



City of Kingston Finance and Audit Committee  
Meeting Agenda  
Wednesday, August 16, 2017

**NEW BUSINESS**

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](#)

Mayor Noble Re: Pike Plan  
[Communication- Pike Plan 7-31-17.pdf](#)

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

Mayor Noble Re: Budget transfer- part time position  
[Communication- Budget Transfer- part time position 7-31-17.pdf](#)

Mayor Noble Re: NOVO Grant  
[Communication- NOVO Grant 7-31-17.pdf](#)

Mayor Noble Re: SAFER Program  
[Communication- SAFER Program 7-31-17.pdf](#)

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

**OLD BUSINESS**

Alderman Mills Re: Department Head Overtime/Comptime  
[Mills July 2017 Communication.pdf](#)

Alderman Mills Re: Request for \$10,000 to hire independent Counsel for Common Council  
[Mills \\$10K Counsel.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](mailto: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 document is a letter from the President of the United States to the Congress, dated September 17, 1787. It is a very important document, as it is the first official communication from the President to the Congress. The letter is written in a very formal and dignified style, and it is a very good example of the President's power and authority.

2. The second part of the document is a letter from the President to the Congress, dated September 17, 1787. It is a very important document, as it is the first official communication from the President to the Congress. The letter is written in a very formal and dignified style, and it is a very good example of the President's power and authority.

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## 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

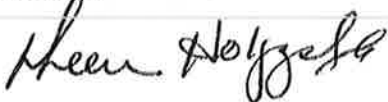
- AAP-19LL, Disadvantaged Business Enterprise Utilization Report (*final*)
- AAP-33LL, Monthly Employment Utilization Report (*composite, final*)
- AAP-21LL, Prime Contractor Report of Contract Payments (*final*)
- EBO print out is required.
- A copy of the Highway Work Permit indicating acceptance by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



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**

| <b>OSC Municipal Contract #:</b><br><b>D032608</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Contract Start Date:</b> <u>9/16/2010</u> (mm/dd/yyyy)     | <b>Contract End Date:</b> <u>9/30/2020</u> (mm/dd/yyyy)<br><input type="checkbox"/> Check, if date changed from the last Schedule A |               |                    |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|-------------|
| <b>Purpose:</b> <input type="checkbox"/> Original Standard Agreement <input checked="" type="checkbox"/> Supplemental Schedule A No. 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                               |                                                                                                                                     |               |                    |             |
| <b>Agreement Type:</b> <input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): City of Kingston<br>Other Municipality/Sponsor (if applicable): _____<br><br><input type="checkbox"/> 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><br><div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Municipality:<br/> <input type="checkbox"/> Municipality:<br/> <input type="checkbox"/> Municipality:         </div> <div>           % of Cost share<br/>           % of Cost share<br/>           % of Cost share         </div> </div> |                                                               |                                                                                                                                     |               |                    |             |
| <b>Authorized Project Phase(s) to which this Schedule applies:</b> <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals<br><input checked="" type="checkbox"/> ROW Acquisition <input checked="" type="checkbox"/> Construction/CI/CS                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                               |                                                                                                                                     |               |                    |             |
| <b>Work Type:</b> HWY SIGNALS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>County (If different from Municipality):</b> Ulster County |                                                                                                                                     |               |                    |             |
| <b>Marchiselli Eligible</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <span style="float:right">(Check, if Project Description has changed from last Schedule A): <input type="checkbox"/></span><br><b>Project Description:</b> Washington Ave Signals at Schwenk Drive & North Front Street.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                               |                                                                                                                                     |               |                    |             |
| <b>Marchiselli Allocations Approved FOR ALL PHASES</b> <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 |             |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Cumulative total for all prior SFYs                           | \$11,400.00                                                                                                                         | \$900.00      | \$59,000.00        | \$71,300.00 |
| <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Current SFY 17/18                                             | \$0.00                                                                                                                              | \$0.00        | \$11,000.00        | \$11,000.00 |
| <b>Authorized Allocations to Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                               | \$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                                                     |
| <b>TOTAL CURRENT COSTS:</b> |                                    |                 | \$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      |
| <b>TOTAL CURRENT COSTS:</b> |                                    |                | \$ 0.00 | \$ 0.00       | \$ 0.00     | \$ 0.00     |

**C. Local Deposit(s) from Section A:**

|                                    |         |
|------------------------------------|---------|
|                                    | \$ 0.00 |
| <b>Additional Local Deposit(s)</b> | \$      |
| <b>Total Local Deposit(s)</b>      | \$ 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: Doreen Holsoopple  
 Phone No: 845-431-5977

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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

# 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

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

# 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,

Steve Noble  
Mayor

# 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

# 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

## 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:** \_\_\_\_\_

25

| 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 |

## Winnie, Carly

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**From:** Noble, James  
**Sent:** Tuesday, July 04, 2017 10:24 AM  
**To:** Winnie, Carly  
**Subject:** Fwd: Communication

Carly please add to the FED Committee this issue may also involve employee contracts.

Sent from my iPhone

Begin forwarded message:

**From:** Mair <[mmills1299@aol.com](mailto:mmills1299@aol.com)>  
**Date:** June 23, 2017 at 9:22:30 AM EDT  
**To:** James Noble <[jnoble@kingston-ny.gov](mailto:jnoble@kingston-ny.gov)>, Jim Noble <[JNOBLE39@aol.com](mailto:JNOBLE39@aol.com)>, Carly Winnie <[cwinnie@kingston-ny.gov](mailto:cwinnie@kingston-ny.gov)>, Dee Sills <[dsills@kingston-ny.gov](mailto:dsills@kingston-ny.gov)>  
**Subject:** Communication

President Noble

Please submit the following communication to the appropriate committee.

With the budget season approaching and expired contracts at hand, I would like a discussion on the overtime versus comp time of department heads. In addition, on a go forward basis there should be a requirement for city employment/employees to reside within the city.

Thank you

Alderman Mills

Sent from my iPad

## Winnie, Carly

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**From:** Mair <mmills1299@aol.com>  
**Sent:** Friday, July 07, 2017 11:28 AM  
**To:** Jim Noble; Winnie, Carly; Sills, Dee  
**Cc:** Debra Brown; Bill Carey  
**Subject:** Communication

Please forward to the appropriate committee. A request is being made to hire independent council for the common council. Money is available through contingency. Money had been previously allotted in the 2016 budget, however, it was removed from the 2017 budget (see page 15 of budget). It has been confirmed that funds are available. The amount requested is \$10,000.00 same as previous allotment.

Thank you

Sent from my iPad