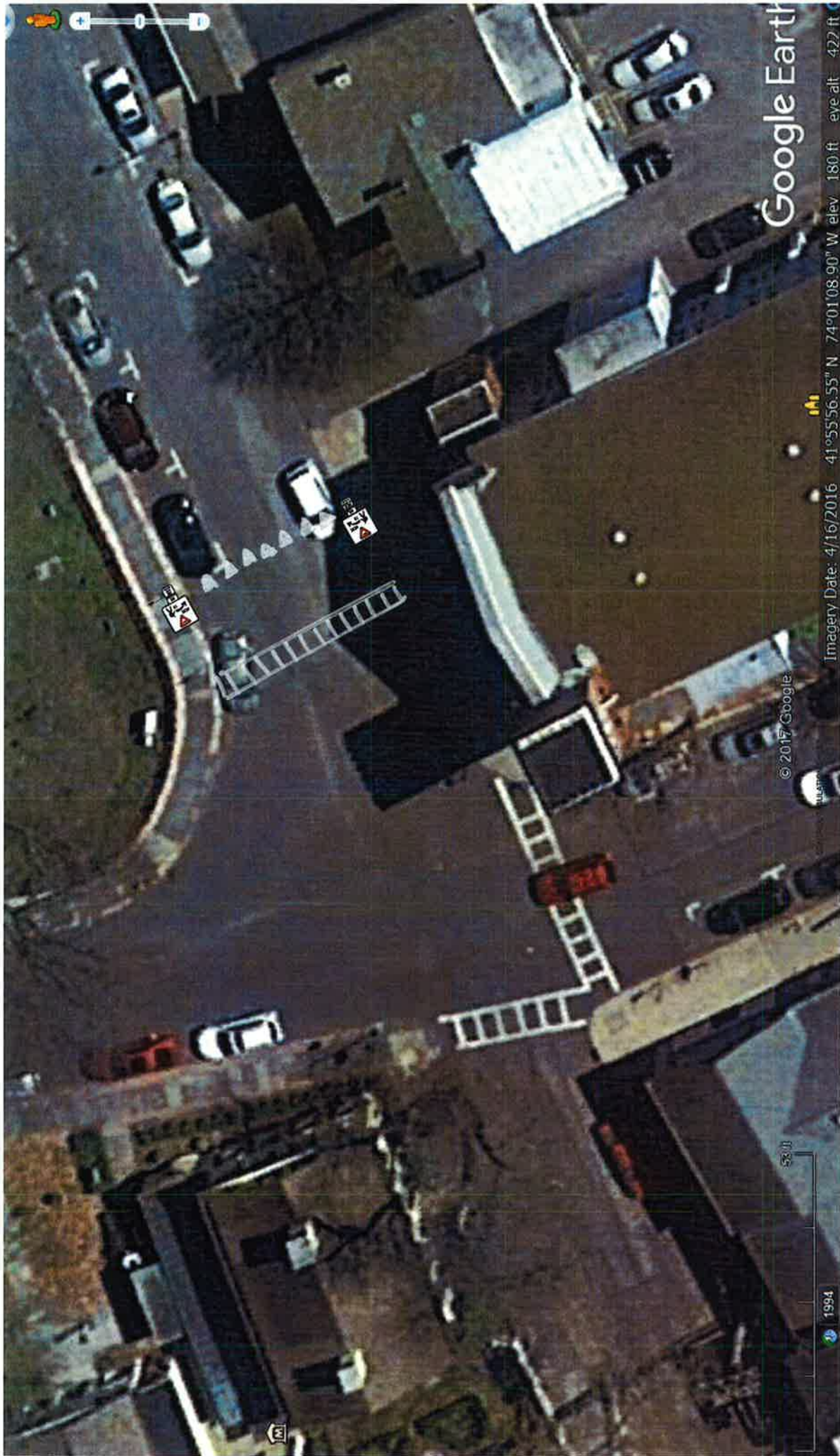
Steven T. Noble, Mayor

Crosswalk at St. Joseph's Church
Main & Wall Streets

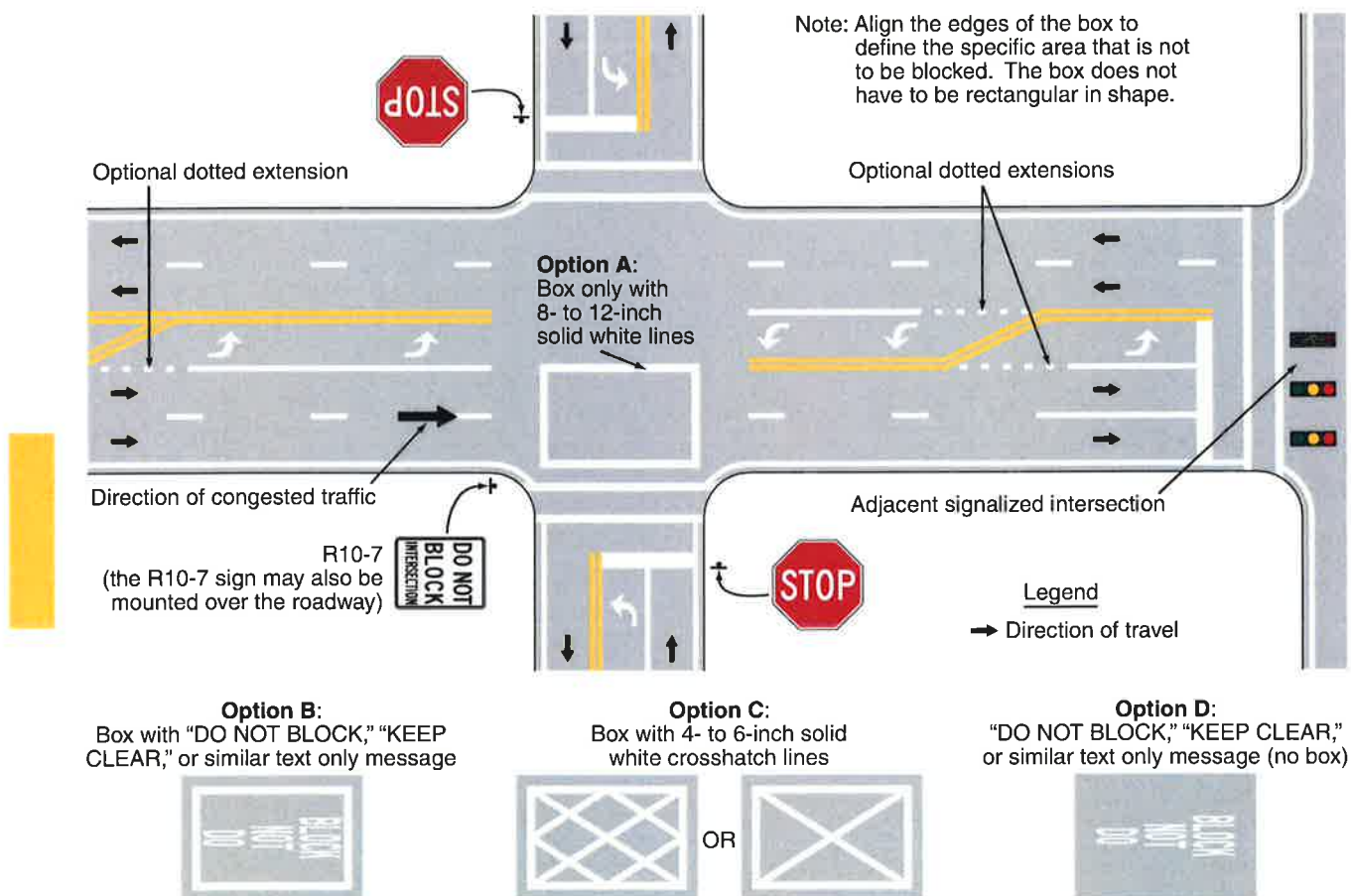
Upon reviewing the proposal of adding crosswalks at the intersection of Wall and Main Streets the crosswalk addition from St. Joseph's Church to the Dutch Reform Church could be added, but would require legislation for necessary signage. No Parking from the Yield Here to Pedestrians to the corner of Wall St. in front of St. Joseph's and on the Reform Church from the first parking meter to the edge of the new crosswalk would be required. No parking is restricted for at least 20' from a crosswalk. (See attached map overview)

Adding a crosswalk from the Reform Church across Wall St. would cause too many safety issues. Traffic from Wall St. or turning from Main would be forced to stop in the intersection if someone needed to cross at that corner. Also, the crosswalk would have to be located further up Wall St. due to the location of a catch basin, fire hydrant, steel post and there is no handicap accessibility on either side of Wall St.

I've included the MUTCD excerpts that explain what is required in regard to crosswalks and parking.



DeviceDesc	Quantity	Color	DeviceType	Size	Area	Identifier
Yield Here to Pedestrians (Left)	1	black on yellow	Sign	30x30	6.25	R1-SL_30x30 sign
No Parking 8:30 A.M. to 5:30 P.M.	1	green on white	Sign	12x18	1.50	R7-2_12x18 sign
No Parking Any Time	1	red on white	Sign	12x18	1.50	R7-1_12x18 sign
Yield Here to Pedestrians (Right)	1	black on yellow	Sign	30x30	6.25	R1-SR_30x30 sign
Total					15.50	

Figure 3B-18. Do Not Block Intersection Markings

08 *Crosswalk lines should not be used indiscriminately. An engineering study should be performed before a marked crosswalk is installed at a location away from a traffic control signal or an approach controlled by a STOP or YIELD sign. The engineering study should consider the number of lanes, the presence of a median, the distance from adjacent signalized intersections, the pedestrian volumes and delays, the average daily traffic (ADT), the posted or statutory speed limit or 85th-percentile speed, the geometry of the location, the possible consolidation of multiple crossing points, the availability of street lighting, and other appropriate factors.*

09 *New marked crosswalks alone, without other measures designed to reduce traffic speeds, shorten crossing distances, enhance driver awareness of the crossing, and/or provide active warning of pedestrian presence, should not be installed across uncontrolled roadways where the speed limit exceeds 40 mph and either:*

- A. *The roadway has four or more lanes of travel without a raised median or pedestrian refuge island and an ADT of 12,000 vehicles per day or greater; or*
- B. *The roadway has four or more lanes of travel with a raised median or pedestrian refuge island and an ADT of 15,000 vehicles per day or greater.*

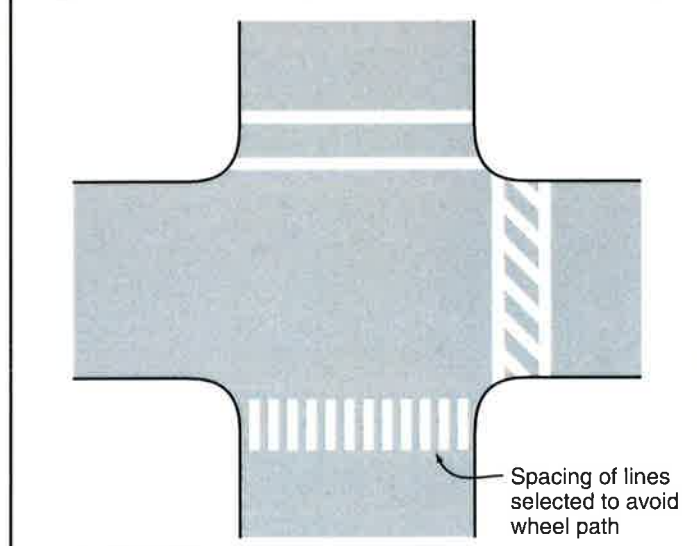
Figure 3B-19. Examples of Crosswalk Markings

Figure 3B-21. Examples of Parking Space Markings

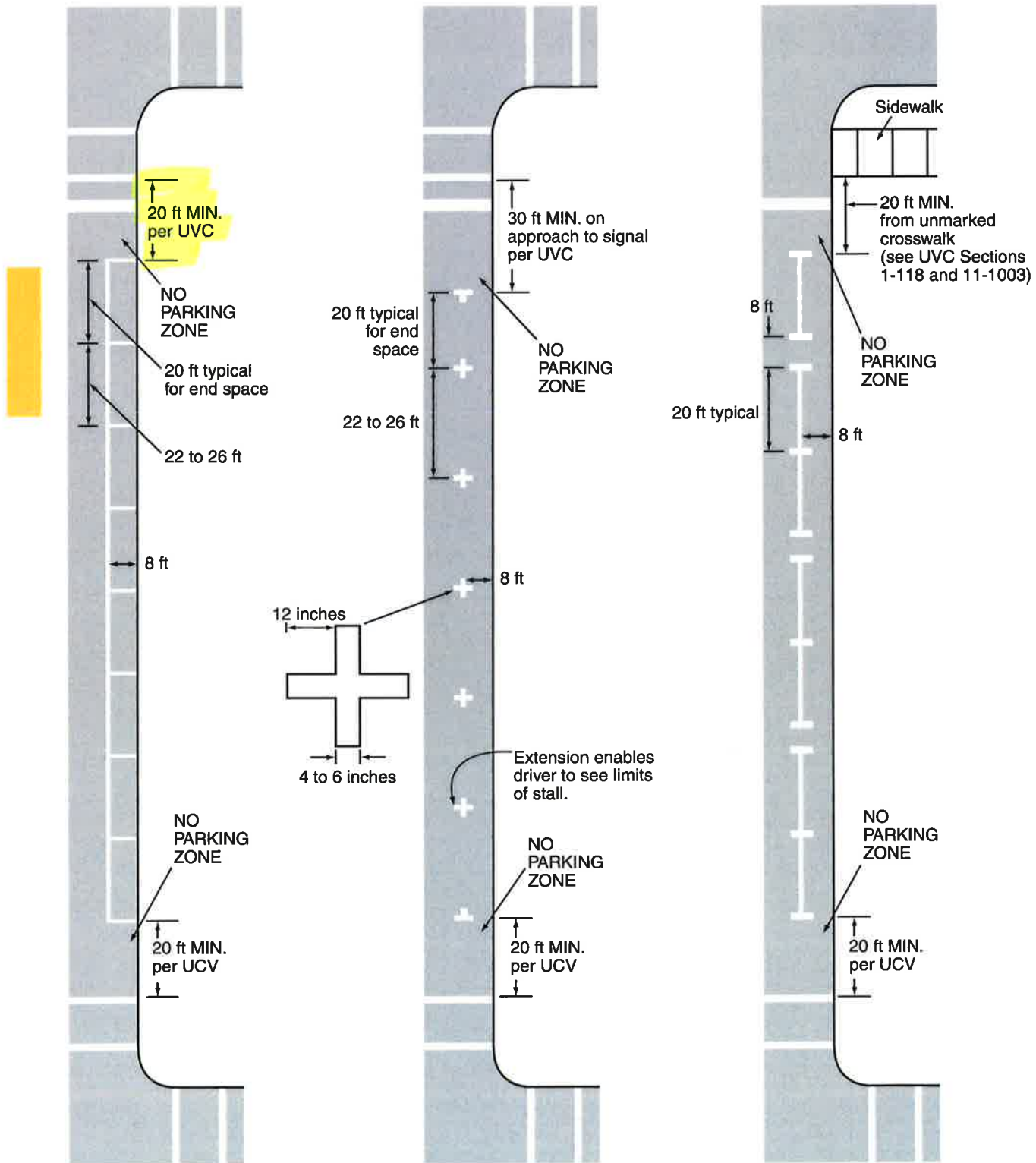
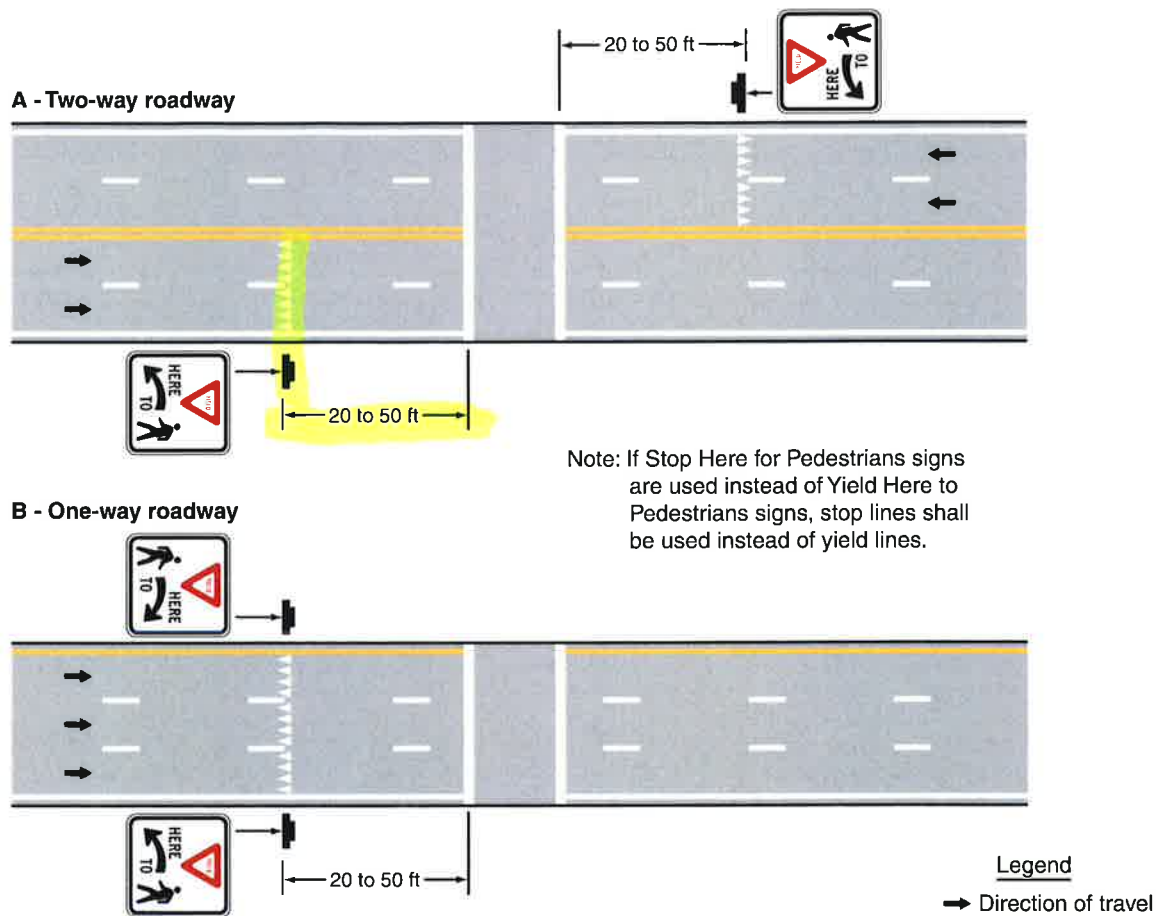


Figure 3B-17. Examples of Yield Lines at Unsignalized Midblock Crosswalks**Section 3B.18 Crosswalk Markings****Support:**

- 01 Crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops.
- 02 In conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.
- 03 At non-intersection locations, crosswalk markings legally establish the crosswalk.

Standard:

- 04 When crosswalk lines are used, they shall consist of solid white lines that mark the crosswalk. They shall not be less than 6 inches or greater than 24 inches in width.

Guidance:

- 05 If transverse lines are used to mark a crosswalk, the gap between the lines should not be less than 6 feet. If diagonal or longitudinal lines are used without transverse lines to mark a crosswalk, the crosswalk should be not less than 6 feet wide.
- 06 Crosswalk lines, if used on both sides of the crosswalk, should extend across the full width of pavement or to the edge of the intersecting crosswalk to discourage diagonal walking between crosswalks (see Figures 3B-17 and 3B-19).
- 07 At locations controlled by traffic control signals or on approaches controlled by STOP or YIELD signs, crosswalk lines should be installed where engineering judgment indicates they are needed to direct pedestrians to the proper crossing path(s).

Standard:

- 04 If a post-mounted W11-2, W11-6, W11-7, or W11-9 sign is placed at the location of the crossing point where pedestrians, snowmobilers, or equestrians might be crossing the roadway, a diagonal downward pointing arrow (W16-7P) plaque (see Figure 2C-12) shall be mounted below the sign. If the W11-2, W11-6, W11-7, or W11-9 sign is mounted overhead, the W16-7P plaque shall not be used.

Option:

- 05 A Pedestrian Crossing (W11-2) sign may be placed overhead or may be post-mounted with a diagonal downward pointing arrow (W16-7P) plaque at the crosswalk location where Yield Here To (Stop Here For) Pedestrians signs (see Section 2B.11) have been installed in advance of the crosswalk.

Standard:

- 06 If a W11-2 sign has been post-mounted at the crosswalk location where a Yield Here To (Stop Here For) Pedestrians sign is used on the approach, the Yield Here To (Stop Here For) Pedestrians sign shall not be placed on the same post as or block the road user's view of the W11-2 sign.

Option:

- 07 An advance Pedestrian Crossing (W11-2) sign with an AHEAD or a distance supplemental plaque may be used in conjunction with a Yield Here To (Stop Here For) Pedestrians sign on the approach to the same crosswalk.
- 08 The crossing location identified by a W11-2, W11-6, W11-7, or W11-9 sign may be defined with crosswalk markings (see Section 3B.18).
- 09 The W11-2 and W11-9 signs and their related supplemental plaques may have a fluorescent yellow-green background with a black legend and border.

Guidance:

- 10 When a fluorescent yellow-green background is used, a systematic approach featuring one background color within a zone or area should be used. The mixing of standard yellow and fluorescent yellow-green backgrounds within a selected site area should be avoided.

Option:

- 11 A Warning Beacon (see Section 4L.03) may be used with any Non-Vehicular Warning sign to indicate specific periods when the condition or activity is present or is likely to be present, or to provide enhanced sign conspicuity.
- 12 A supplemental WHEN FLASHING (W16-13P) plaque (see Figure 2C-12) may be used with any Non-Vehicular Warning sign that is supplemented with a Warning Beacon to indicate specific periods when the condition or activity is present or is likely to be present.

Section 2C.51 Playground Sign (W15-1)**Option:**

- 01 The Playground (W15-1) sign (see Figure 2C-11) may be used to give advance warning of a designated children's playground that is located adjacent to the road.
- 02 The Playground sign may have a fluorescent yellow-green background with a black legend and border.

Guidance:

- 03 If the access to the playground area requires a roadway crossing, the application of crosswalk pavement markings (see Section 3B.18) and Non-Vehicular Warning signs (see Section 2C.50) should be considered.

Section 2C.52 NEW TRAFFIC PATTERN AHEAD Sign (W23-2)**Option:**

- 01 A NEW TRAFFIC PATTERN AHEAD (W23-2) sign (see Figure 2C-6) may be used on the approach to an intersection or along a section of roadway to provide advance warning of a change in traffic patterns, such as revised lane usage, roadway geometry, or signal phasing.

Guidance:

- 02 The NEW TRAFFIC PATTERN AHEAD sign should be removed when the traffic pattern returns to normal, when the changed pattern is no longer considered to be new, or within six months.

Section 2C.53 Use of Supplemental Warning Plaques**Option:**

- 01 A supplemental warning plaque (see Figure 2C-12) may be displayed with a warning or regulatory sign when engineering judgment indicates that road users require additional warning information beyond that contained in the main message of the warning or regulatory sign.

Section 3B.15 Transverse Markings

Standard:

- 01 **Transverse markings, which include shoulder markings, word and symbol markings, arrows, stop lines, yield lines, crosswalk lines, speed measurement markings, speed reduction markings, speed hump markings, parking space markings, and others, shall be white unless otherwise provided in this Manual.**

Guidance:

- 02 *Because of the low approach angle at which pavement markings are viewed, transverse lines should be proportioned to provide visibility at least equal to that of longitudinal lines.*

Section 3B.16 Stop and Yield Lines

Guidance:

- 01 *Stop lines should be used to indicate the point behind which vehicles are required to stop in compliance with a traffic control signal.*

Option:

- 02 *Stop lines may be used to indicate the point behind which vehicles are required to stop in compliance with a STOP (R1-1) sign, a Stop Here For Pedestrians (R1-5b or R1-5c) sign, or some other traffic control device that requires vehicles to stop, except YIELD signs that are not associated with passive grade crossings.*
- 03 *Yield lines may be used to indicate the point behind which vehicles are required to yield in compliance with a YIELD (R1-2) sign or a Yield Here To Pedestrians (R1-5 or R1-5a) sign.*

Standard:

- 04 **Except as provided in Section 8B.28, stop lines shall not be used at locations where drivers are required to yield in compliance with a YIELD (R1-2) sign or a Yield Here To Pedestrians (R1-5 or R1-5a) sign or at locations on uncontrolled approaches where drivers are required by State law to yield to pedestrians.**
- 05 **Yield lines shall not be used at locations where drivers are required to stop in compliance with a STOP (R1-1) sign, a Stop Here For Pedestrians (R1-5b or R1-5c) sign, a traffic control signal, or some other traffic control device.**
- 06 **Stop lines shall consist of solid white lines extending across approach lanes to indicate the point at which the stop is intended or required to be made.**
- 07 **Yield lines (see Figure 3B-16) shall consist of a row of solid white isosceles triangles pointing toward approaching vehicles extending across approach lanes to indicate the point at which the yield is intended or required to be made.**

Guidance:

- 08 *Stop lines should be 12 to 24 inches wide.*
- 09 *The individual triangles comprising the yield line should have a base of 12 to 24 inches wide and a height equal to 1.5 times the base. The space between the triangles should be 3 to 12 inches.*
- 10 *If used, stop and yield lines should be placed a minimum of 4 feet in advance of the nearest crosswalk line at controlled intersections, except for yield lines at roundabouts as provided for in Section 3C.04 and at midblock crosswalks. In the absence of a marked crosswalk, the stop line or yield line should be placed at the desired stopping or yielding point, but should not be placed more than 30 feet or less than 4 feet from the nearest edge of the intersecting traveled way.*
- 11 *Stop lines at midblock signalized locations should be placed at least 40 feet in advance of the nearest signal indication (see Section 4D.14).*
- 12 *If yield or stop lines are used at a crosswalk that crosses an uncontrolled multi-lane approach, the yield lines or stop lines should be placed 20 to 50 feet in advance of the nearest crosswalk line, and parking should be prohibited in the area between the yield or stop line and the crosswalk (see Figure 3B-17).*

Standard:

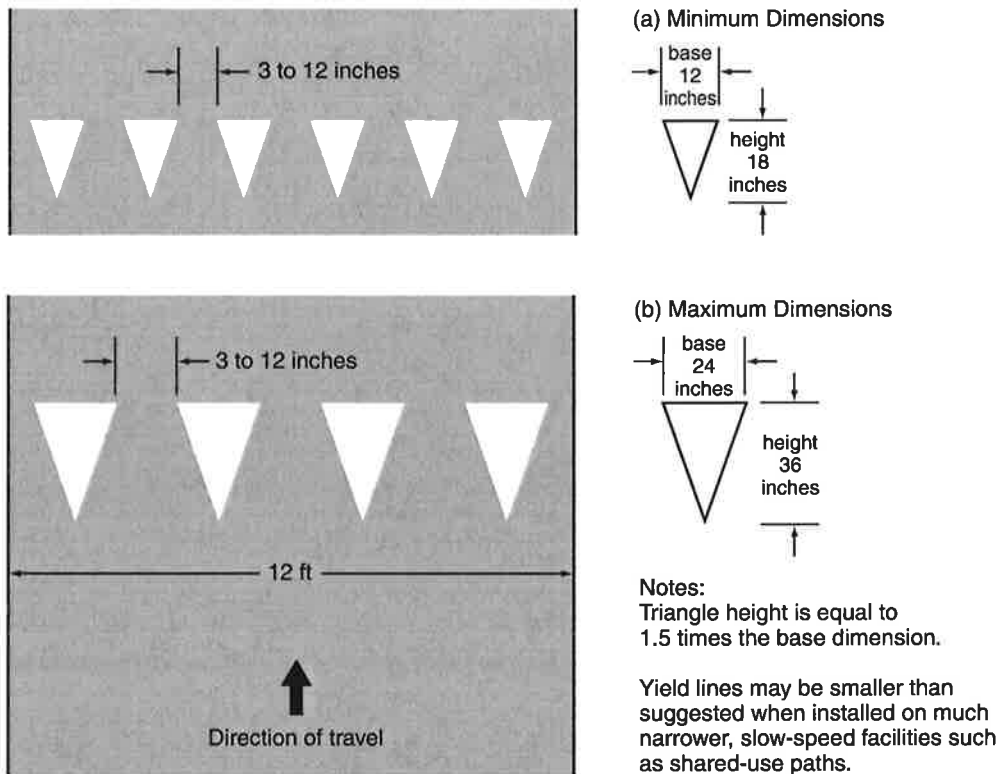
- 13 **If yield (stop) lines are used at a crosswalk that crosses an uncontrolled multi-lane approach, Yield Here To (Stop Here For) Pedestrians (R1-5 series) signs (see Section 2B.11) shall be used.**

Guidance:

- 14 *Yield (stop) lines and Yield Here To (Stop Here For) Pedestrians signs should not be used in advance of crosswalks that cross an approach to or departure from a roundabout.*

Support:

- 15 **When drivers yield or stop too close to crosswalks that cross uncontrolled multi-lane approaches, they place pedestrians at risk by blocking other drivers' views of pedestrians and by blocking pedestrians' views of vehicles approaching in the other lanes.**

Figure 3B-16. Recommended Yield Line Layouts**Option:**

- 16 Stop and yield lines may be staggered longitudinally on a lane-by-lane basis (see Drawing D of Figure 3B-13).

Support:

- 17 Staggered stop lines and staggered yield lines can improve the driver's view of pedestrians, provide better sight distance for turning vehicles, and increase the turning radius for left-turning vehicles.
- 18 Section 8B.28 contains information regarding the use of stop lines and yield lines at grade crossings.

Section 3B.17 Do Not Block Intersection Markings**Option:**

- 01 Do Not Block Intersection markings may be used to mark the edges of an intersection area that is in close proximity to a signalized intersection, railroad crossing, or other nearby traffic control that might cause vehicles to stop within the intersection and impede other traffic entering the intersection. If authorized by law, Do Not Block Intersection markings with appropriate signs may also be used at other locations.

Standard:

- 02 If used, Do Not Block Intersection markings (see Figure 3B-18) shall consist of one of the following alternatives:
- A. Wide solid white lines that outline the intersection area that vehicles must not block;
 - B. Wide solid white lines that outline the intersection area that vehicles must not block and a white word message such as DO NOT BLOCK or KEEP CLEAR;
 - C. Wide solid white lines that outline the intersection area that vehicles must not block and white cross-hatching within the intersection area; or
 - D. A white word message, such as DO NOT BLOCK or KEEP CLEAR, within the intersection area that vehicles must not block.
- 03 Do Not Block Intersection markings shall be accompanied by one or more DO NOT BLOCK INTERSECTION (DRIVEWAY) (CROSSING) (R10-7) signs (see Section 2B.53), one or more DO NOT STOP ON TRACKS (R8-8) signs (see Section 8B.09), or one or more similar signs.

Kingston Common Council Agenda Item Report

Agenda Item No. 151

Submitted by: Ralph Swenson

Submitting Department: Engineering

Meeting Date: August 1, 2017

SUBJECT

R Swenson, Engineer. Re: Washington Ave Signals - Supplemental Agreement 5

Recommendation:

ATTACHMENTS

- [Supplemental Agreement 5_8760.29.pdf](#)
- [Noble_Washington Avenue Signals Supplemental Agreement No 5_072817.pdf](#)



Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

July 24, 2017

Mr. Ralph Swenson, Project Manager
City of Kingston
420 Broadway
Kingston, NY 12401

**RE: PIN 8760.29, WASHINGTON AVENUE SIGNALS AT SCHWENK
DRIVE AND NORTH FRONT STREET
CITY OF KINGSTON, ULSTER COUNTY
SUPPLEMENTAL AGREEMENT #5 – D032608**

Dear Mr. Swenson:

Enclosed are eight (8) Supplemental Agreements to include approved SFY 16-17 Marchiselli funds for the construction phase for the above-referenced project. Seven (7) executed copies of the agreement, **EACH with original signatures and notarizations**, should be returned to this office. A new resolution is not needed as the total cost of this phase has not changed.

As a reminder, your last request for reimbursement was August 2016. As referenced project appears to have been completed, please provide closing documents. Attached is a copy of a letter that was sent July 19, 2016 regarding the documentation submitted for the close-out of the project. As of this date, we have not received a response.

Your assistance in having the agreement approved by the City Council and signed by the City Mayor and City Attorney is appreciated. Of course, if you have any questions, please call me at (845) 431-5977 or by e-mail at doreen.holsopple@dot.ny.gov

Sincerely,


Doreen Holsopple
Administrative and Financial Advisor
Region 8 Local Projects Unit

Enclosures

Dh:mg

1. The first part of the paper discusses the importance of understanding the underlying mechanisms of the observed phenomena. This is crucial for developing effective interventions and policies. The authors argue that a comprehensive understanding of the system is necessary to address the complex challenges it presents.

2. The second part of the paper focuses on the empirical evidence supporting the proposed model. The authors present a series of experiments and analyses that demonstrate the validity of their theoretical framework. The results show that the model accurately predicts the behavior of the system under various conditions, providing strong support for the proposed mechanisms.

3. The third part of the paper discusses the implications of the findings for future research and practice. The authors highlight the need for further exploration of the underlying mechanisms and the potential applications of the model in different contexts. They also discuss the challenges associated with implementing the proposed interventions and policies.

4. The fourth part of the paper concludes the study and summarizes the key findings. The authors reiterate the importance of understanding the underlying mechanisms and the potential of the proposed model to address the complex challenges of the system. They also provide a final statement on the future directions of the research.

Figure 1: A diagram illustrating the proposed model. The diagram shows a central node labeled 'System' connected to several other nodes representing different components or processes. The connections are labeled with terms such as 'Input', 'Output', and 'Feedback'. The diagram is designed to show how the system interacts with its environment and how the proposed mechanisms influence its behavior.



Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

July 19, 2016

Mr. Ralph Swenson, Project Manager
City of Kingston
420 Broadway
Kingston, NY 12401

**RE: PIN 8760.29, WASHINGTON AVENUE SIGNALS AT
SCHWENK DRIVE AND NORTH FRONT STREET
CITY OF KINGSTON, ULSTER COUNTY**

Dear Mr. Swenson:

We are in receipt of your reimbursement request dated June 13, 2016; which represents approximately 80% of the funding expended. Based on this submittal it appears as though construction is close to completion or has been completed. Therefore we will not be able to process any additional request until the final. Please note that the request for Final payment should be made within 6 months of the completion of the project or the funding for lack of expenditure could be de-obligated.

The final stage of the project development process is the formal close-out of the State-Local project agreement. As a result of the project close-out stage, all project costs will be reconciled, unused federal and Marchiselli funds will be de-obligated and made available for other locally-administered federal aid projects, and the State-Local project agreement will be terminated. Please note that the request for Final payment should be made within 6 months of the completion of the project or the funding for lack of expenditure could be de-obligated.

To initiate project close-out procedures, the following must be submitted:

- Final Acceptance Of Locally Administered Federal-Aid Project
- Material Certification (CONR 193)
- Confirmation that all change orders and time extensions were processed.
- Releases for any Uncompleted Work Agreements.
- A project financial summary
- Final Sponsor's Reimbursement Request
- Certification for Construction Acceptance.
- Certification for Construction Inspection
- Consultant Evaluation (Chapter 6)

Mr. Ralph Swenson
July 19, 2016
Page Two

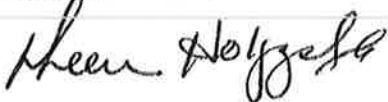
- AAP-19LL, Disadvantaged Business Enterprise Utilization Report (*final*)
- AAP-33LL, Monthly Employment Utilization Report (*composite, final*)
- AAP-21LL, Prime Contractor Report of Contract Payments (*final*)
- EBO print out is required.
- A copy of the Highway Work Permit indicating acceptance by NYSDOT (If applicable).

For additional information regarding the close-out procedures, please reference Chapter 17, Local Project Close-Out, of the Procedures for Locally-administered Federal Aid Projects located at www.dot.ny.gov.

Once all the information described above is received and reviewed, we will process the final reimbursement request and initiate close-out of the State-Local Agreement.

If you have any questions concerning project close-out requirements or procedures, please contact me at (845) 431-5977 or by e-mail at doreen.holsopple@dot.ny.gov.

Sincerely,



Doreen Holsopple
Administrative & Financial Advisor
Local Projects Unit

Enclosed:

Format and Content of Project Financial Summary
Certification for Construction Acceptance
Certification for Construction Inspection
Final Acceptance Of Locally Administered Federal-Aid Project form

Can access:

AAP-19LL, Disadvantaged Business Enterprise Utilization Report (*final*)

https://www.dot.ny.gov/portal/pls/portal/MEXIS_APP.PA_PLAFAP_ADMIN.show_file?id=2002

AAP-33LL, Monthly Employment Utilization Report (*composite, final*)

https://www.dot.ny.gov/portal/pls/portal/MEXIS_APP.PA_PLAFAP_ADMIN.show_file?id=1733

CONR193, Materials Acceptance

<https://www.nysdot.gov/main/business-center/contractors/construction-division/forms-manuals-computer-applications-general-information/finalizing-a-contract>

SUPPLEMENTAL AGREEMENT NO 5 to D032608

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

City of Kingston (the Municipality/Sponsor)

Acting by and through the **Mayor**

With its office at **City Hall, 420 Broadway, Kingston, Ulster County, New York**

This amends the existing Agreement between the parties in the following respects only:

X Amends a previously adopted Schedule A by:

☐ amending a project description

☐ amending the contract end date

X amending the scheduled funding by:

☐ adding additional funding:

☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx

☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx

☐ increasing funding for a project phases(s)

☐ adding a pin extension

☐ change from Non-Marchiselli to Marchiselli

☐ deleting/reducing a project phase(s)

X adding additional Marchiselli funds

☐ Amends a previously adopted Schedule "B"

X Amends a previously adopted agreement by adding Appendix 2-S – Iran Divestment Act

☐ Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: City of Kingston
PIN: 8760.29
BIN: N/A
Comptroller's Contract No: D032608
Supplemental Agreement No. 5
Date Prepared & By: 7/18/17 mg

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

Municipality/Sponsor Attorney:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

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

On this _____ day of _____, 2017 before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

Notary Public

By: _____
For Commissioner of Transportation

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law § 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8760.29

OSC Municipal Contract #: D032608	Contract Start Date: <u>9/16/2010</u> (mm/dd/yyyy)	Contract End Date: <u>9/30/2020</u> (mm/dd/yyyy) ☐ Check, if date changed from the last Schedule A			
Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 5					
Agreement Type: ☒ Locally Administered Municipality/Sponsor (Contract Payee): City of Kingston Other Municipality/Sponsor (if applicable): _____ ☐ State Administered <i>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</i> ☐ Municipality: ☐ Municipality: ☐ Municipality: % of Cost share % of Cost share % of Cost share					
Authorized Project Phase(s) to which this Schedule applies: ☒ PE/Design ☒ ROW Incidentals ☒ ROW Acquisition ☒ Construction/CI/CS					
Work Type: HWY SIGNALS	County (If different from Municipality): Ulster County				
Marchiselli Eligible ☒ Yes ☐ No (Check, if Project Description has changed from last Schedule A): ☐ Project Description: Washington Ave Signals at Schwenk Drive & North Front Street.					
Marchiselli Allocations Approved FOR ALL PHASES <i>All totals will calculate automatically.</i>					
Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
☒	Cumulative total for all prior SFYs	\$11,400.00	\$900.00	\$59,000.00	\$71,300.00
☒	Current SFY 17/18	\$0.00	\$0.00	\$11,000.00	\$11,000.00
Authorized Allocations to Date		\$11,400.00	\$ 900.00	\$70,000.00	\$82,300.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding	Total Costs	FEDERAL Participating Share	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8760.29.121	Current	STP (80%)	\$76,000.00	\$60,800.00	\$11,400.00	\$3,800.00	\$0.00
	Old	STP (80%)	\$76,000.00	\$60,800.00	\$11,400.00	\$3,800.00	\$0.00
8760.29.221	Current	STP (80%)	\$6,000.00	\$4,800.00	\$900.00	\$300.00	\$0.00
	Old	STP (80%)	\$6,000.00	\$4,800.00	\$900.00	\$300.00	\$0.00
8760.29.321	Current	STP (80%)	\$465,468.00	\$372,374.00	\$69,820.20	\$23,273.80	\$0.00
	Old	STP (80%)	\$465,468.00	\$372,374.00	\$59,000.00	\$34,094.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$547,468.00	\$437,974.00	\$82,120.20	\$27,373.80	\$ 0.00

NYSDOT/State-Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$	\$0.00	\$
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

C. Local Deposit(s) from Section A:	\$ 0.00
Additional Local Deposit(s)	\$
Total Local Deposit(s)	\$ 0.00

D. Total Project Costs All totals will calculate automatically.				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$437,974.00	\$82,120.20	\$ 0.00	\$27,373.80	\$547,468.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Doreen Holsoopple</u> Phone No: <u>845-431-5977</u>	25
--	---	----

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/State-Local Agreement – Schedule A

Footnotes: (See [LPB's website](#) for link to sample footnotes)

- Description cont. Improve traffic operations and pedestrian crossing accommodations by replacing both signals with new actuated/coordinated traffic signals and include pedestrian count down timers.
- This Schedule A is to include additional Marchiselli funds for the construction phase.
-
-
-
-
-
-
-
-
- PIN 8760.29 7/24/17mg

APPENDIX 2-S IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

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

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

July 28, 2017

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: Washington Avenue Signals at Schwenk Drive and North Front Street
PIN 8760.29
Supplemental Agreement No. 5

Dear President Noble:

Attached please find recent correspondence from NYSDOT and associated Supplemental Agreement No. 5 for additional construction and construction inspection funds. The modification provides an increase to the State Marchiselli construction related funding from \$59,000 to \$69,820.20. Our local share decreases from \$34,094.00 to \$23,273.80.

Please refer these items to the Finance Committee for further discussion.

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

Respectfully,

Ralph Swenson
City Engineer

Cc: Steven T. Noble, Mayor
J. Tuey, Comptroller

Kingston Common Council Agenda Item Report

Agenda Item No. 159

Submitted by: Carly Winnie

Submitting Department: Common Council

Meeting Date: August 1, 2017

SUBJECT

Alderman Dawson Re: Parking Issue near St. Joseph's School

Recommendation:

ATTACHMENTS

- [Parking Issues.pdf](#)

Winnie, Carly

From: James Noble <jnoble39@aol.com>
Sent: Monday, July 24, 2017 10:00 AM
To: Winnie, Carly
Subject: Fwd: Parking Resolution by St. Josephs's school

Carly Please add to the PS Committee. Thank you. Jim

Sent from my iPad

Begin forwarded message:

From: Nina Dawson <Nina.Dawson@hahv.org>
Date: July 21, 2017 at 10:57:31 AM EDT
To: "Steve Schabot (sschabot@hvc.rr.com)" <sschabot@hvc.rr.com>
Cc: "reyos5@yahoo.com" <reyos5@yahoo.com>, Jim Noble <jnoble39@aol.com>, "jnoble@kingston-ny.gov" <jnoble@kingston-ny.gov>
Subject: Parking Resolution by St. Josephs's school

Steve,

Can we discuss the issue of parking by St. Joseph's School. There is a bicycle shop at 228 Wall St. (property owned by Renate Soyer). Due to extended parking as opposed to adhering to the signage as pick area only, residents have concerns as the not being able to access their property due to the parking on the side walk and extended stays of patrons of the school. It has been suggested to rectify this by having lines painted to show the loading area. It will also make parents who are picking students up respect that it is a loading area and not extended parking.

*Thank you,
Nina Dawson*

Nina Dawson

NOTICE: The information contained in this electronic communication is intended for use by the individual or entity to whom or to which it is addressed, and may contain information that is privileged, confidential and/or subject to federal and/or state privacy laws. In the event that you are not the intended recipient or the agent of the intended recipient, you are hereby notified that any use, dissemination, distribution, copying or disclosure of this communication and any attachment is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone and electronic mail, and delete the original communication and any attachment from any computer, server or other electronic recording or storage device or medium. Receipt by anyone other than the intended recipient is not a waiver of any privilege. Thank you.

Kingston Common Council Agenda Item Report

Agenda Item No. 162
Submitted by: Lynsey Timbrouck
Submitting Department: Mayor
Meeting Date: August 1, 2017

SUBJECT

Mayor Noble Re: Pike Plan

Recommendation:

ATTACHMENTS

- [Communication- Pike Plan 7-31-17.pdf](#)

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 31, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

I would like the opportunity to address the Common Council's Finance Committee in regards to matters regarding the Pike Plan. The first is to discuss the potential elimination of the debt levied onto Pike Plan owners in Uptown Kingston. The owners of these 40+ buildings in Uptown Kingston are already taxed via the non-homestead system in Kingston and I believe that they should be relieved of this burden. The City already has assumed liability for electric and maintenance costs related to the Pike Plan and I am now asking that the Common Council consider eliminating this tax.

The second matter to be discussed relates to the Pike Plan Commission. My administration has worked tirelessly to respond to the needs of Uptown Business owners and a member of my team regularly attends the monthly KUBA meetings. Further, filling and maintaining all of the seats on the Pike Plan Commission has continually been a challenge. Therefore, I believe that the Council should consider dissolving the Pike Plan Commission. I look forward to discussing both of these matters further at the August Finance Committee meeting.

Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Noble", is written over a horizontal line.

Steve Noble
Mayor

Kingston Common Council Agenda Item Report

Agenda Item No. 160
Submitted by: Lynsey Timbrouck
Submitting Department: Mayor
Meeting Date: August 1, 2017

SUBJECT

Mayor Noble Re: Henry Street Pedestrian Improvements

Recommendation:

ATTACHMENTS

- [Henry Street Appropriations Resolution Draft.pdf](#)
- [Communication- Henry Street Pedestrian Improvements 7-31-17.pdf](#)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID (AND STATE "MARCHISELLI" PROGRAM-AID) ELIGIBLE COSTS FOR THE HENRY STREET FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]] eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Henry Street Pedestrian Improvements: Broadway to Wall Street, City of Kingston, Ulster County, PIN 8761.84 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Kingston desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right of way incidentals.

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

RESOLVE, that the Kingston City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Kingston City Council hereby authorizes the City of Kingston to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right of way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **\$130,000** is hereby appropriated from Municipal Bond and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Mayor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Kingston with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding

of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Mayor, the following municipal titles: Commissioner of Public Works, City Engineer, City Comptroller, and Director of the Office of Economic and Community Development are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

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

RESOLVED, this Resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2017

Approved by the Mayor this ____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____

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

I, _____, Clerk of the _____, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the _____, New York, this
_____ day of _____, 2017.

Clerk,

PIN 8761.94
06/23/2017da

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 31, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

The City of Kingston has received new federal grant funding for the Henry Street Pedestrian Improvements Project obtained through the Transportation Alternatives Program in the amount of \$1,348,524. The total project cost is estimated to be \$1,685,656, and these funds require a 20% match in the amount of \$337,132. I am requesting placement on the Finance Committee agenda in August 2017 to discuss one action needed by the Council for this funding.

In order to access these funds, the City must pass a resolution to fund the project costs in the first instance. The attached resolution, originally drafted by NYSDOT, will allow the City to request reimbursements from the NYSDOT for the first \$130,000 for costs of the Preliminary Engineering and Right-of-Way (ROW) Incidental phase. The City will be able to request \$104,000 in reimbursements for this phase, and \$26,000 will be our local match. As we advance the project and the total of ROW and construction costs are more defined, NYSDOT can make more funds from this grant program source available for reimbursement.

The second action requested from the Council is to pass a bond in the amount of \$337,132 to appropriate funds for the Henry Street Project to cover the required local match for this phase. This bond is needed to advance the project in a timely manner, engage in a contract with the chosen consultant for the design and ROW survey, and expedite future use of this federal earmark funding.

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

Respectfully Submitted,

Steve Noble
Mayor

Kingston Common Council Agenda Item Report

Agenda Item No. 158
Submitted by: Lynsey Timbrouck
Submitting Department: Mayor
Meeting Date: August 1, 2017

SUBJECT

Mayor Noble Re: Budget transfer- part time position

Recommendation:

ATTACHMENTS

- [Communication- Budget Transfer- part time position 7-31-17.pdf](#)

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 31, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

The Legislative Assistant will soon be responsible for recording municipal meetings, assisting us in our efforts to make local government more accessible to the public. In order to accomplish this task, as well as other job-related duties, some audio visual and computer equipment will be needed. Since the position was not filled until July, there will be unspent funds in that account. I respectfully request that \$3,500 be transferred from the Part-time line A11010.5112 to A11010.5404 Miscellaneous

Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Noble", is written over a horizontal line.

Steve Noble
Mayor

Kingston Common Council Agenda Item Report

Agenda Item No. 157
Submitted by: Lynsey Timbrouck
Submitting Department: Mayor
Meeting Date: August 1, 2017

SUBJECT

Mayor Noble Re: NOVO Grant

Recommendation:

ATTACHMENTS

- [Communication- NOVO Grant 7-31-17.pdf](#)

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 31, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

As you may recall, the City of Kingston was recently awarded a \$120,000 grant from the NOVO foundation to be used over the next two years in order to support the newly created Live Well Kingston Commission. I have attached the original press release for your convenience. These grant monies will be used to fully fund one (1) part-time employee, as well as a variety of contracted services. We recently received the first year's grant funds of \$60,000 and must transfer these funds to the appropriate budget lines in the Office of Economic and Community Development. These transfers include:

Economic Development (Part Time Line) A16989.112: \$25,000
Economic Development (Contracted Services) A16989.472: \$25,000
Economic Development (General Supplies and Materials) A16989.485: \$7,500

I want to thank the Council for their continued efforts to support health and wellness in our community. I am confident that together, we can build one of the healthiest communities in New York State.

Respectfully Submitted,

Steve Noble
Mayor

Kingston Common Council Agenda Item Report

Agenda Item No. 156
Submitted by: Lynsey Timbrouck
Submitting Department:
Meeting Date: August 1, 2017

SUBJECT

Mayor Noble Re: SAFER Program

Recommendation:

ATTACHMENTS

- [Communication- SAFER Program 7-31-17.pdf](#)

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 31, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

Last week, the City of Kingston received notification of a grant award of approximately \$690,000 from the 2016 SAFER Program administered by the Department of Homeland Security. This grant will enable Kingston to hire 4 firefighters, one on each shift, for three years. I respectfully request that this matter be referred to the Finance Committee in August so that we can present the requirements of the grant program and respond to any questions Council members have. At this meeting, I will also the Council to consider a resolution approving the City of Kingston's acceptance of this grant and proceeding with the grant contract. A Committee Report that includes the language required by the funding source will be sent to you and the Committee members for review prior to this meeting.

Thank you for your consideration.

Respectfully Submitted,

Steve Noble
Mayor

Kingston Common Council Agenda Item Report

Agenda Item No. 163

Submitted by: Carly Winnie

Submitting Department: Waste Water Treatment Plant

Meeting Date: August 1, 2017

SUBJECT

Allen Winchell, WWTF Re: Budget Modification Request

Recommendation:

ATTACHMENTS

- [20170731145018.pdf](#)

FINANCE AND AUDIT COMMITTEE REPORT

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION X
ZONING _____

TRANSFER _____
BONDING REQUEST X
OTHER _____

DEPARTMENT Waste Water Treatment facility DATE 7-17-17
Description _____

Estimated Financial Impact N/A

Signature_____

Action Required:

Unlisted Action _____

Positive Declaration of Environmental Significance: _____

47

FROM:		TO:	
G1-813014 5422	\$48,083.59	G1-813011 5105	\$35,059.51
		G1-813011 5109	\$1,400.30
		G1-813014 5401	\$7,600.00
		G1-813014 5411	\$2,795.11
		G1-813014 5463	\$48.43
		G1-813014 5472	\$151.50
		G1-813014 5483	\$73.79
		G1-813014 5484	\$278.00
		G1-813014 5498	\$676.95
	\$48,083.59		\$48,083.59

Kingston Common Council Agenda Item Report

Agenda Item No. 152

Submitted by: Carly Winnie

Submitting Department: City Clerk/Registrar

Meeting Date: August 1, 2017

SUBJECT

August 22017 Proposed Legislation

Recommendation:

ATTACHMENTS

- [August 2017 Legislation.pdf](#)

RESOLUTION #150 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING
APPROVAL FOR MODIFICATIONS TO THE 2017 FIRE DEPARTMENT BUDGET

Sponsored by: Aldermen Koop, Scott-Childress, Noble, Schabot and Brown

WHEREAS, a budget transfer has been requested by the Fire Chief to cover retirement expenses; and

WHEREAS, the Common Council has received, reviewed and approved this request:

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

SECTION 1. That the sum of \$33,354.00 be transferred, as follows:

FROM:	A11991.5404	Contingency	\$33,354.00
TO:	A13410.5105	Retirement Accumulation	\$33,354.00

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this _____
day of _____ 2017

Approved by the Mayor this _____
day of _____ 2017.

CARLY WINNIE, CITY CLERK

STEVEN T. NOBLE, MAYOR

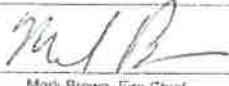
Adopted by Council on August 1, 2017

Financial Impact – \$33,354

Fire bud mod

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____	CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING _____	TRANSFER _____ BONDING REQUEST _____ OTHER _____
DEPARTMENT <u>Kingston Fire Department</u> DATE <u>06/28/17</u>		
Description <u>Please consider the following transfer of funds:</u>		
Amount <u>To:</u> <u>\$33,354.00</u> <u>A1341011.5105 Fire Retirement Accumulation</u>		
Amount <u>From:</u> <u>\$33,354.00</u> <u>Contingency</u>		
Estimated Financial Impact _____		
Signature <u></u> Mark Brown, Fire Chief		

 Motion by RS-C

 Seconded by SS

Action Required: _____

SEQRA Decision: _____

Type I Action _____

Type II Action _____

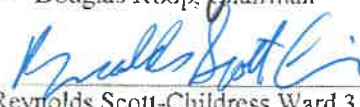
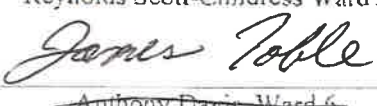
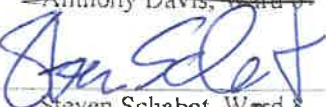
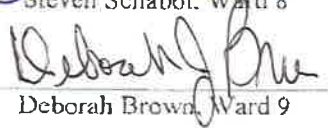
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
 Douglas Koop, Chairman	✓	
 Reynolds Scott-Childress Ward 3	✓	
 James Toble Anthony Davis, Ward 6	✓	
 Steven Schabot, Ward 8	✓	
 Deborah Brown, Ward 9	X	

RESOLUTION #151 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR MODIFICATIONS TO
THE 2017 DEPARTMENT OF PUBLIC WORKS BUDGET

Sponsored by: Finance/Audit Committee
Aldermen Koop, Scott-Childress, Noble, Schabot, Brown

WHEREAS, the Superintendent of Public Works has requested a budget transfer in the amount of \$34,000.00 to cover the cost of labor and materials to replace existing street light to LED; and

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

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

SECTION 1. That the sum of \$34,000.00 be transferred as follows:

FROM:	A15182.5422	Street Lighting Electric	\$34,000.00
TO:	A15182.5472	Street Lighting Contracted Svc	\$34,000.00

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this _____
day of _____ 2017.

Approved by the Mayor this _____
day of _____ 2017.

CARLY WINNIE, CITY CLERK

STEVEN T. NOBLE, MAYOR

Adopted by Council August 1, 2017

Financial Impact - \$0

dpw bud mod

Resolution 152 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100%
OF THE FEDERAL AID AND STATE MARCHISELLI PROGRAM AID ELIGIBLE COSTS OF
A TRANSPORTATION FEDERAL AID PROJECT AND APPROPRIATING FUNDS
THEREFORE

Sponsored By: Finance and Audit Committee: Aldermen: Koiop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, a project for the Hurley Avenue Paving and Complete Streets, City of Kingston, Ulster County identified as PIN 8761.94 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs for such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Kingston desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right of way incidentals; and

WHEREAS, the action is categorized under 6 NYCRR, Part 617 (c) (4), Type II, "repaving of existing travel lanes not involving the addition of new travel 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 hereby approves the above Project.

SECTION-2. That the Common Council of the City of Kingston hereby authorizes the City of Kingston to pay in the first instance 100% of the non-federal share of the costs of preliminary engineering and right of way incidental work for the Project or portions thereof.

SECTION-3. That the sum of \$26,000.00 is hereby appropriated from General Fund and made available to cover the cost of participation in the above phases of the Project.

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

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

SECTION-6. That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project.

SECTION-7. This resolution shall take effect immediately.

THE CITY OF KINGSTON COMMON COUNCIL

152

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION x _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST x _____
OTHER _____

DEPARTMENT Engineering

DATE July 19, 2017

Description: The City of Kingston is the recipient of a Federal Highway Improvement Grant for the purposes of a Hurley Avenue Repaving and Complete Streets Project in the amount of \$451,639 with a Local Match of \$112,910 for a total project cost of \$564,549. We have received a NYSDOT Project Agreement covering Design and ROW Incidentals for a sum of \$26,000.

I request that funding in the amount of \$26,000, in the first place, be provided to initiate the design and ROW work.

I request that authorization to enter into the Project Agreement with NYSDOT be given, including the execution of all related and necessary forms and agreements.

I also request that the Kingston Common Council designate themselves Lead Agent, and affirm my Type II SEQOR determination under 6 NYCRR, Part 617 (c) (4) "repaving of existing travel lanes not involving the addition of new travel lanes".

[Handwritten signature]

Motion by JN

Seconded by SS

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
<i>[Signature: Douglas Koop]</i> Douglas Koop, Chairman	✓	
<i>[Signature: Reynolds Scott-Childress]</i> Reynolds Scott-Childress Ward 3	✓	
<i>[Signature: James Fogle]</i> James Fogle, Ward 6	✓	
<i>[Signature: Steven Schabot]</i> Steven Schabot, Ward 8	✓	
<i>[Signature: Deborah Brown]</i> Deborah Brown, Ward 9	✓	

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

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

July 5, 2017

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
420 Broadway
Kingston, NY 12401

Re: Hurley Avenue Paving and Complete Streets
PIN 8761.94
Master Agreement

Dear President Noble,

The City of Kingston is the recipient of Federal Highway Funding through the Ulster County Transportation Council (UCTC) Transportation Improvement Program (TIP) – Block Program Bridge and Paving Program for the Hurley Avenue Paving and Complete Streets Project in the amount of \$451,639, the local match required for the entire project is \$112,910.

I request funding authorization in the amount of \$26,000 for the purposes of Design and ROW Incidentals for the above referenced project in the form of the sample resolution provided by NYSDOT, see attached Federal Aid Project Agreement.

In addition, I request authorization for the Mayor to enter into said project agreement by executing any and all necessary forms and agreements associated with this Federal-Aid Local Project Agreement.

Also, I am also attaching a completed Short Environmental Assessment Form, and a project area map. In accordance with 6 NYCRR, Part 617 (c) (4) “repaving of existing highways not involving the addition of new travel lanes”, the proposed project is Type II, and therefore not subject to further review. Please identify the City of Kingston as Lead Agent, and affirm my Type II SEQR determination.

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

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

Respectfully,

Ralph Swenson
City Engineer

Cc: Steven T. Noble, Mayor
Kevin Bryant, Corporation Counsel
Douglas Koop, Chair, Kingston Common Council Finance Committee



617.20
Appendix B
Short Environmental Assessment Form

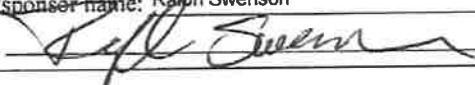
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
City of Kingston			
Name of Action or Project: Hurley Avenue Paving and Complete Streets			
Project Location (describe, and attach a location map): Hurley Avenue from Washington Avenue to the City Line			
Brief Description of Proposed Action: The purpose of the project is system renewal utilizing mill and fill of flexible pavement. Truing and leveling of milled surface will be done as needed. The project is rated at 5-6, poor to fair. The rehabilitation pavement treatment will be to mill 2.5" of existing asphalt, then pave 1.0" truing and leveling course, and then pave 1.5" top course. The project proposes to install 16 ADA accessible curb ramps along sidewalks that travel over cross streets along Hurley Ave a widening of the shoulder from the Thruway to the City line by about 1.5 feet if possible for improved safety of bicyclists. The City has a 60 foot right-of-way for Hurley Ave, but in this section the road is approximately only 30 to 35 feet wide. It also includes funds for striping a fog line and yellow center lines for the entire way.			
Name of Applicant or Sponsor: Ralph Swenson		Telephone: 845-334-3967 E-Mail: rswenson@kingston-ny.gov	
Address: City Hall, 420 Broadway			
City/PO: Kingston		State: NY	Zip Code: 12401
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES ☒
3.a. Total acreage of the site of the proposed action?		5 acres	
b. Total acreage to be physically disturbed?		5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Highway ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Not applicable</u>	NO ☒	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☒ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☒ YES <u>The Street is currently serviced by existing stormwater collection and conveyance systems.</u>	NO ☐	YES ☒	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☒	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Ralph Swenson</u> Date: <u>July 3, 2017</u> Signature: <u></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed project will rehabilitate paved surfaces for the purpose of vehicular traffic, and provide for enhanced non-motorized and pedestrian traffic through the establishment of bicycle paths and improved sidewalk and street crossing surfaces.

The improvements incorporated will improve vehicular traffic flow, and access and safety of pedestrians and bicyclists.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☒	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
City of Kingston	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Resolution 153 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING A SPLIT IN THE APPRENTICESHIP PROGRAM**

Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, the City of Kingston has in effect an Apprenticeship Program requirement at a contract threshold amount of \$100,000 for all capital projects; and

WHEREAS, it has been the experience of the City of Kingston that this legislation negatively impacts contractor participation in "Building Trades" projects, in particular, where some contractors are precluded from the bidding process, resulting in very limited bids being received; and

WHEREAS, after discussions it is requested that the Apprenticeship Program requirement be split to include a General Construction category utilizing the current \$100,000 threshold and a new Building Trades category with a threshold of \$350,000.

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

SECTION-1. That the Common Council authorizes a split in the Apprenticeship Program requirement to be split to include a General Construction category utilizing the current \$100,000 threshold and a new Building Trades category with a threshold of \$350,000.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2017

Approved by the Mayor this ____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

153

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER x _____

DEPARTMENT Engineering

DATE July 19, 2017

Description: The City of Kingston has in effect an Apprenticeship Program requirement at a contract threshold amount of \$100,000 for all capital projects. It has been our experience that this legislation negatively impacts contractor participation in "Building Trades" projects, in particular, where some contractors are precluded in the bidding process, resulting in very limited bids received.

After discussions with Mayor Noble and Alderman-at-Large James Noble, I request that the Apprenticeship Program requirement be split to include a General Construction Category utilizing the current \$100,000 threshold, and a new Building Trades Category with a threshold of \$350,000.



Motion by SS

Seconded by JN

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

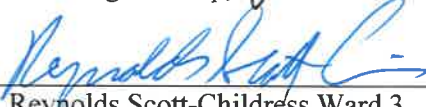
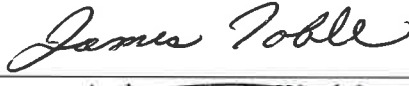
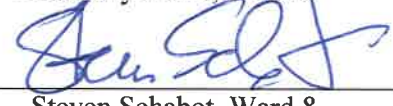
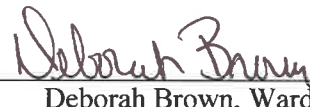
Unlisted Action _____

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	✓	
 James Noble Anthony Davis, Ward 6	✓	
 Steven Schabot, Ward 8	✓	
 Deborah Brown, Ward 9	x	

City of Kingston



Andrew Zweben
Corporation Counsel

City Hall
420 Broadway
Kingston, New York 12401

Telephone (845) 331-0080
Extension 3947

Fax (845) 334-3959

Daniel Gartenstein
Assistant Corporation Counsel

Office of the Corporation Counsel

TO: Ralph Swenson, City Engineer
FROM: Andrew P. Zweben, Corporation Counsel
DATE: July 14, 2015
RE: Apprenticeship Policy

It is the City of Kingston's policy that contractors and subcontractors entering into contracts with the City of Kingston to perform work must have an approved Apprenticeship Program pursuant to NYS Labor Law Section 816-b at the time they bid for the work and/or respond to an RFP.

The Agreement should be appropriate for the type and scope of work to be performed, and the individual(s) should be registered and approved by the Commissioner of Labor pursuant to the requirements in Section 816-b of the Labor Law.

The Agreement should contain:

1. A statement of the trade to be taught and the required hours for completion of apprenticeship, which shall not be less than four thousand hours of reasonably continuous employment.
2. A statement that the apprentices shall be not less than sixteen years of age.
3. Provision that apprentices shall be selected on the basis of qualifications alone, without specification or discrimination as to race, creed, color, age, sex or national origin.
4. A statement of the wages to be paid to the apprentice.
5. A provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer.
6. Any other provisions that the employer deems relevant and necessary for said apprenticeship agreement.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR ADOPTING THE REQUIREMENT THAT CONTRACTORS AND SUBCONTRACTORS ON CONSTRUCTION CONTRACTS HAVE APPROVED APPRENTICESHIP AGREEMENTS PURSUANT TO NYS LABOR LAW §816-b.

Sponsored By: Laws & Rules/Cable Committee: Aldermen: Senor, Brown, Ball, Mills, Dunn

WHEREAS, New York State Labor Law §816-b permits municipalities to require contractors and subcontractors on construction contracts to have approved apprenticeship agreements for contracts exceeding a set limit; and

WHEREAS, in 2004 the City of Kingston adopted the requirement that contractors and subcontractors on construction contracts over \$1,000,000 have approved apprenticeship agreements pursuant to NYS Labor Law §816-b; and

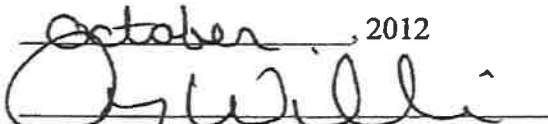
WHEREAS, it is in the best interests of the City to lower the contract price limit for the purpose of making significant savings for development and infrastructure repair projects throughout the City.

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

SECTION-1. That the City of Kingston hereby adopts the requirement that contractors and subcontractors on construction contracts over \$100,000 have approved apprenticeship agreements pursuant to NYS Labor Law §816-b.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 3rd day of

October, 2012

Carly Williams, City Clerk

Approved by the Mayor this 3rd day of
October, 2012


Shayne R. Gallo, Mayor

Adopted by Council on October 2, 2012.

Labor

§ 815. Suggested standards for apprenticeship agreements. Suggested standards for apprenticeship agreements are as follows:

1. A statement of the trade or craft to be taught and the required hours for completion of apprenticeship which shall be not less than four thousand hours of reasonably continuous employment.

2. A statement of the processes in the trade or craft divisions in which the apprentice is to be taught and the approximate amount of time to be spent at each process.

3. A statement of the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction which instruction shall be not less than one hundred forty-four hours per year when available, such availability to be determined by the commissioner of education.

4. A statement that apprentices shall be not less than sixteen years of age.

5. Provision that apprentices shall be selected on the basis of qualifications alone, as determined by objective criteria which permit review, and without any direct or indirect limitation, specification or discrimination as to race, creed, color, age, sex or national origin.

6. A statement of the progressively increasing scale of wages to be paid the apprentice.

7. Provision for a period of probation during which the industrial commissioner shall be directed to terminate an apprenticeship agreement at the request in writing of any party thereto. After the probationary period the industrial commissioner shall be empowered to terminate the registration of an apprentice upon agreement of the parties.

8. Provision that the services of the industrial commissioner may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally or in accordance with the established trade procedure.

9. Provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer.

10. Such additional standards as may be prescribed in accordance with the provisions of this article.

Labor

§ 816-b. Apprenticeship participation on construction contracts. 1.
For purposes of this section:

(a) "governmental entity" shall mean the state, any state agency, as that term is defined in section two-a of the state finance law, municipal corporation, commission appointed pursuant to law, school district, district corporation, board of education, board of cooperative educational services, soil conservation district, and public benefit corporation; and

(b) "construction contract" shall mean any contract to which a governmental entity may be a direct or indirect party which involves the design, construction, reconstruction, improvement, rehabilitation, maintenance, repair, furnishing, equipping of or otherwise providing for any building, facility or physical structure of any kind.

2. Notwithstanding any other provision of this article, of section one hundred three of the general municipal law, of section one hundred thirty-five of the state finance law, of section one hundred fifty-one of the public housing law, or of any other general, special or local law or administrative code, in entering into any construction contract, a governmental entity which is to be a direct or indirect party to such contract may require that any contractors and subcontractors have, prior to entering into such contract, apprenticeship agreements appropriate for the type and scope of work to be performed, that have been registered with, and approved by, the commissioner pursuant to the requirements found in this article. Whenever utilizing this requirement, the governmental entity may, in addition to whatever considerations are required by law, consider the degree to which career opportunities in apprenticeship training programs approved by the commissioner may be provided.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR ADOPTING THE REQUIREMENT THAT CONTRACTORS AND SUBCONTRACTORS ON CONSTRUCTION CONTRACTS HAVE APPROVED APPRENTICESHIP AGREEMENTS, PURSUANT TO NYS LABOR LAW §816-b.

Sponsored By: Finance/Economic Development Committee: Alderman Martino, Madsen, Primo-Gilbert, Brown

WHEREAS, New York State Labor Law §816-b permits municipalities to require contractors and subcontractors on construction contracts to have approved apprenticeship agreements for contracts exceeding a set limit; and

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

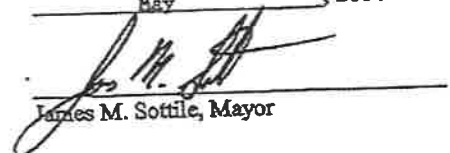
SECTION-1. That the City of Kingston hereby adopts the requirement that contractors and subcontractors on construction contracts over \$1,000,000 have approved apprenticeship agreements pursuant to NYS Labor Law §816-b.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 10 day of
May, 2004


Kathy Janeczek, City Clerk

Approved by the Mayor this 10th day of
May, 2004


James M. Sottile, Mayor

Adopted by Council on May 4, 2004.

TO BE SUBMITTED WITH BID PROPOSAL
STATEMENT OF CONTRACTOR'S APPRENTICESHIP PROGRAM COMPLIANCE

This statement must be submitted by the Contractor with his proposal. All questions must be answered and the data given must be clear and comprehensive.

1. Name of Bidder _____
2. Phone Number _____
3. Permanent main office address _____

4. When organized or began business _____
5. If a corporation, where incorporated _____
6. How many years have you been engaged in the contracting business under your present firm name? _____
7. Have you ever failed to complete any work awarded to you? _____
8. Please list the Trades expected to be represented on the jobsite under this proposed contract.

9. The undersigned hereby affirms that he/she understands the requirements set forth under Resolution 179 of 2012 wherein the City of Kingston adopts the requirement that contractors and subcontractors on construction contracts exceeding \$100,000 have approved apprenticeship agreements pursuant to NYS Labor Law Section 816-b, and shall comply fully.

Dated at _____ this _____ day of _____, 20____.

Name of CONTRACTOR

BY / TITLE

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

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

July 5, 2017

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
420 Broadway
Kingston, NY 12401

Re: Apprenticeship Program Requirement
Split Categories – General Construction / Building Trades

Dear President Noble,

Over the past several years during the administration of construction projects at or near the minimum threshold of the construction contract value of \$100,000 as stated in Resolution 179 of 2012, participation by qualified contractors, those that have/participate in approved apprenticeship agreements in compliance with New York State Labor Law Section 816-b, has been limited, in particular within the Building Trades (roofing / framing), hindering local contractor participation in construction contracts bid by the City of Kingston. In the interest of broadening local construction contractor participation in City of Kingston Construction Projects, I request that the Kingston Common Council reconsider the limits at which apprenticeship agreements are required, creating a second category separate from that governing General Construction, covering Building Trades only, with a separate threshold of \$300,000.

For your reference, attached is documentation that includes:

- Resolution #120 of 2004;
- Resolution #179 of 2012; and
- Apprenticeship Policy Statement by Andrew Zweben, Corporation Counsel dated July 14, 2015

Please refer this item to the appropriate Committee for further discussion.

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

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

Respectfully,

Ralph Swenson
City Engineer

Cc: Steven T. Noble, Mayor
Kevin Bryant, Corporation Counsel
Douglas Koop, Chair, Kingston Common Council Finance Committee

Resolution 154 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING CONTRACT AWARDS AND ADDITIONAL FUNDING FOR
RESTORATION OF THE WASTE WATER TREATMENT PLANT**

Sponsored By: Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, bids for the restoration of the Kingston WasteWater Treatment Plant and generator replacement were received and it is requested that contract awards go to William Schutz Construction, Stilsing Electric and D & E Contractors & Plumbing; and

WHEREAS, the restoration of the WasteWater Treatment Plant is a project approved under FEMA and the generator replacement is a project approved under an EFC grant that also includes roof replacement and blower replacement. Work attributed to the generator replacement is currently adequately funded; and

WHEREAS, work under the FEMA Project amounts to \$2,028,000 for general construction, \$717,000 for electric repairs and upgrades and \$142,500 for HVAC improvements. An additional amount of \$100,000 for construction inspection beyond what has already been authorized and a contingency amount of 10% (\$288,750) is recommended for a total funding need of \$3,276,250; and

WHEREAS, the sum of \$1,904,452 was previously authorized under Resolution 93 of 2014, an additional amount of \$1,371,798 is requested.

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

SECTION-1. That the Common Council authorizes the contract awards to William Schultz Construction for \$2,028,000, Stilsing Electric for \$1,047,000 and D & E Contractors & Plumbing for \$142,500 and authorizes the Mayor to enter into, execute and administer said contracts and agreements associated with the work.

SECTION-2. That the Common Council authorizes a contingency amount of 10% (\$288,750) for a total funding need of \$3,276,250 and authorizes the expenditure of the excess of \$1,371,798, and authorizing bonding for said amount.

SECTION-3. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION X _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST X _____
OTHER _____

DEPARTMENT Engineering

DATE July 19, 2017

Description: Bids for the Restoration of the Kingston WWTP and Generator Replacement were received yesterday. The Restoration of the WWTP is a project approved under FEMA with a latest budget of \$3,015,297. The Generator Replacement is a project approved under an EFC Grant that also includes roof replacement and blower replacement for a combined amount of \$2,235,000.

Work attributable to the Generator Replacement is currently adequately funded.

Work under the FEMA Project amounts to \$2,028,000 for General Construction, \$717,000 for Electric Repairs and Upgrades, and \$142,500 for HVAC Improvements. An additional amount of \$100,000 for construction inspection beyond what has already been authorized is expected. A contingency amount of 10% (\$288,750.00) is recommended for a total funding need of \$3,276,250.00. An excess beyond what was previously authorized, \$1,904,452.00, of \$1,371,798.00 is requested.

IN ADDITION, AUTHORIZE CONTRACT AWARDS TO:
WMA SOLID WASTE CONST. - \$2,028,000.-
STILLING BASIN ELECTRICAL - \$1,047,000.-
DFE CONTRACTORS & CLEANING - \$142,500.-

Motion by SS

Seconded by IN

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
<u>D. Hoop</u> Douglas Koop, Chairman	✓	
<u>Reynolds Scott-Childress</u> Reynolds Scott-Childress Ward 3	✓	
<u>James Toble</u> Anthony Davis, Ward 6	✓	
<u>Steven Schabot</u> Steven Schabot, Ward 8		✓
<u>Deborah Brown</u> Deborah Brown, Ward 9	X	

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

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

July 5, 2017

Mr. James L. Noble, Jr.
Alderman-At-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

RE: FEMA - Restore Kingston WWTP - #3972704
NYSDEC Water Quality Improvement Program – Wastewater Treatment Plant Upgrades

Dear President Noble:

On Wednesday, June 7, 2017 Advertisement for Bids was published for the FEMA work related to the damage inflicted upon our WWTP as a result of Super Storm Sandy, including work that will mitigate damage due to future flooding events, and upgrades to our emergency power system. Bids are due by 2PM on July 13, 2017.

Costs for the FEMA work are estimated to be \$3,015,297.00; costs for the emergency power upgrades are estimated to be \$830,000.00; for a total estimated construction cost of \$3,845,297.00.

I request bonding authorization for the appropriate construction amount based upon bids received. I also request authorization to award the construction contract to the lowest responsible bidder based upon recommendations received from our Consultant. I also request that the Mayor be authorized to sign and administer all contracts and agreements associated with the work.

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

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

Respectfully,

A handwritten signature in dark ink, appearing to read "Ralph Swenson", is written over a horizontal line.

Ralph Swenson
City Engineer

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

LEGAL NOTICES

**CITY OF KINGSTON
KINGSTON,
NEW YORK
RESTORATION OF
THE KINGSTON
WASTEWATER
TREATMENT PLANT &
GENERATOR
REPLACEMENT
PROJECT
CONTRACT NO.'S 1G,
1E AND 1H**

**ADVERTISEMENT
FOR BIDS**

Sealed Bids for the construction of the Restoration of the Kingston Wastewater Treatment Plant and Generator Replacement Project will be received by the City of Kingston, 420 Broadway, Kingston, New York 12401, at the Engineering Department, until 2:00 p.m. local time on July 13, 2017, at which time the Bids received will be publically opened and read. The Project consists of the construction of flood mitigation im-

LEGAL NOTICES

Bidding Documents may also be examined at 420 Broadway, Kingston, New York 12401, in the Engineering Department, on Mondays through Fridays between the hours of 9:00 am to 4:00 pm, local time; and the office of the Engineer, Arcadis of New York, Inc., 855 Route 146, Suite 210, Clifton Park, New York 12065, on Mondays through Fridays between the hours of 8:00 am and 5:00 pm, local time.

Bidders are required to comply with the prevailing wage rates as prescribed by the laws of the State of New York and funding requirements of the New York State Environmental Facilities Corporation (NYS EFC) including M/WBE requirements. Wage rates and M/WBE requirements are included in the Project Manual as required by

LEGAL NOTICES

Bid security shall be furnished in accordance with the Instructions to Bidders.

Bidders shall submit proof of qualifications to perform the Work as described in the Instructions to Bidders.

The Contract Times will commence running as indicated in the General Conditions. Contract Times for completion and provisions on liquidated and special damages, if any, are indicated in the Agreement.

Owner: City of Kingston
By: Ralph Swenson,
P.E.
Title: City Engineer
Date: June 8, 2017

Engineer: Arcadis of
New York, Inc.
855 Route 146, Suite
210
Clifton Park, New York
12065

PA-02-NY-4085-PW-02506(1) 2	
Applicant Name:	Application Title:
KINGSTON	3972704 - Restore Kingston WWTP
Period of Performance Start:	Period of Performance End:
10-30-2012	04-30-2014

Bundle Reference # (Amendment #)	Date Awarded
PA-02-NY-4085-Sublet-0118(115)	07-31-2013

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 90%

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4085	3972704	111-39727-00	07-15-2013	F
APPLICANT: KINGSTON				WORK COMPLETE AS OF: 03-16-2016 : 0 %	
Site 1 of 9					
DAMAGED FACILITY:				COUNTY: Ulster	
Kingston WWTP - Headworks					
LOCATION:				LATITUDE:	LONGITUDE:
PA-02-NY-4085-PW-02506(0): HEADWORKS BACKGROUND: The Head House is part of the Head House System at the west end of the plant as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to remove trash, wood, and debris from the liquid waste stream entering the downstream treatment processes within the plant. Loss of the Headworks would result in accumulation of bulky debris in the primary settling tanks restricting the movement of the scraper mechanism and eventually resulting in plant shutdown. The elevation of assets within this system varies between floor level and up to 41 inches above finished floor (AFF). For additional information, refer to the Detailed Inspection and Damage Assessment attachment. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)*****				41.020281	-73.979257
DAMAGE DESCRIPTION AND DIMENSIONS:					
PA-02-NY-4085-PW-02506(0): The Headworks system was impacted by flooding which reached 43" AFF in this structure. Sources of flooding included the door, as well as the window. The system was completely submerged and all assets were impacted. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 - Asset destroyed - requires replacement. 4 - Asset damaged - asset may be repaired. 3 - Asset impacted - extent of damage unknown and further inspection required. 2 - Suspected impact - extent of damage unknown and further inspection required. 1 - Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 - Destroyed Equipment; requires replacement: UV Lamps, Distribution Panel A, Electrical Outlet and Valve Actuator. - CONDITION 4 - Damaged Equipment; may be repaired: Boiler, Odor Control, Panel Board-ODPP1 and Odor Control Motor-OSC1. - CONDITION 3 - Impacted; further inspection required: Safety Switch. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** NOTE: A DETAILED DDD & SOW appears as site/facility #9					
DAMAGE DESCRIPTION Site 1 of 9 - Headhouse BACKGROUND The Headhouse is located at the west end of the plant and is a small two story structure that houses two utility rooms on the first floor; and an influent screenings channel, conference room, and utility room on the second floor. The walls are constructed of double wythe brick with poured concrete floors and a flat precast concrete ceiling/roof. The purpose of this system is to remove trash, wood, and bulky debris from the process flow. The two utility rooms on the first floor of this building have a floor elevation of 5.0 feet above sea level. Both of these rooms were impacted by the flooding which reached an elevation of approximately nine feet above sea level both on the exterior and interior of the building. Sources of interior flooding included doors and windows. The Southern Utility Room measures 16 FT L X 16 FT 11 IN W X 8 FT H and contains electrical service panels which serve the Bar Screen Building, Vortex Grill Chamber, Odor Control Unit and Headhouse, and a hot water boiler to maintain space temperature in the Headhouse. The Northern Utility Room measures 23 FT 10 IN L X 16 FT 11 IN W X 10 FT H and is setup as a workroom and spare parts storage. The elevation of assets within this system was measured to be 41 inches above finished floor (AFF). A summary of the equipment impacted is listed below. - Ninety Four (94) Spare UV Lamps; 208/120V, 100A Electrical Distribution Panel (ODPP1); 240/120V, 400A Electrical Distribution Panel (Panel A); 120 V Duplex Electrical Outlet; - Boiler; - Odor Control Unit (located outside of building); 600A/600V Safety Switch for Odor Control Unit (located outside of building); 480V - 120/240V 100KVA NEMA 3R Dry Type Transformer (located outside of building); and - Spare 4-inch Valve Actuator.					
SCOPE OF WORK:					
PA-02-NY-4085-PW-02506(0): WORK TO BE COMPLETED:					
- Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and contacts, the following equipment and appurtenance will need to be replaced, repaired or require further inspection. - Replace UV Lamps and Sleeves, Distribution Panel A, Electrical Outlet and Valve Actuator. - Repair Boiler, Odor Control, Panel Board-ODPP1 and Odor Control Motor-OSC1. - Obtain equipment vendor services to inspect Safety Switch to determine if it is operating within manufacture's specifications, or if it should be repaired / replaced. - The estimated cost to restore the Headworks system including Codes & Standards to pre-disaster condition is \$81,681. See additional detail provided in the attachment for this System.					
HAZARD MITIGATION: The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following:					

4/4/2016

Federal Emergency Management Agency E-Grants

- Head House Building: Flood proof to elevation 11.00 ft. (NAVD 88), including doors, windows, and louvers (Approx. 840 SF total).
- Odor Control Fan: Elevate (fan, motor, & activated carbon vessel) above elevation 11.00 ft. (NAVD 88).
- Safety Switch: Relocate to an elevation above 11.00 ft. (NAVD 88).
- The estimated cost to restore Headworks system with mitigation is \$124,198.
- The additional estimated cost for Hazard Mitigation is (\$124,198 - \$81,691) \$42,507; or ((\$124,198 - \$81,691) / \$81,691) 52.0% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System.

Current Version:
PA-02-NY-4085-PW-02505(1):
*****Current Version (1)*****

SCOPE OF WORK Site 1 of 9 - Headhouse
WORK TO BE COMPLETED

1.) Headhouse (Site 1)

- 1.1 (1) ea. - Valve Actuator, (Remove and Replace) Appears in contents total.

Asset # P-3, Function: Spares Part, Asset Type: Valve Actuator, Manufacturer: Rotork, Model number IB4, T1627301-004.

- 1.2 (1) ea. - Boiler, (Remove)

Asset # H-1, Function: Space Heating Boiler, Asset Type: Boiler - Force Hot Water, Manufacturer: Peerless, Model Number: Series 85 Gas Boiler, provides heat for two buildings (Head House and Entrance Building)

Sectional portion should be disassembled and checked for any other problems from water/debris intrusion. Problems encountered during inspection will be addressed.

- 1.2a (1) ea. - Boiler, (Replace)

- 1.3 (1) ea. - Odor Control Motor and Bearings, (Remove)

Asset # E-4, Asset Name: Odor Control Motor - OSC1, Function: Drive Odor Control Fan, Asset Type: Motor, Manufacturer: Hartz-LL FA100FGFEM3, Model Number: A41T0-152, Serial Number: Model No. 08200944, Capacity: 7 1/2 HP 3230 FAN RPM

- 1.3a (1) ea. - Odor Control Motor and Bearings, (Replace)

- 1.4 (1) ea. - Odor Control Carbon, (Remove and Replace) Appears in contents total.

Asset # P-1, Asset Name: Activated Carbon, Function: 3,000 cfm, Manufacturer: Hartzell, A41P0-152FA100FGFEM3, Approximately 500 cubic feet

- 1.5 (1) ea. - Odor Control Unit - Safety Switch, (Remove)

Asset # E-5, Asset Name: Safety Switch, Function: Disconnect Power, Asset Type: Switch, Capacity: 600A/600V, Manufacturer: Culler Hammer, Model Number: Heavy Duty Safety SN,

- 1.5a (1) ea. - Odor Control Unit - Safety Switch, (Replace)

- 1.6 (94) ea. - UV Lamps and Sleeves. Appears in contents total.

- 1.7 (1) ea. - Distribution Panel and Branch Circuits, (Remove)

Asset # E-2, Asset Name: Distribution Panel A, Function: Distribution Panel, Asset Type: Breaker Panel, Capacity: 240/120v 3 & 4W 400A, 4Z Circuits, Manufacturer: Siemens, Model Number: 3SB42UX400FBS, Serial Number: 79-14058-A00

- 1.7a (1) ea. - Distribution Panel and Branch Circuits, (Replace)

- 1.8 (1) ea. - Transformer, (Remove)

- 1.8a (1) ea. - Transformer, (Replace)

Exterior grade 100 KVA Transformer

- 1.9 (1) ea. - Panelboards, (Remove)

- 1.9a (1) ea. - Panelboards, (Replace)

- 1.10 (1) ea. - Electrical Switch plates, (Remove)

- 1.10a (1) ea. - Electrical Switch receptacle, (Remove)

- 1.10b (1) ea. - Electrical Duplex Receptacle, (Replace)

- 1.10c (1) ea. - Electrical Wall Plates, (Replace)

- 1.11 (50) CLF - Conduit, (remove)

- 1.11a (330) LF - Conduit (includes fittings and hangers, (remove)

- 1.11b (330) LF - Conduit 2 IN (Replace)

- 1.11c (13) CLF - Wiring, Copper in raceway (Replace)

Staging (Temp Pwr) - Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Included in factors.

Maintenance of Plant operations - Contractor's temporary operations will allow a specific treatment plant process to be shut-down while operations through the plant are maintained, i.e. Temporary bar rack screen operation while electrical feeder is being replaced. Actions determined at time of construction by the contractor. Included in factors.

Site 2 of 9

DAMAGED FACILITY:

Kingston WWTP - Primary Sludge Pump Station

COUNTY: Ulster

LOCATION:

PA-02-NY-4085-PW-02505(0):

PRIMARY SLUDGE PUMP STATION

BACKGROUND:

The Primary Sludge Pump Station system is located toward the west end of the plant near the primary settling tanks as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to remove settled solids from the primary settling tanks and deposit them in the digesters for processing prior to dewatering and disposal. Loss of the primary sludge pump station would result in accumulation of solids in the primary settling tanks, and reducing the efficiency of the overall activated sludge process. The elevation of assets within this system varies between floor level and up to 55 inches above finished floor (AFF). For additional information, refer to the Detailed Inspection and Damage Assessment attachment.

Current Version:

PA-02-NY-4085-PW-02505(1):

*****Current Version (1)*****

LATITUDE:

41.920408

LONGITUDE:

-73.97932

DAMAGE DESCRIPTION AND DIMENSIONS:

PA-02-NY-4085-PW-02505(0):

- The Primary Sludge Pump Station System was impacted by flooding which reached 128" AFF in this structure. Sources of flooding included the door. The system was completely submerged and all assets were impacted.

- In order to assess damage, the plant was organized into systems based on location and function.

Impacted assets were inventoried according to their damage state, as follows: 5 - Asset destroyed - requires replacement, 4 - Asset damaged - asset may be repaired, 3 - Asset impacted - extent of damage unknown and further inspection required, 2 - Suspected impact - extent of damage unknown and further inspection required, 1 - Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below.

- CONDITION 5 - Destroyed Equipment; requires replacement:

Primary Sludge Pump Flow Meters, PSP Unit Heater, Panel Board, Transformer, Electrical Outlets, Lighting, Cable Trough, Motor Controller, PSP Sump Pump, Safety Switches (9), Primary Sludge Pump VFD's, and HCA Switches (4).

- CONDITION 4 - Damaged Equipment; may be repaired:

Sludge Pumps 1, 2, 3 & 4, and Magnetic Meters (4).

- CONDITION 3 - Impacted; further inspection required:

Pumps 1, 2, 3, & 4 Motors; and Safety Switches (2) for Primary Drives.

Current Version:
PA-02-NY-4085-PW-02506(1):
*****Current Version (1)*****

DAMAGE DESCRIPTION Site 2 of 9 - Primary Sludge Pump Station BACKGROUND

The Primary Sludge Pump Station is located toward the west end of the Plant near the primary settling tanks. The pump station measures 38 FT L X 11 FT W X 10 FT H and is constructed of cast-in-place concrete floor, walls and ceiling. The entrance to this building is through a man-door and then down a flight of stairs to the floor of the pump station. The purpose of the pump station is to transfer settled solids from the primary settling tanks to the Gravity Thickener for further processing prior to digestion, dewatering, and disposal. The finished floor elevation of the Primary Sludge Pump Station is 2.0 feet below sea level. Flooding in the building reached an elevation of approximately nine feet above sea level, which is above the ceiling of this room. The majority of the flooding occurred through the man-door. The elevation of assets within this system was measured to be 55 inches above finished floor (AFF).

A summary of the impacted equipment is listed below.

- Four (4) Primary Sludge Pumps and Motors;
- Four (4) Primary Sludge Pump Motor Controllers;
- Four (4) 4-inch Magnetic Flowmeters;
- 5 HP Sump Pump;
- 5000W Electric Unit Heater;
- Six (6) Safety Switches;
- 120/240V Electrical Distribution Panel;
- 480V - 120/240V 5KVA Transformer;
- Six (6) 4-ft. Fluorescent Light Fixtures;
- Three (3) 120V Duplex Electrical Outlets;
- Electrical Cable Trough;
- Four (4) HOA Switches for Primary Sludge Pumps; and
- Wiring and Conduit.

SCOPE OF WORK

PA-02-NY-4085-PW-02506(0):
WORK TO BE COMPLETED:

- Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and contacts, the following equipment and appurtenance will need to be replaced, repaired or require further inspection.

- Replace Primary Sludge Pump Flow Meters, PSP Unit Heater, Panel Board, Transformer, Electrical Outlets, Lighting, Cable Trough, Motor Controller, PSP Sump Pump, Safety Switches (9). Primary Sludge VFD's, and HOA Switches (4).

- Repair Sludge Pumps 1, 2, 3 & 4, and Magnetic Meters (4).

- Obtain equipment vendor services to inspect Pumps 1, 2, 3, & 4 Motors to determine if they are operating within manufacture's specifications, or if they should be repaired / replaced.

- The estimated cost to restore the Primary Sludge Pump Station system including Codes & Standards to pre-disaster condition is \$116,684. See additional detail provided in the attachment for this System.

- HAZARD MITIGATION:

The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following:

- Primary Sludge Pumps: Replace with dry pit submersible style pumps and locate controls within water proof enclosure installed at elevation above 11.00 ft. (NAVD 88).

- Flow Meters: Replace with new submersible magnetic flow meters with control panels installed above elevation 11.00 ft. (NAVD 88).

- Sump Pump: Replace with submersible style pump and locate controls above elevation 11.00 ft. (NAVD 88).
Panel Board: Install within waterproof enclosure and relocate above elevation 11.00 ft. (NAVD 88).

- Transformer: Install within waterproof enclosure and relocate above elevation 11.00 ft. (NAVD 88).

- Safety Switches: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- HOA Switches: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Motor Controllers: Relocate above elevation 11.00 ft. (NAVD 88).

- Cable Trough: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Lighting: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- The estimated cost to restore the Primary Sludge Pump Station system with mitigation is \$195,548.

- The additional estimated cost for Hazard Mitigation is (\$195,548 - \$116,684) \$78,864; or [(\$195,548 - \$116,684) / \$116,684] 67.6% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System.

Current Version:
PA-02-NY-4085-PW-02506(1):
*****Current Version (1)*****

SCOPE OF WORK Site 2 of 9 - Primary Sludge Pump Station WORK TO BE COMPLETED

2.) Primary Sludge Pump Station (Site 2)

2.1 (4) ea. - Sludge Pump motors, (Remove and Repair pump, Replace all seals, bearings, and couplings. Replace suction pressure gauges)

Asset # P-4, Function: Primary Sludge Pumping, Asset Type: Pump, Capacity: 6x4x12 - 600 gpm@37 lph, Manufacturer: Alis-Chalmers, Model Number: 300-F7N2, Serial Number: 1-05-216-4-(1,2,3,4).

2.2 (4) ea. - Pump Controls - HOA Switch, (Remove)

2.2a (4) ea. - Pump Controls - HOA Switch, (Replace)

Asset # E-11, Asset Type: H-O-A Switch,

2.3 (4) ea. - Disconnected Switch for Primary Sludge Pumps, (Remove)

Asset # E-10, Asset Type: Switch (4), Capacity: 600 VAC, 60A, Manufacturer: Siemens

2.3a (4) ea. - Disconnected Switch for Primary Sludge Pumps, (Replace)

2.4 (4) ea. - Sludge Pump VFDs, (Remove)

Asset # E-15, Function: Pump Drive (4), Asset Type: Motor (Vertical), Capacity: 15 HP, 1155 RPM, GODEG, NEMA Design, Manufacturer: US Elec. Motors, Model Number: GA2239/T121282R002F

2.4a (4) ea. - Sludge Pump VFDs, (Replace)

2.5 (4) ea. - Sludge Pump Motor Controllers, (Remove)

Asset # E-12, Asset Type: Controller (4), Function: Speed Control, Capacity: 15 HP/460V/3 Phase

2.5a (4) ea. - Sludge Pump Motor Controllers, (Replace)

2.6 (1) ea. - Disconnected Service for Primary Pump Station, Safety Switches, (Remove)

Asset # E-9, Asset Type: Safety Switch, Capacity: 480 VAC 200 AMP 50 HP STD, Manufacturer: Westinghouse, Model Number: HF464-N

2.6a (1) ea. - Disconnected Service for Primary Pump Station, Safety Switches, (Replace)

2.7 (4) ea. - Magmeters, (Remove and Replace 4 control panels and repair 4 mag meters)

Asset # P-5, Asset Name: Primary Sludge Pump Flow Meters (4), Function: Primary Sludge Flow Monitoring, Asset Type: Flow Meter, Capacity: 600 gpm - 4 IN Dia, Manufacturer: Panels MFR is Fischer/Porter

2.8 (1) ea. - Sump Pump, (Remove) Asset # P-6, Asset Type: Sump Pump, Capacity: 5 hp motor - 3 phase, Manufacturer: Chicago 2.8a (1) ea. - Sump Pump, (Replace sump pump) 2.9 (1) ea. - Disconnect Switch for Sump Pump, Safety Switch, (Remove) Asset # E-8, Asset Type: Safety Switch, Capacity: 480 VAC 30 AMP 5-3 HP STD, Manufacturer: Westinghouse, Model Number: SF461N 2.9a (1) ea. - Disconnect Switch for Sump Pump, Safety Switch, (Replace) 2.10 (1) ea. - Electric Unit Heater, (Remove) Asset # H-2, Asset Type: Heater, Capacity: 5000 Watts, Manufacturer: Dayton, Model Number: E4169D 2.10a (1) ea. - Electric Unit Heater, (Replace) 2.11 (2) ea. - Disconnect Switch for Unit Heater and Dehumidifier, (Remove) Asset # E-18, Function: Disconnect Power, Asset Type: Switch, Capacity: 30A, 600V, Capacity: 30A, 600V, 2.11a (2) ea. - Disconnect Switch for Unit Heater and Dehumidifier, (Replace) 2.12 (1) ea. - Disconnect Switch for Dehumidifier, Safety Switch, (Remove) Asset # E-13, Asset Type: Switch, Capacity: 480V/30 AMP, Manufacturer: Westinghouse, Model Number: HF-461N 2.12a (1) ea. - Disconnect Switch for Dehumidifier, Safety Switch, (Replace) 2.13 (1) ea. - Electrical Panel and Branch Circuits wiring, (Remove) Asset # E-6, Function: Distribution Panel, Asset Type: Breaker Panel, Below Grade Capacity: 120/240V 12 circuits, Manufacturer: Westinghouse. 2.13a (1) ea. - Electrical Panel and Branch Circuits wiring, (Replace) 2.14 (1) ea. - Lighting Panel Transformer, (Remove) 1) Asset # E-7, Asset Type: Transformer, Capacity: 5 KVA, 1 Phase, 480/120-240 Volts, Manufacturer: Square D, Model Number: 581F 2.14a (1) ea. - Lighting Panel Transformer, (Replace) 2.15 (3) ea. - Electrical Outlets, Receptacle and Switch plates (Remove) Asset # E-17, Function: Duplex Receptacles, Asset Type: Electrical Outlet, Capacity: 120V/Duplex 2.15a (3) ea. - Electrical Outlets, Receptacle and Switches (Remove) 2.15b (3) ea. - Electrical Outlets, Duplex Receptacle (Replace) 2.15c (3) ea. - Electrical Outlets, Wall Plates (Replace) 2.16 (6) ea. - Fluorescent Lighting Fixtures, conduit, and wiring, (Remove) Asset # E-16, Asset Type: Fluorescent Lighting Ceiling MTD, Capacity: (6) 2 LAM at 4 ft each Fluorescent fixtures, 2.16a (6) ea. - Fluorescent Lighting Fixtures, conduit, and wiring, (Replace) 2.17 (15) LF. - Cable Trough and Cable, Includes wire, fittings and supports (remove) Asset # E-14, Function: Raceway, Asset Type: Cable Trough, Capacity: 10 IN x 11 IN x 15 FT, 2.17a (15) LF. - Cable Trough and Cable, (replace) 2.18 (14.40) CLF. - Incoming Electrical Service Feeder - Wiring, (Remove) Asset # E-55, Approximately 360 LF. of 200 Amp, 2 in conduit with 3#20 copper conductors, 2.18a (360) LF. - Incoming Electrical Service Feeder - Conduit, (Remove) 2.18b (360) LF. - Incoming Electrical Service Feeder - Conduit, (Replace) 2.18c (14.40) CLF. - Incoming Electrical Service Feeder - Wire, (Replace) Staging (Temp Pow) - Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Maintenance of Plant Operations Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary submersible pump in the Primary Settling Tank sludge hopper pumping to the thickener line.			
Site 3 of 9			
DAMAGED FACILITY:		COUNTY: Ulster	
Kingston WWTP - Plant Water Pump Station			
LOCATION:		LATITUDE:	LONGITUDE:
PA-02-NY-4085-PW-02506(0) PLANT WATER PUMP STATION BACKGROUND: The Plant Water Pump Station system is located at the east end of the plant as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to pump treated effluent to various locations in the plant to serve a variety of needs, to include chemical feed, maintenance and cleaning. Loss of the plant water pump station would result in reduced operating efficiencies throughout the plant and the inability to disinfect the wastewater prior to discharge, increasing health risk to the nearby population. The elevation of assets within this system varies from below grade to above grade. For additional information, refer to the Detailed Inspection and Damage Assessment attachment.		41.920448	+73.078942
Current Version: PA-02-NY-4085-PW-02506(1); *****Current Version (1)*****			
DAMAGE DESCRIPTION AND DIMENSIONS:			
PA-02-NY-4085-PW-02506(0); The Plant Water Pump Station was impacted by flooding which reached 116" above finished floor (AFF) in this structure. Sources of flooding included the door. The system was completely submerged and all assets were impacted.			
- In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 - Asset destroyed - requires replacement, 4 - Asset damaged - asset may be repaired, 3 - Asset impacted - extent of damage unknown and further inspection required, 2 - Suspected impact - extent of damage unknown and further inspection required, 1 - Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 - Destroyed Equipment; requires replacement: Plant Water Unit Heater, Panel Board, Transformer, Electrical Outlets (2), Switches (3), Plant Water Pressure Transmitter, Plant Effluent Flow Meter, Plant Water Sump Pump and Plant Water Flow Meter. - CONDITION 4 - Damaged Equipment; may be repaired: Plant Water Pumps 1 & 2. - CONDITION 3 - Impacted; further inspection required: Pump Motors, Safety Switches (3), and Motor Controller. Current Version: PA-02-NY-4085-PW-02506(1); *****Current Version (1)*****			
DAMAGE DESCRIPTION Site 3 of 9 - Plant Water Pump Station BACKGROUND: The Plant Water Pump Station measures 20 FT L X 10 FT W X 10 FT H and is located on the west side of the plant between the primary settling tanks and the UV disinfection channel. The floor, walls and ceiling are constructed of poured in place concrete. The purpose of this system is to pump treated effluent to various locations in the plant to serve a variety of needs that includes chemical feed, pump sealing water, maintenance, and general cleaning.			

Entrance to the Plant Water Pump Station is gained by descending seven steps from grade, through a man-door then descending four additional steps to the floor of the plant water pump station. The finished floor elevation of the pump station is approximately 1.5 feet below sea level. Flooding in the building reached an elevation of approximately nine feet above sea level. The majority of the flooding occurred through the man-door. The elevation of assets within this system varies from below grade to above grade.

A summary of the impacted equipment is listed below:

- Two (2) Plant Water Pumps and Motors;
- Plant Water Pump Motor Controllers;
- 4-inch Magnetic Flowmeter;
- Plant Effluent Flow Meter;
- Plant Water Pressure Transmitter;
- 5 HP Sump Pump;
- 5000W Electric Unit Heater;
- 120/240V, 100A Electrical Distribution Panel;
- 480V - 120/240V Transformer;
- Three (3) Safety Switches for Plant Water Pumps and Transformer;
- Three (3) Light Switches;
- Two (2) 120V Duplex Electrical Outlets;
- Two (2) Light Fixtures; and
- Wiring and Conduit.

SCOPE OF WORK:

PA-02-NY-4085-PW-02506(0):
WORK TO BE COMPLETED:

- Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and conduits, the following equipment and appurtenance will need to be replaced, repaired or require further inspection.

- Replace Plant Water Unit Heater, Panel Board, Transformer, Electrical Outlets (2), Switches (3), Plant Water Pressure Transmitter Plant Effluent Flow Meter, Plant Water Sump Pump and Plant Water Flow Meter.

- Repair Plant Water Pumps 1 & 2.

- Obtain equipment vendor services to inspect Pump Motors, Safety Switches (3) and Motor Controller to determine if they are operating within manufacture's specifications, or if they should be repaired / replaced.

- The estimated cost to restore the Plant Water Pump Station system including Codes & Standards to pre-disaster condition is \$49,513. See additional detail provided in the attachment for this System.

HAZARD MITIGATION:

The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following:

- Plant Water Pumps: Replace with dry pit submersible style pumps and locate controls within water proof enclosure installed at elevation above 11.00 ft. (NAVD 88).

- Plant Water Flow Meter: Replace with submersible flow meters and locate controls within water proof enclosure installed at elevation above 11.00 ft. (NAVD 88).

- Sump Pump: Replace with submersible style pump and locate controls above elevation 11.00 ft. (NAVD 88).

- Unit Heater: Replace with a unit that is suitable for a wash down area.

- Effluent Flow Meter: Relocate control panel to elevation above 11.00 ft. (NAVD 88).

- Panelboard: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Transformer: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Safety Switches: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Motor Controller: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- Pressure Transmitter: Install within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88).

- The estimated cost to restore the Plant Water Pump Station system with mitigation is \$86,800.

- The additional estimated cost for Hazard Mitigation is (\$86,800 - \$49,513) \$37,287; or [(\$86,800 - \$49,513) / \$49,513] 75.3% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System.

Current Version:

PA-02-NY-4085-PW-02506(1):
*****Current Version (1)*****

SCOPE OF WORK Site 3 of 9 - Plant Water Pump Station

WORK TO BE COMPLETED

3.) Plant Water Pump Station (Site 3)

3.1 (1) LS. - Dry Pit Submersible Pumps & Controls, (Remove and Repair 2 pumps and replace bearing, seals and gaskets, and upstream and downstream pressure gauges.)

Asset # P-7, Asset Type: Pumps, Asset Type: Pumps, Manufacturer: Gould's, Model Number: 3656 - 2 1/2 x 3, Serial Number: FU937378

3.2 (2) ea. - Dry Pit Submersible Motors, (Remove)

Asset # E-19, Function: Drive Pump Motor 1 & 2, Asset Type: Motor, Capacity: 20 HP, 230/460V, 3520 RPM Design B TE, Manufacturer: Baklor-Reliance, Model Number: CAT No. EJMM4106.

Serial Number: SPEC No. 08P014X763G1

3.2a (2) ea. - Dry Pit Submersible Motors, (Repair)

3.3 (2) ea. - Plant Water Pump Safety Switches, (Remove)

Asset # E-23, Function: Safety Switches for Pumps 1 and 2, Asset Type: Switch, Capacity: 600V/50A, Manufacturer: Square D, Model Number: Heavy Duty Interrupter DF, Serial Number: 4

3.3a (2) ea. - Plant Water Pump Safety Switches, (Replace)

3.4 (1) ea. - Magmeter- Effluent Plant flowmeter, (Remove and Repair)

Asset # P-9, Function: Effluent Plant Flowmeter, Asset Type: Flowmeter, Capacity: 2-14mgd, Manufacturer: MJK, Model Number: Flow Converter 713

3.5 (1) ea. - Water Plant Magnetic Flowmeter and Controls, (Remove and Replace)

Asset # P-8, Function: Flowmeter - Plant Water, Asset Type: Flowmeter, Capacity: 4 in - 600 gpm, Manufacturer: Fischer & Porter, Model Number: 10D1430A, Serial Number: 7203A5524S

3.6 (1) ea. - Sump Pump and Controller, (Remove)

Asset # P-16, Function: Sump Pump, Asset Type: Sump Pump, Capacity: 2 in Discharge, Manufacturer: Chicago Pump, Model Number: Unk, Serial Number: Unk

Asset # E-25, Function: Sump Pump Controller, Asset Type: Controller, Capacity: 5 hp, Manufacturer: Cutler Hammer 2 IN discharge

3.6a (1) ea. - Sump Pump and Controller, (Replace)

3.7 (1) ea. - Electric Unit Heater, (Remove)

Asset # H-3, Function: Heater-Electric, Asset Type: Heater, Capacity: 5000W, Manufacturer: Dayton, Model Number: 4E169D

3.7a (1) ea. - Electric Unit Heater, (Replace)

3.8 (4) CLF. - Disconnect Switches, Wiring for Lighting Panel, Dehumidifier, and 120 Volt power, (Remove)

Asset # E-26, Function: Switch Lighting & 120v Power, Asset Type: Switches (3).

3.8a (150) LF. - Disconnect Switches, Conduit for Lighting Panel, Dehumidifier, and 120 Volt power, (Remove)

3.8b (150) LF. - Disconnect Switches, Conduit for Lighting Panel, Dehumidifier, and 120 Volt power, (Replace)

3.8c (4) CLF. - Disconnect Switches, Wire for Lighting Panel, Dehumidifier, and 120 Volt power, (Replace)

3.8d (3) ea. - Disconnect Switches, Receptacle and Switch Plates for Lighting Panel, Dehumidifier, and 120 Volt power, (Remove)

3.8e (3) ea. - Disconnect Switches, Receptacle and Switches for Lighting Panel, Dehumidifier, and 120 Volt power, (Remove)	
3.8f (3) ea. - Disconnect Switches, Duplex Receptacle for Lighting Panel, Dehumidifier, and 120 Volt power, (Replace)	
3.8g (3) ea. - Disconnect Switches, Wall Plates for Lighting Panel, Dehumidifier, and 120 Volt power, (Replace)	
3.8 (1) ea. - Electrical Panel, Branch Circuits, and Wiring, (Remove)	
Asset # E-20, Function: Distribution Panel, Asset Type: Breaker Panel, Capacity: 120/240V 100A, Manufacturer: Westinghouse, Model Number: Type NQB, Serial Number: CATNo. NY-85604	
3.9a (1) ea. - Electrical Panel, Branch Circuits, and Wiring, (Replace)	
3.10 (1) ea. - Plant Water Station Step-Down Transformer, (Remove and Replace)	
Asset # E-21, Function: Step Down Voltage, Asset Type: Transformer, Capacity: 480/120-240, Manufacturer: No Name Plate	
3.11 (2) ea. - Disconnect Switch for Transformer, (Remove)	
Asset # E-22, Function: Safety Switch for E-21 Transformer, Asset Type: Switch, Capacity: 480V, 3Q, 30 AMP, Capacity: 480V, 3Q, 30 AMP	
3.11a (2) ea. - Disconnect Switch for Transformer, (Replace)	
3.12 (1) ea. - Plant Water Inlet Pressure Transmitter, (Remove and Replace)	
Asset # P-40, Function: System Pressure Measurement, Asset Type: Sensor, Capacity: Suction Side, Manufacturer: Foxboro	
3.13 (1) ea. - Plant Water Outlet Pressure Transmitter, (Remove and Replace)	
Asset # P-41, Function: System Pressure Measurement, Asset Type: Sensor, Capacity: Discharge Side, Manufacturer: Foxboro	
3.14 (1.8) CLF. - Electrical Outlets, Wiring, (Remove)	
Asset # E-24, Function: Electrical Outlets, Asset Type: Duplex Receptacle, Capacity: 120V, Duplex,	
3.14a (80) LF. - Electrical Conduit, (Remove)	
3.14b (80) LF. - Electrical Conduit, (Replace)	
3.14c (1.8) CLF. - Electrical Outlets, Wiring, (Replace)	
3.14d (2) ea. - Electrical Outlets Receptacle and Switch Plates, (Remove)	
3.14e (2) ea. - Electrical Outlets Receptacle and Switches, (Remove)	
3.14f (2) ea. - Electrical Outlets, Duplex Receptacles, (Replace)	
3.14g (2) ea. - Electrical Outlets, Wall Plates, (Replace)	
3.15 (15) CLF. - Electrical Service Feeder, Wire (Remove)	
Asset # E-56, Approximately 350 LF of 200 Amp, 2 in conduit with 3#2/0 copper conductors.	
3.15a (350) LF. - Electrical Service Feeder, Conduit (Remove)	
3.15b (350) LF. - Electrical Service Feeder, Conduit (Replace)	
3.15c (15) CLF. - Electrical Service Feeder, Wire (Replace)	
Staging (Temporary Power) Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Maintenance of Plant Operations Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary water connection to the City's potable water system.	
Site 4 of 9	
DAMAGED FACILITY: Kingston WWTP - Digester Building	COUNTY: Ulster
LOCATION: PA-02-NY-4085-PW-02505(0); DIGESTER BUILDING BACKGROUND: The Digester Building system is located toward the west end of the plant near the anaerobic digesters as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to stabilize solids removed from the liquid treatment process in advance of dewatering and disposal. Loss of the digester building would result in more costly solids disposal due to the presumed increase in pathogens. The elevation of assets within this system varies from below grade to above grade. For additional information, refer to the Detailed Inspection and Damage Assessment attachment. Current Version: PA-02-NY-4085-PW-02505(1): *****Current Version (1)*****	LATITUDE: 41.920631 LONGITUDE: -73.978881
DAMAGE DESCRIPTION AND DIMENSIONS: PA-02-NY-4085-PW-02505(0): The Digester building system was impacted by flooding which reached 44.5" above finished floor (AFF) in this structure. Sources of flooding included the door and window. The system was completely submerged and all assets were impacted. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 - Asset destroyed - requires replacement, 4 - Asset damaged - asset may be repaired, 3 - Asset impacted - extent of damage unknown and further inspection required, 2 - Suspected impact - extent of damage unknown and further inspection required, 1 - Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 - Destroyed Equipment; requires replacement: Hot Water Heater and Louvers. - CONDITION 4 - Damaged Equipment; may be repaired: Sludge Heating Boiler and Pump Control Panel. - CONDITION 3 - Impacted; further inspection required: Hot Water Circulators, Capstone Turbine, Heat Exchanger, Sludge Heat Exchanger, Panel board, Sludge Mixing Pumps (3), Electrical Outlets (4), and Sludge Pump (green). Current Version: PA-02-NY-4085-PW-02505(1): *****Current Version (1)*****	
DAMAGE DESCRIPTION Site 4 of 9 - Digester Building BACKGROUND The Digester Building contains a Heat Exchanger Room measuring 20 FT L X 10 FT W X 10 FT H, Sludge Control area measuring 32 FT L X 21 FT W X 14 FT H, a Gas Control area measuring 16 FT L X 21 FT W X 14 FT H and is located toward the center of the plant in between the two anaerobic digesters. The building has an addition dating from 1988 which added the two additional rooms. Constructed of using a cast in place concrete foundation and floors, brick and block masonry walls and precast concrete roof panels and steel trusses, the building contains equipment to maintain the sludge inside of the two digesters. The purpose of this digestive system is to stabilize solids removed from the liquid treatment process in advance of dewatering, drying, and disposal. The finished floor elevation of the Digester Building is approximately 5.5 feet above sea level and flooding inside and outside the building reached an elevation of approximately nine feet. The majority of the flooding occurred through the doors and windows. The elevation of assets within this system varies from below grade to above grade. A summary of the equipment impacted is listed below. • Thee (3) Sludge Mixing Pumps and Motors (2 duty, 1 spare):	

• Sludge Mixing Pump Control Panel; • Supernatant Pump; • 40 gal. Hot Water Heater; • Two (2) Louvers; • 1,054 MBH Sludge Heating Boiler; • Two (2) 1/8 HP Hot Water Circulators; • Heat Exchanger for Turbine Generator; • Heat Exchanger for Sludge Heating; • 480/277V, 100A Electrical Distribution Panel; and • Four (4) 120V Duplex Electrical Outlets.			
SCOPE OF WORK:			
PA-02-NY-4085-PW-02506(0)			
WORK TO BE COMPLETED			
- Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and contacts, the following equipment and appurtenance will need to be replaced, repaired or require further inspection. - Replace Hot Water Heater and Louvers. - Repair Sludge Heating Boiler and Pump Control Panel. - Obtain equipment vendor services to inspect Hot Water Circulators, Capstone Turbine, Heat Exchanger, Sludge Heat Exchanger, Panel board, Sludge Mixing Pumps (3), Electrical Outlets (4) and Sludge Pump (Green) to determine if they are operating within manufacture's specifications, or if they should be repaired / replaced. - The estimated cost to restore the Digester Building system including Codes & Standards to pre-disaster condition is \$46,128. See additional detail provided in the attachment for this System. - HAZARD MITIGATION: The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following: - Digester Building: Flood proof structure to elevation 11.00 ft. (NAVD 88), including doors, windows, and louvers (Approx. 700 SF total). - The estimated cost to restore the Digester Building system with mitigation is \$63,488. - The additional estimated cost for Hazard Mitigation is (\$63,488 - \$46,128) \$17,360; or [(\$63,488 - \$46,128) / \$46,128] 37.6% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** SCOPE OF WORK Site 4 of 8 - Digester Building WORK TO BE COMPLETED 4.1 Digester Building (Site 4) 4.1 (1) ea. - Hot Water Heater, (Remove, inspect flue and replace if necessary) Asset # P-11, Asset Type: Hot Water Heater, Discipline: Mechanical, Capacity: 40 gallon 36,000 BTUH, Manufacturer: GE, Model Number: GELNQ481240264 Serial Number: GG40T0GAVG01 4.1a (1) ea. - Hot Water Heater, (Replace water heater, inspect flue and replace if necessary) 4.2 (3) ea. - Sludge Mixing Pump, (Remove) Asset # P-15, Function: Sludge Mixing, Asset Type: Pumps (3) - Vaughan Mixing Equipment, Capacity: 860 gpm @ 36 TDH, Manufacturer: Vaughan, Model Number: PE4R6CS, Serial Number: 89964 and 89936A and 89936B (spare pump) 4.2a (3) ea. - Sludge Mixing Pump, (Replace) 4.3 (1) ea. - Sludge Mixing Pump Control Panel, (Repair) 4.4 (1) LS - Sludge Mixing Pump Louvers (2), (Inspect and Replace) Asset # H-4, Function: Fresh Air Inlet, Asset Type: Louver (2), Capacity: 3FT x 4FT + 4FT x 30IN.; 36IN x 48IN, 30IN x 48IN, Manufacturer: Unk, Model Number: Unk, Serial Number: Unk 4.5 (1) ea. - Supernatant Pump (Submersible Pump), (Remove, Inspect and Repair) Asset # P-14, Function: Sludge Pump Circulate Sludge, Asset Type: Pump, Manufacturer: Unk, Model Number: Unk, Serial Number: Unk 4.6 (1) ea. - Sludge Heating Boiler, (Remove, Inspect and Repair) Asset # P-10, Function: Boiler for Digester Sludge, Asset Type: Boiler, Capacity: 1054 MBH, Manufacturer: Burnham, Model Number: V-809, Serial Number: 7598394 4.7 (2) ea. - Hot Water Circulator, (Remove) Asset # P-12, Function: Hot Water circulators (2) Digester Heating, Asset Type: Pump, Manufacturer: Bell and Gosset, Model Number: 1/8 hp, Serial Number: Unk 4.7a (2) ea. - Hot Water Circulator, (Replace) 4.8 (1) ea. - Heat Exchanger, (Remove, Inspect and Repair) Asset # P-13, Function: Sludge Heating, Asset Type: Heat Exchanger, Manufacturer: Nat'l BD, Serial Number: 3859 4.9 (1) ea. - Heat Recovery Exchanger for Turbine, (Remove, Inspect and Repair) Asset # P-18, Asset Type: heat exchanger, Discipline: Mechanical, Capacity: for 28 kw turbine, Manufacturer: Unifin, Model Number: Unk, Serial Number: 0118-00-02 4.10 (1) ea. - Sump Pump Controls, (Remove and Repair) Asset # E-29, Function: Pump Control, Asset Type: Control Panel, Manufacturer: Pioneer Pump Systems Syracuse NY (315) The building will not be dry flood proofed and the sump pumps will be designed during the detail design when the infiltration rate has been established. 4.11 (1) ea. - Electrical Panel, (Remove) Asset # E-28, Distribution Panelboard, Asset Type: Breaker Panel, Capacity: 480/277V, 100 A Main, Manufacturer: Westinghouse, Model Number: CAT No. 4924 Type WEHB 23 CT, Serial Number: Unk 4.11a (1) ea. - Electrical Panel, (Replace) 4.12 (4) ea. - Electrical Service Feeder, (Replace and Switch Plates (Remove) Asset: 57, Remove existing conduit and conductor and replace with new conduit and conductor, Approximately 250 LF of 200 Amp, 2 in conduit with 3#2/0 copper conductors. 4.12a (4) ea. - Electrical Service Feeder, (Replace and Switches (Remove) 4.12b (4) ea. - Electrical Service Feeder, Duplex (Replace) 4.12c (4) ea. - Electrical Service Feeder, Wall Plates (Replace) 4.13 (11) CLF - Electrical Wiring, (remove) 4.13a (250) LF - Electrical Conduit, (remove) 4.13b (250) LF - Electrical Conduit, (replace) 4.13c (11) CLF - Electrical Wre, (replace) Staging (Temporary Power) Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Maintenance of Plant Operations (Install) Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion but could be temporary sludge heating system, or a control system for the transfer pumps.			
Site 5 of 9			
DAMAGED FACILITY:		COUNTY: Ulster	
Kingston WWTP - Sludge Control Building			
LOCATION:		LATITUDE:	LONGITUDE:
PA-02-NY-4085-PW-02506(0)		41.920917	-73.975594

SLUDGE CONTROL BUILDING BACKGROUND: The Sludge Control Building system is located toward the west end of the plant near the anaerobic digesters as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to monitor and control the sludge handling processes within the plant. Loss of the sludge control building would result in more costly solids disposal due to the increased volume of material requiring disposal and the presumed increase in pathogen levels within the material. The elevation of assets within this system varies. For additional information, refer to the Detailed Inspection and Damage Assessment attachment. Current Version: PA-02-NY-4085-PW-02505(1): *****Current Version (1)*****	
DAMAGE DESCRIPTION AND DIMENSIONS: PA-02-NY-4085-PW-02505(0): The Sludge Control Building system was impacted by flooding which reached 46" above finished floor (AFF) in this structure. Sources of flooding included the door and the overhead door. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 – Asset destroyed - requires replacement. 4 – Asset damaged - asset may be repaired. 3 – Asset impacted - extent of damage unknown and further inspection required. 2 – Suspected impact - extent of damage unknown and further inspection required. 1 – Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 4 – Damaged Equipment; may be repaired: Electric Heaters (2). - CONDITION 3 – Impacted; further inspection required: Gravity Thickener Pump (2), Flow Meter and Muffin Monster (grinds & macerates). Current Version: PA-02-NY-4085-PW-02505(1): *****Current Version (1)*****	
DAMAGE DESCRIPTION Site 5 of 9 – Sludge Control/Degritter Building BACKGROUND The Sludge Control/Degritter Building measures 28 FT L X 20 FT W X 16 FT H and is located toward the center of the plant adjacent to the Control Building. This building houses pumps and electrical controls for sludge transfer. The floors are cast in place concrete, walls are brick and block construction and the roof is precast concrete. The purpose of this building is to monitor and control the sludge handling processes within the plant. The finished floor elevation of the Sludge Control/Degritter Building is approximately 5.0 feet above sea level, flooding in the building reached an elevation of approximately nine feet, both on the exterior and interior. The majority of the interior flooding occurred through the doors and windows. The elevation of assets within this system was measured to be 2 inches below finished floor (-2 inches AFF). A summary of the equipment impacted is listed below. - Two (2) Gravity Thickener Pumps; 8-inch Sewage Grinder; 8-inch Magnetic Flowmeter; and - Two (2) 7,500W Electric Heaters.	
SCOPE OF WORK: PA-02-NY-4085-PW-02505(0): WORK TO BE COMPLETED: - Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and controls, the following equipment and appearance will need to be replaced, repaired or require further inspection. - Repair Electric Heaters (2). - Obtain equipment vendor services to inspect Gravity Thickener Pump (2), Flow Meter, and Muffin Monster to determine if they are operating within manufacture's specifications, or if they should be repaired / replaced. - The estimated cost to restore the Sludge Control Building system including Codes & Standards to pre-disaster condition is \$24,304. See additional detail provided in the attachment for this System. - HAZARD MITIGATION: The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following: - Sludge Control Building: Flood proof to elevation 11.00 ft. (NAVD 88), including doors, windows, and louvers (Approx. 600 SF total). - The estimated cost to restore the Sludge Control Building system with mitigation is \$39,184. - The additional estimated cost for Hazard Mitigation is (\$39,184 - \$24,304) \$14,880; or [(\$39,184 - \$24,304) / \$24,304] 61.2% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System. Current Version: PA-02-NY-4085-PW-02505(1): *****Current Version (1)*****	
SCOPE OF WORK Site 5 of 9 – Sludge Control/Degritter Building WORK TO BE COMPLETED 5.) Sludge Control/Degritter Building (Site 5) 5.1 (2) ea. - Electric Heaters, (Remove) Asset # P-33, Function: Supply Bldg Heat, Asset Type: Heaters (2), Capacity: 7500 Watts, 480 Volt, Manufacturer: Singer, Model Number: CAT No. 8116-0, Serial Number: 5.1a (2) ea. - Electric Heaters, (Replace) 5.2 (1) ea. - Gravity Thickener Pumps (2), (Remove, Inspect) Asset # P-19, Function: Thickened Sludge pumping, Asset Type: Pumps, Capacity: 85 gpm, Manufacturer: Komeline Sanderson, Model Number: Job No. S-1265 and S-1265, Serial Number: 9P-1-711 and 9P-1-712 5.2a (1) ea. - Gravity Thickener Pumps (2), (Repair) 5.3 (1) ea. - Sump Pump and Controls, (Remove) Asset Type: Pump, Discipline: Mechanical, Capacity: 3 inch, Manufacturer: Chicago Pump Model Number: Unk, Serial Number: Unk, 5.3a (1) ea. - Sump Pump and Controls, (Replace) 5.4 (1) ea. - Muffin Monster (Sewage Pump), (Remove, Inspect and Repair) Asset # P-20, Function: Sludge Chopping, Asset Type: Grinder, Function: Sludge Chopping, Capacity: 6 IN pipe, Manufacturer: JWCE, Model Number: 30001-12, Serial Number: 6251-2-1 5.5 (1) ea. - Magnetic Flow-meter, (Remove, Inspect and Replace) Asset # P-21, Function: Flowmeter, Asset Type: Flowmeter, Capacity: 6 IN, Manufacturer: SIEMENS, Model Number: 7ME6820-1AA10-1AA0, Serial Number: 7ME658-1738014101 5.6 (5) CLF. - Electrical Service Feeder, Wire (Remove) Asset # E-56, Approximately 160 LF of 200 Amp, 2 in conduit with 3#2/0 copper conductors. 5.6a (160) LF. - Electrical Service Feeder, Conduit (Remove) 5.6b (160) LF. - Electrical Service Feeder, Conduit (Replace) 5.6c (5) CLF. - Electrical Service Feeder, Wire (Replace) Staging (Temporary Power) Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Maintenance of Plant Operations	

Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary sludge transfer pump or grinder.

Site 6 of 9			
DAMAGED FACILITY: Kingsion WWTP - Control Building		COUNTY: Ulster	
LOCATION: PA-02-NY-4085-PW-02506(0): CONTROL BUILDING BACKGROUND: The Control Building system is centrally located within the plant as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to provide a central location for operating the plant, allowing monitoring and control of the different plant processes. Loss of the control building would result in reduced efficiencies in the operation of the plant and possibly plant shutdown. The elevation of assets within this system varies from below grade to above grade. For additional information, refer to the Detailed Inspection and Damage Assessment attachment. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)*****		LATITUDE: 41.82071	LONGITUDE: -73.9784
DAMAGE DESCRIPTION AND DIMENSIONS: PA-02-NY-4085-PW-02506(0): The Control Building system was impacted by flooding which reached 28" above finished floor (AFF). Sources of flooding included the door and conduits. The system was completely submerged and all assets were impacted. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 – Asset destroyed - requires replacement. 4 – Asset damaged - asset may be repaired. 3 – Asset impacted - extent of damage unknown and further inspection required. 2 – Suspected impact - extent of damage unknown and further inspection required. 1 – Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 – Destroyed Equipment; requires replacement: Hot Water Heater, Sump Pump (3), Intercom System, Process Drain Sump Pump, and Data Communication Servers (2). - CONDITION 4 – Damaged Equipment; may be repaired: Air Compressor & Air Dryer, Control Building Boiler, Bio-filter/Bio-cube, Electric Heater (2), PP-1/8-10-12 Control Panel, Panel Board "F", Generator, GBT Thickened Sludge Pumps 1 & 2, and Spare Part Inventory. - CONDITION 3 – Impacted; further inspection required: Flow Meter, Sump Pumps (2), Control Building Boiler, Hot Water Circulator Pump, Belt for Press, Muffin Monster (grinds & macerates), Pump Motor (2), Data Communication Servers (2), Blower Control Panels, and Turbine Generator. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** DAMAGE DESCRIPTION Site 6 of 9 – Control Building BACKGROUND The Control Building is centrally located within the WWTP and contains a Basement Hall measuring 84 FT L X 12 FT W X 9 FT H, Basement spare parts room measuring 62 FT L X 9 FT W X 9 FT H, Boiler Room measuring 25 FT L X 22 FT W X 9 FT H, a Basement Workshop measuring 25 FT L X 22 FT W X 9 FT H, Sludge pumping area measuring 24 FT L X 9 FT W X 9 FT H, and Basement compressed air area measuring 15 FT L X 30 FT W X 9 FT H. This building serves as the main hub and communication center of the plant. The building has three floors, a basement, first floor, and second floor and is constructed of cast-in place concrete, brick and block masonry and steel roof joists. There is no direct basement access. At the front steps to the building the elevation is 8.7 feet above sea level and assets within the system vary from below grade to above grade. The purpose of this building is to provide a central location for operating the plant and allow monitoring and control of the different plant processes. Loss of the control building would result in reduced efficiencies in the operation and possible plant shutdown. The building contains process areas, offices, workshops, bathrooms and a garage. The basement elevation of the Control Building is approximately 1.7 feet below mean sea level, and the first floor elevation is approximately 8.7 feet above sea level. Flooding in the basement reached an elevation of approximately 0.5 feet above sea level. This lower interior flood elevation was due to the efforts of the City's staff in an attempt to protect the WWTP before the plant had to be abandoned due to emergency power loss. The majority of the flooding occurred through the doors, windows and conduits. The elevation of assets within this system varies from below grade to above grade. A summary of the equipment impacted is listed below. • Two (2) Belt Filter Press Feed Pumps and Motors; • Belt Filter Press Feed Pump Control Panel; • Four (4) Sump Pumps; • 5 HP Hot Water Circulator Pump; • 40 gal. Hot Water Heater; • Three (3) Air Compressors; • Air Dryer; • 810 MBH Boiler; • 250W Intercom System; • Two (2) 1,500W Data Communication Servers; • 480V, 200A Electrical Distribution Panel (Panel Board F); • Four (4) Blower Control Panels; • Turbine Generator; • Spare Part Inventory; • 300 kW Generator (located outside building); and • Biofilter (located outside building). A utility owned transformer provides power to the facility. This transformer sits adjacent to the Control Building at grade level and has been flooded and replaced many times by the utility. This transformer is the main source of power for the facility and as a result very critical to the operations of the WWTP. SCOPE OF WORK: PA-02-NY-4085-PW-02506(0): WORK TO BE COMPLETED: - Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and conduits, the following equipment and appurtenance will need to be replaced, repaired or require further inspection. - Replace Hot Water Heater, Sump Pump (3), Intercom System, Process Drain Sump Pump, and Data Communication Servers (2). - Repair Air Compressor & Air Dryer, Bio-filter/Bio-cube, Electric Heater (2), PP-1/8-10-12 Control Panel, Panel Board "F", Generator, GBT Thickened Sludge Pumps 1 & 2, and Spare Part Inventory. - Obtain equipment vendor services to inspect Flow Meter, Sump Pumps (2), Control Building Boiler, Hot Water Circulator Pump, Belt for Press, Muffin Monster (grinds & macerates), Pump Motor (2), Blower Control Panels and Turbine Generator to determine if they are operating within manufacturer's specifications, or if they should be repaired / replaced. - The estimated cost to restore the Control Building system including Codes & Standards to pre-disaster condition is \$129,456. See additional detail provided in the attachment for this System. - HAZARD MITIGATION: The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following: - Control Building: Flood proof to elevation 11.00 ft. (NAVD 88), including doors, windows, and louvers (Approx. 4,300 SF total). - Bio-filter / Bio-Cube: Raise system above 11.00 ft. (NAVD 88), install flood vents in bio-filters to prevent flotation, and pour concrete pads to secure towers and activated carbon barrel. - Generator: Raise the fuel vent above flood level, elevation 11.00 ft. (NAVD 88). - The estimated cost to restore the Control Building system with mitigation is \$236,096. - The additional estimated cost for Hazard Mitigation is (\$236,096 - \$129,456) \$106,640; or [(\$236,096 - \$129,456) / \$129,456] 82.4% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** SCOPE OF WORK Site 6 of 9 – Control Building			

4/4/2016

Federal Emergency Management Agency E-Grants

WORK TO BE COMPLETED

6.) Control Building (Site 8)

6.1 (1) ea. - Hot Water Heater, (Remove)

Asset # P-27, Function: Domestic Hot Water, Asset Type: Tank, Capacity: 40 Gallon, Manufacturer: GE, Model Number: GG40T08AVG01, Serial Number: GELN0212A10179,

6.1a (1) ea. - Hot Water Heater, (Replace)

6.2 (4) ea. - Sump Pumps Controls and Wiring, (Remove)

Asset # P-22, Function: Sump Pumps (7), Asset Type: Pump, Capacity: 3 in, Manufacturer: Chicago Pump, Model Number: Unk, Serial Number: Unk

Asset # P-29, Function: Sump Pump, Asset Type: Pump, Manufacturer: Dayton, Model Number: 3XUB3, Serial Number: 0106

6.2a (4) ea. - Sump Pumps Controls and Wiring, (Replace)

6.3 (1) ea. - Process Drain Sump Pump and Controls, (Remove)

Asset # P-24, Function: Air Compressor Condensate Sump Pump, Asset Type: Pump, Capacity: 4 in - 4x4x9 1/2 - 240 gpm @ 15 TDH, Manufacturer: Crane Deming, Model Number: 7172, Serial Number: DP76604

6.3a (1) ea. - Process Drain Sump Pump and Controls, (Replace)

6.3b (1) ea. - Process Drain Sump Pump and Control Panel, (Repair)

6.4 (1) ea. - Inter-Com System, (Remove and Replace)

Asset # E-36, Function: Paging, Asset Type: Intercom, Capacity: 250 Watt, Manufacturer: Dulcane Corp, Model Number: 1A4250, Serial Number: E863194,

6.5 NOT USED

6.6 (2) ea. - Data Communication Servers, (Remove and Replace)

Asset # E-37, Function: Communicate Data Servers (2) Asset Type: Server, Manufacturer: APC Schneider Elec., Model Number: SMX1500RM2U, Serial Number: ASIZ32226755

6.7 (1) ea. - Bio-filter (Remove, Inspect and Repair)

Asset # P-30, Function: Ordor Control for Control Bldg, Asset Type: Blower and Biofilter Towers, Capacity: 300 cfm - 3 hp motor, Manufacturer: A-E Fan Equipment Co., Model Number: 1-25, Serial Number: 05-758

Towers need to be re-leveled; motor and fan bearings need to be replaced, woodchips needs to be replaced. Quote to disassemble and reassemble unit, replace media, rebuild fan system, and replacement of carbon polisher stage

6.8 (2) ea. - Thickened Sludge Pumps Feed Pump Motors (Remove)

Asset # P-28, Function: Feed to Digester Pumps 1 & 2, Asset Type: Pump, Capacity: 6 IN Dia, Manufacturer: Vogelsung, Model Number: VX136 - 210 QMO H2, Serial Number: BJD31170210 & BJD31182107

6.8a (2) LS. - Thickened Sludge Pumps Feed Pump Motors (Repair)

6.9 (2) ea. - Thickened Sludge Pumps (Remove and repair)

Asset # E-34, Function: Drive Pump Motors (2) Asset Type: Motor, Capacity: 7 1/2 HP, 460V, 1770 ROM TEFC, Manufacturer: Baldor/Reliance, Model Number: CAT No. VEM37701, Serial Number:

6.10 (1) ea. - Hot Water Circulator Pump, (Remove)

Asset # P-26, Function: Hot Water Circulator for Space Heating, Asset Type: Pump, Capacity: 2 IN Discharge, 5 hp, Manufacturer: Bell and Gossell, Model Number: 185011, Serial Number: 1409724

6.10a (1) ea. - Hot Water Circulator Pump, (Repair)

6.11 (1) ea. - Thickened Sludge Pumps, Motors, and Control Panel (Remove and repair/replace)

Asset # E-35, Function: Control Panel PP- 1/8-10-12, Control Dig. Pumps, Asset Type: Control Panel, Capacity: 3 FTW x 4 FTH x 15 IND,

6.12 (1) LS. - Air Compressor (3), (Remove, Inspect and Repair)

Asset # P-23, Function: Air Compressor, Asset Type: Air Compressor, Capacity: 3 Compressors, Manufacturer: Ingersoll Rand, Model Number: (2) T30, 1 Serial Number: -Unk

6.13 (1) LS. - Air Dryers (3), (Remove, Inspect and Repair)

6.14 (1) ea. - Boiler, (Remove, Inspect and Repair)

Asset # P-25, Function: Space Heating Boiler, Asset Type: Boiler, Capacity: 910 MBH, Manufacturer: H.B. Smith Co.

6.15 (1) ea. - Electric Heater, (Remove, Inspect and Repair)

Asset Type: Heater, Capacity: 5000 Watts, Manufacturer: Dayton, Model Number: E4169D

6.16 (1) ea. - Turbine Generator, (Inspect and Repair)

Function: Asset # E- 40, Power, Asset Type: Gas Turbine Generator, Capacity: 225KW, 227/480V, 3Q, Manufacturer: Solar, Model Number: GS350, Serial Number: 428016

6.17 (4) ea. - Blower Control Panels, (Remove and Replace)

Asset # E-38, Function: Control Blowers, Asset Type: Control Panel, Capacity: 4 Blower Controls, 9 FT-4 INWx25 INDPx80 INH,

6.18 (1) ea. - Electrical Panel Board and Branch Circuits, (Remove)

Asset # E-39, Function: Distribution Panel, Asset Type: Panel Board, Capacity: 480V, 3Q, 200A, Manufacturer: Westinghouse, Model Number: AW 44802, Serial Number: Stock No. NY85504,

6.18a (1) ea. - Electrical Panel Board and Branch Circuits, (Replace)

6.19 (4.2) CLF. - Out Going Electrical Service Feeder - Internal, Wire (Remove)

Asset # E-58: (2) - 4 IN conduits (4) 500 MCM conductors, 1200 Amp main service, approximately 100 FT

6.19a (100) LF. - Out Going Electrical Service Feeder - Internal, Conduit (Remove)

6.19b (100) LF. - Out Going Electrical Service Feeder - Internal, Conduit (Replace)

6.19c (4.2) CLF. - Out Going Electrical Service Feeder - Internal, Wire (Replace)

Staging Temporary Generator

Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project.

Maintenance of Plant Operations

Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary submersible pump in the Primary Settling Tank sludge hopper pumping to the thickener line.

Replace miscellaneous spare parts inventory and estimate to be determined, not supplied.

Asset # P-39, Function: Spare Parts, Asset Type: Spare Parts, Manufacturer: Various

No estimate or inventory provided, applicant will provide at close-out.

Site 7 of 8

DAMAGED FACILITY:

Kingston WWTP - Secondary Sludge Pump Station

COUNTY: Ulster

LOCATION:

PA-02-NY-4085-PW-02506(0):
SECONDARY SLUDGE PUMPING STATION

BACKGROUND:

The Secondary Sludge Pumping Station system is located near the clarifiers in the east end of the plant as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to remove settled solids from the clarifiers and pump them in the aeration basins to drive the treatment process. Additionally, a portion of the settled solids are removed and pumped to the thickeners. Loss of the secondary sludge pump station would greatly impact the efficiency of the core treatment process at the plant and result in either reduced plant capacity or diminished effluent water quality. The elevation of assets within this system varies. For additional information, refer to the Detailed Inspection and Damage Assessment attachment.

LATITUDE:
41.921207LONGITUDE:
-73.97787

Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)*****	
DAMAGE DESCRIPTION AND DIMENSIONS:	
PA-02-NY-4085-PW-02506(0): The Secondary Sludge Pump Station system was impacted by flooding which reached 162" AFF in this structure. Sources of flooding included the door and conduits. The system was completely submerged and all assets were impacted. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 – Asset destroyed - requires replacement, 4 – Asset damaged - asset may be repaired, 3 – Asset impacted - extent of damage unknown and further inspection required, 2 – Suspected impact - extent of damage unknown and further inspection required, 1 – Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 – Destroyed Equipment; requires replacement: Electrical Distribution and Lighting. - CONDITION 4 – Damaged Equipment; may be repaired: Return Activated Sludge Pumps and Waste Activated Sludge Pumps 1, 2, 3 & 4; RAS/WAS Mag-meters (7) and RAS/WAS Piping & Valves. - CONDITION 3 – Impacted; further inspection required: Motors (6), Sump Pumps (2) and Gas Cleaning System. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** DAMAGE DESCRIPTION Site 7 of 8 – Secondary Sludge Pump Station BACKGROUND The Secondary Sludge Pump Station contains a Pump Room measuring 38 FT L X 14 FT W X 9 FT H, and a First Floor Utility measuring 38 FT L X 14 FT W X 9 FT H, and is located near the secondary clarifiers at the east end of the plant. This pump station contains a basement and first floor. The basement is constructed of cast in place concrete and the first floor walls are constructed of brick and block masonry with a cast in place concrete roof. The purpose of this pump station is to remove settled solids from the secondary clarifiers and pump/deposit them in the aeration basins to drive the treatment process. A portion of the settled solids are removed and pumped to the thickeners. Loss of the secondary sludge pump station would greatly impact the efficiency of the core treatment process at the plant and result in either reduced plant capacity or diminished effluent water quality. The basement slab elevation of the Secondary Sludge Pump Station is approximately 4.7 feet below mean sea level, and the first floor elevation is approximately 6.3 feet above sea level. Flooding at the building reached an elevation of approximately nine feet both on the exterior and interior. The majority of the flooding occurred through the doors and conduits. The elevation of assets within this system was measured to be 3 to 5 inches above finished floor (AFF). A summary of the equipment impacted is listed below. • Four (4) RAS Pumps and Motors; • Two (2) WAS Pumps and Motors; • Two (2) Sump Pumps; • Seven (7) 3-inch Magnetic Flowmeters; • RAS and WAS Valves; • 480V, 225A Electrical Distribution Panel; • 120V, 100A Electrical Distribution Panel; • 480 – 120/240V Transformer; • Six (6) Disconnect Switches for RAS and WAS Pumps; • Nine (9) Light Fixtures; • Cable Troughs; • Wiring and Conduit; and • Diffuser Gas Cleaning System (located outside building). SCOPE OF WORK: PA-02-NY-4085-PW-02506(0): WORK TO BE COMPLETED: - Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and conduits, the following equipment and appurtenance will need to be replaced, repaired or require further inspection. - Replace Electrical Distribution and Lighting. - Repair Return Activated Sludge Pumps and Waste Activated Sludge Pumps 1, 2, 3 & 4; RAS/WAS Mag-meters (7) and RAS/WAS Piping & Valves. - Obtain equipment vendor services to inspect Motors (6), Sump Pumps (2), and Gas Cleaning System to determine if they are operating within manufacture's specifications, or if they should be repaired / replaced. - The estimated cost to restore the Secondary Sludge Pumping Station system including Codes & Standards to pre-disaster condition is \$109,492. See additional detail provided in the attachment for this System. - HAZARD MITIGATION: The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following: - RAS Pumps: Replace with dry pit submersible style pumps and locate controls within waterproof enclosure installed above elevation 11.00 ft. (NAVD 88). - WAS Pumps: Replace with dry pit submersible style pumps and locate controls within waterproof enclosure installed above elevation 11.00 ft. (NAVD 88). - RAS & WAS Flow Meters: Install within waterproof enclosures and relocate Meter and/or Controls above elevation 11.00 ft. (NAVD 88). - Gas Cleaning: Relocate above elevation 11.00 ft. (NAVD 88). - Electrical Distribution: Relocate above elevation 11.00 ft. (NAVD 88). - Lighting: Replace with sealed units and switches and relocate above elevation 11.00 ft. (NAVD 88). - Sump Pumps: Install controls within waterproof enclosures and relocate above elevation 11.00 ft. (NAVD 88). - The estimated cost to restore the Secondary Sludge Pumping Station system with mitigation is \$206,460. - The additional estimated cost for Hazard Mitigation is (\$206,460 - \$109,492) \$96,968; or [(\$206,460 - \$109,492) / \$109,492] 88.6% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** SCOPE OF WORK Site 7 of 8 – Secondary Sludge Pump Station WORK TO BE COMPLETED 7.) Secondary Sludge Pump Station (Site 7) 7.1 (4) ea. – Dry Pit Submersible RAS Pumps, and Motors, (Remove and repair) 1) Asset # P-31, Function: Recycle activated sludge Pumps 1,2,3, and 4, Asset Type: Pump, Capacity: 1575 gpm @ 27 lph, Manufacturer: Chicago Pumps, Model Number: VPMLSC-8, Serial Number: 9801474-A,B,C,D, Repairs: Mechanical seals damaged by grit with packing and packing glands. Mechanical seals replaced with packing on pumps 1 and 3. Replace mechanical seals; replace pump bearings; replace 4 suction gages; couplings should be removed and inspected. #4 pump motor is complete (\$2,100). Bearings on gear box complete Pumps 1, 2, and 3 need all permanent work to be completed. Asset # E-43, Function: Drive RAS Pumps (4), Asset Type: Motor, Capacity: 15 HP, 480V DP enclosure, Manufacturer: Reliance Electric, Model Number: 01MAF99950. 7.2 (4) ea. – Dry Pit Submersible RAS Pump, Controls (Remove and Repair) 7.3 (4) ea. – Dry Pit Submersible WAS Pump, (Remove and Replace) Asset # P-32, Function: WAS pumps 1 & 2, Waste Sludge Pumping, Asset Type: Pump, Capacity: 400 gpm @ 21 TDH, Manufacturer: Chicago Pump, Model Number: VPMCMB-44, Serial Number: AK-61-1159-6-R.H. & L.H. Replace mechanical seals; replace pump bearings; replace suction gages; couplings should be removed and inspected. Replace mechanical seals, bearings. 7.4 (2) ea. – Dry Pit Submersible WAS Pump Motors, (Remove and Repair)	

Asset # E-44, Function: Drive Waste Sludge Pump (2), Asset Type: Motors, Capacity: 5HP, 480V, 1740 RPM, Manufacturer: US Motor, Model Number: G859487 x 11 x 2520230F 7.5 (4) ea. - WAS Pump Control Panel, (Remove and Replace) 7.6 NOT USED 7.7 (7) ea. - Mag-meters, (Remove and Repair) Asset # P-33, Function: Flowmeters (7), Asset Type: Flowmeters, Capacity: 8 IN, Manufacturer: ABB 7.8 (2) ea. - Sump Pumps and Controls, (Remove and Replace) Asset # E-47, Function: Pump Water, Asset Type: Sump Pumps (2), Manufacturer: (1) Chicago Pump; (1) Zoeller Co Submersible. 7.9 (2) ea. - RAS and WAS Valve, Controls (Remove and Repair) Asset # P-34, Function: RAS & WAS pumps and valves, Asset Type: Valves, Capacity: 8 IN, Capacity: 8 IN 7.10 (1) ea. - Diffuser Gas Cleaning System, (Remove, Inspect and Repair) Asset # E-42, Function: Clean Diffusers, Asset Type: ControlPanel, Manufacturer: Sanitaire, Model Number: UL No. AD317489 7.11 (1) LS. - Electrical System, (Remove and Repair) Asset # E-45, Function: Electrical Services, Asset Type: Electrical Equip, Capacity: 480 & 120 volt systems, Replace entire electrical distribution equipment including 480V, 225A PanelBoard; 10KVA 480-120/240V Transformer; 120V PanelBoard; Return pump and waste pump disconnect switches; cable troughs, wiring and conduit. 7.12 (9) ea. Fluorescent Lighting, conduit, wiring, and outlets (Remove and Replace) Asset # E-46, Function: Provide Light, Asset Type: Lighting Fixtures, Capacity: 1 2 Lamp; 8 3-Lamp Fluorescent Fixtures, VERIFY DAMAGES- INELIGIBLE 7.13 (15) CLF. - Electrical Service Feeder, Wire (Remove) Asset # E-58 - 175 Amp capacity, 360 FT. Replace conductors and conduit with new 2 in conduit with 3#2/0 copper conductors. 7.13a (360) LF. - Electrical Service Feeder, Conduit (Remove) 7.13b (360) LF. - Electrical Service Feeder, Conduit (Replace) 7.13c (15) CLF. - Electrical Service Feeder, Wire (Replace) Staging (Temporary Power) Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor. Maintenance of Plant Operations Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary submersible pump in the Primary Settling Tank sludge hopper pumping to the thickener line.			
Site 8 of 9			
DAMAGED FACILITY: Kingston WWTP - Pump Station		COUNTY: Ulster	
LOCATION: PA-02-NY-4085-PW-02506(0): PUMP STATION BACKGROUND: The Pump Station system is located at the east end of the plant as indicated in the Navigation Exhibit attached to this PW. The purpose of this system is to pump influent wastewater to the head of the plant and introduce it to the treatment processes. Loss of the pump station would result in overflow of sewage in the pipe network upstream of the plant and increase exposure of pathogens to the public and surrounding environment. The elevation of assets within this system varies from floor level to above the first finished floor. For additional information, refer to the Detailed Inspection and Damage Assessment attachment. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)*****		LATITUDE: 41.921262	LONGITUDE: -73.977144
DAMAGE DESCRIPTION AND DIMENSIONS: PA-02-NY-4085-PW-02506(0): The Pump Station system was impacted by flooding which reached 174" above finished floor (AFF) in this structure. Sources of flooding included the door and conduits. The system was completely submerged and all assets were impacted. - In order to assess damage, the plant was organized into systems based on location and function. Impacted assets were inventoried according to their damage state, as follows: 5 - Asset destroyed - requires replacement. 4 - Asset damaged - asset may be repaired. 3 - Asset impacted - extent of damage unknown and further inspection required. 2 - Suspected impact - extent of damage unknown and further inspection required. 1 - Asset at risk - asset escaped impact due to emergency protective measures or will be impacted by a similar future event. A summary of the individual equipment damaged during the Disaster, and the condition of damage requiring replacement, repair or further inspection is provided in the table below. - CONDITION 5 - Destroyed Equipment; requires replacement: Safety Switches (2), Wall Mounted Heater Units (4), Lighting, Transformer (Eaton) and Transformer (Federal Pacific). - CONDITION 4 - Damaged Equipment; may be repaired: East Strand Pump Station Pumps (2), Bubbler Control Panel, Sump Pump and East Strand Pump Station Valves. - CONDITION 3 - Impacted; further inspection required: Motors (2), and Spare Pump. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** DAMAGE DESCRIPTION Site 6 of 9 - East Strand Pump Station BACKGROUND The East Strand Pump Station is located at the East end of the plant. This structure contains a first floor utility room measuring 16 FT L X 16 FT W X 8 FT H, and a basement area measuring 16 FT L X 16 FT W X 20 FT H, that houses two wastewater pumps. The basement has a drywell side and a wet-well side each with their own set of stairs. The basement floor, walls and ceiling are constructed of cast in place concrete while the walls of the first floor are of double brick masonry. The purpose of this pump station is to pump influent wastewater to the head of the plant and introduce it to the treatment processes. Loss of the pump station would result in overflow of sewage in the pipe network upstream of the plant and increase exposure of pathogens to the public and surrounding environment. The basement slab elevation of the East Strand Pump Station is 8.0 feet below mean sea level, and the first floor elevation is 5.3 feet above sea level. Flooding in the building reached an elevation of approximately nine feet. The majority of the flooding occurred through the door and conduits. The elevation of assets within this system varies from at floor level to above the first finished floor. A summary of the equipment impacted is listed below: * Three (3) Pumps and Motors (1 spare); * Valves; * Bubbler Control Panel; * Four (4) Unit Heaters; * Two (2) Safety Switches for Pumps; * Two (2) Light Fixtures; * 480-120/240V, 25kVA Transformer; and * 480-120/240V, 45kVA Transformer.			
SCOPE OF WORK: PA-02-NY-4085-PW-02506(0): WORK TO BE COMPLETED: - Extensive restoration is necessary throughout this System to restore the WWTP to pre-disaster condition. In addition to cleaning and recoating the structures, and replacing electrical wiring and conduits, the following equipment and appurtenance will need to be replaced, repaired or require further inspection. - Replace Safety Switches (2), Wall Mounted Heater Units (4), Lighting, Transformer (Eaton) and Transformer (Federal Pacific). - Repair East Strand Pump Station Pumps (2), Bubbler Control Panel, Sump Pump and East Strand Pump Station Valves. - Obtain equipment vendor services to inspect Motors (2), and Spare Pump to determine if they are operating within manufacture's specifications, or if they should be repaired or replaced.			

- The estimated cost to restore the Pump Station system including Codes & Standards to pre-disaster condition is \$37,572. See additional detail provided in the attachment for this System.

HAZARD MITIGATION:

The scope of work for Hazard Mitigation at this Facility generally includes flood proofing of wall penetrations (doorways, windows, vents, louvers, ducts, pipe & wire conduit, etc.) in existing structures to prevent flood waters from entering, installing equipment and/or equipment enclosures capable of functioning in a submerged condition, and raising the operating elevation of equipment above the future flood elevation. The minimum flood proof elevation for this Facility is Elevation 11.00 ft. (NAVD 88) North American Vertical Datum of 1988. The specific scope of work for Hazard Mitigation in addition to those required for restoration of this system includes the following:

- Pump Station Control Building: Flood proof to elevation 11.00 ft. (NAVD 88), including doors, windows, and louvers (Approx. 750 SF total).

- The estimated cost to restore the Pump Station system with mitigation is \$57,412.

- The additional estimated cost for Hazard Mitigation is (\$57,412 - \$37,572) \$19,840; or [(\$57,412 - \$37,572) / \$37,572] 52.8% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachment for this System.

Current Version:

PA-02-NY-4085-PW-02506(1):

*****Current Version (1)*****

SCOPE OF WORK Site 8 of 9 - East Strand Pump Station

WORK TO BE COMPLETED

8.) East Strand Pump Station (Site 8)

8.1 (2) ea. - Lift Pump, (Remove and Replace Seal and Bearing)

Asset # P-35, Function: Influent Pumping, Asset Type: Pumps (2), Capacity: 6x6x5 - 1200 gpm @ 30 FT, Manufacturer: Deming Pumps - 2, Model Number: 7182, Serial Number: DP-763734

8.2 (2) ea. - Lift Pump Motors, (Remove)

Asset # E-48, Function: Drive Pumps, Asset Type: Motors (2), Capacity: 15HP, 460V, 1200 RPM TEFC, Manufacturer: GE, Model Number: 5K284KD224-MOD

Describe Any Temporary Repairs, Including Duration: None

8.2a (2) ea. - Lift Pump Motors, (Replace)

8.3 (1) ea. - Spare Lift Pump, VERIFY ELIGIBILITY

Asset # P-37, Function: Influent Pumping - spare, Asset Type: Pump, Capacity: 6x6x3 - 1200 gpm @ 30', Manufacturer: Deming Pump, Model Number: 7182, Serial Number: DP-763734

8.4 (4) ea. - Electrical Unit Heaters, (Remove)

Asset # H-5, electric Unit heater, Asset Type: Heater, Manufacturer: Baseboard electric heaters (4) Model Number: Unk, Serial Number: Unk

8.4a (4) ea. - Electrical Unit Heaters, (Replace)

8.5 (2) ea. - Valve, (Inspect and Repair) VERIFY ELIGIBLE

Asset # P-36, Function: Valves, Asset Type: Valves (2), Capacity: (2) 4 IN PVs, (2) 6 IN BFVs, (2) 6 IN CVs, Manufacturer: DeZurik

8.6 (2) ea. - Disconnected Switch for Influent Pump, (Remove)

Asset # E-49, Disconnected Pwr, Asset Type: Safety Switches (2), Capacity: 600 V, 60 AMP, Manufacturer: I-T-E, Model Number: NFR 352

8.6a (2) ea. - Disconnected Switch for Influent Pump, (Replace)

8.7 (1) ea. - Bubbler Control Panel, (Remove, Inspect and Replace)

Asset # P-38, Function: Control Panel, Asset Type: Control Panel, Manufacturer: Unk, Model

8.8 (2) ea. - Fluorescent Lighting Conduit and Wiring, (Remove and Replace) VERIFY ELIGIBLE

Asset # E-50, Function: Provide Light, Asset Type: Light Fixtures (2), Capacity: 2-2 lamp Fluorescent

8.9 (1) ea. Transformer, (Remove and replace)

Asset # E-51, Function: Step up Voltage, Asset Type: Transformer, Function: Step up Voltage, Asset Type: Transformer 25kVA, Manufacturer: Eaton, Model Number: S20L11S25N

8.10 (1) ea. Transformer, (Remove and replace)

Asset # E-52, Function: Step up voltage, Asset Type: Transformer, Capacity: 45KVA 480V-120/240

8.11 (11) CLF. - Electrical Service Feeder, Wire #6 (Remove)

Approximately 360 FT, Normal service - 3 #6 in 2 IN Conduit, Emergency Service - 4 #2 in 2 IN conduit.

8.11a (15) CLF. - Electrical Service Feeder, Wire #2 (Remove)

8.11b (720) LF. - Electrical Service Feeder, Conduit (Remove)

8.11c (720) LF. - Electrical Service Feeder, conduit (Replace)

8.11d (11) CLF. - Electrical Service Feeder, Wire #6 (Replace)

8.11e (15) CLF. - Electrical Service Feeder, Wire #2 (Replace)

Staging (Temporary Power)

Provide temporary power lines to maintain plant operations during the electrical upgrade portion of the project. Design of temporary power connection to the existing electrical service will be at the discretion of the contractor.

Maintenance of Plant Operations

Contractor's temporary operations that will allow a specific treatment plant process to be shut-down while operations through the plant are maintained. This is at the Contractor's discretion, but could be a temporary submersible pump in the Primary Settling Tank sludge hopper pumping to the thickener line.

Site 8 of 9

DAMAGED FACILITY:

Kingston Wastewater Treatment Plant - Summary

COUNTY: Ulster

LOCATION:

PA-02-NY-4085-PW-02506(0):

BACKGROUND:

The City of Kingston owns, operates and maintains the Kingston Wastewater Treatment Plant. Additionally, the City has a contract with CAMO Pollution Control, Inc. to manage the Treatment Facility. The Kingston Wastewater Treatment Plant (WWTP) was constructed in 1930, and upgraded from primary treatment to secondary treatment in 1972, expanded in 1994, and significant improvements and upgrades were added in 2009. The WWTP is located on the northern banks of Rondout Creek, just upstream of its confluence with the Hudson River. The design flow capacity of this Facility is 6.8 MGD and serves a population of approximately 28,000.

The GPS coordinates (41.92071, -73.97840) indicate the location of the Administration / Control Building at the Treatment Facility.

The WWTP was damaged during the October 29, 2012 Hurricane. During the disaster, the Treatment Facility experienced Hurricane force wind, flooding and power outages; however, most damage occurred when the tidal surge entered the structures and inundated all equipment and systems below the flood surface elevation.

When the Hurricane created a tidal surge during high tide, the Hudson River rose rapidly, engulfing and entering the WWTP. All electrical equipment and systems below the flood water surface (EL. 10.5 +/-) were damaged when the site was inundated with saltwater. Although finished floor elevations and wall penetrations for doors, windows, vents, louvers, etc. were designed above the existing 100-year floodplain (EL. 8.0); the additional 2.5 foot height of the tidal surge entered the structures through doors and windows and damaged equipment at grade level. Additionally, the flooding continued to lower elevations when the saltwater entered structures, traveling down stairwells, through pipe chases, electrical conduit and duct banks, damaging electrical and mechanical equipment and systems below grade in pump rooms and galleries.

Plant staff and personnel took every available measure to protect the Facility. Plant operators were rescued from the Facility by boat.

The WWTP was unable to function for eight hours, and was only placed back in operation by pumping flood water out of submerged areas and overhauling equipment and systems. Kingston Treatment Plant O&M personnel and contract employees restarted electrical motors and equipment by drying, rewiring, using electrical and hydraulic bypasses, and doing whatever was necessary to get the Treatment Facility back in service as quickly as possible.

Since the amount of damage at the Kingston WWTP was so extensive, the City of Kingston requested proposals for Professional Engineering Services.

LATITUDE:

LONGITUDE:

ARCADIS was selected to evaluate damages, and provide cost estimates and methods of restoration to repair/replace damaged equipment to pre-disaster design, function and capacity with current Codes and Standards. Additionally, ARCADIS provided cost estimates to restore the WWTP to pre-disaster function and capacity with hazard mitigation to prevent future damage caused by similar disasters. The results of ARCADIS's inspection, evaluation and recommendations are documented in a Report for restoring the Kingston Wastewater Treatment Plant. This Project Worksheet is divided into eight Site Sheets conforming to the Report's grouping of damaged facilities into eight geographically based Systems by function and location. They are: - Headworks, - Primary Sludge Pump Station, - Plant Water Pump Station, - Digester Building, - Sludge Control Building, - Control Building, - Secondary Sludge Pumping Station, and - Pump Station The scope of work within each System is described in separate Site Sheets within the Project Worksheet. Each Site Sheet also provides an overview of the Systems location and function within the WWTP, and how loss of the System would affect the overall wastewater treatment process. Additionally, a Damage Description and Dimensions is provided to describe what caused the damage, how the System was damaged and what was damaged within the System. An Eligible Scope of Work and Cost Estimate are also provided to restore damage within each System to pre-disaster condition with current Codes & Standards. Similarly, a Mitigation Scope and Cost Estimate for restoration are included for each System. The cost estimates have been developed at the individual asset level using a variety of data sources and updated to January 2013, including historical cost, equipment vendor quotes, RS Means, and ARCADIS's experience designing and restoring WWTP's with similar scopes of work. See additional detail provided in the attachment. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)*****	
DAMAGE DESCRIPTION AND DIMENSIONS: PA-02-NY-4085-PW-02506(0): ARCADIS inspected and evaluated the Kingston WWTP and documented their work in a Report with recommendations for restoring the Kingston Wastewater Treatment Plant to pre-disaster condition including hazard mitigation. ARCADIS estimated costs are computed using RS Means 2013, catalogue prices for equipment, construction contracts from prior low bidders, and productivity factors estimated in consultation with the City. Additionally, ARCADIS used "bare" prices from RSMeans as "base costs". Refer to PW Site Sheets for estimated cost to restore individual equipment damaged within a System, and estimated Lump Sum cost to restore all damage within a System. An RSMeans city adjustment factor was also applied to the "bare cost" for each System to account for markups applied to labor rates. Since markups, including workers comp, social security and other taxes and project overhead are 40% of the base labor rate for electricians, and labor accounts for 50 percent of the city adjustment, an RSMeans CostWorks 2013 city adjustment factor of 1.24 was applied for work in Kingston, NY. The total estimated cost for restoring eight treatment process Systems without hazard mitigation is \$594,840; and the total estimated cost for restoring eight treatment process Systems with hazard mitigation is \$1,009,186. Therefore, the estimated cost for mitigation is (\$1,009,186 - \$594,840) \$414,346. A Cost Estimating Format (CEF) was applied to each cost estimate to account for the additional non-construction cost associated with the work. The total estimated contractor's cost for restoring the WWTP to pre-disaster condition without hazard mitigation is \$1,303,514; and the total estimated contractor's cost for restoring the WWTP including hazard mitigation is \$2,236,952. Additionally, a Hazard Mitigation Proposal (HMP) is provided to reduce or eliminate the threat of future similar damage to eight treatment process Systems. Hazard Mitigation Funding under Section 406 (Stallford Act), Disaster Assistance Policy #526.1, Appendix A, allows for up to 100% Hazard Mitigation Funding for potential mitigation measures that are pre-determined to be cost-effective for wastewater treatment facilities. They are "Elevation of equipment and controls that can be elevated easily" and "Dry or wet flood-proofing of buildings"; provided, the eligible cost for mitigation does not exceed the eligible cost to restore the eight damaged treatment process Systems to pre-disaster condition. The additional estimated cost for Hazard Mitigation is (\$2,236,952 - \$1,303,514) \$933,438; or [(\$2,236,952 - \$1,303,514) / \$1,303,514] 71.6% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the attachments. Current Version: PA-02-NY-4085-PW-02506(1): *****Current Version (1)***** This amendment was prepared to supersede the list of damaged items, scope of work, and project costs presented in the Version (0) project worksheet. Subsequent to the preparation of the Version (0) project worksheet, the Applicant provided additional data and further details to more completely identify the damaged items at the facility. An on-site visit between FEMA and the applicant was performed on September 17, 2014, where additional findings of damage were identified to the Wastewater Treatment Plant (WWTP) and a Lower Cost Alternative solution approach was discussed as well as code and compliance upgrades. FEMA, the applicant, and Arcadis Engineers, met again on December 2, 2014 where they discussed a request to modify the Scope, a budget increase, and period of performance extension. The detailed damage description and scope will be reflected in the individual site sheets with a restatement of the original language outlined as the "Background" along with newly developed costs in each system. Only relevant information will be restated, however, all estimated prices/costs from the original Project will be replaced with this version as a new estimate was completed. The cost estimates have been developed at the individual asset level using a variety of data sources and includes vendor quotes, RS Means, and Arcadis's experience designing and restoring WWTPs with similar scopes of work. NOTE: The facility numbers were originally written where the General Description Summary was placed at the end of the facilities and listed as Facility 9 rather than being listed as facility number 1. The version (1) will keep the same system numbers for the sake of uniformity. Due to the need to restore power to the facility as quickly as possible in order to restore critical pumping of the raw sewage and the treatment process itself a complete tear down and inspection of the equipment were not performed. Most equipment was only wiped clean and vacuumed, and heaters and dehumidifiers were installed in the rooms to dry the equipment. The equipment has been operating since the storm and an increase failure rate has been noticed with equipment that was submerged or partially submerged from the floodwaters. Additional damage identified since the project worksheet (PW) was submitted, consists of subsidence of the electrical conduits to Headhouse, Primary Sludge Pump Station, Plant Water Pump Station, Digester Building, Sludge Control Building, Secondary Sludge Pump Station, and East Strand Pump Station. The attached publication by National Electrical Manufacturers Association outlines and makes recommendations for replacement of cables, conduits, and electrical components damaged by floodwaters. Cables - (NEMA) that recommends actions for floodwater impacted equipment. This document recommends that cable suitable for wet locations that has ends or splices that have been exposed to water should be replaced or evaluated by a manufacturer for reconditioning. This NEMA publication only addresses water damaged conductors and indicates that typical floodwaters have unusual contaminants and pose an additional concern for the reliability of the conductors. The flood waters that infiltrated the facility were a mixture of sewage and salt water along with other unknown fluids (diesel fuel, gasoline, paint strippers, solvents and cooking oils are known potential contaminants in the vicinity of the Kingston WWTP) that may have been brought in with the surge of water. After the event, in order to restore the treatment process quickly, the WWTP staff meggered the primary feeder cables in the ductbank system to determine if they could be energized. The megger test is a non-destructive test that involves applying a DC voltage to the cable being tested. It is an insulation test to see if the insulation has been damaged in any way to cause a short circuit when normal power is applied to it. This test indicated that the insulation was okay to use immediately, however does not consider the long term effects of corrosion or future failure of the insulation due to floodwater contamination. Floodwaters have even been observed to penetrate between the copper conductor and the insulation. Contaminants in contact with the conducting material may begin to degrade the conductor under hidden conditions with the potential to cause immediate loss of power to the facilities critical treatment equipment. If the cables are to be inspected, full removal of the cable from the conduit to allow for insulation inspection and provide tracing of the space between the conductor and insulation would be required. In order to perform a complete tear down, inspection, testing and refurbishment of the cables, these cables will need to be taken completely out of service. This will require a temporary bypass of the equipment or process that is being serviced. Conduits - Distorted conduit walls due to uneven water pressure during the flood, sand intrusion, and rusted metal flakes will likely damage conductors as they are removed. The pulling equipment utilized will likely damage the end of the conductors during removal and require shortening the cables. The shortened cables will no longer reach between the two original terminals. Each conductor also has a maximum tensile rating to prevent narrowing of the conductor due to the pulling force. It is impossible to know how much tension will be required to remove each conductor, due to all of the above factors. The time and effort that can be attributed to this removal, inspection and testing process can add up to many times the cost of simply replacing the conductors. ARCADIS recommends full replacement of the conductors. This NEMA publication also recommends replacement of the fillings and boxes of the conduit system and reconditioning of the conduit itself pending manufacturer's inspection. Again the publication does not consider the contamination left behind from floodwaters. The ductbank system was overcharged with a mixture of sewage and salt water along with other unknown fluids and solids that may have been brought in with the floodwaters. Even with the pumping out of each conduit, the floodwaters left inside each conduit a solution of chemical contaminants that have remained and engrained themselves onto all surfaces. With the bulk of the conduits being rigid galvanized steel, the chemicals left behind have already begun to attack the surfaces of the conduit and other exposed metal systems. The conduits in each ductbank throughout the site need to be flushed, cleaned, swabbed and manholed. This would require conductor removal. Additionally all manholes and handholes need to be cleaned and cable racks, pulling irons, grounding systems inspected cleaned and replaced if necessary. This will require at a minimum the removal of the cables inside each conduit, which will require the temporary shutdown of the electrical distribution or associated process equipment. Temporary power or processing will need to be incorporated into the work. The conduit has likely lost the corrosion protection as required by NEC 300.6 due to the continued exposure to trace chemicals left behind after the floodwaters. To avoid the cost of removal and replacement of selected fittings, testing of surfaces, and corrosion resistance, ARCADIS recommends removal and replacement of the conduit system for these locations. With this newly identified damage and the current condition of the WWTP's emergency generators, ARCADIS has prepared an alternate solution, which provides an identical level of flood protection, a lower overall maintenance cost to the City and updates additional existing equipment to comply with current codes and standards for a lower estimated cost. The alternate Option "B" generally consists of the following modifications from a Replace-in-Kind solution, Option A. (See attached Appendix A Engineer's Opinion of Probable Construction Costs) • Flood equipment and electrical panelboards on half of the first floor of the Headhouse will be elevated above the critical elevation and installed on the second floor. This will enable the conference room, with more "disposable" furniture, to be placed on the first floor with a lower investment in floodproofing. The first floor will be dry-floodproofed to 12" above finished floor (el 6.0) and wet-floodproofed to an elevation of 72" above finished floor (el 11.0). • As part of flood mitigation, the emergency generator located in the west half of the plant must be elevated to mitigate the damage in future floods. This current structure does have sufficient head space to elevate the equipment and due to NYS Building Code, no modification can be performed without correcting the current code issues (working space) with this installation (NFPs 37.4.1.2.2.2). Thus a new pad, fuel storage, and enclosure would have to be constructed, Option B recommends elimination of this generator and providing a single generator at the current east generator location to handle the entire plant load. • A new electrical distribution building will not need to be constructed for the Primary Sludge Pump Station, Headworks and Plant Water Pump Station, instead the foundation and roof from the existing west emergency generator location will be reutilized and the space will be enclosed, dry-flood proofed and conditioned. • In order to compensate for the removal of the existing west emergency generator serving the Aeration Blowers, the emergency generator located in the east half of the plant will be increased in size to serve the entire facility. This existing generator set would require a flood mitigation protection measure of replacing the concrete pad and electrical conduit and conductor to get the critical components above the 11.0 flood elevation as a replace in kind measure. • A single service entrance rated Automatic Transfer Switch and a single emergency generator for the entire plant will necessitate only the replacement of one set of emergency leaders. • Electrical feeders to six electrical distribution panels and feeders from the west emergency generator were submerged during Superstorm Sandy. All of these conductors would require replacement due to subsidence in the salt water surge created by the storm. ARCADIS has prepared a cost estimate for the three options (approved PW, Replace in Kind Option A and a Lower Cost Alternative Option B) to demonstrate the differences and total cost of the proposed options as Attachment 2. The base costs in Attachment 2 were then put through the FEMA CEF worksheets (Attachments 3, 4, 5, and 6) to find the final project costs. The final costs are identified as shown in the following table: (Attachments 2-6 that are mentioned herein are included in the EMMIE Attachments named Arcadis Scope of Work 11-24-2014) ARCADIS finds the Option B to be a lower cost alternative that:	

- Provides an increased level of flood protection;
- Decreases required operation and maintenance effort by the City of Kingston by providing a new single generator and replacing two existing generators;
- Provides an upgraded facility electrical system that complies with relevant codes and standards and;
- Increases overall resiliency of the WWTP by providing a higher level of flood protection, a more robust and simplified electrical system, and hardens a number of the facilities.

General Description of Wastewater Treatment Facility

The liquid stream of the WWTP consists of the following unit processes:

- Screening;
- Grit Removal;
- Primary Clarification;
- Settled Sewage Pumping;
- Activated Sludge;
- Secondary Clarification; and
- Ultraviolet (UV) Disinfection.

The sludge handling systems of the WWTP consists of the following unit processes:

- Primary Sludge Pumping;
- Gravity Thickening of Primary Sludge;
- Waste Activated Sludge (WAS) Pumping;
- Gravity Thickening of WAS;
- Thickened Sludge Pumping;
- Anaerobic Digestion;
- Digested Sludge Pumping;
- Sludge Dewatering; and
- Sludge Drying/Pelletizing.

Wastewater flow enters the WWTP via three siphons from the Northside of Rondout Creek and one force main from the Southside of Rondout Creek. Flow then passes through the headworks (consisting of the screens and grit removal system) prior to entering the four primary clarifiers. The primary clarification effluent is pumped from a wet well to the aeration basins where it is mixed with return activated sludge. Mixed liquid from the aeration basins flows by gravity to the secondary clarifiers for final settling. Secondary clarifier effluent flows by gravity to the UV disinfection system. The final effluent is discharged into the tidal Rondout Creek, a New York State Department of Environmental Conservation (NYSDEC) Class C stream.

Sludge from the primary clarifiers is pumped first to the gravity thickener and then pumped into the anaerobic digesters. Waste activated sludge (WAS) from the secondary clarifiers is pumped directly into the anaerobic digesters. Digested sludge is pumped to and dewatered in the gravity belt thickener and belt filter press and then pumped to the sludge dryer/pelletizer where it is dried and stored before land application.

The overflow from the gravity thickener and a portion of the belt filter press filtrate are recycled back to the head of the plant. The remaining portion of the belt filter press filtrate and digester supernatant are recycled back to the primary settling tanks for treatment.

See the applicant's attachment "Kingston WWTP Navigation Exhibits" attached to the original project and individual site sheets for detailed descriptions of damages.

SCOPE OF WORK:

PA-02-NY-4085-PW-02506(0)

WORK TO BE COMPLETED:

The City of Kingston will employ a combination of Force Account Work and Vendor Contracts to restore the Kingston WWTP. Additionally, the City of Kingston may use the Design-Bid-Build method by requesting Professional Engineering Services to prepare contract documents (plans, specifications & cost estimates) of sufficient detail for competitive bidding to restore selected Systems to pre-disaster design including hazard mitigation, where appropriate. Additionally, Professional Engineering Services may be requested to assist during the bidding process, and provide Construction Administration and/or Design Services during Construction.

ATTACHMENTS:

Location/FIRMette/Aerial Maps,
Kingston WWTP Navigation Exhibits,
Kingston WWTP Photos,
City of Kingston Procurement Policy,
ARCADIS Project Narrative,
Overview of Asset Detail Inspection and Damage Assessment,
Equipment Operation & Maintenance Affidavit,
Detailed Inspection and Evaluation - Headworks,
Detailed Inspection and Evaluation - Primary Sludge Pump Station,
Detailed Inspection and Evaluation - Plant Water Pump Station,
Detailed Inspection and Evaluation - Digester Building,
Detailed Inspection and Evaluation - Sludge Control Building,
Detailed Inspection and Evaluation - Control Building,
Detailed Inspection and Evaluation - Secondary Sludge Pumping Station,
Detailed Inspection and Evaluation - Pump Station,
Existing 100-Year BFE Level of Protection,
Applicable Flood Protection and Hazard Mitigation Policy,
Hazard Mitigation Proposal,
Berm Material Test Results,
Sandbag Testing Results,
Civil Service Employees Pay Policy,
Contract Agreement between City of Kingston and ARCADIS for Professional Services,
CAMO WWTP Management Contract Agreement,
ASLAN Biosolids Production Contract Agreement,
CEF for Repair without Hazard Mitigation & with Hazard Mitigation.

PROJECT NOTES:

RECORD RETENTION: Complete records and cost documents for all approved work must be maintained for at least 3 years from the date the last project was completed or from the date final payment was received, whichever is later. Applicant is responsible for retention of all documentation associated with this project.

SUPPORTING DOCUMENTATION: 20% or more of the documentation to support this project has been reviewed and verified by the Applicant and Project Specialist for eligibility and correctness. The ARCADIS Report was validated on 7/1/13 and is attached to this Project Worksheet.

PROCUREMENT: The applicant is required to adhere to State Government Procurement rules and regulations and maintain adequate records to support the basis for all purchasing of goods and materials and contracting services for projects approved under the Public Assistance program, as stated in 44 CFR 13.36. The applicant has advised they have/will follow their normal procurement procedures.

PERMITS: The PA Project Specialist has advised the Applicant that it is their responsibility to obtain all applicable local, state and federal permits prior to any construction or debris disposal activity referenced on this project. Applicant has also been advised that the lack of obtaining and maintaining these documents may jeopardize funding.

INSURANCE: The applicant is aware that all projects are subject to an insurance review as stated in 44 C.F.R., Sections 206.252 and 206.253. If applicable an insurance determination will be made either as anticipated proceeds or actual proceeds in accordance with the applicant's insurance policy that may affect the total amount of the project.

DIRECT ADMINISTRATIVE COSTS: At this time, the sub-grantee has not requested Direct Administrative Costs (DAC) that is directly chargeable to this specific project. However, if the Applicant chooses to submit for DAC, they should keep a running log of the costs associated with developing this PW. The DAC may be presented by the Applicant for review and validation during project closeout.

Associated eligible work is related administration of the PA project only and in accordance with 44 CFR 13.22. These costs are treated consistently and uniformly as direct costs in all federal awards and other sub-grantee activities and are not included in any approved indirect cost rates.

HAZARD MITIGATION MEASURES: ARCADIS has examined the Kingston WWTP, evaluated damage and investigated opportunities for mitigating damage by a similar disaster. Additionally, ARCADIS prepared a Report describing the method of restoration, including Hazard Mitigation where appropriate.

CODES and STANDARDS: Architects & Engineers (A/E) employ the following Codes and Standards for wastewater facilities:

- Recommended Standards for Wastewater Works, Great Lake and Upper Mississippi River Board (Ten States Standards)
- New York State Building Code
- NFPA 820 – Standard for Fire Protection for Wastewater Treatment and Collection Facilities
- NFPA 30 – Flammable and Combustion Liquids Code

Current Version:

PA-02-NY-4085-PW-02506(1):

*****Current Version (1)*****

WORK TO BE COMPLETED

GENERAL SCOPE OF WORK Site 9

The detailed damage description and scope will be reflected in the individual site sheets with a restatement of the original language outlined as the "Background" along with newly developed costs in each system. Only relevant information will be restated, however, all estimated prices/costs from the original Project will be replaced with this version as a new estimate was completed. The cost estimates have been developed at the individual asset level using a variety of data sources and includes vendor quotes, RS Means, and Arcadis' experience designing and restoring WWTPs with similar scopes of work.

The total estimated cost for restoring eight treatment process Systems back to pre-disaster condition without hazard mitigation is \$1,512,316 + \$52,100 contents = \$1,564,416; and the total estimated cost for restoring eight treatment process Systems with proposed hazard mitigation is the amount of \$1,248,883 is \$2,811,279. FEMA has provided a Cost Estimating Format (CEF) which includes factors in its cost estimator to account for the additional non-construction cost associated with the scope of work.

(\$2,811,279 - \$1,248,883 HMP) = \$1,564,416 (rounded) div \$1,248,883 = 80% of total eligible cost to restore the WWTP to pre-disaster condition. See additional detail provided in the CEF and attachments.

PROJECT NOTES:

4/4/2016

Federal Emergency Management Agency E-Grants

VERSION REQUEST: A version request (1) was requested on 2/25/2015 and approved as VR-50 HAZARD MITIGATION. The WWTP is located within the 100-year floodplain, in a Special Flood Hazard Area (SFHA). In accordance with the recommendations of FEMA 543, and in accordance with 44 CFR Part 9 Floodplain Management and Protection of Wetlands, Executive Order 11988, and Issue Paper # 39, the preferred level of protection for the WWTP facility is the 0.2 percent annual chance, or 500-year, flood event. Currently a flood elevation for the 500-year flood event has not been identified for this area and FEMA has not identified a base flood elevation for this site. The 100-year flood elevation is eight feet above mean sea level NAVD88. FEMA 543 and ASCE 24-05 designate a level of protection of the 100-year plus two to three feet for critical infrastructure. In a meeting with FEMA and State Hazard Mitigation Specialists on February 28, 2013, the 100-year plus three feet level of protection was identified and approved. As such, the design flood elevation for consideration of permanent recovery and mitigation for this site is eleven feet NAVD88.

Additionally, a Hazard Mitigation Proposal (HMP) is provided to reduce or eliminate the threat of future similar damage to eight treatment process Systems. Hazard Mitigation Funding under Section 406 (Stafford Act), Disaster Assistance Policy 9525.1, allows for up to 100% Hazard Mitigation Funding for potential mitigation measures that are pre-determined to be cost-effective for wastewater treatment facilities. They are "Elevation of equipment and controls that can be elevated easily" and "Dry or wet flood-proofing of buildings"; provided, the eligible cost for mitigation does not exceed the eligible cost to restore the eight damaged treatment process Systems to pre-disaster condition. Applicant has provided a BCA with justification to document and justify costs proposed in excess of the 100% cap.

CONTENTS

Items listed as contents include:

Item # 1.1 - Valve Actuator

Item # 1.4 - Odor control Granules

Item # 1.6 - UV Lamps and Sleeves (94) each

Does the Scope of Work change the pre-disaster conditions at the site? ☒ Yes ☐ No
 Special Considerations included? ☒ Yes ☐ No

Hazard Mitigation proposal included? ☒ Yes ☐ No
 Is there insurance coverage on this facility? ☒ Yes ☐ No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	0000	Work to be Completed	0/LS	\$ 0.00	\$ 0.00
2	9000	CEF Cost Estimate (See Attached Spreadsheet)	1/LS	\$ 1,303,514.00	\$ 1,303,514.00
		*** Version 1 ***			
		Other			
3	9999	"De-Obligate" Amount Obligated in Version Zero	1/LS	\$ -1,303,514.00	\$ -1,303,514.00
4	9000	CEF Cost Estimate (See Attached Spreadsheet)	1/LS	\$ 1,524,392.00	\$ 1,524,392.00
5	9009	Material	1/LS	\$ 52,100.00	\$ 52,100.00
6	0909	Hazard Mitigation Proposal	1/LS	\$ 1,438,805.00	\$ 1,438,805.00
				TOTAL COST	\$ 3,015,297.00

PREPARED BY RON KROLIKOWSKI

TITLE FEMA Project Specialist

SIGNATURE

APPLICANT REP. ~~Steve Reinhardt~~

STEVE NOBLE

TITLE ~~Executive Director~~

MAYOR

SIGNATURE

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AND ADOPTING THE BOND ORDINANCE IN THE AMOUNT OF \$1,904,452.00

Sponsored By: Finance and Audit Committee: Alderman: Mills, Dunn, Will, Ball, Brown

WHEREAS, authorization for a bond ordinance for funds in the amount of \$1,904,452.00 is needed for the purpose of funding and administering the FEMA grant #3972704 for the construction upgrades and hazard mitigation costs related to the Waste Water Treatment Plant superstorm Sandy damage;

WHEREAS, FEMA reimbursement of the costs equals 90%, local share \$190,445.00.

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

SECTION-1. That the Common Council authorizes the adoption of the bond ordinance in the amount of \$1,904,452.00 for the purpose of funding and administering the FEMA grant #3972704 for the constructions upgrades and hazard mitigation costs related to the Waste Water Treatment Plant superstorm Sandy damage.

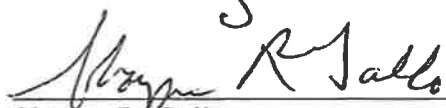
SECTION-2. The FEMA reimbursement of the costs equals 90%, with the local share being \$190,445.00.

SECTION-3. This resolution shall take effect immediately.

Submitted to the Mayor this 7th day of May, 2014


Carly Williams, City Clerk

Approved by the Mayor this 8th day of May, 2014


Shayne R. Gallo, Mayor

Adopted by Council on May 6, 2014

Res 2014 Authorize Bond WWTP Sandy damage

Resolution 101 of 2016

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING AND ADOPTING A BOND ORDINANCE IN THE SUM OF \$2,210,000.00
FOR WASTE WATER TREATMENT PLANT PROJECTS**

Sponsored By: Finance and Audit Committee:

Aldermen: Koop, Will, Davis, Schabot, Brown

WHEREAS, request has been made for a bond in the amount of \$2,210,000.00 for the following Waste Water Treatment Plant project:

Aeration Blowers	\$810,000
Roof Repairs	570,000
Generator Upgrades	830,000 for a total of \$2,210,000.00; and

WHEREAS, this is in addition to the \$140,000.00 previously approved to bond for the projects.

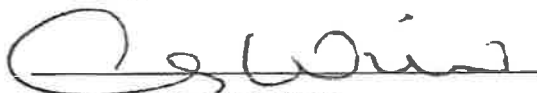
**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

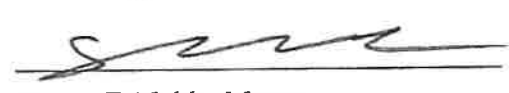
SECTION-1. That the Common Council authorizes the amount of \$2,210,000.00 to be provided through General Municipal bonding to pay for the Waste Water Treatment Plant projects.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 6th day of
April, 2016

Approved by the Mayor this 6th day of
April, 2016


Carly Winnie, City Clerk


Steven T. Noble, Mayor

Adopted by Council on April 5, 2016

Res 101 2016 Authorize bond WWTP \$2,210,000

Resolution 155 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING ADOPTING A BOND ORDINANCE IN THE SUM OF \$1,371,798.00 FOR
ADDITIONAL FUNDING OF THE WASTE WATER TREATMENT PLANT RESTORATION
PROJECT

Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, the sum of \$1,904,452 was previously authorized for the restoration of
the Waste Water Treatment Plant; and

WHEREAS, a request has been made for bonding in the additional amount of
\$1,371,798 to fund the restoration of the Waste Water Treatment Plant.

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

SECTION-1. That the Common Council authorizes an amount of \$1,371,798 be
provided through General Municipal bonding to fund the restoration of the Waste Water
Treatment Plant.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of
_____, 2017

Approved by the Mayor this _____ day of
_____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 155 2017 Addl Bond WWTP Restoration

155

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT Comptroller on behalf of Comptroller Engineering DATE 7/19/17
Description

Respectfully request additional \$1,371,898 in bonding for the Kingston Wastewater Treatment restoration and project. \$1,904,452 was previously authorized May 2014.

Estimated Financial Impact \$1,371,898

Signature [Signature]

Motion by RS-C

Seconded by SS

Action Required:

SEQRA Decision:

Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

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

BOND ORDINANCE DATED AUGUST 1, 2017.

AN ORDINANCE AUTHORIZING WASTEWATER TREATMENT PLANT CONSTRUCTION UPGRADES AND HAZARD MITIGATION IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A NEW MAXIMUM ESTIMATED COST OF \$3,276,250, AND AUTHORIZING THE ISSUANCE OF \$1,371,798 BONDS OF SAID CITY TO PAY COSTS THEREOF.

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

Section 1. Wastewater treatment plant construction upgrades and hazard mitigation in and for the City of Kingston, Ulster County, New York, including incidental costs and expenses is hereby authorized at a new maximum estimated cost of \$3,276,250.

Section 2. The plan for the financing thereof is (i) by the issuance of \$1,904,452 bonds authorized by a bond ordinance dated May 6, 2014, and (ii) by the issuance of \$1,371,798 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of state and federal grants received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the

taxable real property in said City ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

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

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

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

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

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

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

Section 8. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____
Alderman _____	VOTING _____

The ordinance was thereupon declared duly adopted.

CERTIFICATION FORM

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 1st day of August, 2017.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this ____ day of August, 2017.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on August 1, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Kingston, New York,
_____, 2017.

City Clerk

BOND ORDINANCE DATED AUGUST 1, 2017.

AN ORDINANCE AUTHORIZING WASTEWATER TREATMENT PLANT CONSTRUCTION UPGRADES AND HAZARD MITIGATION IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A NEW MAXIMUM ESTIMATED COST OF \$3,276,250, AND AUTHORIZING THE ISSUANCE OF \$1,371,798 BONDS OF SAID CITY TO PAY COSTS THEREOF.

Object or purpose:	Wastewater treatment plant construction upgrades and hazard mitigation
Maximum Estimated Cost:	\$3,276,250
Period of probable usefulness:	Forty years
Amount of obligations to be issued:	\$1,371,798 bonds (\$1,904,452 bonds previously authorized)



ORRICK, HERRINGTON & SUTCLIFFE LLP
51 WEST 52ND STREET
NEW YORK, NY 10019-6142
tel 212-506-5000
fax 212-506-5151
WWW.ORRICK.COM

July 24, 2017

Thomas E. Myers
(212) 506-5212
tmyers@orrick.com

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

Mr. John Tuey, City Comptroller
City of Kingston
City Hall/420 Broadway
Kingston, NY 12401

Re: City of Kingston, Ulster County, New York
Wastewater Treatment Plant Construction Upgrades and Hazard Mitigation -
\$1,371,798 Additional Bonds
Orrick File: 42394-2-59

Dear John:

In accordance with your request, we are enclosing proceedings of the Common Council containing a bond ordinance in connection with the above matter.

If the ordinance meets with the approval of the Common Council, please have it adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Council.

As soon as possible after the adoption of such ordinance, the enclosed summary Legal Notice of Estoppel should be published in *The Daily Freeman*, the newspaper designated for this purpose in the bond ordinance.

As soon as available, please furnish us with the following:

1. An ORIGINALLY certified copy of the enclosed bond ordinance, showing the vote taken thereon.
2. An ORIGINAL printer's affidavit of publication of the Legal Notice of estoppel from *The Daily Freeman*, the official newspaper of the City.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
/es

BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 1st day of August, 2017, at ____ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

Resolution 157 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE AMENDMENT OF THE CITY OF KINGSTON FEE SCHEDULE FOR
CITI BUS**

Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, a request has been made to amend the fee schedule for Kingston Citibus in an effort to continue to expand ridership.

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

SECTION-1. That the Common Council authorizes the amendment to the City of Kingston fee schedule for Citibus as follows:

Regular Routes (A,B,C)

\$1.00 rides in the City of Kingston
\$.50 half-fare rides in the City of Kingston
\$2.00 rides to Port Ewen
\$1.00 half-fare to Port Ewen

ParaTransit Routes

\$2.00 rides in the City of Kingston
\$4.00 rides in and to Port Ewen

Half fare for rides in the City of Kingston is allowed for seniors over the age of 65, persons with disabilities or those receiving Medicare during non-peak hours. Proof will be required when boarding Citibus. Non-peak hours are defined as those boarding the bus outside of 7:30 am to 9:30 am and 4:30 pm to 6:30 pm.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2017

Approved by the Mayor this ____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

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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 _____

DEPARTMENT <u>Mayor</u>	DATE <u>7/29/17</u>
Description: <u>Request Citibus halt fares during non-peak hours for all seniors over age of 65 (per letter 7/2/17 from Noble to Jane Noble)</u>	
Estimated Financial Impact _____	Signature _____

Motion by RS-C

Seconded by SS

Action Required: _____

SEQRA Decision:

Type I Action _____

Type II Action _____

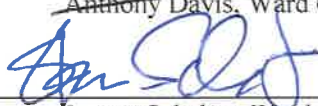
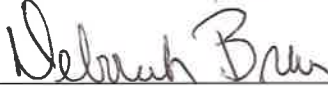
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
 Douglas Koop, Chairman	✓	
 Reynolds Scott-Childress Ward 3	✓	
 James Noble Anthony Davis, Ward 6	✓	
 Steven Schabot, Ward 8	✓	
 Deborah Brown, Ward 9	X	

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



July 7, 2017

Honorable James Noble, President
City of Kingston Common Council
420 Broadway
Kingston, N.Y. 12401

Dear President Noble,

After recent discussions with the Federal Transit Administration and in an effort to continue to expand ridership, I would like to institute a half fare during non-peak hours, for all seniors over the age of 65. The rate of this fare would be \$.50. I would also request that the complementary Paratransit rate also be adjusted down to \$2.00.

I ask that you please send this to the appropriate committee for their review. Please see the new, revised fee schedule for Kingston Citibus.

REGULAR ROUTES (A,B,C)

\$1.00 rides in the City of Kingston
\$.50 half-fare rides in the City of Kingston
\$2.00 rides to Port Ewen
\$1.00 half-fare to Port Ewen

PARATRANSIT ROUTES

\$2.00 rides in the City of Kingston
\$4.00 rides in and to Port Ewen

Half-fare is allowed for seniors over the age of 65, persons with disabilities or those receiving Medicare. Proof will be required when boarding Citibus. Non peak hours are defined as those boarding the bus outside of 7:30am-9:30am and 4:30pm-6:30pm.

Thank you for your consideration.

Respectfully Submitted,

Steve Noble
Mayor

Resolution 158 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR AND THE KINGSTON CITY LAND BANK, INC., ON BEHALF OF THE CITY OF KINGSTON TO APPLY FOR LAND BANK DESIGNATION FROM THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT CORPORATION UNDER ARTICLE 16 OF THE NEW YORK STATE NOT-FOR-PROFIT CORPORATION LAW

Laws and Rules Committee: Aldermen: Eckert, Dawson, Carey, Brown

WHEREAS, in July 2011 New York State enacted Article 16 of the New York State Not-for-Profit Corporation Law (the "Land Bank Act") providing for the creation of land banks to be used by communities to facilitate the return of vacant, abandoned, dilapidated and tax-delinquent properties to productive use; and

WHEREAS, the Land Bank Act currently limits the number of land banks to be created in New York to twenty-five (25) and the creation of each land bank requires the approval of the Empire State Development Corporation ("ESD"); and

WHEREAS, the City of Kingston is an eligible Foreclosing Governmental Unit under the Land Bank Act and finds that applying for official land bank designation under the Land Bank Act is in the best interest of the City of Kingston; and

WHEREAS, Resolution 141 of 2015 authorized the Mayor to take such steps as necessary for the creation of an entity for the purpose of land banking activities, to submit an application to ESD and to execute all necessary documents for accepting and implementing land bank designation; and

WHEREAS, subsequent to this resolution, an interim board of five (5) members, appointed through the City of Kingston's official board/commission member appointment process, was formed to begin the creation of said land bank; and

WHEREAS, said interim board has created by-laws (attached as Appendix A to this resolution) to begin governing said entity and stipulating the make-up of the permanent board of directors for the land bank;

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

SECTION-1. That the Mayor and the Kingston City Land Bank (KCLB) board are authorized to take all necessary steps to apply for land bank designation as required by the New York State Land Bank Program application to be submitted to ESD.

SECTION-2. That the Mayor and KCLB be hereby authorized to take such steps as necessary to form a not-for-profit corporation that meets the criteria of the Land Bank Act and to execute the land bank application as the designated municipal official for that purpose.

SECTION-3. That the by-laws of the KCLB require that the Board of Directors create a resident advisory committee composed of representatives of the areas in which the land bank works to advise and inform the actions of the board in said areas.

SECTION-4. That the current five (5) board members of the KCLB are appointed and remain as the interim Board of Directors of the entity seeking land bank designation from ESD and to act as the interim Board of Directors while and until the full complement of nine (9) directors can be selected as prescribed in the current by-laws and through the City of Kingston's official board/commission member appointment process and while all necessary policies and procedures are finalized in accordance with the statutory requirements of the Land Bank Act. Said board is as follows:

Ralph Swenson, Engineer
City of Kingston, NY

Suzanne Cahill, Planner
City of Kingston, NY

Tom Tiano, Deputy Chief
Kingston Fire Department's
Building Safety Division

Patrice Courtney Strong, President
Courtney Strong, Inc.
Kingston Resident & Business Owner

Steven Pampinella, Professor
State University of New York
Political Science and International Relations Program
Kingston Resident & Policy Professional

SECTION-5. That this resolution shall take effect immediately.

Submitted to the Mayor this ____ day of
_____, 2017

Carly Winnie, City Clerk

Approved by the Mayor this ____ day of
_____, 2017

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

108

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT _____	DATE _____
Description <u>Landbank Resolution - See Attached</u>	
See Attached ✓	
Signature <u>[Signature]</u>	

Motion by Bill Carey

Seconded by Deb Brown

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
<u>[Signature]</u> Lynn Eckert, Chairman	x	
<u>[Signature]</u> Reynolds Scott-Childress, Ward 3	✓	
<u>[Signature]</u> Bill Carey, Ward 5	✓	
Maryann Mills, Ward 7		
<u>[Signature]</u> Deborah Brown, Ward 9	x	

RESOLUTION #159 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR A STREET NUMBER CHANGE
ON WASHINGTON AVENUE

Sponsored by: Public Safety/General Government Committee
Schabot, Eckert, Davis, Brown

WHEREAS, Resolution #193 of 1998 adopted a procedure for the numbering and renumbering of street addresses for City of Kingston parcels; and

WHEREAS, the Engineering Department has submitted a request for an address change on Washington Avenue in the City of Kingston; and

WHEREAS, the Public Safety/General Government Committee has received, reviewed and approved this request:

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

SECTION 1. That 171 Washington Avenue be renumbered to 178 Pearl Street as access to the property is from Pearl Street;

SECTION 2. That this resolution shall take effect immediately.

Submitted to the Mayor this _____
day of _____ 2017

Approved by the Mayor this _____
day of _____ 2017

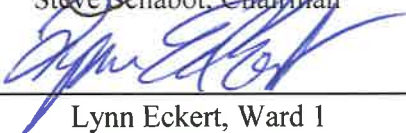
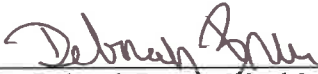
CARLY WINNIE, CITY CLERK

STEVEN T. NOBLE , MAYOR

Adopted by Council on August 1, 2017

StNum

159

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
 Steve Schabot, Chairman	✓	
 Lynn Eckert, Ward 1	✓	
Nina Dawson, Ward 4 	✓	
Anthony Davis, Ward 6 	✓	
Deborah Brown, Ward 9		

Higgins, Janet

From: Winnie, Carly
Sent: Friday, July 21, 2017 4:48 PM
To: Higgins, Janet
Subject: Resolution for Street number change
Attachments: St Num change.docx

Janet,

Here's the resolution to change 171 Washington to 178 Pearl. All you should have to do is add the Aldermen names from the committee report and a resolution number after the PS meeting. There's another communication regarding changing Noone Street to Noone Lane. You might be able to alter this to fit that one as well. I'm not sure.

I'm sorry to leave you with all of this!! I was going to try to come in on Monday morning, but now I have to go see the Orthopedist.

BTW – typing with one hand is so much harder!

Carly Winnie

City Clerk
City of Kingston
Phone - 845-334-3914
Fax – 845-334-3918

City of Kingston

NEW YORK

OFFICE OF THE CITY ENGINEER



June 14, 2017

James Noble, President
City of Kingston Common Council
City Clerk's Office
City Hall
420 Broadway
Kingston, New York 12401

RE: Proposed Address Changes: #171 Washington Avenue to #178 Pearl Street

Dear President Noble:

This Office was contacted by the property owners of #171 Washington Avenue regarding a request for a change in their property address from #171 Washington Avenue to #178 Pearl Street.

In addition to this property, the previous owner also owned an adjoining parcel that allowed access to Washington Avenue. That owner sold the properties separately and as can be seen from the attached map and photo, the property known as #171 Washington does not have the access they previously enjoyed.

It is therefore being proposed that the subject property be renumbered as #178 Pearl Street and will be accessed via a private drive shown on the Tax Map as "Victory Terrace".

Therefore, pursuant to Resolutions #193 of 1998 and #105 of 1999, "...the Common Council shall review and approve all street number assignments and reassignments for all parcels within the City of Kingston..." it respectfully requested that the Common Council take this matter under consideration.

I thank you in advance for your anticipated timely response and if you should have any additional questions, do not hesitate to contact me.

Sincerely,


Alan J. Adin
Engineering Technician

Cc: Alderman Scott-Childress

**Frank Ciailelo and Tom Edwards
171 Washington Avenue
Kingston, NY 12401**

**Mr. Alan Adin
Engineering Technician
City of Kingston Engineering Department
City Hall
420 Broadway
Kingston, NY 12401**

June 1, 2017

Dear MR. ADIN:

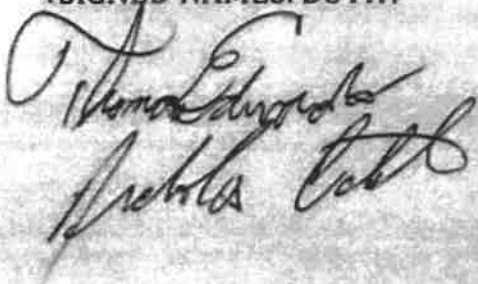
Following up on the conversation you had with our real-estate agent, Hayes Clement, this week, we hereby confirm that we wish to change the legal street address of our house (SBL 56.107-1-13) from 171 Washington Avenue to a Pearl Street address between numbers 172 and 188, the addresses of the houses adjoining each side of 50-foot-wide driveway we own and maintain to Pearl Street from the property (portion of 2015 survey map attached).

In your presentation of our request to county 911 officials, please convey that we will install a clearly visible address marker on the Pearl Street frontage, to whatever specifications requested by you and county 911. We would also point out that clearly marked, the existing driveway from Pearl Street would likely be easier for EMS personnel to spot than the 171 Washington Avenue entry, which is unmarked and only accessible through the parking lot of a dental office at that frontage.

Thank you for your consideration. Please call Tom at 845-399-0899 if you have any questions.

Best regards,

(SIGNED NAMES. BOTH)

The block contains two handwritten signatures in dark ink. The top signature is 'Frank Ciailelo' and the bottom signature is 'Tom Edwards'. Both are written in a cursive, flowing style.

Resolution 160 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE AMENDMENT OF THE CITY OF KINGSTON FEE SCHEDULE TO
INCLUDE A "FAILED INSPECTION FEE"**

Finance and Audit Committee: Aldermen: Koop,
Scott-Childress, J. Noble, Schabot, Brown

WHEREAS, a request has been made to amend the City of Kingston Fee Schedule to include a "Failed Inspection Fee" which would help cover the cost involved with inspection visits, paperwork that must be generated, time away from other duties, etc. and allow the Building Safety Department to obtain compliance with the Orders to Remedy quicker.

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

SECTION-1. That the Common Council authorizes the amendment to the City of Kingston Fee Schedule to include the following:

\$ 250.00 for first failed inspection
\$ 500.00 for second failed inspection
\$1,000.00 for third and subsequent failed inspections

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2017

Approved by the Mayor this ____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 160 2017 Amend Fee Schedule Failed Inspection

160

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 _____

DEPARTMENT <u>Fire Dept- Building Safety Div</u>	DATE <u>7/19/17</u>
Description: <u>Institute "Failed Inspection Fee" per Ltr of 6/29/17</u> <u>(Thomas Trow to James Toble) as attached</u>	
<u>* 250 First Violation in instance of first failed inspection</u> <u>500 in instance of 2nd failed inspection</u> <u>1,000 in instance of third and subsequent failed inspection</u>	
Estimated Financial Impact _____	Signature _____

Motion by RS-C

Seconded by DB

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

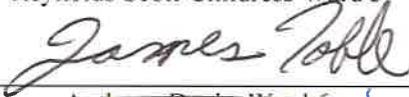
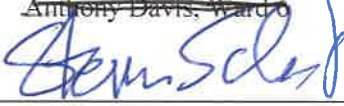
Unlisted Action _____

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	✓	
 James Toble Anthony Davis, Ward 6	✓	
 Steven Schabot, Ward 8	✓	
 Deborah Brown, Ward 9	✓	

CITY OF KINGSTON
Kingston Fire Department
Building Safety Division
ttiano@kingston-ny.gov

Steven T. Noble, Mayor
Mark Brown, Fire Chief



Tom Tiano, Deputy Chief
Joe Safford, Zoning Officer

June 29, 2017

James Noble
Alderman at Large
City of Kingston

Mr. Noble:

I am sending this letter to address an issue that has just come to light. As you know, my office is responsible for upholding the codes adopted by the State of New York as well as the codes set forth by the City of Kingston. When we encounter a violation of these codes, a "Violation Notice/Order to Remedy" is sent out to the offending party with a time period to correct these violations. In the past, if the violation was not corrected, a fee was assessed by my department until the offending party comes into compliance. I have just found out from Corporation Counsel that the New York State Executive Law Section 382(2) that we were using to fee these violators can only be applied by the courts. This now takes away the only tool my department has to make someone comply with the Violation Notice, without going through the court system.

What I am requesting, is that the Common Council amend the City of Kingston Fee Schedule to include a "Failed Inspection Fee" of \$500.00 to be assessed each time an inspector has to follow-up to see that the violations have been corrected. Currently, there is no "Failed Inspection Fee", so this would help cover the cost involved with inspection visits, paperwork that the inspector must generate, time away from other duties, etc.. This will also allow my department to obtain compliance with the "Orders to Remedy" quicker once the offending party knows that we can once again fee and will continue to until the violation is corrected.

I thank you for your time and would be happy to address the committee on this matter.

Sincerely,

Thomas Tiano

Building Safety Division

Resolution 161 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE CHANGE OF NAME OF NOONE STREET TO NOONE LANE**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to change the name of Noone Street to Noone Lane.

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

SECTION-1. That the Common Council authorizes the change of name of Noone Street to Noone Lane.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of
_____, 2017

Approved by the Mayor this _____ day of
_____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 161 2017 Change Noone Street to Noone Lane

161

City of Kingston

NEW YORK

OFFICE OF THE CITY ENGINEER



June 15, 2017

James Noble, President
City of Kingston Common Council
City Clerk's Office
City Hall
420 Broadway
Kingston, New York 12401

RE: Proposed Street Name Change: Noone Street to Noone Lane

Dear President Noble:

Subsequent to my communication to you dated March 23, 2017 requesting consideration for changing the address of existing #77 Linderman Avenue to #10 Noone Street (see attached), there have been ongoing discussions and confusion about whether the name of the thoroughfare itself is Noone Street or Noone Lane. Deeds for all the contiguous properties on Noone between Linderman Avenue and Pearl Street reference both names although our Official City Street Directory clearly states that in 1875 the City Council accepted the deeded roadway name as Noone Street.

Because of the document discrepancies and incorrect but commonly used name (appearing on many maps and even the street sign), and after consultation with the Assessor, it is proposed that the name be officially changed by Resolution to Noone Lane.

In addition, please note that the Council has not yet taken any action on the original request from March to change the address of #77 Linderman.

I thank you in advance for your anticipated timely response and if you should have any additional questions, do not hesitate to contact me.

Sincerely,

Alan J. Adin
Engineering Technician

Cc: Alderman Scott-Childress
Kathryn Heekin

City of Kingston

NEW YORK

OFFICE OF THE CITY ENGINEER



March 23, 2017

James Noble, President
City of Kingston Common Council
City Clerk's Office
City Hall
420 Broadway
Kingston, New York 12401

RE: Proposed Address Changes: #77 Linderman Avenue to #10 Noone Street

Dear President Noble:

As the result of a delay in locating a house during an Emergency Services response call, this office was contacted by the Fire Department to review the current address of a property and dwelling currently listed as #77 Linderman Avenue (see attachments). The home in question sits back Linderman Avenue approximately 100 feet and is entered from a sidewalk and doorway off of Noone Street.

The property owner has been contacted in writing and is in agreement with the proposed change of address as is the Ulster County Office of Emergency Management (911). 3rd Ward Alderman Scott-Childress has also been informed of the proposed change but as of this date has not commented.

Therefore, pursuant to Resolution #193 of 1998, "...the Common Council shall review and approve all street number...reassignments...", it respectfully requested that the Common Council take this matter under review.

I thank you in advance for your anticipated timely response and if you should have any additional questions, do not hesitate to contact me.

Sincerely,

Alan J. Adin
Engineering Technician

Cc: Alderman Scott-Childress
Deputy Chief Platte
Kathryn Heekin

CITY OF KINGSTON
Office of the City Engineer

rswenson@kingston-ny.gov

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

December 13, 2016

Kathryn Heekin
77 Linderman Avenue
Kingston, NY 12401

Re: Proposed Change of Address

Dear Ms. Heekin:

The City of Kingston Fire Department recently informed this office that while responding to an emergency call at your house, there was confusion on the part of the Responders as to the location. As described by the Fire Department, the issue is related to: (a) the physical distance from the front of the house to Linderman, (b) the fact that although the front door does face Linderman, access to it is from a sidewalk on Noone Street and (c) the mailbox is located on Noone adjacent to the sidewalk.

The Ulster County Emergency Response System (911) uses a pre-mapped locating plan based on a dwelling's street and mailing address and on what street it is accessed from. Although your house is accessed from Noone Street, you have a Linderman Avenue address. The accuracy of the street numbering scheme and it's interrelationship with the corresponding phone number is the most vital component for the effective functioning of Emergency Response. As I'm sure you can appreciate, even a relatively negligible delay of a minute or two in the arrival of an emergency vehicle could potentially have very serious consequences.

In order to comply with current policies and procedures established by the Ulster County Office of Emergency Management (E-911) and in the interest of public safety (i.e. for purposes of ambulance, Fire or Police response), it has been recommended that the process be initiated to correct the existing misleading and misrepresentative street numbering of your property.

This letter is being sent to notify you that such a change is being proposed and give you the opportunity for input before the process moves forward.

The standard method to resolve the issue in the most expedient way is to change the existing mailing/street address of your property to Noone Street through Legislative action. Pursuant to City of Kingston Common Council Resolution #105 of 1999, it is required that "...the Common Council shall review and approve all [existing] street number reassignments for all parcels within the City of Kingston..."

If you give your consent for the proposed change, the matter will be forwarded to the General Government and Public Safety Committee of the Common Council and the Alderman of your Ward, Reynolds Scott-Childress. Concurrently, the proposed revised address is submitted to the following departments and agencies for their independent review, comment and approval: *Ulster County Office of Emergency Management, Ulster County Board of Elections, Kingston Post Office, Kingston Fire*

CITY OF KINGSTON
Office of the City Engineer

~~rswenson@kingston-ny.gov~~

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

Department, Kingston Police Department, City of Kingston Assessor, City of Kingston Building and Safety Division of the Fire Department, Kingston Planning Office, Kingston Water Department, and City of Kingston Code Enforcement Officer, Corporation Counsel.

As the final step, when you and all involved parties are in agreement with the proposed change, the matter will then go before the full Common Council to be passed as a Resolution authorizing the address revision.

The revised address being proposed for your property is #10 Noone Street. Please see the attached maps.

Once the full Council approves the change, a notification is sent informing you and all the agencies listed above, that the new address has become "official".

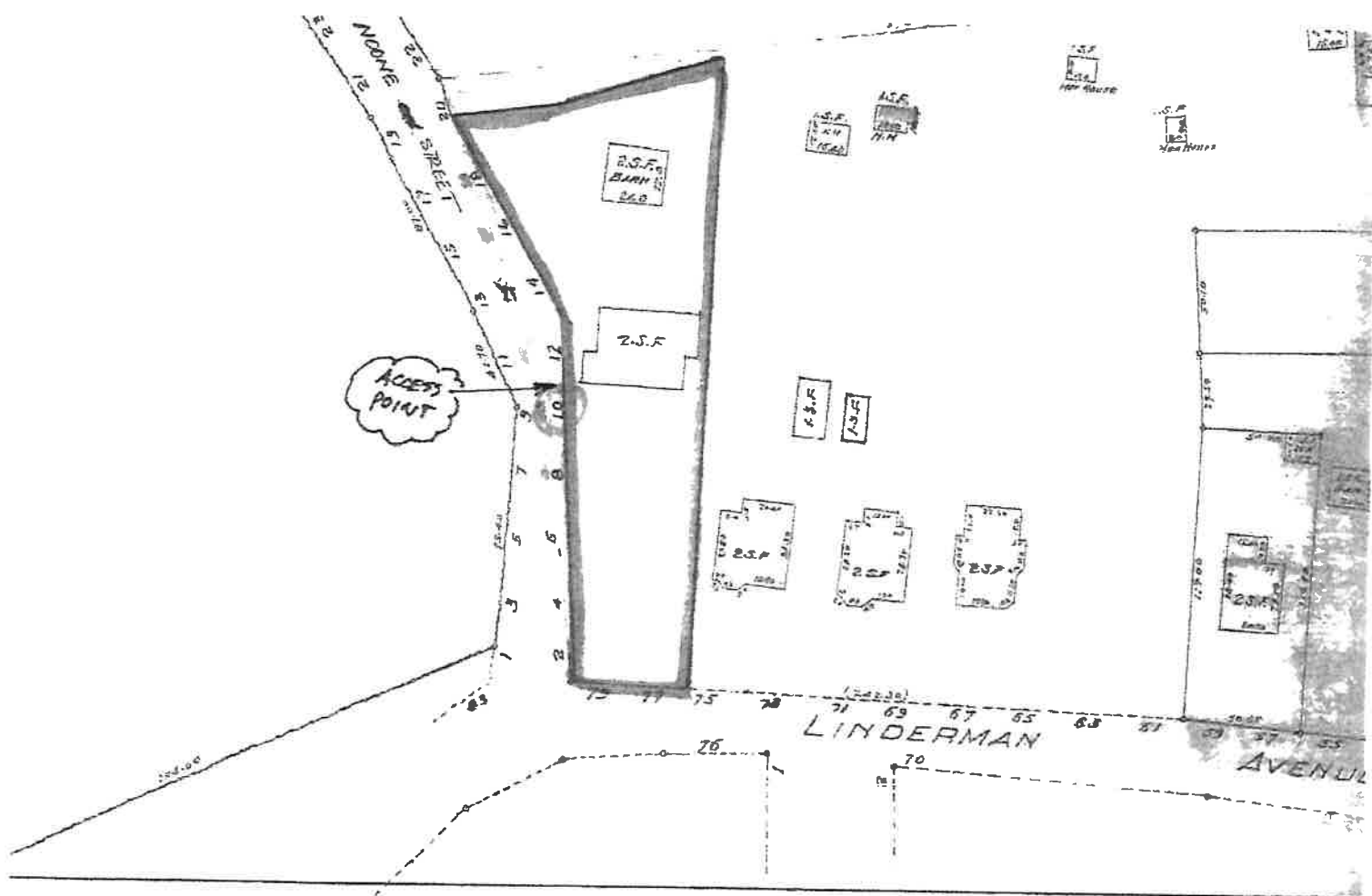
Should you have any questions, feel free to contact me.

Respectfully,

Alan J. Adin

Engineering Technician

cc: Reynolds Scott-Childress, Alderman Ward 3
Deputy Chief Wayne Platt, KFD
Michael Gaffney, Deputy Dir., U.C. Dept. of Emergency Mgmt.



Resolution 162 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE REMOVAL OF THE FIRE LANE SIGN FROM RAPID HOSE ON HONE
STREET**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to remove the fire lane sign from Rapid Hose on Hone 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 authorizes the removal of the fire lane sign from Rapid Hose on Hone Street..

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of
_____, 2017

Approved by the Mayor this _____ day of
_____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 162 2017 Remove fire lane sign Rapid Hose

162

Resolution 163 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE REMOVAL OF THE FIRE LANE SIGN FROM A.H. WICKS ENGINE &
TRUCK ON WILTWYCK AVENUE**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to remove the fire lane sign from A. H. Wicks
Engine & Truck on Wiltwyck 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 authorizes the removal of the fire lane sign
from A. H. Wicks Engine & Truck on Wiltwyck Avenue

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____,
_____, 2017

Approved by the Mayor this _____ day of _____,
_____, 2017

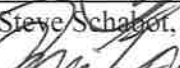
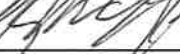
Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 163 2017 Remove fire lane sign Wiltwyck

He 3

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
 Steve Schabot, Chairman	✓	
 Lynn Eckert, Ward 1	✓	
Nina Dawson, Ward 4 	✓	
Anthony Davis, Ward 6 	✓	
Deborah Brown, Ward 9 		

Resolution 164 of 2017

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING ADDING A HANDICAPPED ZONE AND SIGNAGE AT 77 CLINTON
AVENUE

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to add a handicapped zone and signage at 77
Clinton Avenue, John DeVoll, Permit Number 3376063.

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

SECTION-1. That the Common Council authorizes the addition of a handicapped
zone and signage at 77 Clinton Avenue, John DeVoll, Permit Number 3376063.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____,
_____, 2017

Approved by the Mayor this _____ day of _____,
_____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 164 2017 Handicap Signage Zone 77 Clinton

164

Motion by SD

Seconded by LF

Action Required:

SEQRA Decision:

Type I Action

Type II Action

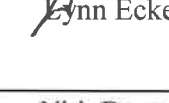
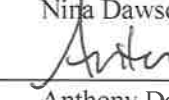
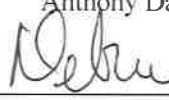
Unlisted Action

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			
Lynn Eckert, Ward 1			
Nira Dawson, Ward 4			
Anthony Davis, Ward 6			
Deborah Brown, Ward 9			

Resolution 165 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE ADOPTION OF A NEW CHAPTER 336 – SANITATION AND WEEDS**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to add a new Chapter 336 – Sanitation and Weeds to the 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 Common Council authorizes adding the adoption of a new Chapter 336 – Sanitation and Weeds to the Code of the City of Kingston as annexed hereto.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 165 2017 Adopt Chap 336 Sanitation Weeds

165

Motion by DB

Seconded by LE

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:

131

Chapter 336. Sanitation and Weeds

336-1. Intent

A. Sanitation. Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

B. Weeds. Exterior property and premises shall be maintained free from weeds or plant growth in excess of ten (10) inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided, however, this term shall not include cultivated flowers and gardens.

336.2. Notice of Violation

A. Upon receipt of notice of violation, the owner having charge of the property shall have seven (7) days to comply with the notice and have the weeds or unsanitary condition removed.

B. If after seven (7) days the owner of the property fails to comply with the notice of violation, the City shall be authorized to hire out or contract a party or parties to enter the property to cut the weeds or remove the unsanitary condition and to have the cost of such cutting or removal to be paid by the owner of the property. If the cost of such cutting or removal is not paid, the cost will be placed on the owner's tax bill.

Resolution 166 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
APPROVING SPEED HUMPS IN COLONIAL GARDENS AND RONDOUT GARDENS**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, a request has been made to have speed humps installed in two of the Kingston Housing Authority's housing complexes; and

WHEREAS, the main entrances at both Rondout Gardens and Colonial Gardens are public roads and while speed limits are posted, cars frequently travel at rates of speed that are unsafe for the community.

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

SECTION-1. That the Common Council approves the installation of three movable speed humps in Colonial Gardens and three movable speed humps in Rondout Gardens

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day of _____, 2017

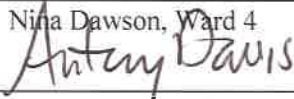
Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 166 2017 Approve Speed Humps Colonial Rondout Gardens

146

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
 Steve Schabot, Chairman	✓	
 Lynn Eckert, Ward 1	✓	
Nina Dawson, Ward 4 	✓	
Anthony Davis, Ward 6 	✓	
Deborah Brown, Ward 9		



132 Rondout Drive, Kingston, NY 12401
845-331-1955

MEMO

TO: Steve Schabot
FROM: Catherine A. Maloney, Interim Executive Director
DATE: July 10, 2017
RE: Speed humps

As the Interim Executive Director of the Kingston Housing Authority I am requesting speed humps be installed in two of KHA's housing complexes. With six complexes and close to 500 apartments, KHA serves the needs of low income people in the city of Kingston. Many of these are families with small children. The main entrances at both Rondout Gardens and Colonial Gardens are public roads and while speed limits are posted, cars frequently travel at rates of speed that are unsafe for the community. I have attached maps of the two complexes showing the requested locations of three, movable speed humps. It is summer time and the children are out having fun, and the possibility of an accident is increased. I would ask this request be addressed promptly.

Thank you for considering this request.

Board of Commissioners

Rose Ann Nobel, Chair

Marge Knox

Jeanette Provenzano

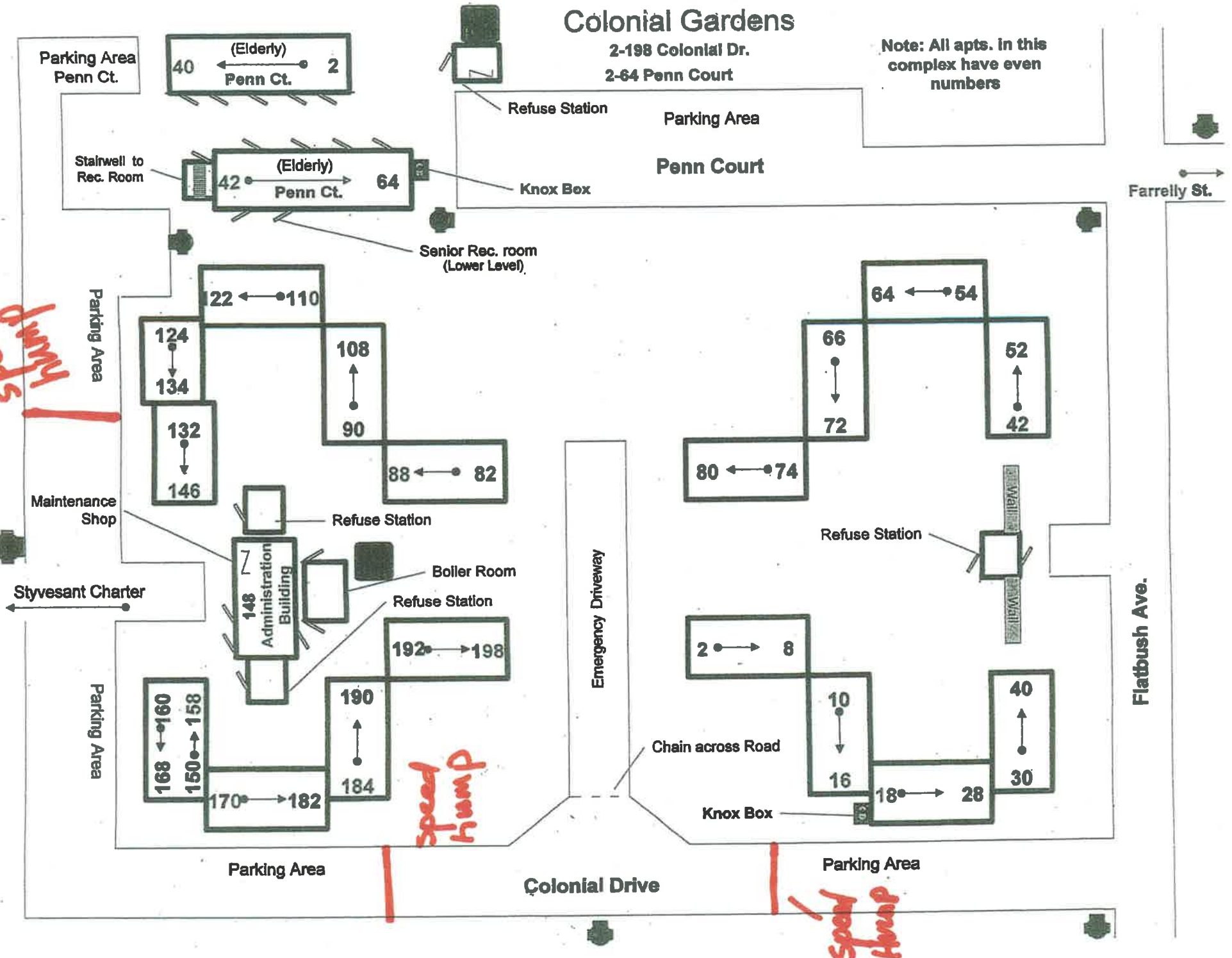
Edward Palladino

Doris Schuyler

Colonial Gardens

2-198 Colonial Dr.
2-64 Penn Court

Note: All apts. in this complex have even numbers



Rondout Gardens
1-132 Rondout Drive

Maple St.

Murray St.

Knox Box

Refuse Station



Refuse Station



Speed humps

Refuse Station

Refuse Station

Note : Administration Building is 132 Rondout Dr.

Playground

Community Center

Administration Building

Overhead Door

Knox Box

To Garraghan Dr. & Koepig Blvd.

Yosman Pl.

Rondout Dr.

Refuse Station

Maint. Shed

Maint. Bldg.
Laundry Room

12/2004

Resolution 167 of 2017

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
TO COMMIT TO 100% CLEAN ENERGY BY 2050 AND CONTINUE TO SUPPORT THE
PRINCIPLES OF THE PARIS AGREEMENT**

Public Safety/General Government Committee: Aldermen: Schabot,
Eckert, Davis, Brown

WHEREAS, the City of Kingston desires to protect and enhance quality of life for all those who live, work, learn and play in our community, as well as for our children and grandchildren; and

WHEREAS, there is scientific consensus regarding the reality of climate change and the recognition that human activity, especially the combustion of fossil fuels that create greenhouse gases, is an important driver of climate change; and

WHEREAS, climate change has been widely recognized by government, business and academic leaders as a worldwide threat with the potential to harm our economy, safety, public health and quality of life; and

WHEREAS, actions that reduce climate pollution also have potential to improve air quality, public health, energy security, social equity, our local natural environment, and quality of life for our residents; and

WHEREAS, taking steps to increase energy efficiency and resilience can attract jobs and economic development opportunities to our community and increase our long term economic competitiveness and wealth; and

WHEREAS, the City of Kingston has demonstrated a legacy of leadership against the threat of climate change; and

WHEREAS, the City of Kingston remains committed to its adopted goal of reducing energy use and greenhouse gas emissions 20% by 2020; and

WHEREAS, the City of Kingston adopted the City of Kingston Climate Action Plan in September 2012 outlining steps the City has committed to taking in partnership with others to achieve our climate actions goals; and

WHEREAS, the City of Kingston has already taken a variety of important actions to reduce greenhouse gas emissions and enhance quality of life in our community, has been designated a Bronze Certified Climate Smart Community by NYS and is a designated Clean Energy Community by NYS; and

WHEREAS, the City of Kingston is making progress towards additional actions towards reducing greenhouse gas emissions and is in the process of upgrading all of the City streetlights to efficient LED lights, have begun to move our municipal fleet towards alternative energy vehicles by adding electric and hybrid electric vehicles to the fleet, have secured funding to install public electric vehicle charging stations around the City, and are creating a network of urban trails, complete streets, bike lanes and linear parks as part of the Kingston Greenline among other initiatives; and

WHEREAS, we are joined in taking action on climate change by a global coalition of cities, state and national governments and community and private sector leaders who recognize the importance and potential of these actions to protect and enhance the well being of current and future generations; and

WHEREAS, more than 323 mayors representing more than 62 million Americans have recently re-affirmed their cities' commitments to climate action; and

WHEREAS, the City of Kingston actively collaborates with other local governments throughout our region, state, nation, and the world to learn from each other and identify win-win opportunities to take action on climate change while creating measurable benefits in our communities; and

WHEREAS, 195 countries, including the United States, vowed to address climate change in agreements reached in Paris in December 2015 (the "Paris Agreement"), and

WHEREAS, President Donald Trump's announcement seeking to withdraw the United States of America from the Paris Agreement undermines this critical global effort to confront one of the greatest challenges facing our community and communities all across the one planet we all share; and

WHEREAS, the reality of climate change has not been affected by recent political announcements; and

WHEREAS, the absence of federal leadership only increases the importance of local leadership in avoiding the most dangerous and costly effects of climate change.

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 re-affirms its commitment to taking action to further reduce climate pollution in alignment with our goal of reducing energy use and greenhouse gas emissions 20% by 2002 and further the City of Kingston commits to 100% Clean Energy by 2050.

SECTION 2. That the City of Kingston continues to support the principles of the Paris Agreement and the participation of the United States of America as a party to the Paris Agreement.

SECTION 3. That the City of Kingston will continue to stand with cities and other public and private sector partners throughout the world to advance action in accordance with the goals outlined in the Paris Agreement.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

Res 167 Memorialize Paris Agree Climate Smart

167

Motion by AD

Seconded by ES

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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CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



June 2, 2017

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

Dear President Noble,

As you are aware, the Trump administration has moved to withdraw our country from the Paris Climate Agreement. As Mayor of the City of Kingston, as a former environmental educator, as a resident of the United States, as an inhabitant of this earth, and above all, as a father, I cannot agree with the President's decision. Our children's future will be irreparably harmed if we fail to care for our natural resources, acknowledge that climate change is real, and do something productive to address and reduce further damage.

As per our Climate Action Plan (found here: [https://kingston-ny.gov/filestorage/8463/10432/10440/10458/CAP - Updated for PS 9-27-12 \(1\).pdf](https://kingston-ny.gov/filestorage/8463/10432/10440/10458/CAP_-_Updated_for_PS_9-27-12_(1).pdf)):

"The City of Kingston recognizes that greenhouse gas (GHG) emissions from human activity are catalyzing profound changes in climate and weather, the consequences of which pose substantial risks to the future health, well-being, and prosperity of the community."

I respectfully request that this matter be referred to the appropriate committee for further discussion. A proposed memorializing resolution reaffirming the City of Kingston's commitment to the principles of sustainability and environmental stewardship will be sent to you under separate cover shortly.

Thank you for your consideration.

Sincerely,

Steve Noble
Mayor

WHEREAS, the reality of climate change has not been affected by recent political announcements; and

~~WHEREAS, the absence of federal leadership only increases the importance of local leadership in avoiding the most~~
dangerous and costly effects of climate change; and

NOW, THEREFORE, BE IT

RESOLVED that the City of Kingston re-affirms its commitment to taking action to further reduce climate pollution in alignment with our goal of reducing energy use and greenhouse gas emissions 20% by 2020 and further the City of Kingston commits to 100% Clean Energy by 2050 and be it

FURTHER RESOLVED that the City of Kingston continues to support the principles of the Paris Agreement and the participation of the United States of America as a party to the Paris Agreement; and be it

FURTHER RESOLVED that the City of Kingston will continue to stand with cities and other public and private sector partners throughout the world to advance action in accordance with the goals outlined in the Paris Agreement.

Resolution of the City of Kingston Common Council to Commit to 100% Clean Energy by 2050 and Continue to Support the Principles of the Paris Agreement

WHEREAS, the City of Kingston desires to protect and enhance quality of life for all those who live, work, learn and play in our community, as well as for our children and grandchildren; and

WHEREAS, there is scientific consensus regarding the reality of climate change and the recognition that human activity, especially the combustion of fossil fuels that create greenhouse gases, is an important driver of climate change; and

WHEREAS, climate change has been widely recognized by government, business and academic leaders as a worldwide threat with the potential to harm our economy, safety, public health, and quality of life; and

WHEREAS, actions that reduce climate pollution also have potential to improve air quality, public health, energy security, social equity, our local natural environment, and quality of life for our residents; and

WHEREAS, taking steps to increase energy efficiency and resilience can attract jobs and economic development opportunities to our community and increase our long-term economic competitiveness and wealth; and

WHEREAS, the City of Kingston has demonstrated a legacy of leadership against the threat of climate change; and

WHEREAS, the City of Kingston remains committed to its adopted goal of reducing energy use and greenhouse gas emissions 20% by 2020; and

WHEREAS, the City of Kingston adopted the City of Kingston Climate Action Plan in September 2012 outlining steps the City has committed to taking in partnership with others to achieve our climate action goals; and

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WHEREAS, the City of Kingston is making progress towards additional actions towards reducing greenhouse gas emissions and is in the process of upgrading all of the City streetlights to efficient LED lights, have begun to move our municipal fleet towards alternative energy vehicles by adding electric and hybrid electric vehicles to the fleet, have secured funding to install public electric vehicle charging stations around the City, and are creating a network of urban trails, complete streets, bike lanes and linear parks as part of the Kingston Greenline among other initiatives; and

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WHEREAS, 195 countries, including the United States, vowed to address climate change in agreements reached in Paris in December 2015 (the "Paris Agreement"); and

WHEREAS, President Donald Trump's announcement seeking to withdraw the United States of America from the Paris Agreement undermines this critical global effort to confront one of the greatest challenges facing our community and communities all across the one planet we all share; and

Kingston Common Council Agenda Item Report

Agenda Item No. 153

Submitted by: Carly Winnie

Submitting Department: City Clerk/Registrar

Meeting Date: August 1, 2017

SUBJECT

Proposed Local Law #8 of 2017

Recommendation:

ATTACHMENTS

-

Kingston Common Council Agenda Item Report

Agenda Item No. 154

Submitted by: Carly Winnie

Submitting Department: City Clerk/Registrar

Meeting Date: August 1, 2017

SUBJECT

Proposed Local Law #9 of 2017

Recommendation:

ATTACHMENTS

- [LL # 9 2017.pdf](#)

Local Law 9 of 2017 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REFERRING AMENDMENTS TO ZONING BOARD OF APPEALS TO THE ULSTER COUNTY PLANNING BOARD, CITY OF KINGSTON PLANNING BOARD AND THE HISTORIC LANDMARKS PRESERVATION COMMISSION

Sponsored By: Laws and Rules/Cable Committee: Aldermen:
Eckert, Dawson, Carey, Brown

WHEREAS, a request has been made to amend Section 405-53 of the Code of the City of Kingston and said amendments must be referred to the Ulster County Planning Board, the City of Kingston Planning Board and the Historic Landmarks Preservation Commission.

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

SECTION-1. That the Common Council of the City of Kingston hereby refers the amendments to Section 405-53 – Zoning Board of Appeals to the Ulster County Planning Board, the City of Kingston Planning Board and the Historic Landmarks Preservation Commission.

SECTION-2. That the invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION-3. This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

AL-9

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT	<u>Zoning</u>	DATE	<u>7/20/2017</u>
Description	<u>Referral to UCPB, Kingston PB & HLE, PC.</u>		
	<u>See Attached</u>		
	<u>§ 405-53</u>		
Signature	<u>[Signature]</u>		

Motion by Bill CareySeconded by Deb Brown

Action Required:

SEQRA Decision:

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

Committee Vote	YES	NO
<u>[Signature]</u> Lynn Eckert, Chairman	<u>X</u>	
<u>[Signature]</u> Reynolds Scott-Childress, Ward 3	<u>✓</u>	
<u>[Signature]</u> Bill Carey, Ward 5	<u>✓</u>	
Maryann Mills, Ward 7		
<u>[Signature]</u> Deborah Brown, Ward 9	<u>X</u>	

ARTICLE VII

Board of Appeals

§405-53. Purpose.

A Zoning Board of Appeals shall be maintained and operate in accordance with Article 5-A of the New York State General City Law, Sections 81, 81-a, 81-b. The Zoning Board of Appeals shall have all of the authority, jurisdiction and duties granted to such Board by Sections 81, 81-a, 81-b and any other applicable State law, and shall fulfill its duties in accordance with those grants of authority and in accordance this Zoning Law.

§405-53.1. Establishment and Membership.

Pursuant to Section 81 of the New York State General City law there is hereby established a Zoning Board of Appeals consisting of five (5) members appointed by the Mayor. The members of the Board serving at the time this chapter is passed shall continue in office as members of the Board hereby established.

- A. The Mayor shall choose two (2) of these members to serve one-year terms; two (2) of these members to serve two-year terms; and one (1) member to serve three-year term.
- B. The Mayor shall designate one of the Zoning Board of Appeals members as chairperson to preside at all meetings and hearings and to fulfill the authorized duties of that office. In the absence of the chairperson, the Zoning Board of Appeals may designate another member of the Zoning Board of Appeals to serve as acting chairperson. All meetings of the Zoning Board of Appeals shall be held at call of the chairperson and at such time as the Zoning Board of Appeals may determine. Such chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses.
- C. Pursuant to Section 81(11)(a) of the New York General City Law, alternate Zoning Board of Appeals member positions for the City of Kingston Zoning Board of Appeals are hereby established for use when a regular member cannot participate due to a conflict of interest. Under New York Municipal

Members now holding office for terms which do not expire at the end of a calendar year shall, upon the expiration of their term, hold office until the end of the year and their successors shall then be appointed for terms which shall be equal in years to the number of members of the Board.

§405-53.3. Training requirements.

- A. Each member of the Zoning Board of Appeals and each Alternate Member shall complete a minimum of four (4) hours of training each year, designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four (4) hours in any one (1) year may be carried over onto succeeding years in order to meet this requirement. Such training shall be approved by the Common Council and may include, but is not limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to electronic media, video, distance learning and traditional classroom training.
- B. To be eligible for reappointment, a member or alternate member must have completed the training approved by the city.
- C. The training requirement may be waived or modified by resolution of the Common Council, when, in the Council's judgment, it is in the best interest of the City to do so.
- D. No decision shall be voided or declared invalid because of a failure to comply with this requirement.

§405-53.4. Vacancies

Members of the Zoning Board of Appeals shall continue to serve until a successor is appointed. In the event a vacancy occurs, other than by the expiration of a term, the Mayor shall appoint a new member for the remainder of the unexpired term.

§405-53.5. Removal of Members

Home Rule Law, alternate Zoning Board of Appeals members shall also serve in place of a regular member who is absent. Alternate members shall be appointed by the Mayor.

(1) The Mayor shall appoint up to three (3) alternate Zoning Board of Appeals members.

(a) The first appointment shall be for a period of three years.

(b) The second appointment shall be for a period of two years.

(c) The third appointment shall be for a period of one year.

(d) Thereafter, all appointments shall be for a period of three years.

(2) The Chairperson shall designate an alternate member to substitute for a member when such member is unable to participate because of a conflict of interest of an application or matter before the board, or by absence. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Zoning Board of Appeals. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals meeting at which the substitution is made.

(3) All provisions relating to Zoning Board of Appeals member training and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal, compatibility of office and service of other boards, shall also apply to alternate members.

D. No person who is a member of the Common Council shall be eligible for membership on the Zoning Board of Appeals.

§405-53.2. Terms of members now in office.

- A. The Mayor shall have the power to remove any member or alternate member of the Zoning Board of Appeals for cause. Cause for removal of a member or alternate member may include one or more of the following:

(1) Failure to complete mandatory training requirement

(2) Failure to attend 80% of scheduled meetings without a documented medical and/or emergency excuse approved by the Chair of the Commission.

(3) Any person or persons jointly or severally aggrieved by any decision to remove for cause may apply to the Ulster County Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be instituted within thirty (30) days after the filing of a decision by the Mayor to remove.

§405-54 Powers and duties.

- (1) 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, which are more particularly specified as follows:
- A. Orders, requirements, decisions, interpretations and determinations. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the Enforcement Officer. To that end, the Zoning Board of Appeals shall have all the powers of the Enforcement Officer from whose order, requirement, decision, interpretation or determination the appeal is taken.
- B. Filing Requirement. Every Rule, Regulation, every amendment or repeal thereof, and every order, requirement, decision, or determination of the Zoning Board of Appeals shall be filed in the office of the city clerk within five (5) business days and shall be a public record.
- C. Assistance to the Zoning Board of Appeals. Subject to Chapter C-13-3 (J) of the charter of the City of Kingston, the Zoning Board of Appeals shall have the authority to call upon any Department, agency or employee of the City of

Kingston for such assistance as shall be deemed necessary and as shall be authorized by the Mayor.

- D. Hearing appeals. Unless otherwise provided by local law or ordinance, the jurisdiction of the board of appeals shall be appellate only and shall be limited to hearing and deciding appeals from and reviewing any order, requirement, decision, interpretation, or determination, made by the administrative official charged with the enforcement of any ordinance or local law adopted pursuant to this article. Such appeal may be taken by any person aggrieved, or by an officer, department, board or bureau of the city.

- E. Stay upon appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the administrative official charged with the enforcement of such ordinance or local law, from whom the appeal is taken, certifies to the board of appeals, after the notice of appeal shall have been filed with the administrative official, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by a court of record on application, or notice to the administrative official from whom the appeal is taken and on due cause shown.

- F. Filing of administrative decision and time of appeal.
 - (1) Each order, requirement, decision, interpretation or determination of the administrative official charged with the enforcement of the zoning local law or ordinance shall be filed in the office of such administrative official within five business days from the day it is rendered, and shall be a public record. Alternately, the legislative body of the city may, by resolution, require that such filings instead be made in the city clerk's office.

An appeal shall be taken within sixty days after the filing of any order, requirement, decision, interpretation or determination of the administrative official, by filing with such administrative official and with the board of appeals a notice of appeal, specifying the grounds thereof and the relief sought. The administrative official from whom

the appeal is taken shall forthwith transmit to the board of appeals all the papers constituting the record upon which the action appealed from was taken.

- G. Public Hearing. The Zoning Board of Appeals shall fix a reasonable time for hearing of the appeal or other matter referred to it and give public notice of such hearing by publication in a paper of general circulation in the City of Kingston at least five (5) days prior to the date of the hearing. The cost of sending or publishing the notice shall be borne by the appealing party and shall be paid to the Zoning Board of Appeals prior to the hearing of such appeal. Upon the hearing, any party may appear in person, or by agent or attorney.
- (1) Notice to park commission and county planning board or agency or regional planning council. At least five days before such hearing, the board of appeals shall mail notices thereof to the parties; to the regional state park commission having jurisdiction over any state park or parkway within five hundred feet of the property affected by such appeal; and to the county planning board or agency or regional planning council, as required by section two hundred thirty-nine-m of the general municipal law, which notice shall be accompanied by a full statement of such proposed action, as defined in subdivision one of section two hundred thirty-nine-m of the general municipal law.
 - (2) In any application or appeal for a variance, the Clerk of the Zoning Board of Appeals shall provide written notice of the public hearing, along with the substance of the variance appeal or application, to: the owners of all property abutting, or directly opposite, that of the property affected by the appeal; and to all other owners of property within one hundred (100) feet of the property which is subject of the appeal. Such notice shall be provided by certified mail at least five (5) days prior to the date of the hearing.
- H. Compliance with the State Environmental Quality Review Act. The Zoning Board of Appeals shall comply with the provisions of the New York State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law and its implementing regulations.

- I. Time to Render Decision. The Zoning Board of Appeals shall make its decision on the appeal within sixty-two (62) days after the close of the public hearing. The time in which the Zoning Board of Appeals must render its decision may be extended by mutual consent of the applicant and the Zoning Board of Appeals. In the event that a decision is not rendered within sixty two-two days, absent an extension entered by mutual consent, the appeal will be deemed granted.

- J. Voting Requirements.
 - (1) Decision of the Board. Except as in the case of a rehearing as set forth in §405-55.1 of this Law, every motion or resolution of the Zoning Board of Appeals shall require for its adoption the affirmative vote of a majority of all the members of the Zoning Board of Appeals as fully constituted regardless of vacancies or absences. Where an action is subject to referral to the County Planning Board, the voting provisions of Section 239-m of the New York State General Municipal Law shall apply.

 - (2) Default denial of appeal. In exercising its appellate jurisdiction only, if an affirmative vote of a majority of all members of the Zoning Board of Appeals is not attained on a motion or resolution to grant a variance or reverse any order, requirement, decision or determination of the Enforcement Officer within the time allowed section (I) above, the appeal is denied. The Zoning Board of Appeals may amend the failed motion or resolution and vote on the amended motion or resolution within the time allowed being subject to the rehearing process, as set forth in §405-55.1 of this Law.

- K. Filing of Decision. The decision shall be filed in the office of the city clerk within five (5) business days after the day such decision is rendered, and a copy thereof mailed to the applicant.

§405-55.1 Variances.

The Zoning Board of Appeals is empowered to authorize, in accordance with General City Law 81b(3) and (4), upon denial of a building permit, a variance from the terms of this chapter. In determining an application for a variance pursuant to the standards below, the applicant may introduce and the Board may consider

evidence regarding the impact of the requested variance on the public interest where, owing to exceptional and extraordinary circumstances, there are practical difficulties or unnecessary hardships in the way of the carrying out of the strict letter of this chapter.

A. Use Variances. The Zoning Board of Appeals, upon appeal from the decision or determination of the Enforcement Officer shall have the power to grant use variances, authorizing a use of land which otherwise would not be allowed or would be prohibited by the terms of this chapter.

(1) No such use variance shall be granted by the Zoning Board of Appeals without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary, hardship the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under this Zoning Law for the particular district where the property is located:

- (a) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
- (b) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
- (c) The requested use variance, if granted will not alter the essential character of the neighborhood; and
- (d) The alleged hardship has not been self-created.

(2) The Zoning Board of Appeals, in granting the use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

B. Area Variances. The Zoning Board of Appeals, upon appeal from the decision or determination of the Enforcement Officer, shall have the power to grant area variances.

(1) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is

granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Zoning Board of Appeals shall also consider:

- (a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
 - (c) Whether the requested area variance is substantial;
 - (d) Whether the proposed variance will have an adverse effect on impact on the physical or environmental conditions in the neighborhood or district; and
 - (e) Whether the alleged difficulty was self-created. This consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.
- (2) The Zoning Board of Appeals, in granting of the area variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- C. The Zoning Board of Appeals shall, in granting both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this Zoning Law and Comprehensive Plan for the City of Kingston, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.
- D. Once granted, variances run with the land and, once granted, every subsequent owner of the property shall have the benefit thereof.

§405-55.2 Rehearing.

A motion for the Zoning Board of Appeals to hold a rehearing to review any order, decision or determination not previously reheard may be made by any member of the Zoning Board of Appeals. A unanimous vote of all members of the Zoning Board of Appeals then-present at the meeting is required for such rehearing to occur. Such rehearing is subject to the same notice provisions as an original public hearing. Upon such rehearing, the Zoning Board of Appeals may reverse, modify or annul its original order, decision or determination. The vote must be unanimous of all the members of the Zoning Board of Appeals that are present at the meeting, provided the Zoning Board of Appeals finds that the rights vested in persons acting in good faith in reliance upon the reheard order, decision or determination will not be prejudiced thereby.

§405-55.3 Proceedings.

- A. The powers and duties of the Board of Appeals shall be exercised in accordance with its own rules of conduct and procedure, which rules shall be consistent with and pursuant to all the provisions of City law applicable thereto.
- B. In addition, at least 10 days before the date of any public hearing, the Clerk of the Zoning Board of Appeals shall transmit to the Planning Office of the City of Kingston and, where the property concerned is in an L. Landmark Overlay District, to the Kingston Historic Landmark Preservation Commission, a copy of any appeal or application, together with a copy of the notice of such hearing. The Planning Board or Historic Landmark Preservation Board, may submit to the Zoning Board of Appeals an advisory opinion on said appeal or application at any time prior to the public hearing, and such opinion shall be made part of the official record thereof.
- C. The Building Safety Division of the Kingston Fire Department shall give notice of a variance application or zoning change request by first-class mail at least 10 days prior to the public hearing to all properties contiguous and adjacent to the applicant's property. Adjacent shall be deemed to include the properties across any streets or roadways as if the street or roadway did not exist. A sign or signs will be posted on the applicant's property by Building Safety at the expense of the owner/applicant 10 days prior to the public hearing.

§405-55.4 Relief from Decisions.

Any person or persons jointly or severally aggrieved by any decision of the Zoning Board of Appeals or any officer, department, board or bureau of this City may apply to the Ulster County Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be instituted within thirty (30) days after the filing of a decision of the Zoning Board of Appeals in the office of the city clerk.

Kingston Common Council Agenda Item Report

Agenda Item No. 155

Submitted by: Carly Winnie

Submitting Department: City Clerk/Registrar

Meeting Date: August 1, 2017

SUBJECT

Proposed Local Law #10 of 2017

Recommendation:

ATTACHMENTS

- [LL #10 2017.pdf](#)

Local Law 10 of 2017 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, SETTING A PROPOSED PUBLIC HEARING DATE OF SEPTEMBER 21, 2017 FOR ZONING AMENDMENTS

Sponsored By: Laws and Rules/Cable Committee: Aldermen:
Eckert, Dawson, Carey, Brown

WHEREAS, a public hearing must be held regarding amendments to Section 405-53 Zoning Board of Appeals.

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

SECTION-1. That the Common Council of the City of Kingston hereby sets September 21, 2017, as the proposed date for the public hearing regarding amendments to the Zoning Board of Appeals – Section 405-53 of the Code of the City of Kingston.

SECTION-2. That the invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION-3. This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Submitted to the Mayor this _____ day of _____, 2017

Approved by the Mayor this _____ day of _____, 2017

Carly Winnie, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT _____	DATE _____
Description _____	
Proposal to set Public Hearing on Sept. 21, 2017 -	
Zoning amendment.	
§ 405-53	
Signature <i>[Signature]</i>	

Motion by *Deborah Brown*
 Seconded by *Aime Dawson*
 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>
<i>[Signature]</i> Lynn Eckert, Chairman	X	
<i>Aime Dawson</i> Reynolds Scott-Childress, Ward 3	✓	
<i>Will Fley</i> Bill Carey, Ward 5	✓	
Maryann Mills, Ward 7		
<i>Deborah Brown</i> Deborah Brown, Ward 9	X	

ARTICLE VII

Board of Appeals

§405-53. Purpose.

A Zoning Board of Appeals shall be maintained and operate in accordance with Article 5-A of the New York State General City Law, Sections 81, 81-a, 81-b. The Zoning Board of Appeals shall have all of the authority, jurisdiction and duties granted to such Board by Sections 81, 81-a, 81-b and any other applicable State law, and shall fulfill its duties in accordance with those grants of authority and in accordance this Zoning Law.

§405-53.1. Establishment and Membership.

Pursuant to Section 81 of the New York State General City law there is hereby established a Zoning Board of Appeals consisting of five (5) members appointed by the Mayor. The members of the Board serving at the time this chapter is passed shall continue in office as members of the Board hereby established.

- A. The Mayor shall choose two (2) of these members to serve one-year terms; two (2) of these members to serve two-year terms; and one (1) member to serve three-year term.
- B. The Mayor shall designate one of the Zoning Board of Appeals members as chairperson to preside at all meetings and hearings and to fulfill the authorized duties of that office. In the absence of the chairperson, the Zoning Board of Appeals may designate another member of the Zoning Board of Appeals to serve as acting chairperson. All meetings of the Zoning Board of Appeals shall be held at call of the chairperson and at such time as the Zoning Board of Appeals may determine. Such chairperson, or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses.
- C. Pursuant to Section 81(11)(a) of the New York General City Law, alternate Zoning Board of Appeals member positions for the City of Kingston Zoning Board of Appeals are hereby established for use when a regular member cannot participate due to a conflict of interest. Under New York Municipal

Home Rule Law, alternate Zoning Board of Appeals members shall also serve in place of a regular member who is absent. Alternate members shall be appointed by the Mayor.

(1) The Mayor shall appoint up to three (3) alternate Zoning Board of Appeals members.

(a) The first appointment shall be for a period of three years.

(b) The second appointment shall be for a period of two years.

(c) The third appointment shall be for a period of one year.

(d) Thereafter, all appointments shall be for a period of three years.

(2) The Chairperson shall designate an alternate member to substitute for a member when such member is unable to participate because of a conflict of interest of an application or matter before the board, or by absence. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Zoning Board of Appeals. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals meeting at which the substitution is made.

(3) All provisions relating to Zoning Board of Appeals member training and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal, compatibility of office and service of other boards, shall also apply to alternate members.

D. No person who is a member of the Common Council shall be eligible for membership on the Zoning Board of Appeals.

§405-53.2. Terms of members now in office.

Members now holding office for terms which do not expire at the end of a calendar year shall, upon the expiration of their term, hold office until the end of the year and their successors shall then be appointed for terms which shall be equal in years to the number of members of the Board.

§405-53.3. Training requirements.

- A. Each member of the Zoning Board of Appeals and each Alternate Member shall complete a minimum of four (4) hours of training each year, designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four (4) hours in any one (1) year may be carried over onto succeeding years in order to meet this requirement. Such training shall be approved by the Common Council and may include, but is not limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to electronic media, video, distance learning and traditional classroom training.
- B. To be eligible for reappointment, a member or alternate member must have completed the training approved by the city.
- C. The training requirement may be waived or modified by resolution of the Common Council, when, in the Council's judgment, it is in the best interest of the City to do so.
- D. No decision shall be voided or declared invalid because of a failure to comply with this requirement.

§405-53.4. Vacancies

Members of the Zoning Board of Appeals shall continue to serve until a successor is appointed. In the event a vacancy occurs, other than by the expiration of a term, the Mayor shall appoint a new member for the remainder of the unexpired term.

§405-53.5. Removal of Members

- A. The Mayor shall have the power to remove any member or alternate member of the Zoning Board of Appeals for cause. Cause for removal of a member or alternate member may include one or more of the following:

(1) Failure to complete mandatory training requirement

(2) Failure to attend 80% of scheduled meetings without a documented medical and/or emergency excuse approved by the Chair of the Commission.

(3) Any person or persons jointly or severally aggrieved by any decision to remove for cause may apply to the Ulster County Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be instituted within thirty (30) days after the filing of a decision by the Mayor to remove.

§405-54 Powers and duties.

- (1) 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, which are more particularly specified as follows:
- A. Orders, requirements, decisions, interpretations and determinations. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the Enforcement Officer. To that end, the Zoning Board of Appeals shall have all the powers of the Enforcement Officer from whose order, requirement, decision, interpretation or determination the appeal is taken.
- B. Filing Requirement. Every Rule, Regulation, every amendment or repeal thereof, and every order, requirement, decision, or determination of the Zoning Board of Appeals shall be filed in the office of the city clerk within five (5) business days and shall be a public record.
- C. Assistance to the Zoning Board of Appeals. Subject to Chapter C-13-3 (J) of the charter of the City of Kingston, the Zoning Board of Appeals shall have the authority to call upon any Department, agency or employee of the City of

Kingston for such assistance as shall be deemed necessary and as shall be authorized by the Mayor.

- D. Hearing appeals. Unless otherwise provided by local law or ordinance, the jurisdiction of the board of appeals shall be appellate only and shall be limited to hearing and deciding appeals from and reviewing any order, requirement, decision, interpretation, or determination, made by the administrative official charged with the enforcement of any ordinance or local law adopted pursuant to this article. Such appeal may be taken by any person aggrieved, or by an officer, department, board or bureau of the city.

- E. Stay upon appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the administrative official charged with the enforcement of such ordinance or local law, from whom the appeal is taken, certifies to the board of appeals, after the notice of appeal shall have been filed with the administrative official, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by a court of record on application, or notice to the administrative official from whom the appeal is taken and on due cause shown.

- F. Filing of administrative decision and time of appeal.
 - (1) Each order, requirement, decision, interpretation or determination of the administrative official charged with the enforcement of the zoning local law or ordinance shall be filed in the office of such administrative official within five business days from the day it is rendered, and shall be a public record. Alternately, the legislative body of the city may, by resolution, require that such filings instead be made in the city clerk's office.

An appeal shall be taken within sixty days after the filing of any order, requirement, decision, interpretation or determination of the administrative official, by filing with such administrative official and with the board of appeals a notice of appeal, specifying the grounds thereof and the relief sought. The administrative official from whom

the appeal is taken shall forthwith transmit to the board of appeals all the papers constituting the record upon which the action appealed from was taken.

- G. Public Hearing. The Zoning Board of Appeals shall fix a reasonable time for hearing of the appeal or other matter referred to it and give public notice of such hearing by publication in a paper of general circulation in the City of Kingston at least five (5) days prior to the date of the hearing. The cost of sending or publishing the notice shall be borne by the appealing party and shall be paid to the Zoning Board of Appeals prior to the hearing of such appeal. Upon the hearing, any party may appear in person, or by agent or attorney.
- (1) Notice to park commission and county planning board or agency or regional planning council. At least five days before such hearing, the board of appeals shall mail notices thereof to the parties; to the regional state park commission having jurisdiction over any state park or parkway within five hundred feet of the property affected by such appeal; and to the county planning board or agency or regional planning council, as required by section two hundred thirty-nine-m of the general municipal law, which notice shall be accompanied by a full statement of such proposed action, as defined in subdivision one of section two hundred thirty-nine-m of the general municipal law.
 - (2) In any application or appeal for a variance, the Clerk of the Zoning Board of Appeals shall provide written notice of the public hearing, along with the substance of the variance appeal or application, to: the owners of all property abutting, or directly opposite, that of the property affected by the appeal; and to all other owners of property within one hundred (100) feet of the property which is subject of the appeal. Such notice shall be provided by certified mail at least five (5) days prior to the date of the hearing.
- H. Compliance with the State Environmental Quality Review Act. The Zoning Board of Appeals shall comply with the provisions of the New York State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law and its implementing regulations.

- I. Time to Render Decision. The Zoning Board of Appeals shall make its decision on the appeal within sixty-two (62) days after the close of the public hearing. The time in which the Zoning Board of Appeals must render its decision may be extended by mutual consent of the applicant and the Zoning Board of Appeals. In the event that a decision is not rendered within sixty two-two days, absent an extension entered by mutual consent, the appeal will be deemed granted.

- J. Voting Requirements.
 - (1) Decision of the Board. Except as in the case of a rehearing as set forth in §405-55.1 of this Law, every motion or resolution of the Zoning Board of Appeals shall require for its adoption the affirmative vote of a majority of all the members of the Zoning Board of Appeals as fully constituted regardless of vacancies or absences. Where an action is subject to referral to the County Planning Board, the voting provisions of Section 239-m of the New York State General Municipal Law shall apply.

 - (2) Default denial of appeal. In exercising its appellate jurisdiction only, if an affirmative vote of a majority of all members of the Zoning Board of Appeals is not attained on a motion or resolution to grant a variance or reverse any order, requirement, decision or determination of the Enforcement Officer within the time allowed section (I) above, the appeal is denied. The Zoning Board of Appeals may amend the failed motion or resolution and vote on the amended motion or resolution within the time allowed being subject to the rehearing process, as set forth in §405-55.1 of this Law.

- K. Filing of Decision. The decision shall be filed in the office of the city clerk within five (5) business days after the day such decision is rendered, and a copy thereof mailed to the applicant.

§405-55.1 Variances.

The Zoning Board of Appeals is empowered to authorize, in accordance with General City Law 81b(3) and (4), upon denial of a building permit, a variance from the terms of this chapter. In determining an application for a variance pursuant to the standards below, the applicant may introduce and the Board may consider

evidence regarding the impact of the requested variance on the public interest where, owing to exceptional and extraordinary circumstances, there are practical difficulties or unnecessary hardships in the way of the carrying out of the strict letter of this chapter.

A. Use Variances. The Zoning Board of Appeals, upon appeal from the decision or determination of the Enforcement Officer shall have the power to grant use variances, authorizing a use of land which otherwise would not be allowed or would be prohibited by the terms of this chapter.

(1) No such use variance shall be granted by the Zoning Board of Appeals without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Zoning Board of Appeals that for each and every permitted use under this Zoning Law for the particular district where the property is located:

- (a) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
- (b) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
- (c) The requested use variance, if granted will not alter the essential character of the neighborhood; and
- (d) The alleged hardship has not been self-created.

(2) The Zoning Board of Appeals, in granting the use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety, and welfare of the community.

B. Area Variances. The Zoning Board of Appeals, upon appeal from the decision or determination of the Enforcement Officer, shall have the power to grant area variances.

(1) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is

granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Zoning Board of Appeals shall also consider:

- (a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
 - (c) Whether the requested area variance is substantial;
 - (d) Whether the proposed variance will have an adverse effect on impact on the physical or environmental conditions in the neighborhood or district; and
 - (e) Whether the alleged difficulty was self-created. This consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.
- (2) The Zoning Board of Appeals, in granting of the area variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
- C. The Zoning Board of Appeals shall, in granting both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this Zoning Law and Comprehensive Plan for the City of Kingston, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.
- D. Once granted, variances run with the land and, once granted, every subsequent owner of the property shall have the benefit thereof.

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