



City of Kingston Common Council Caucus
Meeting Agenda
Monday, January 4, 2021
7:00 PM
VIRTUAL
One tap mobile

+16465588656,,89186600335#,,, *47439411# US (New York)

+13126266799,,89186600335#,,, *47439411# US (Chicago)

Dial by your location

+1 646 558 8656 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington D.C)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 891 8660 0335

Passcode: 47439411

CONFERENCE ROOM 1, CITY HALL, 420 BROADWAY, KINGSTON, NY

DISCUSSION OF PROPOSED LEGISLATION

Proposed Resolutions

[20210104103222.pdf](#)

Common Council Caucus Agenda Item Report

Meeting Date: January 4, 2021

Submitted by: Elisa Tinti

Submitting Department: Common Council

Item Type: Informational Purposes

Agenda Section:

Subject:

Proposed Resolutions

Suggested Action:

Attachments:

[20210104103222.pdf](#)

RESOLUTION 1 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR ADOPTING THE
TENTATIVE ORDER OF BUSINESS**

Sponsored By:

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

SECTION 1- That the tentative order of business for the year 2021 is hereby
adopted

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this ____ day of
_____, 2021

Approved by the Mayor this ____ day of
_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

RESOLUTION 2 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR ADOPTING THE RULES
OF THE COUNCIL FOR THE YEAR 2021**

Sponsored By:

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

SECTION 1- That the Rules for the Council for the year 2021 are hereby adopted

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this ____ day of
_____, 2021

Approved by the Mayor this ____ day of
_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

RESOLUTION 3 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR DESIGNATING THE
DAILY FREEMAN AS THE OFFICIAL NEWSPAPER OF THE CITY OF
KINGSTON FOR THE YEAR 2021**

Sponsored By:

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

SECTION 1- That pursuant to Local Law #1 of 1980, the Daily Freeman be and is hereby designated as the official newspaper of the City of Kingston, New York, for the publication of all ordinances, official notices, rules, regulations, business and proceedings of the Common Council, City of Kingston, New York, for the year 2021

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

RESOLUTION 4 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR RENEWING THE CITY OF
KINGSTON'S INVESTMENT POLICY FOR THE YEAR 2021**

Sponsored By:

**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's Investment Policy be renewed for the year 2021.

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this ____ day of
_____, 2021

Approved by the Mayor this ____ day of
_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

City of Kingston

Investment Policy

I. Scope

This investment policy applies to all moneys and other financial resources available for investment by the *City of Kingston* on its own behalf or on behalf of any other entity or individual. This policy does not apply to funds maintained by the City's Water Department.

II. Objectives

The primary objectives of the *City of Kingston's* investment activities are, in priority order:

- **Legal:** to conform with all applicable federal, state and other legal Requirements;
- **Safety:** to adequately safeguard principal;
- **Liquidity:** to provide sufficient liquidity to meet all operating requirements;
- **Yield:** to obtain a reasonable rate of return.

III. Delegation of Authority

The Common Council's responsibility for administration of the investment program is delegated to the City Comptroller who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the *City of Kingston* to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. Diversification

It is the policy of the *City of Kingston* to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The Common Council shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. Internal Controls

It is the policy of the *City of Kingston* for all moneys collected by any officer or employee of the government to transfer those funds to the City Comptroller within two days of deposit, or within the time period specified in the law, whichever is shorter.

The City Comptroller is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization, properly recorded, and are managed in compliance with applicable laws and regulations.

VII. Designation of Depositories

The banks and trust companies authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are:

<u>Depository Name</u>	<u>Maximum Amount</u>
M&T Bank	\$15,000,000
New York Liquid Asset Fund	\$15,000,000
NYCLASS	\$15,000,000
Bank of Greene County	\$7,500,000
JP Morgan Chase Bank	\$7,500,000
First Niagara Bank	\$7,500,000
TD Bank	\$7,500,000
Catskill Hudson Bank	\$7,500,000

VIII. Securing Deposits and Investments

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, “deposits”) made by officers of the *City of Kingston* that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by any one or combination of the following:

1. A pledge of “eligible securities” with an aggregate “market value” (as provided by General Municipal Law, §10) that is at least equal to the aggregate amount of deposits by the officers. See Appendix A of this policy for a listing of “eligible securities.”
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.
3. An “eligible surety bond” payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims- paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.
4. An “eligible letter of credit”, payable to the *City of Kingston* as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of the *City of Kingston*, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
5. An “irrevocable letter of credit” issued in favor of the government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. Collateralization and Safekeeping

Eligible securities used for collateralizing deposits shall be held by a third party or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities.

In the event that the securities are not registered or inscribed in the name of the *City of Kingston*, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the *City of Kingston* or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the bank or trust company as agent of, and custodian for, the *City of Kingston*, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the *City of Kingston* with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the Common Council deems necessary.

X. Permitted Investments

As authorized by General Municipal Law, §11, the *City of Kingston* authorizes the City Comptroller to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York.
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America.
- Obligations of the State of New York;
- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law §24.00 or 25.00 (i.e, Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the *City of Kingston*.
- Obligations of the *City of Kingston*, but only with moneys in a reserve fund established pursuant to General Municipal Law, §6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.
- Repurchase Agreements in accordance with the investment guidelines as defined in Exhibit A of the New York Liquid Asset Fund Municipal Cooperation Agreement.

All investment obligations shall be payable or redeemable at the option of the *City of Kingston* within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the *City of Kingston* within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the *City of Kingston* authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the *City of Kingston* within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law §11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. Authorized Financial Institutions and Dealers

All financial institutions and dealers with which the *City of Kingston* conducts business shall be credit worthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the *City of Kingston*. The City Comptroller shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The *City of Kingston* shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer.

XII. Purchase of Investments

The City Comptroller is authorized to contract for the purchase of investments:

1. Directly from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law and accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the *City of Kingston* by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the *City of Kingston*, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's interest in the securities, and the agreement may also contain other provisions that the Common Council deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the *City of Kingston* with a perfected interest in the securities.

The City Comptroller can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law §10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. Courier Service

The City Comptroller may, subject to the approval of the Common Council by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the *City of Kingston* and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The *City of Kingston* may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the *City of Kingston* in transporting items for deposit through a courier service. Any such reimbursement

agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions, and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions, or limitations that may be required by the banking department or other federal or state authority.

XIV. Annual Review and Amendments

The *City of Kingston* shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. Definitions

The terms “public funds”, “public deposits”, “bank”, “trust company”, “eligible securities”, “eligible surety bond”, and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law §10.

Appendix A
Schedule of Eligible Securities for Collateralizing Deposits and Investments in
Excess of FDIC Coverage

<u>“Eligible Securities” for Collateral</u>
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.
(ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
(iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
(iv) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.
(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”

(xii) An eligible surety bond, as defined in Section 10 of the GML, payable to the extent of 100% of the Permitted Investment.
(xiii) An eligible letter of credit, as defined in Section 10 of the GML, payable to the extent of 140% of the Permitted Investment.
(xiv) An irrevocable letter of credit issues by a Federal Home Loan Bank (FHLB) whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one hundred percent (100%) of the aggregate amount and the agreed upon interest, if any.

For the purpose of determining Market Values of the eligible securities set forth in this Appendix A (a) obligations described in clauses (i), (ii), (iii), (iv) and (xiv) shall be valued at 100% of their Market Value, (b) obligations described in clauses (v), (vi) and (vii) if rated in the highest category shall be valued at 100% of their market value, if rated in the second highest category shall be valued at 90% of their Market Value, and if rated in the third highest category shall be valued at 80% of their Market Value; (c) obligations described in clauses (viii), (x) and (xi) shall be valued at 80% of their Market Value; and (d) obligations described in clause (ix) shall be valued at 70% of their Market Value.

RESOLUTION 5 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, RECOMMENDING APPROVAL FOR RECEIVING THE
MAYOR'S MESSAGE**

Sponsored By:

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

SECTION 1- That the Mayor's Annual Message be received, printed and filed in the Office of the City Clerk.

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this ____ day of
_____, 2021

Approved by the Mayor this ____ day of
_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

RESOLUTION 6 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REQUESTING THE COMMON COUNCIL TO ACCEPT THE 2019 AUDITED FINANCIALS AS PREPARED BY RBT CPA'S

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

WHEREAS, the City has received its independent audit report for the calendar year 2019 from RBT CPA's LLP.

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

SECTION 1. That the Audit Report for the calendar year 2019 prepared by RBT CPA's LLP be accepted.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

Fin + Audit

CITY OF KINGSTON
Office of the Comptroller
comptroller@kingston-ny.gov

John Tuey, Comptroller



Steven T. Noble, Mayor

November 20, 2020

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

RE: 2019 Independent Audit Report

Dear Alderman at Large Shaut,

The City has received its independent audit report for calendar year 2019 from RBT CPAs LLP. Please refer to the City's Finance Committee for discussion.

Sincerely,

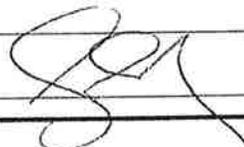
John R. Tuey
Comptroller, City of Kingston

cc: Mayor Steven T. Noble

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT <u>Comptroller</u>	DATE <u>11/20/2020</u>
Description: <u>Request Common Council to accept 2019 Audited Financial Statement submitted by RBT, CPA's.</u>	
Estimated Financial Impact <u>N/A</u>	Signature 

Motion by _____

Seconded by _____

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

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

FINANCIAL REPORT
AUDITED
CITY OF KINGSTON, NEW YORK
For the Year Ended December 31, 2019

Audited for:

Common Council
CITY OF KINGSTON, NEW YORK

Audited by:

RBT CPAs, LLP
11 Racquet Road
Newburgh, NY 12550
(845) 567-9000

CITY OF KINGSTON, NEW YORK

TABLE OF CONTENTS

FINANCIAL SECTION	<u>Page</u>
Independent Auditor's Report	1 – 3
Management's Discussion and Analysis	4 – 10
Basic Financial Statements	
Government-wide Financial Statements	
Statement of Net Position	11 – 12
Statement of Activities	13
Fund Financial Statements	
Balance Sheet – Governmental Funds	14
Reconciliation of the Total Governmental Funds Balance Sheet to the Statement of Net Position	15
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	16
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities	17
Statement of Net Position – Proprietary Funds	18 – 19
Statement of Revenues, Expenses and Changes in Net Position – Proprietary Funds	20
Statement of Cash Flows – Proprietary Funds	21
Statement of Net Position – Fiduciary Fund	22
Statement of Changes in Fiduciary Net Position	23
Notes to Basic Financial Statements	24 – 49

	<u>Page</u>
Required Supplementary Information	
Schedule of Changes in the City's Total OPEB Liability and Related Ratios	50
Schedule of OPEB Contributions and Assumptions	51
Schedule of the City's Proportionate Share of the Net Pension Liability and Related Ratios	52
Schedule of Employer's Contributions	53
Schedule of Revenues and Expenditures Compared to Budget – General Fund	54
Other Supplementary Information	
Schedule of Indebtedness	55 – 56
OTHER REPORTING REQUIRED BY <i>GOVERNMENT AUDITING STANDARDS</i>	
Schedule of Expenditures of Federal Awards and State Transportation Assistance	57
Notes to the Schedule of Expenditures of Federal Awards and State Transportation Assistance	58 – 59
Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With <i>Government Auditing Standards</i>	60 – 61
Independent Auditor's Report on Compliance for Each Major Federal Program and on Internal Control Over Compliance Required by Uniform Guidance	62 – 63
Independent Auditor's Report on Compliance for Each State Transportation Assistance Program Tested and on Internal Control over Compliance	64 – 65
Summary Schedule of Prior Audit Findings	66
Schedule of Findings and Questioned Costs	67 – 68



LIMITED LIABILITY PARTNERSHIP
CERTIFIED PUBLIC ACCOUNTANTS BUSINESS DEVELOPMENT CONSULTANTS

INDEPENDENT AUDITOR'S REPORT

Members of the Common Council
City of Kingston, New York
420 Broadway
Kingston, New York 12401

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Kingston, New York, (the "City") as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the City's Water Fund, as shown on the Statement of Net Position and Statement of Revenues, Expenses and Changes in Fund Balance – Proprietary Funds and the financial statements of the discretely presented component units which represent 21% of the assets, 9% of the net assets and 13% of the revenues of the reporting entity. Those statements were audited by other auditors, whose report has been furnished to us, and our opinion, insofar as it related to the amounts included for the Water Fund and the discretely presented component units, are based solely on the reports of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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Opinions

In our opinion, based on our audit and the report of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information of the City of Kingston, New York, as of December 31, 2019, and the respective changes in financial position and, where applicable, the cash flows thereof for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparisons, and schedules of changes in the City's total other postemployment benefit liability ("OPEB") and related ratios, OPEB contributions and assumptions, proportionate share of the net pension liability and related ratios, and employer contributions on pages 4-10 and 50-54 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Supplementary Information

Our audit was conducted for the purpose of forming opinions on the City's basic financial statements. The accompanying schedule of indebtedness and the schedule of expenditures of federal awards and state transportation assistance, as required by Title 2, U.S. Code of Federal Regulations, Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and Title 17, Part 43 of NYCRR, are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement, or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedules of indebtedness and expenditures of federal awards and state transportation assistance are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Emphasis of Matter

As described in Note XV to the financial statements, the spread of the global pandemic, coronavirus disease (COVID-19), has created economic uncertainty. Our opinion is not modified with respect to this matter.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report, dated October 28, 2020, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

RBT CPAs, LLP

Newburgh, NY
October 28, 2020

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

The accompanying management discussion and analysis of the City of Kingston's (the "City") financial performance has been prepared to provide an overview of the City's financial activities for the year ended December 31, 2019. This discussion and analysis is only an introduction and should be read in conjunction with the City's financial statements.

Requests For Information

This report is designed to provide an overview of the City's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to John Tuey, Comptroller, City of Kingston, 420 Broadway, Kingston, NY 12401.

2019 Financial Highlights

- The City's Governmental net position (defined as assets plus deferred outflows less liabilities and deferred inflows) was a negative \$(101,593,089) at December 31.
- The governmental total net position decreased by \$4,247,381 for the year ending December 31, 2019.
- At December 31, the proportionate share of the net pension liability for both retirement systems was included in total liabilities in the amount of \$5,822,800.
- As of the close of the year, the City's governmental funds reported an ending fund balance of \$4,604,036, a decrease of \$5,858,809 in comparison with the prior year.
- As of the close of the year, the City's Proprietary Funds reported an ending net position of \$5,981,152, an increase of \$2,675,110 in comparison with the prior year.
- At the end of the year, unassigned fund balance for the General Fund was \$7,430,500.
- At the end of the year, unrestricted net position for the Proprietary Funds was a negative (\$14,053,656).

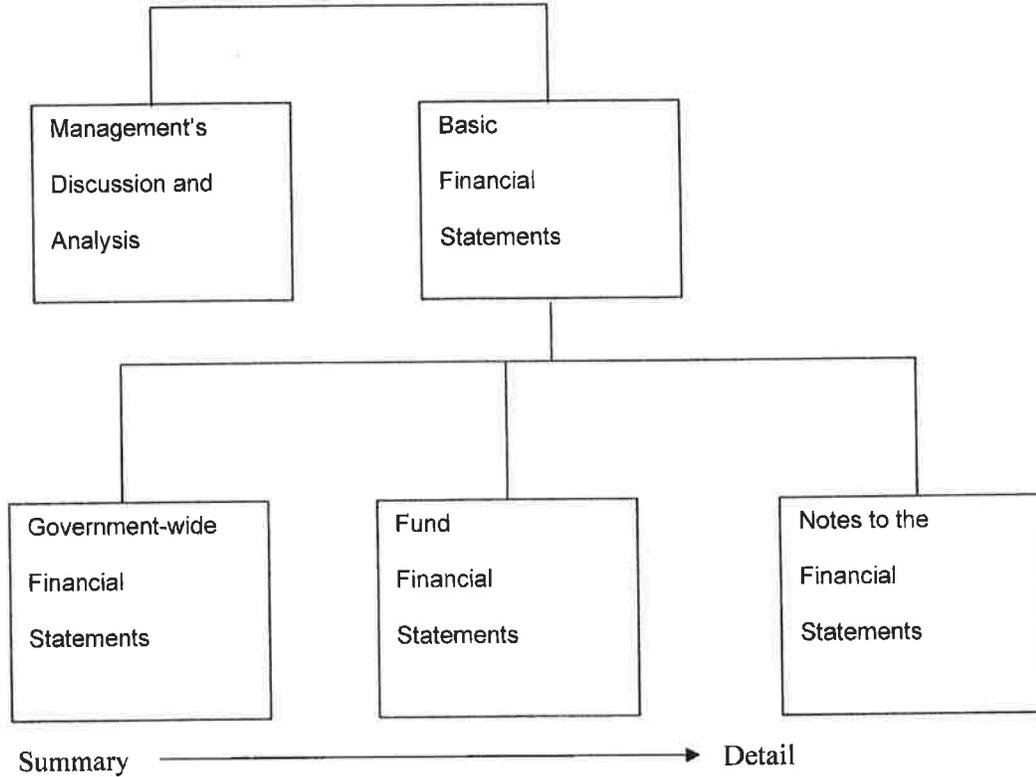
Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements consist of three components; 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. The basic financial statements present two different views of the City's financial position through the use of government-wide statements and fund financial statements. Each view will be explained in more detail following this narrative. In addition to the basic financial statements, this report contains other supplementary information that will enhance the reader's understanding of the financial condition of the City.

**CITY OF KINGSTON, NEW YORK
 REQUIRED SUPPLEMENTARY INFORMATION
 MANAGEMENT'S DISCUSSION AND ANALYSIS**

Required Components of the City's Basic Financial Statements

Figure 1



Basic Financial Statements

The first two statements in the basic financial statements are the **Government-wide Financial Statements**. They provide both short and long-term information about the City's financial status.

The next statements are **Fund Financial Statements**. These statements focus on the activities of the individual parts of the City's government. These statements provide more detail than the government-wide statements. There are two parts to the Fund Financial Statements, they include: 1) the governmental, proprietary and fiduciary fund statements and 2) reconciliations to the government-wide financial statements.

The next section of the basic financial statements is the **notes**. The notes to the financial statements explain in detail some of the data contained in those statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide the reader with a broad overview of the City's finances, similar in format to a financial statement of a private-sector business. The government-wide statements provide short and long-term information about the City's financial status as a whole.

The two government-wide statements report the City's net position and how it has changed. Net position is the difference between the City's total assets and total liabilities. Measuring net position is one way to gauge the City's financial condition.

The governmental activities include most of the City's basic services such as public safety, road maintenance and administration. Property taxes, sales tax, charges for services and state aid finance most of these activities.

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Fund Financial Statements

The fund financial statements provide a more detailed look at the City's most significant activities. A fund is a group of self-balancing accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like all other governmental entities in New York, uses fund accounting to ensure and reflect compliance with finance-related legal requirements, such as New York State general municipal law and local finance law or the City's budget ordinance.

Governmental Funds – Governmental funds are used to account for those functions reported as governmental activities in the government-wide financial statements. All of the City's basic services are accounted for in governmental funds. These funds focus on how assets can readily be converted into cash flow and what monies are left at year-end that will be available for spending in the next year. Governmental funds are reported using an accounting method called *modified accrual accounting*, which provides a short-term spending focus. As a result, the governmental fund financial statements give the reader a detailed short-term view that helps him or her determine if there are more or less financial resources available to finance the City's programs. The relationship between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds is described in reconciliations that are a part of the fund financial statements.

Proprietary Funds – Proprietary funds are funds used to account for business-type activities. The proprietary fund financial statements are presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred.

Fiduciary Funds – The City acts in an agency capacity for assets that are ultimately transferred to others, such as guarantee and bid deposits. These funds are excluded from the government-wide financial statements because the City cannot use these assets to finance operations.

The City adopts an annual budget for certain funds as required by municipal law. The budget is a legally adopted document that incorporates input from the citizens and management of the City, and the decisions of the Council about which services to provide and how to pay for them. It also authorizes management to obtain funds from identified sources to finance these current period activities. The budgetary comparison demonstrates how well the City complied with the budget ordinance and whether or not the City succeeded in providing the services as planned when the budget was adopted. The budgetary comparison schedule uses the budgetary basis of accounting and is presented using the same format, language and classifications as the legal budget document. The schedule shows four columns: 1) the original budget as adopted by the City Council; 2) the final budget as amended by the City Council; 3) the actual revenues, expenditures and ending balances; and 4) the variance between the final budget and actual revenues and expenditures. The schedule is presented as required supplementary information.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS
GOVERNMENTAL ACTIVITIES
NET POSITION**

	2019	2018	\$ Change	% Change
Current Assets	\$ 25,625,582	\$ 24,555,508	\$ 1,070,074	4.36%
Capital Assets	51,211,789	44,863,290	6,348,499	14.15%
Total Assets	<u>76,837,371</u>	<u>69,418,798</u>	<u>7,418,573</u>	<u>10.69%</u>
Deferred Outflows of Resources	<u>13,372,903</u>	9,622,146	3,750,757	38.98%
Current Liabilities	13,690,250	7,567,290	6,122,960	80.91%
Long-Term Liabilities	169,854,101	161,386,509	8,467,592	5.25%
Total Liabilities	<u>183,544,351</u>	<u>168,953,799</u>	<u>14,590,552</u>	<u>8.64%</u>
Deferred Inflows of Resources	<u>8,259,012</u>	7,432,853	826,159	11.11%
Net Position:				
Net Investment in Capital Assets	33,641,642	30,620,227	3,021,415	9.87%
Restricted	818,206	167,515	650,691	388.44%
Unrestricted (As Restated)	(136,052,937)	(128,133,450)	(7,919,487)	6.18%
Total Net Position	<u>\$ (101,593,089)</u>	<u>\$ (97,345,708)</u>	<u>\$ (4,247,381)</u>	<u>4.36%</u>

Management's Explanation of Changes

Total liabilities primarily increased due to the issuance of additional Bond Anticipation Notes for \$6,188,234 during the year and due to an increase in OPEB liability for over \$8 million. The increase in capital assets is primarily due to additional capital purchases and capital project related items.

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS
GOVERNMENTAL ACTIVITIES
CHANGES IN NET POSITION**

	2019	%	2018	%	\$ Change	% Change
Revenues:						
Program Revenues:						
Charges for Services	\$ 3,720,182	7.74%	\$ 3,429,660	7.37%	\$ 290,522	8.47%
Operating and Capital Grants	6,111,042	12.72%	3,537,233	7.60%	2,573,809	72.76%
General Revenues:						
Real Property Taxes	17,708,048	36.85%	17,614,013	37.85%	94,035	0.53%
Real Property Tax Items	785,970	1.64%	750,585	1.61%	35,385	4.71%
Non Property Taxes	14,649,632	30.49%	14,424,888	31.00%	224,744	1.56%
Use of Money and Property	214,207	0.45%	256,462	0.55%	(42,255)	-16.48%
State Aid	3,693,154	7.69%	3,538,193	7.60%	154,961	4.38%
Sale of Property and Compensation for Loss	212,368	0.44%	954,918	2.05%	(742,550)	-77.76%
Loss on Disposal of Assets	(336,277)	-0.71%	-	0.00%	(336,277)	100.00%
Miscellaneous	1,290,597	2.69%	2,032,570	4.37%	(741,973)	-36.50%
Total Revenues	48,048,923	100.00%	46,538,522	100.00%	1,510,401	3.25%
Expenses:						
General Government	6,432,187	12.30%	6,707,077	13.62%	(274,890)	-4.10%
Public Safety	29,101,869	55.65%	27,732,096	56.31%	1,369,773	4.94%
Public Health	208,649	0.40%	246,715	0.50%	(38,066)	-15.43%
Transportation	4,732,199	9.05%	4,808,215	9.76%	(76,016)	-1.58%
Economic Assistance and Opportunity	1,599,235	3.06%	392,965	0.80%	1,206,270	306.97%
Culture and Recreation	4,191,069	8.01%	3,413,430	6.93%	777,639	22.78%
Home and Community Services	5,561,151	10.63%	5,493,154	11.15%	67,997	1.24%
Interest on Debt	469,945	0.90%	459,036	0.93%	10,909	2.38%
Total Expenses	52,296,304	100.00%	49,252,688	100.00%	3,043,616	6.18%
Increase/(Decrease) in Net Position	<u>\$ (4,247,381)</u>		<u>\$ (2,714,166)</u>		<u>(1,533,215)</u>	<u>56.49%</u>

Management's Explanation of Changes

Total revenues in 2019 increased by 3.35% from 2018 primarily due to increase in operating and capital grants. This was due to increase in state and federal assistance for transportation projects. Total expenses are up \$3,043,616 and 6.18% from 2018, with the largest fluctuations being Public Safety (up \$1,369,773 and 4.94%) and Economic Assistance and Opportunity (up \$1,206,270 and 306.97%). The increase in expenses were due to payroll from new grant departments, expenses related to additional state grants, and capital outlay.

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Governmental Funds Financial Analysis

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds: The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of usable resources. Such information is useful in assessing the City's financing requirements. Specifically, unassigned fund balance can be a useful measure of a government's net resources available for spending at the end of the year.

The General Fund is the chief operating fund of the City. At the end of the current year, the unassigned fund balance of the General Fund was \$7,430,500. As a measure of the General Fund's liquidity, it may be useful to compare the unassigned fund balance to total fund expenditures. Unassigned fund balance represents 17.9 percent of total General Fund expenditures.

At December 31, 2019, the governmental funds of the City reported a combined fund balance of \$4,604,036, a 56 percent decrease over the prior year end. Included in this change in fund balance are increases in the Special Grant Fund and decreases in the General, Capital Project and Debt Service Funds.

General Fund Budgetary Highlights: During the year, the City revised the General Fund budget. Generally, budget amendments fall into one of three categories: 1) amendments made to adjust the estimates that are used to prepare the original budget ordinance once exact information is available; 2) amendments made to recognize new funding amounts from external sources, such as Federal and State grants; and 3) increases in appropriations that become necessary to maintain services.

Capital Asset and Debt Administration – Governmental Activities

Capital Assets: The City's investment in capital assets for its governmental activities as of December 31, 2019 totaled \$51,211,789 (net of accumulated depreciation). These assets include land, construction in progress, buildings, improvements, infrastructure, and machinery and equipment.

Debt: As of December 31, 2019, the City had total debt outstanding for its governmental activities of \$17,570,147. The debt is backed by the full faith and credit of the City. The City's governmental debt increased by \$2,152,588 during the 2019 year.

For more detailed information on capital assets and long-term debt, see the notes to the basic financial statements.

**CITY OF KINGSTON, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS
PROPRIETARY FUNDS
CHANGES IN NET POSITION**

	2019	2018	\$ Change	% Change
Revenues				
Charges for Services	\$ 9,608,662	\$ 9,871,199	\$ (262,537)	-2.66%
Other Revenues	3,043,984	2,335,914	708,070	30.31%
Total Revenues	12,652,646	12,207,113	445,533	3.65%
Expenses				
Personal Services and Benefits	5,200,534	5,356,081	(155,547)	-2.90%
Maintenance and Operating Costs	2,224,148	2,280,665	(56,517)	-2.48%
Depreciation	1,865,601	1,768,378	97,223	5.50%
Interest and Other	687,253	629,362	57,891	9.20%
Total Expenses	9,977,536	10,034,486	(56,950)	-0.57%
Change in Net Position	2,675,110	2,172,627	502,483	23.13%
Net position - beginning,	3,306,042	12,559,725	(9,253,683)	-73.68%
Prior Period Adjustment	-	(11,426,310)	11,426,310	-100.00%
Net position - beginning, as restated	3,306,042	1,133,415	2,172,627	191.69%
Net position - ending	\$ 5,981,152	\$ 3,306,042	\$ 2,675,110	80.92%

As shown in the above table, proprietary funds' revenues increased by \$445,533 from 2018 to 2019 primarily due to increase in federal aid. Expenses also decreased from 2018 to 2019 by \$56,950 due to reduction in payments for contracted services. Overall, net position increased by \$2,675,110 from 2018 to 2019. As of December 31, 2019, net position was \$5,981,152.

Capital Asset and Debt Administration – Proprietary Funds

Capital Assets: The City's investment in capital assets for its business activities as of December 31, 2019 totaled \$43,988,770 (net of accumulated depreciation). These assets include land, buildings, improvements, machinery and equipment, infrastructure and construction in progress.

Debt: As of December 31, 2019, the City had total debt outstanding pertaining to its business-type activities of \$25,230,826. The debt is backed by the full faith and credit of the City. The City's total long-term debt pertaining to those business-type activities decreased by \$1,128,640 during the 2019 year.

For more detailed information on capital assets and long-term debt, see the notes to the basic financial statements.

**CITY OF KINGSTON, NEW YORK
STATEMENT OF NET POSITION
DECEMBER 31, 2019**

	GOVERNMENTAL ACTIVITIES	BUSINESS-TYPE ACTIVITIES	TOTAL PRIMARY GOVERNMENT	COMPONENT UNITS
ASSETS				
Cash And Cash Equivalents	\$ 9,050,028	\$ 4,225,127	\$ 13,275,155	\$ 4,055,750
Cash - Restricted	-	1,276,864	1,276,864	505,602
Taxes Receivable (Note I H)	5,274,418	-	5,274,418	-
Due From Other Governments	2,478,970	259,880	2,738,850	-
Notes Receivable (Note I I)	1,098,498	-	1,098,498	-
Other Receivables	6,523,124	3,639,126	10,162,250	19,661
Inventories	11,691	162,764	174,455	-
Prepaid Items	1,466,064	298,178	1,764,242	472
Internal Balances	(277,211)	401,450	124,239	-
Long Term Receivables	-	-	-	804,050
	<u>25,625,582</u>	<u>10,263,389</u>	<u>35,888,971</u>	<u>5,385,535</u>
Capital Assets, not being depreciated	2,864,439	10,815,334	13,679,773	2,784,953
Capital Assets, being depreciated, net	48,347,350	33,173,436	81,520,786	143,904
Total Capital Assets, net (Note V)	<u>51,211,789</u>	<u>43,988,770</u>	<u>95,200,559</u>	<u>2,928,857</u>
Total Assets	<u>76,837,371</u>	<u>54,252,159</u>	<u>131,089,530</u>	<u>8,314,392</u>
DEFERRED OUTFLOWS OF RESOURCES				
OPEB (Note VII)	8,917,426	1,141,545	10,058,971	-
Other	-	12,223	12,223	-
Pension (Note VI)	4,455,477	615,151	5,070,628	-
Total Deferred Outflows of Resources	<u>13,372,903</u>	<u>1,768,919</u>	<u>15,141,822</u>	<u>-</u>
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	<u>90,210,274</u>	<u>56,021,078</u>	<u>146,231,352</u>	<u>8,314,392</u>

See accompanying notes to basic financial statements.

CITY OF KINGSTON, NEW YORK
STATEMENT OF NET POSITION – (CONTINUED)
DECEMBER 31, 2019

	GOVERNMENTAL ACTIVITIES	BUSINESS-TYPE ACTIVITIES	TOTAL PRIMARY GOVERNMENT	COMPONENT UNITS
LIABILITIES				
Accounts Payable	\$ 4,315,447	\$ 1,476,724	\$ 5,792,171	\$ -
Accrued Liabilities	830,442	276,894	1,107,336	5,753
Due to Other Governments	1,373,276	-	1,373,276	-
Non-Current Liabilities:				
Due and Payable Within One Year:				
Bond Anticipation Notes Payable (Note VIII)	5,804,776	3,976,187	9,780,963	-
Loans Payable	-	-	-	131,458
Landfill Remediation Liability (Note IX)	34,303	-	34,303	-
Installment Obligations Payable (Note IX)	140,513	289,935	430,448	-
Bonds Payable (Note IX)	1,191,493	1,297,209	2,488,702	-
Due and Payable More Than One Year:				
Loans Payable	-	-	-	547,187
Bond Anticipation Notes Payable (Note XI)	-	4,560,316	4,560,316	-
Landfill Remediation Liability (Note IX)	464,399	-	464,399	-
Installment Obligations Payable (Note IX)	197,900	517,643	715,543	-
Bonds Payable (Note IX)	10,235,465	14,589,536	24,825,001	-
Compensated Absence Liability (Note IX)	2,725,856	485,839	3,211,695	-
Share of Net Pension Liability (Note VI)	5,822,800	614,306	6,437,106	-
Other Post-Employment Benefits (Note VII)	150,407,681	20,772,327	171,180,008	-
Total Liabilities	183,544,351	48,856,916	232,401,267	684,398
DEFERRED INFLOWS OF RESOURCES				
Deferred Revenue	-	108,577	108,577	1,042,613
OPEB (Note VII)	6,298,206	869,342	7,167,548	-
Pension (Note VI)	1,960,806	205,091	2,165,897	-
Total Deferred Inflows of Resources	8,259,012	1,183,010	9,442,022	1,042,613
TOTAL LIABILITIES AND DEFERRED INFLOWS OF RESOURCES	191,803,363	50,039,926	241,843,289	1,727,011
NET POSITION				
Net Investment in Capital Assets	33,641,642	18,757,944	58,105,893	2,850,212
Restricted for Economic and Community Development	191,047	-	191,047	-
Restricted for Special Purposes	627,159	1,276,864	1,904,023	505,602
Unrestricted	(136,052,937)	(14,053,656)	(155,812,900)	3,231,567
TOTAL NET POSITION	\$ (101,593,089)	\$ 5,981,152	\$ (95,611,937)	\$ 6,587,381

See accompanying notes to basic financial statements.

CITY OF KINGSTON, NEW YORK
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2019

FUNCTIONS/PROGRAMS	EXPENSES	CHARGES FOR SERVICES	OPERATING GRANTS AND CONTRIBUTIONS	CAPITAL GRANTS AND CONTRIBUTIONS	CHANGES IN NET POSITION PRIMARY GOVERNMENT			COMPONENT UNITS
					GOVERNMENTAL ACTIVITIES	BUSINESS- TYPE ACTIVITIES	TOTAL	
Governmental Activities:								
General Government Support	\$ (6,432,187)	\$ 790,901	\$ 244,878	\$ -	\$ (5,396,408)	\$ -	\$ (5,396,408)	\$ -
Public Safety	(29,101,869)	1,675,069	48,046	425,334	(26,953,420)	-	(26,953,420)	-
Health	(208,649)	60,402	75,311	-	(72,936)	-	(72,936)	-
Transportation	(4,732,199)	354,638	-	3,075,982	(1,301,579)	-	(1,301,579)	-
Economic Assistance & Opportunity	(1,599,235)	66,755	267,004	636,272	(629,204)	-	(629,204)	-
Culture and Recreation	(4,191,069)	432,579	174,343	-	(3,584,147)	-	(3,584,147)	-
Home and Community Services	(5,561,151)	339,838	-	1,163,872	(4,057,441)	-	(4,057,441)	-
Interest on Long-Term Debt	(469,945)	-	-	-	(469,945)	-	(469,945)	-
Total Governmental Activities	(52,296,304)	3,720,182	809,582	5,301,460	(42,465,080)	-	(42,465,080)	-
Business-type Activities:								
Water Fund	(4,929,169)	4,707,951	-	1,213,058	-	991,840	991,840	-
Sewer Fund	(5,048,367)	5,006,152	-	1,599,117	-	1,556,902	1,556,902	-
Total Business-type Activities	(9,977,536)	9,714,103	-	2,812,175	-	2,548,742	2,548,742	-
Total Primary Government	\$ (62,273,840)	\$ 13,434,285	\$ 809,582	\$ 8,113,635	(42,465,080)	2,548,742	(39,916,338)	-
Component Units:								
Kingston Local Development Corp.	\$ (124,710)	\$ 156,967	\$ -	\$ -	-	-	-	32,257
Kingston City Land Bank, Inc.	(5,608)	-	5,608	-	-	-	-	-
Total Component Units	\$ (130,318)	\$ 156,967	\$ 5,608	\$ -	-	-	-	32,257
General revenues								
Real Property Taxes					17,708,048	-	17,708,048	-
Real Property Tax Items					785,970	-	785,970	-
Non-Property Tax Items					14,649,632	-	14,649,632	-
Use of Money and Property					214,207	119,819	334,026	7,100
Sale of Property					212,368	6,549	218,917	-
Loss on Disposal of Assets					(336,277)	-	(336,277)	-
Miscellaneous					1,290,597	-	1,290,597	-
State Aid					3,693,154	-	3,693,154	-
Total General Revenues					<u>38,217,699</u>	<u>126,368</u>	<u>38,344,067</u>	<u>7,100</u>
Change in Net Position					(4,247,381)	2,675,110	(1,572,271)	39,357
Net Position - Beginning					(97,345,708)	3,306,042	(94,039,666)	6,548,024
Net Position - Ending					<u>\$ (101,593,089)</u>	<u>\$ 5,981,152</u>	<u>\$(95,611,937)</u>	<u>\$ 6,587,381</u>

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2019**

	General	Special Grant	Capital Projects	Debt Service	Total Governmental Funds
ASSETS					
Cash and Cash Equivalents	\$ 8,363,158	\$ 355,924	\$ 49,571	\$ 281,375	\$ 9,050,028
Receivables:					
Taxes	5,274,418	-	-	-	5,274,418
Other	1,382,438	-	-	-	1,382,438
Inventory	11,691	-	-	-	11,691
Notes Receivable (Note I I)	-	1,098,498	-	-	1,098,498
Due from Other Funds (Note IV)	2,797,379	-	623,591	304,267	3,725,237
Due from Other Governments	1,949,393	-	69,577	460,000	2,478,970
State and Federal Receivable	1,897,307	138,202	3,105,177	-	5,140,686
Prepaid Expenses	688,787	-	-	-	688,787
Total Assets	\$ 22,364,571	\$ 1,592,624	\$ 3,847,916	\$ 1,045,642	\$ 28,850,753

LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES

Liabilities:					
Accounts Payable	\$ 1,562,522	\$ 233,315	2,519,610	\$ -	\$ 4,315,447
Accrued Liabilities	677,699	-	-	2,472	680,171
Bond Anticipation Notes Payable (Note VIII)	-	-	5,804,776	-	5,804,776
Due to Other Funds (Note IV)	1,140,778	-	2,705,242	156,428	4,002,448
Due to Other Governments	3,165,226	27,039	-	-	3,192,265
Total Liabilities	6,546,225	260,354	11,029,628	158,900	17,995,107
Deferred Inflows of Resources	5,096,223	1,141,223	-	14,164	6,251,610
Fund Balance:					
Nonspendable	700,478	-	-	-	700,478
Restricted	627,159	-	-	-	627,159
Assigned Appropriated	1,457,190	-	-	-	1,457,190
Assigned Unappropriated	506,796	191,047	1,297,155	872,578	2,867,576
Unassigned	7,430,500	-	(8,478,867)	-	(1,048,367)
Total Fund Balance	10,722,123	191,047	(7,181,712)	872,578	4,604,036
Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 22,364,571	\$ 1,592,624	\$ 3,847,916	\$ 1,045,642	\$ 28,850,753

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
RECONCILIATION OF THE TOTAL GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
DECEMBER 31, 2019**

	Total Governmental Funds	Long-Term Assets and Liabilities	Reclassifications and Eliminations	Statement of Net Position Totals
ASSETS				
Cash and Cash Equivalents	\$ 9,050,028	\$ -	\$ -	\$ 9,050,028
Receivables				
Taxes	5,274,418	-	-	5,274,418
Other	6,523,124	-	-	6,523,124
Inventory	11,691	-	-	11,691
Notes Receivable	1,098,498	-	-	1,098,498
Due from Other Funds	3,725,237	-	(3,725,237)	-
Due from Other Governments	2,478,970	-	-	2,478,970
Prepaid Expenses	688,787	777,277	-	1,466,064
Capital Assets, net	-	51,211,789	-	51,211,789
Deferred Outflows of Resources - OPEB	-	8,917,426	-	8,917,426
Deferred Outflows of Resources - Pension	-	4,455,477	-	4,455,477
Total Assets and Deferred Outflows	\$ 28,850,753	\$ 65,361,969	\$ (3,725,237)	\$ 90,487,485
LIABILITIES				
Accounts Payable	\$ 4,315,447	\$ -	\$ -	\$ 4,315,447
Accrued Liabilities	680,171	150,271	-	830,442
Bond Anticipation Notes Payable	5,804,776	-	-	5,804,776
Landfill Remediation Payable	-	498,702	-	498,702
Installment Obligations Payable	-	338,413	-	338,413
Bonds Payable	-	11,426,958	-	11,426,958
Due to Other Funds	4,002,448	-	(3,725,237)	277,211
Due to Other Governments	3,192,265	(1,818,989)	-	1,373,276
Compensated Absences	-	2,725,856	-	2,725,856
Net Pension Liability-Proportionate Share	-	5,822,800	-	5,822,800
Other Postemployment Benefits	-	150,407,681	-	150,407,681
Deferred Inflows of Resources - Deferred Revenue	6,251,610	(6,251,610)	-	-
Deferred Inflows of Resources - OPEB	-	6,298,206	-	6,298,206
Deferred Inflows of Resources - Pension	-	1,960,806	-	1,960,806
Total Liabilities and Deferred Inflows	24,246,717	171,559,094	(3,725,237)	192,080,574
Total Fund Balances/Net Position	4,604,036	(106,197,125)	-	(101,593,089)
Total Liabilities, Deferred Inflows and Fund Balances/Net Position	\$ 28,850,753	\$ 65,361,969	\$ (3,725,237)	\$ 90,487,485

See accompanying notes to the financial statements.

CITY OF KINGSTON, NEW YORK
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	General	Special Grant	Capital Projects	Debt Service	Total Governmental Funds
Revenues:					
Real Property Taxes	\$ 17,248,065	\$ -	\$ -	\$ -	\$ 17,248,065
Real Property Tax Items	785,970	-	-	-	785,970
Non Property Tax Items	14,649,632	-	-	-	14,649,632
Departmental Income	2,531,936	-	16,357	-	2,548,293
Intergovernmental Charges	559,565	-	-	-	559,565
Use of Money and Property	215,540	50	-	388	215,978
Licenses and Permits	890,043	-	-	-	890,043
Fines and Forfeitures	136,853	-	-	-	136,853
Sale of Property and Compensation for Loss	243,704	-	-	-	243,704
Miscellaneous	4,453,107	25,720	399,625	-	4,878,452
State Aid	1,941,522	15,000	1,805,231	-	3,761,753
Federal Aid	538,297	829,514	958,783	-	2,326,594
Total Revenues	44,194,234	870,284	3,179,996	388	48,244,902
Expenditures:					
General Government	3,542,823	-	32,159	19,107	3,594,089
Public Safety	13,251,225	-	18,270	-	13,269,495
Health	115,518	-	-	-	115,518
Transportation	2,242,601	-	21,670	-	2,264,271
Economic Assistance and Opportunity	1,141,697	-	-	-	1,141,697
Culture and Recreation	2,347,896	-	97	-	2,347,993
Home and Community Services	2,219,867	846,752	58	-	3,066,677
Employee Benefits	15,690,271	-	-	-	15,690,271
Capital Outlay	1,669,900	-	9,008,630	-	10,678,530
Debt Service	469,117	-	5,430	1,760,623	2,235,170
Total Expenditures	42,690,915	846,752	9,086,314	1,779,730	54,403,711
Excess/(Deficiency) of Revenues Over Expenditures	1,503,319	23,532	(5,906,318)	(1,779,342)	(6,158,809)
Other Financing Sources/(Uses):					
BANS Redeemed from Appropriations	-	-	300,000	-	300,000
Operating Transfers In	-	-	-	1,686,877	1,686,877
Operating Transfers Out	(1,686,877)	-	-	-	(1,686,877)
Total Other Financing Sources/(Uses)	(1,686,877)	-	300,000	1,686,877	300,000
Change in Fund Balances	(183,558)	23,532	(5,606,318)	(92,465)	(5,858,809)
Fund Balances - Beginning	10,905,681	167,515	(1,575,394)	965,043	10,462,845
Fund Balances - Ending	\$ 10,722,123	\$ 191,047	\$(7,181,712)	\$ 872,578	\$ 4,604,036

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2019**

	Total Governmental Funds	Long-Term Revenue, Expenses	Capital Asset Transactions	Long-Term Debt Transactions	Reclassifications and Eliminations	Statement of Activities Totals
Revenues:						
Real Property Taxes	\$ 17,248,065	\$ 459,983	\$ -	\$ -	\$ -	\$ 17,708,048
Real Property Tax Items	785,970	-	-	-	-	785,970
Non Property Tax Items	14,649,632	-	-	-	-	14,649,632
Departmental Income	2,548,293	(23,346)	-	-	-	2,524,947
Intergovernmental/Grant Income	559,565	-	-	-	-	559,565
Use of Money and Property	215,978	(1,771)	-	-	-	214,207
Licenses and Permits	890,043	-	-	-	-	890,043
Fines and Forfeitures	136,853	-	-	-	-	136,853
Sale of Property	243,704	(31,336)	-	-	-	212,368
Loss on Disposal of Assets	-	(336,277)	-	-	-	(336,277)
Miscellaneous	4,878,452	(236,445)	-	-	-	4,642,007
State and Federal Aid	6,088,347	(26,787)	-	-	-	6,061,560
Total Revenues	48,244,902	(195,979)	-	-	-	48,048,923
Expenditures:						
General Government	3,594,089	-	586,866	-	2,251,232	6,432,187
Public Safety	13,269,495	-	607,602	-	15,224,772	29,101,869
Health	115,518	-	-	-	93,131	208,649
Transportation	2,264,271	-	1,310,258	-	1,157,670	4,732,199
Economic Assistance and Opportunity	1,141,697	-	-	-	457,538	1,599,235
Culture and Recreation	2,347,993	-	486,343	-	1,356,733	4,191,069
Home and Community Services	3,066,677	-	1,002,685	(34,306)	1,526,095	5,561,151
Capital Outlay	10,678,530	-	(10,678,530)	-	-	-
Employee Benefits	15,690,271	6,376,900	-	-	(22,067,171)	-
Debt Service	2,235,170	(56,409)	-	(1,708,816)	-	469,945
Total Expenditures	54,403,711	6,320,491	(6,684,776)	(1,743,122)	-	52,296,304
Excess/(Deficiency) of Revenues Over Expenditures	(6,158,809)	(6,516,470)	6,684,776	1,743,122	-	(4,247,381)
Other Financing Sources/(Uses):						
BANS Redeemed from Appropriations	300,000	-	-	(300,000)	-	-
Operating Transfers In	1,686,877	-	-	-	(1,686,877)	-
Operating Transfers Out	(1,686,877)	-	-	-	1,686,877	-
Total Other Financing Sources/(Uses)	300,000	-	-	(300,000)	-	-
Change in Fund Balances	\$ (5,858,809)	\$(6,516,470)	\$ 6,684,776	\$ 1,443,122	\$ -	\$ (4,247,381)

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
DECEMBER 31, 2019**

	WATER FUND	SEWER FUND	TOTAL
ASSETS AND DEFERRED OUTFLOWS OF RESOURCES			
ASSETS			
Cash And Cash Equivalents	\$ 1,861,482	\$ 2,363,645	\$ 4,225,127
Cash - Restricted	1,276,864	-	1,276,864
Due From Other Governments	-	259,880	259,880
Other Receivables	1,013,592	2,625,534	3,639,126
Inventories	162,764	-	162,764
Prepaid Items	251,915	46,263	298,178
Due from Other Funds (Note IV)	-	691,002	691,002
	<u>4,566,617</u>	<u>5,986,324</u>	<u>10,552,941</u>
Capital Assets, not being depreciated	5,149,640	5,665,694	10,815,334
Capital Assets, being depreciated, net	11,606,547	21,566,889	33,173,436
Total Capital Assets (Note V)	<u>16,756,187</u>	<u>27,232,583</u>	<u>43,988,770</u>
Total Assets	<u>21,322,804</u>	<u>33,218,907</u>	<u>54,541,711</u>
DEFERRED OUTFLOWS OF RESOURCES			
OPEB (Note VII)	458,502	683,043	1,141,545
Other	-	12,223	12,223
Pension (Note VI)	310,255	304,896	615,151
Total Deferred Outflows of Resources	<u>768,757</u>	<u>1,000,162</u>	<u>1,768,919</u>
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	<u>26,658,178</u>	<u>40,205,393</u>	<u>66,863,571</u>

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
STATEMENT OF NET POSITION (CONTINUED)
PROPRIETARY FUNDS
DECEMBER 31, 2019**

	WATER FUND	SEWER FUND	TOTAL
LIABILITIES			
Current Liabilities:			
Accounts Payable	\$ 1,006,015	\$ 470,709	\$ 1,476,724
Accrued Liabilities	103,043	173,851	276,894
Due to Other Funds (Note IV)	3,044	286,508	289,552
Other Postemployment Benefits (Note IX)	234,300	-	234,300
Bond Anticipation Notes Payable (Note VIII)	48,500	3,927,687	3,976,187
Current Portion of Bonds, Notes, and Loans Payable (Note IX)	502,216	1,084,928	1,587,144
Compensated Absence Liability (Note IX)	5,944	-	5,944
Total Current Liabilities	1,903,062	5,943,683	7,846,745
Non-Current Liabilities:			
Bond Anticipation Notes Payable (Note IX)	4,091,637	468,679	4,560,316
Compensated Absence Liability (Note IX)	205,325	274,570	479,895
Bonds, Notes, and Loans Payable (Note IX)	5,304,698	9,802,481	15,107,179
Other Postemployment Benefits (Note IX)	8,842,815	11,695,212	20,538,027
Proportionate Share of Net Pension Liability (Note IX)	309,828	304,478	614,306
Total Non-Current Liabilities	18,754,303	22,545,420	41,299,723
Total Liabilities	20,657,365	28,489,103	49,146,468
DEFERRED INFLOWS OF RESOURCES			
Other	-	108,577	108,577
OPRB	386,930	482,412	869,342
Pension	103,439	101,652	205,091
Total Deferred Inflows of Resources	490,369	692,641	1,183,010
TOTAL LIABILITIES AND DEFERRED INFLOWS OF RESOURCES	21,147,734	29,181,744	50,329,478
NET POSITION			
Net Investment in Capital Assets	6,809,136	11,948,808	18,757,944
Restricted	1,276,864	-	1,276,864
Unrestricted	(7,142,173)	(6,911,483)	(14,053,656)
Total Net Position	\$ 943,827	\$ 5,037,325	\$ 5,981,152

See accompanying notes to the financial statements.

CITY OF KINGSTON, NEW YORK
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2019

	WATER FUND	SEWER FUND	TOTAL
OPERATING REVENUES			
Charges for Services	\$ 4,640,078	4,968,584	\$ 9,608,662
Program Grants and Subsidies	-	295,923	295,923
Other Revenue	14,887	37,568	52,455
Total Operating Revenues	4,654,965	5,302,075	9,957,040
OPERATING EXPENSES			
Personal Services	2,928,447	2,272,087	5,200,534
Real Property Taxes	315,651	-	315,651
Maintenance, Operations and Contractual Services	722,325	1,186,172	1,908,497
Depreciation	766,095	1,099,506	1,865,601
Total Operating Expenses	4,732,518	4,557,765	9,290,283
Net Operating Income/(Loss)	(77,553)	744,310	666,757
Non-Operating Income and (Expense)			
Rental Income	52,986	-	52,986
Federal Grant Revenue	391,054	1,303,194	1,694,248
State Grant Revenue	822,004	-	822,004
Interest Income	22,379	97,440	119,819
Net Gain on Sale Of Property	888	5,661	6,549
Interest on Bonds and Notes	(196,651)	(490,602)	(687,253)
Total Non-Operating Income and (Expense)	1,092,660	915,693	2,008,353
Change in Net Position	1,015,107	1,660,003	2,675,110
Net Position, beginning	(71,280)	3,377,322	3,306,042
Net Position, ending	\$ 943,827	\$ 5,037,325	\$ 5,981,152

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
DECEMBER 31, 2019**

	WATER FUND	SEWER FUND	TOTAL
Cash Flows From Operating Activities:			
Cash Received From Users	\$ 4,679,596	\$ 5,533,163	\$ 10,212,759
Cash Paid To Employees	(1,584,638)	(2,272,087)	(3,856,725)
Cash Paid For Operating Expenses	(2,110,275)	(736,486)	(2,846,761)
Net Cash Provided by Operating Activities	984,683	2,524,590	3,509,273
Cash Flows From Capital and Related Financing Activities:			
Proceeds From Capital Debt	364,924	588,967	953,891
Proceeds From Capital Debt - Bond Premium	11,411	-	11,411
Proceed From Sale of Capital Assets	1,512	5,661	7,173
Federal Grant Revenue	428,790	1,303,194	1,731,984
State Grant Revenue	822,004	-	822,004
Purchase of Fixed Assets	(2,053,578)	(1,325,121)	(3,378,699)
Interest Payments on Bonded Indebtedness	(206,416)	(490,602)	(697,018)
Principal Payments on Bonded Indebtedness	(955,282)	(1,127,249)	(2,082,531)
Net Cash Used by Capital and Related Financing Activities	(1,586,635)	(1,045,150)	(2,631,785)
Cash Flows From Investing Activities:			
Rental Income	52,986	-	52,986
Interest Received	22,379	97,440	119,819
Net Cash Provided by Investing Activities	75,365	97,440	172,805
Net Increase (Decrease) in Cash and Cash Equivalents	(526,587)	1,576,880	1,050,293
Cash and Cash Equivalents at January 1, 2019	3,664,933	786,765	4,451,698
Cash and Cash Equivalents at December 31, 2019	\$ 3,138,346	\$ 2,363,645	\$ 5,501,991
Reconciliation Of Operating Income to Net Cash Provided by Operating Activities:			
Operating Income	\$ (77,553)	\$ 744,310	\$ 666,757
Adjustments to Reconcile Operating Income to Net Cash Provided by Operating Activities:			
Depreciation	766,095	1,099,506	1,865,601
Changes in Assets and Liabilities:			
Decrease (Increase) in Accounts Receivable	24,631	231,088	255,719
Decrease (Increase) in Inventories	(8,035)	-	(8,035)
Decrease (Increase) in Prepaid Items	(50,932)	(2,769)	(53,701)
Decrease (Increase) in Due From Related Party	(7,922)	(376,453)	(384,375)
Increase (Decrease) in Accounts Payable	(3,807)	176,613	172,806
Increase (Decrease) in Deferred Outflows/Inflows, net	(99,398)	141,306	41,908
Increase (Decrease) in Net Pension Obligation	152,123	-	152,123
Increase (Decrease) in Other Postemployment Benefits	278,356	-	278,356
Increase(Decrease) in Accrued Expenses and Other Liabilities	11,125	510,989	522,114
Net Cash Provided by Operating Activities	\$ 984,683	\$ 2,524,590	\$ 3,509,273

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
STATEMENT OF NET POSITION
FIDUCIARY FUND
DECEMBER 31, 2019**

	AGENCY FUNDS	EXPENDABLE TRUST
ASSETS		
Cash and Cash Equivalents	\$ 511,317	\$ 170,604
Total Assets	\$ 511,317	\$ 170,604
LIABILITIES		
Escrow Funds Returnable and Other Liabilities	\$ 387,078	\$ -
Due to Other Funds	124,239	-
Total Liabilities	511,317	-
TOTAL NET POSITION	\$ -	\$ 170,604

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
 STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
 DECEMBER 31, 2019**

	EXPENDABLE TRUST
EARNINGS	
Donations and Grants	\$ 2,454
Interest	39
Total Earnings	2,493
DEDUCTIONS	
Recreation Expenses	5,440
Total Deductions	5,440
Change in Net Position	(2,947)
Net Position Held in Trust - Beginning	173,551
Net Position Held in Trust - Ending	\$ 170,604

See accompanying notes to the financial statements.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The City of Kingston, New York, (the “City”) was established in 1872, and operates in accordance with its Charter and the various other applicable laws of the State of New York. The City operates under a Mayor/Council form of government. The Common Council is the legislative body responsible for overall operations, the Mayor serves as chief executive officer and the Comptroller serves as chief financial officer. The City provides the following services to its residents: public safety, transportation, economic opportunity and development, culture and recreation, home and community services and general and administrative support.

The financial reporting entity consists of a) the primary government, which is the City, b) organizations for which the City is financially accountable and c) other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the reporting entity’s financial statements to be misleading or incomplete as set forth by Governmental Accounting Standards Board (“GASB”).

In evaluating how to define the City, for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the City’s reporting entity was made by applying the criteria set forth by GASB, including legal standing, fiscal dependency and financial accountability. Based upon the application of these criteria, the following component units are included in the City’s reporting entity because of their operational or financial relationship with the City.

The accounting policies of the City conform to accounting principles generally accepted in the United States of America for governmental units as established by the GASB. The notes to the financial statements are an integral part of the statements and are intended to be read with them.

The City of Kingston Local Development Corporation (the “KLDC”), a not-for-profit corporation which was incorporated on June 1, 1994, administers economic development loans for businesses within the City of Kingston. It also developed and operates a business park for the City. It is governed by a board which is appointed by the Mayor. The City of Kingston Local Development Corporation financial statements are available at their offices located at Kingston City Hall, 420 Broadway, Kingston, New York. The KLDC is included in the City of Kingston’s reporting entity as a discretely presented component unit. See Note XII, Related Party Transactions.

The Kingston City Land Bank, Inc., (the “Land Bank”), a not-for-profit corporation, was incorporated on November 9, 2018 for the purpose of acquiring title to City-owned and other distressed properties in the City of Kingston, removing barriers to redevelopment, and returning them to the tax rolls in viable condition under sound management and ownership. It is governed by a board which includes, and is appointed by, the Mayor. The Land Bank’s financial statements are available at its office at City Hall, 420 Broadway, Kingston, NY. The Land Bank is included in the City of Kingston’s reporting entity as a discretely presented component unit. See Note XII, Related Party Transactions.

The Kingston-Ulster Empire Zone was created by New York State to foster the creation of jobs, enhance the property tax base and encourage investment. The Mayor appoints the majority of the board. Activity for the Kingston-Ulster Empire Zone was minimal for the past year as the program is no longer supported by New York State. Therefore, since financial statements have not been prepared, the limited Empire Zone information has not been included in these financial statements.

The Dietz Stadium has been jointly administered with the Kingston City School District. As of September 19, 2019, the City took over management of the stadium. See Note XII, Related Party Transactions.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statements of net position and activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenue.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

B. Government-wide and Fund Financial Statements – Continued

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported as general revenues.

Separate fund financial statements are provided for governmental funds, proprietary funds, and fiduciary funds. Major individual funds are reported as separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year in which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Amounts reported as program revenues include: 1) charges to customers or applicants for goods, services or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current period. Only the portion of special assessments receivable due within the current period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The City reports the following major funds:

- 1) Governmental Funds - The focus of the governmental funds' measurement (in the fund statements) is upon determination of financial position and changes in financial position (sources, uses, and balances of financial resources) rather than upon net income. The following are the City's major governmental fund types:
 - a) General Fund - the principal operating fund and includes all operations not accounted for and reported in another fund.
 - b) Special Revenue Funds - used to account for the proceeds of specific revenue sources that are legally restricted or committed to expenditures for specific purposes other than debt service or capital projects. This fund is used to account for the activities of the Community Development Office which are generally funded by the U.S. Department of Housing and Urban Development ("HUD").

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation – Continued

- c) Debt Service Funds - used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest on general obligation long term debt. Debt Service Funds are used when legally mandated for financial resources accumulated in a reserve for payment of future principal and interest on long-term indebtedness.
 - d) Capital Projects Funds - used to account for and report financial resources that are restricted, committed, or assigned to expenditure for the acquisition or construction of major capital facilities and equipment (other than those financed by business-type/proprietary funds).
- 2) Proprietary Funds - The focus of proprietary fund measurement is upon determination of operating income, changes in net assets, financial position, and cash flows. The generally accepted accounting principles are similar to businesses in the private sector. Both of the City's proprietary funds are classified as enterprise funds. Enterprise funds are required to be used to account for operations for which a fee is charged to external users for goods or services and the activity (a) is financed with debt that is solely secured by a pledge of the net revenues, (b) has third party requirements that the cost of providing services, including capital costs, is to be recovered with fees and charges or (c) establishes fees and charges based on a pricing policy designed to recover similar costs. The City's Water and Sewer activities are accounted for as major enterprise funds.

The emphasis in fund financial statements is on the major funds in either the governmental or business-type activities categories. Non-major funds by category are summarized into a single column. GASB Statement No. 34 sets forth minimum criteria (percentage of the assets, liabilities, revenues or expenditures/expenses of either fund category or the governmental and enterprise combined) for the determination of major funds.

Fiduciary Funds are used to report assets which are held in a trust or agency capacity for others and are, therefore, not available to support City programs.

D. Pervasiveness of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Estimates and assumptions are made in a variety of areas, including computation of other postemployment benefits, compensated absences, potential contingent liabilities and useful lives of long-lived assets.

E. Budgetary Data

Operating budgets - must be submitted by the Mayor in the form of a tentative budget to the Common Council at their regular meeting in October for the following calendar year. The tentative budget includes proposed expenditures and the proposed means of financing for the General and Sewer funds. After public hearings are conducted to obtain taxpayer comments, the Common Council adopts the budgets. Once adopted, the Common Council may amend the legally adopted budgets when unexpected modifications are required within NYS guidelines.

Other funds - capital projects are budgeted over the life of the respective projects and are also subjected to the Council review and approval process. Formal budgets are not required for the Water Fund (an enterprise fund); however, a budget is prepared as a guideline for expenditures. Budgetary controls for the Community Development office are established in accordance with applicable grant agreements which may cover more than one year.

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded for budgetary control purposes to reserve that portion of the applicable appropriations, is employed as a control in preventing over expenditure of established appropriations. Open encumbrances are reported as reservations of fund balance since they do not constitute expenditures or liabilities and will be honored through budget appropriations in the subsequent year.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

F. Property Taxes

The City of Kingston real property taxes are levied annually no later than December 31 and become a lien on January 1. The City of Kingston real property taxes are due in two installments. The first installment is due 45 days after the passage of the tax levy and the second is due 120 days later. Taxes for County purposes apportioned to the area of the County inside the City of Kingston and the Library are levied together with the general taxes for the City of Kingston on a single bill. The County and Library receive the full amount of their levies annually out of the first amounts collected on the combined bills. The collection of County taxes levied on properties within the City of Kingston and library taxes are enforced by the City. In addition, unpaid city school district taxes levied on properties within the City of Kingston are turned over to the City for enforcement.

G. Cash and Investments

The City's investment policies are governed by State statutes. In addition, the City has its own written investment policy. The City's monies must be deposited in FDIC-insured commercial banks or trust companies located within the State. The City is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements and obligations of New York State or its localities.

Collateral is required for demand deposits and certificates of deposit not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

H. Taxes and Other Receivables, and Uncollectible Accounts

Significant receivables include amounts due from customers primarily for water and sewer charges. No allowance for uncollectible accounts is maintained as uncollected accounts are added on to the subsequent year's tax bills. The General Fund reimburses the utility funds for the full amount even though the City may not have actually received payment.

At December 31, 2019, the City had total real property tax receivables of \$5,274,418. On the fund financial statements, the taxes are offset by deferred inflows of resources in the amount of \$4,680,716 for the City portion. The deferred portion represents the tax liens which were not collected within the first sixty days of the subsequent year. In the government-wide financial statements, property taxes receivable and related revenue include all amounts due to the City, regardless of when received.

Other revenues totaling \$1,570,894 are deferred in the governmental fund financial statements as they were not received within 60 days following year-end and, therefore, are unavailable to pay liabilities of the current period. Other deferred revenue received after 60 days is recognized as revenue in the government-wide statements if grantor eligibility requirements are met.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

I. Notes Receivable

The following is a summary of notes receivable as of December 31, 2019:

Homeowner Loans - The Housing Rehabilitation Program is a federally funded program for income eligible homeowners in the City of Kingston offering up to \$20,000 per household. The priority of the program is to address health and safety issues, building code violations, and to reduce the cumulative effects of deteriorating properties concentrated in certain neighborhoods of the city. It allows for an interest-free, deferred loan to the homeowner that is spread over a 10 year period. At the end of the tenth year of owner-occupied homeownership, the loan is completely forgiven.

	Balance 12/31/2018	Additions	Reductions	Balance 12/31/2019	Due in One Year
Homeowner Loans	\$ 1,083,500	\$ 143,135	\$ 128,137	\$ 1,098,498	\$ -
Total Loans	\$ 1,083,500	\$ 143,135	\$ 128,137	\$ 1,098,498	\$ -

J. Internal Balances

Amounts due to and due from within the same fund type have been eliminated in the Government-wide statements. See Note IV for a schedule detailing the interfund balances.

K. Inventories and Prepaid Items

Inventory is primarily composed of water meters and supplies.

Prepaid items represent payments made by the City for which benefits extend beyond year end.

L. Capital Assets

Capital assets are reported at historical cost. The City depreciates capital assets using the straight line method over the estimated useful lives of the assets. Capitalization thresholds and estimated lives of assets reported in the Government-wide statements for all assets except those pertaining to the water department are as follows:

	All funds except Water		Water Fund	
	Capitalization Threshold	Estimated Useful Life	Capitalization Threshold	Estimated Useful Life
Buildings	\$ 20,000	40 years	\$ 5,000	15 - 40 years
Improvements	20,000	15 years	5,000	15 - 40 years
Machinery and Equipment	10,000	3 -10 years	5,000	3 - 40 years

M. Infrastructure

The City includes long-lived improvements to roads, property, sewer and water systems as capital assets in the Government-wide statements. Infrastructure is reported at historical cost and is depreciated using the straight-line method over the estimated useful lives.

Capitalization thresholds and estimated useful lives for infrastructure are as follows:

	Capitalization Threshold	Estimated Useful Life
Roads	\$ 20,000	20 years
Sewer & Other Systems	20,000	30 - 40 years
Water	5,000	15 - 40 years

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

N. Vested Employee Benefits

City employees are granted vacation and sick leave and earn compensatory absences in varying amounts. In the event of termination or upon retirement, an employee may be entitled to payment for accumulated vacation and sick leave and unused compensatory absences at various rates subject to certain maximum limitations. A liability for accrued vacation and sick time is reflected in the Government-wide statements under the heading "Compensated Absences." See Note IX.

The City employees participate in the New York State Employees' Retirement System and New York State Police and Fire Retirement System. See Note VI.

In addition to providing pension benefits, the City provides health insurance coverage for retired employees. Substantially all of the City's employees may become eligible for these benefits if they reach normal retirement age while working for the City. Health care benefits are provided through an insurance company whose premiums are based on the benefits paid during the year for the City. The City recognizes the cost of providing benefits by recording its share of insurance premiums as a governmental fund expenditure in the year paid. Substantially all of the City's employees may become eligible for these benefits if they reach normal retirement age and at least 10 or 20 years of service while working for the City. See Note VII.

O. Unemployment Insurance

City employees are covered by unemployment insurance. The City has chosen to discharge its liability to the New York State Unemployment Insurance Fund by means of the benefit reimbursement method. This is a dollar-for-dollar reimbursement to the Unemployment Insurance Fund for the benefits paid to former employees and charged to the City's account. The City is exempt from federal unemployment insurance tax.

P. Deferred Compensation

The City, through the New York State Deferred Compensation Board, offers its employees a Deferred Compensation Plan (the "Plan") created in accordance with Internal Revenue Code Section 457. The Plan, which is available to all eligible participants, permits participants to defer a portion of their salary (up to the IRS limits) until future years. Amounts deferred under the Plan are not available to the employee until termination, retirement, death or unforeseeable emergency. The City does not contribute to this plan.

Q. Risk Retention

The City assumes the liability for most risk including, but not limited to, property damage and personal injury liability. The City purchases commercial insurance to mitigate these risks, subject to certain deductibles. Judgments and claims are recorded when it is probable that an asset has been impaired or a liability has been incurred and the amount of loss can be reasonably estimated.

R. Equity Classification

1. Government-wide Statements

Equity is defined as net position and displayed in three components:

Net Investment in Capital Assets:

Consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

R. Equity Classification – Continued

Restricted Net Position:

Consists of net assets with constraints placed on the use either by: 1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or 2) law through constitutional provisions or enabling legislation.

Unrestricted Net Position:

The remaining portion of net position that does not meet the definition of “restricted” or “net investment in capital assets”.

2. Fund Financial Statements

Equity is defined as fund balance and displayed in five fund balance classifications, which are based primarily on the extent to which a government is bound to observe constraints imposed upon the use of resources reported in the governmental funds:

Nonspendable:

Amounts that cannot be spent in the current period either because of their form or because they must be maintained intact. Prepaid expenses are nonspendable assets because, by definition, the money has already been spent.

Restricted:

Amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors or laws and regulations of other governments or through constitutional provisions or enabling legislation.

Committed:

Amounts that are subject to a purpose constraint imposed by a formal action of the government’s highest level of decision-making authority (the Common Council) before the end of the year. The same level of formal action is required to remove the constraint.

Assigned:

Amounts that are subject to a purpose constraint that represents an intended use established by the government’s highest level of decision-making authority or by its designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund. In funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Unassigned:

Represents the residual amount of fund balance in the General Fund. In funds other than the General Fund, this classification should only be used to report a deficit balance.

3. Restricted Resources

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, it is the City’s policy to apply restricted funds before unrestricted funds, unless otherwise prohibited by legal requirements. Similarly, when an expenditure is incurred for which multiple classifications of fund balance are available the City’s policy is to apply fund balance in the following order: restricted, committed, assigned, unassigned.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

S. Interfund Transfers

The operations of the City give rise to certain transactions between funds, including transfers to provide services and construct assets. Interfund transfers within fund categories are eliminated for the Statement of Activities. A detailed description of the interfund transfers that occurred during the year is provided in Note IV.

T. Subsequent Events

Management has evaluated subsequent events from December 31, 2019, through October 28, 2020, the date on which the financial statements were available to be issued.

II. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS

Due to the differences in the measurement focus and basis of accounting used in the governmental fund statements and the government-wide statements, certain financial transactions are treated differently. The differences result primarily from the economic focus of the government-wide statements, compared with the current financial resources focus of the governmental funds.

A. Total Fund Balances of Governmental Funds vs. Net Position of Governmental Activities

Total fund balances of the City’s governmental funds differ from “net position” of governmental activities reported in the Statement of Net Position. This difference primarily results from the additional long-term economic focus of the Statement of Net Position versus the solely current financial resources focus of the Governmental Funds Balance Sheet.

The basic financial statements contain a detailed reconciliation of the items creating the differences between fund balance reported in the Governmental Funds Balance Sheet and Net Position reported on the Statement of Net Position. In the description below, positive numbers represent increases to the Balance Sheet line items and negative numbers represent decreases.

- (1) The costs of building and acquiring capital assets (land, infrastructure, buildings and equipment) financed from the governmental funds are reported as expenditures in the year they are incurred and the assets do not appear on the Balance Sheet. However, the Statement of Net Position includes those capital assets among the assets of the City as a whole, with their original costs capitalized and depreciation expensed annually over their useful lives.

Original Cost of Capital Assets	\$ 82,012,873
Accumulated Depreciation	<u>(30,801,084)</u>
Capital Assets, Net	<u>\$ 51,211,789</u>

- (2) Workers compensation costs are reported as expenditures in the year they are incurred and the assets do not appear on the Balance Sheet. However, the Statement of Net Position includes additional prepaid amounts in the assets of the City as a whole.

Prepaid Expenses	<u>\$ 777,277</u>
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- (3) Interest payable and other long-term liabilities are recognized in the government-wide statements under full accrual accounting. No accrual is recognized in the governmental fund statements for interest or other liabilities that were not paid from current financial resources.

Interest Payable at December 31, 2019	<u>\$ 150,271</u>
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**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

**II. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS
AND GOVERNMENT-WIDE STATEMENTS - CONTINUED**

- (4) The governmental funds do not include long-term liabilities because they are not due and payable in the current period. However, these liabilities are reported in the Statement of Net Position because they represent economic liabilities. Balances at year end were:

Bonds and Installment Obligations Payable	\$ 11,765,371
Compensated Absences Payable	2,725,856
ERS and PFRS Pension Liability-Proportionate Share	5,822,800
Landfill Remediation Liability	498,702
Other Postemployment Benefits	150,407,681
	<u>\$ 171,220,410</u>

- (5) Deferred outflows and inflows related to the Other Postemployment Benefits are reported in the Statement of Net Position, but not in the governmental funds, because they are not due and payable in the current period. Balances at year end were:

Deferred Outflows of Resources - OPEB	<u>\$ 8,917,426</u>
Deferred Inflows of Resources - OPEB	<u>\$ 6,298,206</u>

- (6) In the governmental funds, amounts due to the New York State Retirement System include costs incurred through year end that are expected to be liquidated with expendable available resources. In the Statement of Net Position, these amounts are recorded as of the retirement plan measurement date. This is the amount by which the fund liability is adjusted for the timing difference.

Due to Other Governments	<u>\$ (1,818,989)</u>
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- (7) Deferred inflows related to grants, taxes and other receivables are reported on the accrual basis in the Statement of Net Position, but on the modified accrual basis in the governmental funds. The adjustments between the two bases at year end were:

Deferred Inflows of Resources - Other	<u>\$ (6,251,610)</u>
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- (8) Deferred outflows and inflows related to pensions are reported in the Statement of Net Position, but not in the governmental funds, because they are not due and payable in the current period. Balances at year end were:

Deferred Outflows of Resources - Pension	<u>\$ 4,455,477</u>
Deferred Inflows of Resources - Pension	<u>\$ 1,960,806</u>

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

II. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS - CONTINUED

B. Explanation of Differences between Governmental Funds Operating Statement and the Statement of Activities

Differences between the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balance and the Statement of Activities fall into one of three broad categories:

- Long-term revenue differences arise because governmental funds report revenues only when they are considered "available," whereas the Statement of Activities reports revenues when earned. Differences in long-term expenses arise because governmental funds use a current financial resource measurement focus, whereas the Statement of Activities uses an economic resource measurement focus.
- Capital asset transaction differences include the difference between recording an expenditure for the purchase of capital assets in the governmental fund statements and depreciation expense on those items as recorded in the Statement of Activities.
- Long-term debt transaction differences occur because both interest and principal payments are recorded as expenditures in the governmental fund statements when paid, whereas interest payments are recorded in the Statement of Activities as incurred and principal payments are recorded as a reduction of liabilities in the Statement of Net Position.

The basic financial statements contain a detailed reconciliation of the items creating the differences between the change in fund balance reported in the governmental fund statements and the change in net position reported in the Statement of Activities.

Total Revenues and Other Funding Sources

Total revenues reported in governmental funds	\$48,244,902
Loss on disposal of assets	(336,277)
Recognition of deferred property taxes	459,983
Recognition of deferred state and local grant revenue	(263,232)
Recognition of deferred bond premiums	(1,771)
Recognition of deferred insurance proceeds and fees	(54,682)
Total revenues reported in the Statement of Activities	<u>\$48,048,923</u>

Total Expenditures/Expenses

Total expenditures reported in governmental funds	\$54,403,711
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In the Statement of Activities, certain operating expenses (compensated absences) are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid). This is the amount by which the liability for compensated absences increased during the year.

91,850

In the Statement of Activities, the expenses for other postemployment benefits are measured based on the actuarially determined OPEB Liability of the City. In the governmental funds, however, these expenditures are measured by the amount of financial resources used (essentially the amounts paid). This is the amount by which the OPEB Liability exceeded the amount of financial resources used during the year.

7,087,820

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

**II. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS
AND GOVERNMENT-WIDE STATEMENTS - CONTINUED**

**B. Explanation of Differences between Governmental Funds Operating Statement and the Statement of Activities –
Continued**

In the Statement of Activities, pension expense related to ERS and PFRS defined benefit plans is measured as the change in the City's proportionate shares of the net pension assets and liabilities as of the measurement dates for each plan. In the governmental funds, however, these expenditures are recognized as the sum of (1) amounts paid by the employer to the pension plan, and (2) the change between beginning and ending balances of amounts normally expected to be liquidated with expendable available financial resources. This is the amount by which pension expense was less than the amount of financial resources expended during the year.	(561,632)
Interest payable is recognized in the government-wide statements under full accrual accounting, whereas it is recognized when paid in the governmental fund statements. This is the amount by which interest payable for the current year was less than the interest payable for the prior year.	(56,409)
When the purchase or construction of capital assets is financed through governmental funds, the resources expended for those assets are reported as expenditures in the year they are incurred. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital asset additions of \$10,678,530 exceeded depreciation expense of \$3,993,754 in the current year.	(6,684,776)
Repayment of principal is an expenditure in the governmental funds but reduces the long-term liability in the Statement of Net Position and does not affect the Statement of Activities.	(1,781,565)
The cost of prepaid assets are generally reported as expenditures in the year they are incurred and the assets do not appear on the balance sheet, but the Statement of Net Position includes all prepaid assets of the City as a whole.	<u>(202,695)</u>
Total expenses reported in the Statement of Activities	<u><u>\$ 52,296,304</u></u>

III. CASH

At December 31, 2019, the carrying amount of the City's deposits (cash, certificates of deposit and interest-bearing savings accounts) was \$13,955,826 and the bank balance was \$14,201,043. The City's deposits at December 31, 2019, and during the year then ended, were entirely covered by FDIC Insurance or by pledged collateral held by the City's agent bank in the City's name. Petty Cash is included in Cash and Cash Equivalents and totaled \$1,250 at year end.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

IV. INTERFUND ACTIVITY

Interfund receivables and payables at December 31, 2019 were as follows:

<u>FUND</u>	<u>RECEIVABLE</u>	<u>PAYABLE</u>
General	\$ 2,797,379	\$ (1,140,778)
Capital Projects	623,591	(2,705,242)
Debt Service	304,267	(156,428)
Subtotal Governmental funds	<u>3,725,237</u>	<u>(4,002,448)</u>
Proprietary funds:		
Water	-	(3,044)
Sewer	691,002	(286,508)
Subtotal Proprietary funds	<u>691,002</u>	<u>(289,552)</u>
Fiduciary Funds:		
Trust & Agency	-	(124,239)
Private Purpose Trust	-	-
Subtotal Fiduciary funds	<u>-</u>	<u>(124,239)</u>
TOTALS	<u><u>\$ 4,416,239</u></u>	<u><u>\$ (4,416,239)</u></u>

Interfund revenues and expenditures at December 31, 2019 were as follows:

	<u>TRANSFERS IN</u>	<u>TRANSFERS OUT</u>
General	\$ -	\$ (1,686,877)
Debt Service	1,686,877	-
Subtotal Governmental funds	<u>1,686,877</u>	<u>(1,686,877)</u>
TOTALS	<u><u>\$ 1,686,877</u></u>	<u><u>\$ (1,686,877)</u></u>

Interfund transfers were made for the following purposes:

- Repayment of City's debt is done through the debt service fund.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

V. CAPITAL ASSETS

Capital asset balances and activity for the year ended December 31, 2019 were as follows:

	Beginning Balance 1/1/2019	Additions	Disposals	Reclassifications	Ending Balance 12/31/2019
Governmental Activities:					
Capital Assets, not being depreciated:					
Land	\$ 192,500	\$ 455,253	\$ -	\$ -	\$ 647,753
Construction in Progress	2,665,594	5,233,360	(24,996)	(5,657,272)	2,216,686
Total Capital Assets, not being depreciated	<u>2,858,094</u>	<u>5,688,613</u>	<u>(24,996)</u>	<u>(5,657,272)</u>	<u>2,864,439</u>
Capital Assets, being depreciated:					
Buildings	13,232,255	-	(1,718,163)	-	11,514,092
Improvements	18,015,387	426,397	(2,597,321)	2,047,238	17,891,701
Infrastructure	34,996,105	2,007,650	(2,912,944)	3,610,034	37,700,845
Machinery and Equipment	18,950,151	2,555,870	(9,464,225)	-	12,041,796
Total Capital Assets being depreciated	<u>85,193,898</u>	<u>4,989,917</u>	<u>(16,692,653)</u>	<u>5,657,272</u>	<u>79,148,434</u>
Accumulated Depreciation for:					
Buildings	(6,830,239)	(287,852)	1,718,163	-	(5,399,928)
Improvements	(8,414,110)	(883,732)	2,383,424	-	(6,914,418)
Infrastructure	(13,850,370)	(1,560,960)	2,912,944	-	(12,498,386)
Machinery and Equipment	(14,093,983)	(1,261,210)	9,366,841	-	(5,988,352)
Total Accumulated Depreciation	<u>(43,188,702)</u>	<u>(3,993,754)</u>	<u>16,381,372</u>	<u>-</u>	<u>(30,801,084)</u>
Total Capital Assets, being depreciated, net	<u>42,005,196</u>	<u>996,163</u>	<u>(311,281)</u>	<u>5,657,272</u>	<u>48,347,350</u>
Governmental Activities Capital Assets, net	<u>\$ 44,863,290</u>	<u>\$ 6,684,776</u>	<u>\$ (336,277)</u>	<u>\$ -</u>	<u>\$ 51,211,789</u>
Business-Type Activities:					
Capital Assets, not being depreciated:					
Land	\$ 363,659	\$ -	\$ -	\$ -	\$ 363,659
Construction in Progress	8,747,960	4,082,116	-	(2,378,401)	10,451,675
Total Capital Assets, not being depreciated	<u>9,111,619</u>	<u>4,082,116</u>	<u>-</u>	<u>(2,378,401)</u>	<u>10,815,334</u>
Capital Assets, being depreciated:					
Buildings and Improvements	23,764,514	-	(4,779,791)	2,292,737	21,277,460
Infrastructure	32,405,026	160,971	-	-	32,565,997
Machinery and Equipment	5,011,995	79,499	(1,035,789)	85,664	4,141,369
Total Capital Assets being depreciated	<u>61,181,535</u>	<u>240,470</u>	<u>(5,815,580)</u>	<u>2,378,401</u>	<u>57,984,826</u>
Accumulated Depreciation for:					
Buildings and Improvements	(15,815,485)	(847,279)	4,779,791	-	(11,882,973)
Infrastructure	(9,906,745)	(761,265)	-	-	(10,668,010)
Machinery and Equipment	(3,028,634)	(257,057)	1,025,284	-	(2,260,407)
Total Accumulated Depreciation	<u>(28,750,864)</u>	<u>(1,865,601)</u>	<u>5,805,075</u>	<u>-</u>	<u>(24,811,390)</u>
Total Capital Assets, being depreciated, net	<u>32,430,671</u>	<u>(1,625,131)</u>	<u>(10,505)</u>	<u>2,378,401</u>	<u>33,173,436</u>
Business-Type Capital Assets, net	<u>\$ 41,542,290</u>	<u>\$ 2,456,985</u>	<u>\$ (10,505)</u>	<u>\$ -</u>	<u>\$ 43,988,770</u>
General Government		\$ 586,866			
Public Safety		607,602			
Transportation		1,310,258			
Culture and Recreation		486,343			
Home and Community Services		1,002,685			
Total governmental activities depreciation		<u>\$ 3,993,754</u>			

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VI. PENSION PLANS

Plan Description

The City participates in the New York State and Local Employees' Retirement System ("ERS") and the New York State and Local Police and Fire Retirement System ("PFRS"). These are cost-sharing multiple-employer retirement systems. The Systems provide retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law ("NYSRSSL"). As set forth in the NYSRSSL, the Comptroller of the State of New York ("Comptroller") serves as sole trustee and administrative head of the Systems. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the Systems and for the custody and control of their funds. The Systems issue a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and Local Retirement Systems, Gov. Alfred E. Smith State Office Building, Albany, New York 12244.

Funding Policy

The Systems are noncontributory except for Tier 3, 4, 5 and 6 employees who joined the New York State and Local Employees' Retirement System after July 27, 1976, who contribute 3% to 6% of their salary. Under the authority of the NYSRSSL, the Comptroller shall certify annually the rates, expressed as proportions of member payroll and employer contributions, used in computing the contributions required to be made by employers to the pension accumulation fund. An Eligible Tier 3 or 4 member with ten or more years of membership, or ten years credited service, will not be required to contribute to the Retirement System. Tier 5 and 6 members must continue to contribute throughout their employment.

The City is required to contribute at an actuarially determined rate. The required contributions for the current year and two preceding years were:

<u>Plan Year Ended March 31</u>	<u>ERS</u>	<u>PFRS</u>
2020	\$ 1,338,743	\$ 2,425,319
2019	\$ 1,272,396	\$ 2,305,012
2018	\$ 1,357,915	\$ 2,438,708

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At December 31, 2019, the City reported liabilities of \$2,202,231 and \$4,234,875 for its proportionate share of the net pension liability for each of the Systems. The net pension liability was measured as of March 31, 2019 for ERS and PFRS. The total pension liability used to calculate the net pension liability was determined by an actuarial valuation. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to the Systems relative to the projected contributions of all participating members, as actuarially determined. This information was provided to the City by the ERS and PFRS Systems.

At March 31, 2019, the City's proportion of the ERS net pension liability was 0.0310817%. At March 31, 2018, the City's proportion of the ERS net pension liability was 0.0315656%.

At March 31, 2019, the City's proportion of the PFRS net pension liability was 0.2525173%. At March 31, 2018, the City's proportion of the PFRS net pension liability was 0.2673421%.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VI. PENSION PLANS – CONTINUED

For the year ended December 31, 2019 the City recognized pension expense of \$1,562,608 for ERS and \$2,828,607 for PFRS. At December 31, 2019, the City reported deferred outflows of resources and deferred inflows of resources related to pensions for the following sources:

	Deferred Outflows or Resources		
	ERS	PFRS	Total
Differences between expected and actual experience	\$ 433,665	\$ 1,028,768	\$ 1,462,433
Changes of assumptions	553,551	1,538,643	2,092,194
Changes in proportion and difference between the City's contributions and proportionate share of contributions	214,211	297,959	512,170
City's contributions subsequent to the measurement date	1,003,831	-	1,003,831
Total	\$ 2,205,258	\$ 2,865,370	\$ 5,070,628

	Deferred Inflows or Resources		
	ERS	PFRS	Total
Differences between expected and actual experience	\$ 147,832	\$ 452,143	\$ 599,975
Net difference between projected and actual earnings on pension plan investments	565,214	848,142	1,413,356
Changes in proportion and difference between the City's contributions and proportionate share of contributions	22,186	130,380	152,566
Total	\$ 735,232	\$ 1,430,665	\$ 2,165,897

City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2019. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended:	ERS	PFRS
2020	\$ 546,192	\$ 901,184
2021	(376,918)	(107,807)
2022	(5,778)	46,024
2023	302,699	498,841
2024	-	96,463
	\$ 466,195	\$ 1,434,705

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VI. PENSION PLANS – CONTINUED

Actuarial Assumptions

The total pension liability as of the measurement date was determined by using an actuarial valuation as noted in the table below, with update procedures used to roll forward the total pension liability to the measurement date.

Significant actuarial assumptions used in the valuations were as follows:

Measurement Date	ERS	PFRS
	March 31, 2019	March 31, 2019
Investment Rate of Return	7.00% compounded annually net of investment expense	7.00% compounded annually net of investment expense
Projected Salary Increases	4.20%	5.00%
Decrement Tables	April 1, 2010 - March 31, 2015 System's Experience	April 1, 2010 - March 31, 2015 System's Experience
Inflation Rate	2.50%	2.50%
Mortality Improvement	Society of Actuaries Scale MP - 2014	Society of Actuaries Scale MP - 2014

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by each of the target asset allocation percentages and by adding expected inflation.

Best estimates of arithmetic real rates of return for each major asset class included in the target asset allocation for both retirement systems are summarized below:

Measurement Date	ERS and PFRS	
	March 31, 2019	
Asset Class:	Target Allocation	Long-term Expected Real Rate of Return
Domestic Equity	36%	4.55%
International Equity	14%	6.35%
Private Equity	10%	7.50%
Real Estate	10%	5.55%
Absolute Return Strategies	2%	3.75%
Opportunistic Portfolio	3%	5.68%
Real Assets	3%	5.29%
Bonds and Mortgages	17%	1.31%
Cash	1%	-0.25%
Inflation-indexed bonds	4%	1.25%
Total	100%	

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VI. PENSION PLANS – CONTINUED

Discount Rate

The discount rate used to calculate the total pension liability was 7.0% for ERS and 7.0% for PFRS. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption

The following presents the City's proportionate share of the ERS and PFRS net pension liabilities calculated using the discount rates referred to above, as well as what the City's proportionate share of each net pension asset/(liability) would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate referred to above:

	1% Decrease 6.0%	Current Assumption 7.0%	1% Increase 8.0%
ERS			
Employer's Proportionate Share of the Net Pension Asset/(Liability)	\$ (9,628,508)	\$ (2,202,231)	\$ 4,036,367
PFRS			
Employer's Proportionate Share of the Net Pension Asset/(Liability)	\$ (15,304,204)	\$ (4,234,875)	\$ 5,009,300

Pension Plan Fiduciary Net Position

The components of the current-year net pension liability of the employers as of March 31, 2019, were as follows:

Measurement Date	(Dollars in Thousands)	
	ERS	PFRS
	March 31, 2019	March 31, 2019
Employers' total pension liability	\$ (189,803,429)	\$ (34,128,100)
Plan net position	182,718,124	32,451,037
Employers' net pension asset/(liability)	<u>\$ (7,085,305)</u>	<u>\$ (1,677,063)</u>
Ratio of plan net position to the employers' total pension asset/(liability)	96.27%	95.09%

Payables to the Pension Plan

For ERS, employer contributions for the plan year ended March 31, 2020 were paid to the System in December 2019. Prepaid retirement contributions as of December 31, 2019 amount to \$334,610.

For PFRS, employer contributions for the plan year ended March 31, 2020 were paid to the System in February 2020. Accrued retirement contributions as of December 31, 2019 amount to \$1,818,989.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VII. OTHER POSTEMPLOYMENT BENEFITS

Plan Description

The City provides postemployment health insurance coverage to retired employees through a self-administered single employer plan in accordance with the provisions of various employment contracts and human resource policies. The benefit levels, employee contributions and employer contributions are governed by the City's contractual agreements. A trust that meets the criteria in paragraph 4 of GASB Statement 75 has not been established.

Benefits Provided

The City's Other Post-Employment Benefits ("OPEB") plan subsidizes the cost of healthcare to eligible retired employees and their spouses and dependent children. Eligibility is based on the respective rules of the New York State and Local Employees Retirement System ("ERS") as well as the provisions of the City's agreements with its employees. The following eligibility rules current apply to the City's employees:

- Public Safety: eligibility for retirement under ERS; 20 years of service
- Staff and water department: eligibility for retirement under ERS; after age 55 with at least 10 years of service

Medical and prescription drug benefits are offered to retirees on a City-subsidized basis. Upon attaining age 65 or upon disability retirement, Medicare (Parts A and B) becomes the primary provider for hospital insurance and supplementary medical insurance, with the City's plan providing an additional layer of coverage. The City reimburses Medicare Part B premiums for retirees and their spouses.

The benefit terms are dependent on which contract covers the employee. Contribution rates for new retirees are as follows:

Group	Provider Options	Minimum Years of Service		City Contributions (Fixed)		Reimburse Part B Premium		
				Individual	Family	Individual	Spouse	Surviving Spouse
Staff	NYSHIP	10	Under 65	1,015.00	1,174.00	Y	Y	Y
		10	Over 65	444.00	N/A			
Public Safety	NYSHIP	20	Under 65	1,015.00	1,174.00	Y	Y	Y
		20	Over 65	444.00	N/A			
Water Dept.	NYSHIP	10	Under 65	913.50	821.80	Y	Y	Y
		10	Over 65	399.60	N/A			
		30	Under 65	1,015.00	821.80			
		30	Over 65	444.00	N/A			

The City's contribution is equivalent to the portion of health insurance premiums paid that are allocated to retirees, estimated to be \$3,505,480 during the year ended December 31, 2019.

Employees Covered by Benefit Terms

At December 31, 2019, the following employees were covered by benefit terms:

Active employees	288
Retired	326
Total employees covered by benefit terms	614

Total OPEB Liability

The City obtained an actuarial valuation report as of December 31, 2019. The liability for other postemployment benefits was measured as of December 31, 2019 and totaled \$171,180,008.

**CITY OF KINGSTON, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

VII. OTHER POSTEMPLOYMENT BENEFITS – CONTINUED

Actuarial Assumptions and Other Inputs

The total OPEB liability in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation Rate	3.00%
Projected Salary Increases, Including Wage Inflation	3.00%
Discount Rate	3.26%
Healthcare Cost Trend Rates	Pre-65: 8.0% for pharmacy, medical, dental and vision for 2019, reduced incrementally to an ultimate rate of 5.0% after 7 years Post-65: Same
Current Retiree's Share of Benefit Related Costs	Retirees pay based on specific cost sharing agreement
Future Retiree's Share of Benefit Related Costs	Retirees pay based on specific cost sharing agreement

- The discount rate was based on a review of the yield derived from the 20 Year AA Municipal GO Bond Rate Index per Fidelity Investments.
- Mortality Rates were based on April 1, 2010 – March 31, 2015 NYSLRS experience with adjustments for mortality improvements based on the SOA Scale MP-2014.
- The actuarial assumptions used in the December 31, 2019 valuation were based on the results of an actuarial experience study for the period April 1, 2010 – March 31, 2015.

Changes in the Total OPEB Liability during the year ended 12/31/19:

Balance - Beginning	\$ 162,275,846
Changes for the Year:	
Service Cost	4,617,343
Interest	5,839,219
Changes in Assumptions	11,122,788
Differences Between Expected and Actual Experience	(8,959,434)
Benefit Payments	<u>(3,715,754)</u>
Net Changes	<u>8,904,162</u>
Balance - Ending	<u>\$ 171,180,008</u>

RESOLUTION 7 OF 2021

AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO THE TRAFFIC ON THE PUBLIC STREETS OF THE CITY OF KINGSTON, NEW YORK, REMOVING HANDICAP PARKING ON KLINGBERG AVE.

Sponsored By: Public Safety/General Government Committee:
Alderman Davis, O'Reilly, Worthington, Hirsch

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

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

SECTION-1. Article 7, Section 390-57 "HANDICAP PARKING" is hereby amended in the following:

REMOVING "HANDICAP PARKING" (and signage) at 37 Klingberg Ave.

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

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

Tinti, Elisa

From: Shaut, Andrea
Sent: Tuesday, December 15, 2020 11:41 AM
To: Tinti, Elisa; Sills, Dee
Cc: Davis, Tony; Tallerman, Donald
Subject: FW: Communication - Handicap sign removal - 37 Klingberg

Hi Elisa,

Can you please add the below communication from Alderman Tallerman as a late communication for December's Public Safety meeting on Monday 12/21? Alderman Davis is aware of the addition.

Thank you,
Andrea

-----Original Message-----

From: Tallerman, Donald
Sent: Friday, December 11, 2020 10:09 AM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Subject: Communication - Handicap sign removal - 37 Klingberg

This requests the removal of handicap signs at 37 Klingberg Ave. They are no longer required.

Thanks you very much.

Don

--
Don Tallerman
Alderman - Ward 5
917-318-7420

7

THE CITY OF KINGSTON COMMON COUNCIL
PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

ST: DPW DATE: 12/21/20

Removal of handicap signs at 37 Klingberg Ave

Committee Vote	YES	NO
<u>Tony Davis, Chairman</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Patrick O'Reilly, Ward 7</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Rennie Scott-Childs, Ward 11</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Jeffrey Ventura, Ward 1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Michele Hirsch, Ward 1</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8

THE CITY OF KINGSTON COMMON COUNCIL
PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: DPW DATE: 12/21/20

Description: Removal of handicap signs at 93 Fair

Signature: _____

Motion by JVM
 Seconded by PO

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditional Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote
<u>Tony Davis, Chairman</u>
<input checked="" type="checkbox"/> Patrick O'Reilly
<u>Rennie Scott-Childs</u> <u>Rita Worth</u>
<input checked="" type="checkbox"/> Jeffrey Ventura M
<input checked="" type="checkbox"/> Michele Hirsch

RESOLUTION 8 OF 2021

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

Sponsored By: Public Safety/General Government Committee:
Alderman Davis, O'Reilly, Worthington, Hirsch

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

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

SECTION-1. Article 7, Section 390-57 "HANDICAP PARKING" is hereby amended in the following:

REMOVING "HANDICAP PARKING" (and signage) at 93 Fair Street.

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

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

Tinti, Elisa

From: Shaut, Andrea
Sent: Tuesday, December 15, 2020 11:41 AM
To: Tinti, Elisa; Sills, Dee
Cc: Davis, Tony; Tallerman, Donald
Subject: FW: Communication - Handicap sign removal - 93 Fair Street

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Elisa,

Can you please add the below communication from Alderman Tallerman as a late communication for December's Public Safety meeting on Monday 12/21? Alderman Davis is aware of the addition.

Thank you,
Andrea

-----Original Message-----

From: Tallerman, Donald
Sent: Friday, December 11, 2020 10:04 AM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Subject: Communication - Handicap sign removal - 93 Fair Street

Hello President Shaut -

This requests the removal of handicap signs at 93 Fair Street. They are no longer required.

Thanks you very much.

Don

--
Don Tallerman
Alderman - Ward 5
917-318-7420

7

THE CITY OF KINGSTON COMMON COUNCIL
PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: DPW DATE: 12/21/20

Description:

Removal of handicap signs at 37 Klingberg Ave.

Committee Vote	YES	NO
<u>Tony Davis</u> Tony Davis, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Patrick O'Reilly</u> Ward 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Rennie Scott-Childs</u> Ward 3 <u>Rita Winters</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Jeffrey Ventura</u> Morell, Ward 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Michele Hirsch</u> Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8

THE CITY OF KINGSTON COMMON COUNCIL
PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: DPW DATE: 12/21/20

Description:

Removal of handicap signs at 93 Fair

Signature: _____

Motion by JVM

Seconded by PO

Action Required: _____

SBQRA Decision:
 Type I Action _____
 Type II Action _____
 Unfined Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote
<u>Tony Davis</u> Tony Davis, Chairman
<input checked="" type="checkbox"/> Patrick O'Reilly
<u>Rennie Scott-Childs</u> <u>Rita Winters</u>
<input checked="" type="checkbox"/> Jeffrey Ventura M
<input checked="" type="checkbox"/> Michele Hirsch

RESOLUTION 9 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REFERRING THE RE-ZONING PETITION OF HIGGINSVILLE STATION, LLC TO THE ULSTER COUNTY PLANNING BOARD AND THE CITY OF KINGSTON PLANNING BOARD

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

WHEREAS, a request has been made by Higginsville Stations, LLC for rezoning for 2.951 acres of property located at 79 Hurley Avenue which is currently zoned O-2 to C-2 to be referred by the Common Council of the City of Kingston to the Ulster County Planning Board and City of Kingston Planning Board for associated review pursuant to Section 405-73 of the City of Kingston Zoning Ordinance and Section 239-m of the General Municipal Law of the State of New York.

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 Higginsville Station, LLC's re-zoning petition from O-2 to C-2 to the City of Kingston Planning Board and the Ulster County Planning Board for associated review pursuant to Section 405-73 of the City of Kingston Zoning Ordinances and Section 239-m of the General Municipal Law of the State of New York.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

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

Richard F. Riseley
Michael A. Moriello

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

ZONING PETITION

**IN THE MATTER OF THE PETITION OF
HIGGINSVILLE STATION, LLC**

FOR a zoning district change of 2.951 acres of improved lands which are currently zoned 0-2 and which lands are situate adjacent to the C-2 Zoning District by extension of the present C-2 Zoning District and by the accompanying Zoning Map Amendment in the City of Kingston, County of Ulster and State of New York.

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

Upon this Petition and additional documentation submitted herewith by Petitioner, the Petition of Higginsville Station LLC [Robert J. Ryan, Jr., Member and Michael A. Moriello, Esq. as Attorney], (Collectively hereinafter "Petitioners") respectfully shows this honorable body as follows, pursuant to Article X of the City of Kingston Zoning Law:

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

Robert J. Ryan and Michael A. Moriello, being duly sworn, depose and say as follows:

FIRST: The name and address of the fee owner of the premises which is the subject of this Petition is Higginsville Station LLC, 411 Washington Avenue, Suite 201, Kingston, New York, 12401. This Petition is being forwarded pursuant to the City of Kingston Application Forms in accordance with applicable provisions of the City of Kingston Code and the City of Kingston Zoning Law.

SECOND: Petitioner is the fee owner of the "Kingston Freeman Building" and related appurtenances as situate upon the Subject

Premises. The newspaper occupied the 24,000 square feet of the entire building, as Lessee, through its operating entity, 21st Century Media Newspapers, LLC, until the COVID-19 Pandemic occurred. Shortly thereafter, the Tenant stopped paying rent. This occurrence led to a very difficult situation which culminated in a certain Lease Termination and Buyout Agreement on July 20, 2020. As a result of said Agreement, the Tenant is now occupying a 2,000 square foot portion of the Subject Premises.

In addition, there is one Tenant occupying 4,000 square feet, as located in the lower level of the building and approximately 6,750 square feet of the building is currently related to distribution of the Kingston Freeman. As such, 8,750 square feet of the Premises is devoted to a very tenuous newspaper use and almost 50% of the remaining buildings square footage is vacant.

Said lands are located at 79 Hurley Avenue in the City of Kingston, County of Ulster and State of New York, more particularly described by way of the Deed to the premises. [A copy of said Deed is annexed hereto and made a part hereof as Exhibit "A".]

The subject premises is depicted on the current City of Kingston Tax Map as Section, Block and Lot Number 48.71-2-11. [A copy of the pertinent portion of said Tax Map is annexed hereto as Exhibit "B".]

The subject premises is physically bounded as follows:

- a.) On the North by Ulster and Delaware Division Catskill Mountain Branch.
- b.) On the South by Hurley Avenue.
- c.) On the East by lands of Super 8 Motels of Kingston.

d.) On the West by Kingston Offices LLC.

THIRD: Improvements.

The subject premises is improved by the following:

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

FOURTH: Description of the Subject Premises.

The purpose of this Petition is to extend and conform the adjacent C-2 Zoning District to all of the 2.951 Subject Premises so that all of the lands comprising the parcel will be situate within the C-2 Zoning District. In this regard, the C-2 Zoning District designation is the predominant district within the immediate vicinity of the parcel and changing the zoning of the parcel will more appropriately acknowledge the pattern of development within this area of the City of Kingston.

In addition, it has become evident to the fee owner of the Subject Premises that a large single purpose building located within the circumscribed O-2 Zoning District during COVID-19 and consequent uncertain economic times will not work from a business perspective.

Permitted uses, as set forth within the O-2 Zoning District, are unavailing in these unprecedented times. Moreover, it is evident to the fee owner of the Subject Premises that, owing to electronic media, streaming services and other technologic advances, the newspaper business is unlikely to make a comeback, even after the pandemic abates.

There is currently no plan to redevelop the Subject Premises and

as a result, this Zoning Petition is being forwarded without a Land Use/Zoning Application. Owing to the size of the existing building, its functional obsolescence, the Esopus Creek Flood Zone and the on-site parking/access, the intention of the Petitioner is to repurpose and adaptively reuse the improvements in order to attract productive business uses to the Subject Premises which are consistent with the uses which are located within the adjacent C-2 Zone.

It is submitted that the physically developed premises is appropriate for inclusion within the C-2 Zoning District and that the extension and alteration of zoning requested herein is entirely appropriate and does not constitute spot zoning. Save Our Forest Action Coalition v. City of Kingston, 246 AD2d 217 (3rd Dept, 1998).

FIFTH: Proposed Zoning of the Site.

The Petitioners are requesting that the Subject Premises be included within C-2 Zoning District by way of C-2 Zoning District designation extension to encompass the Subject Premises and which extension would amend the City of Kingston Zoning Map. [A copy of the relevant portion of the City of Kingston Zoning District Map is annexed hereto and made a part hereof as Exhibit "C"].

SIXTH: Description of the Petition and Associated Action.

A.) The Petitioner proposes for the Subject Premises a rezoning to C-2 Zoning District designation for eventual adaptive re-use redevelopment of the current site improvements. There is no current plan for additional development and the rezoning is classified as an Unlisted Action pursuant to the applicable regulations of the Environmental Conservation Law of New York State [6 NYCRR Part 617.4].

The rezoning will require review under SEQRA, as an Unlisted Action and it is anticipated that the City of Kingston Common Counsel will assume duties as Lead Agency for SEQRA review as part of a coordinated review with Interested Agencies. There are no other identified Involved Agencies [discretionary permitting authorities] under SEQRA and the Interested Agencies [ministerial review authorities] which the Petitioners have been able to ascertain are as follows:

- 1.) City of Kingston Planning Board.
- 2.) City of Kingston Building Department.
- 3.) City of Kingston City Clerk.
- 4.) Ulster County Planning Board.

SEVENTH: Current Depiction of the Subject Premises.

The Subject Premises is currently depicted upon a certain survey map entitled, "Topographic/Boundary Survey #79 Hurley Avenue, City of Kingston, Ulster County, New York", as prepared by John Gerd Heidecker, LS and being dated May 10, 2019. [A copy of said survey is annexed hereto and made a part hereof, as Exhibit "D".]

EIGHTH: The statutory references for this Rezoning Petition are as follows:

- a.) City of Kingston Zoning Ordinance, Article X.
- b.) General City Law of the State of New York, Section 29.
- c.) General City Law of the State of New York, Section 83.
- d.) Section 239-m of the General Municipal Law of New York State.
- e.) SEQRA [6 NYCRR Part 617 et. seq.].

It is noted that this Petition is required to be referred by the City of Kingston Common Council to the City of Kingston Planning Board, pursuant to Section 405-73 of the City of Kingston Zoning Ordinance. Referral of a full statement of the proposed action to the Ulster County Planning Board for a Recommendation pursuant to Section 239-m of the General Municipal Law of New York State is further required. In addition, a public hearing in consideration of the rezoning request, is required to be held by the Laws and Rules Committee of the City of Kingston Common Council, in accordance with Section 405-74 of the City of Kingston Zoning Law and Section 83 of the General City Law of New York State.

WHEREFORE, upon full submittal and complete administrative/legislative review, your Petitioners request that the City of Kingston Common Council amend the City of Kingston Zoning Ordinance in a consistent fashion with this Petition by following all requisite SEQRA review procedures and rezoning statutory directives associated with the Higginsville Station LLC Petition for Rezoning, as herein stated.

Respectively Submitted,

HIGGINSVILLE STATION LLC

RISELEY & MORIELLO, PLLC

By: _____
ROBERT J. RYAN, Member

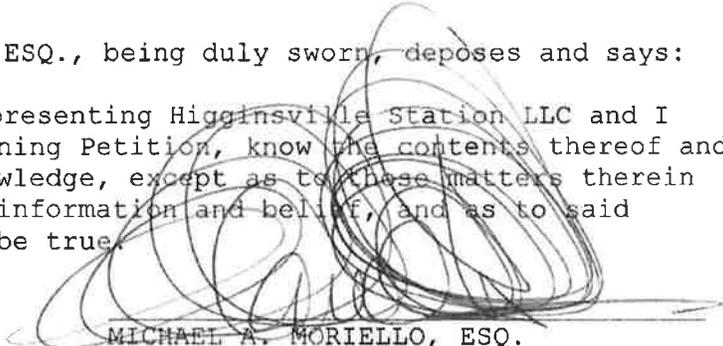
By: _____
MICHAEL A. MORIELLO, ESQ.

VERIFICATION

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

MICHAEL A. MORIELLO, ESQ., being duly sworn, deposes and says:

I am the Attorney representing Higginsville Station LLC and I have read the foregoing Zoning Petition, know the contents thereof and the same is true to my knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to said matters I believe them to be true.



MICHAEL A. MORIELLO, ESQ.

Sworn to before me this
10th day of December, 2020



Notary Public

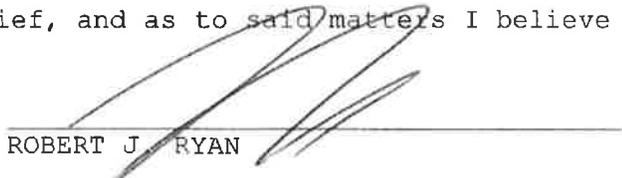
DIANE E. FRIEDMANN
Notary Public, State of New York
Qualified in Ulster County
Commission Expires May 18, 2022

VERIFICATION

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

ROBERT J. RYAN, being duly sworn, deposes and says:

I am a Member of Higginsville Station LLC and I have read the foregoing Zoning Petition, know the contents thereof and the same is true to my knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to said matters I believe them to be true.



ROBERT J. RYAN

Sworn to before me this
10th day of December, 2020



Notary Public

MICHAEL MORIELLO
Notary Public, State of New York
Resident In And For Ulster County
Commission Expires December 28, 2022

- cc: Higginsville Station LLC
- Daniel Gartenstein, Esq.
- Mr. Wayne Platte
- Hon. Steven Noble
- Ms. Andrea Shaut
- Ms. Sue Cahill
- Ms. Elisa Tinti

EXHIBIT "A"

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401



Volm-6289 Pg-232

Instrument Number: 2018- 00005443

Recorded On: April 24, 2018

As
D01 - Deed

Parties: 79 HURLEY AVENUE LLC

To
HIGGINSVILLE STATION LLC

Recorded By: TITLE SERVICE CO

Billable Pages: 4

Num Of Pages: 4

Comment:

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

D01 - Deed	60.00	RP5217-250	250.00	Tax Affidavit TP 584	5.00
Recording Charge:	315.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	3,880.00	970,000.00	4448	Basic	0.00
KINGSTON CITY				Local	0.00
				Additional	0.00
Tax Charge:	3,880.00			Special Additional	0.00
				Transfer	3,880.00

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

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

File Information:

Document Number: 2018- 00005443
Receipt Number: 1635496
Recorded Date/Time: April 24, 2018 04:09:59P
Book-Vol/Pg: Bk-D VI-6289 Pg-232
Cashier / Station: k ktsc / Cashier Workstation 7

Record and Return To:

PAUL KELLAR ESQ
14 PEARL ST
KINGSTON NY 12401



Nina Postupack

Nina Postupack Ulster County Clerk

4
m: 08

THIS INDENTURE, made the 18th day of April 2018 but effective the 24th day of APRIL 2018,

BETWEEN, 79 HURLEY AVENUE, LLC a Delaware limited liability company, with a mailing address of 885 Third Avenue 19th Floor, New York, New York 10022 party of the first part, and **HIGGINSVILLE STATION, LLC**, a New York limited liability company, with a mailing address of PO Box 4121 Kingston, NY 12402 party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00), lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, the heirs or successors and assigns of the parties of the second part forever, the property legally described on Exhibit A, attached hereto and incorporated herein by this reference.

TSC2770Q

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

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

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

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

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

CHECKED _____
ENTERED _____
MARK/OFF _____

✓ Title Service Co

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

79 HURLEY AVENUE, LLC, a Delaware limited liability company

By: **TWENTY LAKE EQUITIES, LLC, a Delaware limited liability company**
Its: **Sole Member**

By: *[Signature]*
Name: **Joseph M. Miller**
Title: **President & Sole Member**

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

On the 19 day of April in the year of 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph M. Miller, President of Twenty Lake Equities, LLC a Delaware limited liability company, sole member of 79 Hurley Avenue, LLC, a Delaware limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the individual or the entity upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.

Signature: *[Signature]*
My Commission Expires: _____
Commission Number: _____



CAROLYN A. SHEARIN
Notary Public, State of New York
No. 01SH6203620
Qualified in Richmond County
Commission Expires Dec. 18, 2021

P R & R
Paul Kellar Esq
14 Pearl St
Kingston, NY
12.4.01

- EXHIBIT A -

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

BEGINNING at an iron pipe on the northerly street line of Hurley Avenue, said point being the southeasterly corner of lands of Lewis Palen;

RUNNING THENCE along the easterly line of lands of said Palen, North 32 degrees 54 minutes East, 467.23 feet to an iron pipe on the southerly right-of-way line of the Ontario & Western Railway Company;

THENCE along said right-of-way line and a wire fence South 58 degrees 03 minutes East, 428.34 feet to a point;

THENCE along lands of the Clark Lumber Company and others South 44 degrees 17 minutes West 380.71 feet to an iron pipe at the northeasterly corner of lands of Sadie Struber;

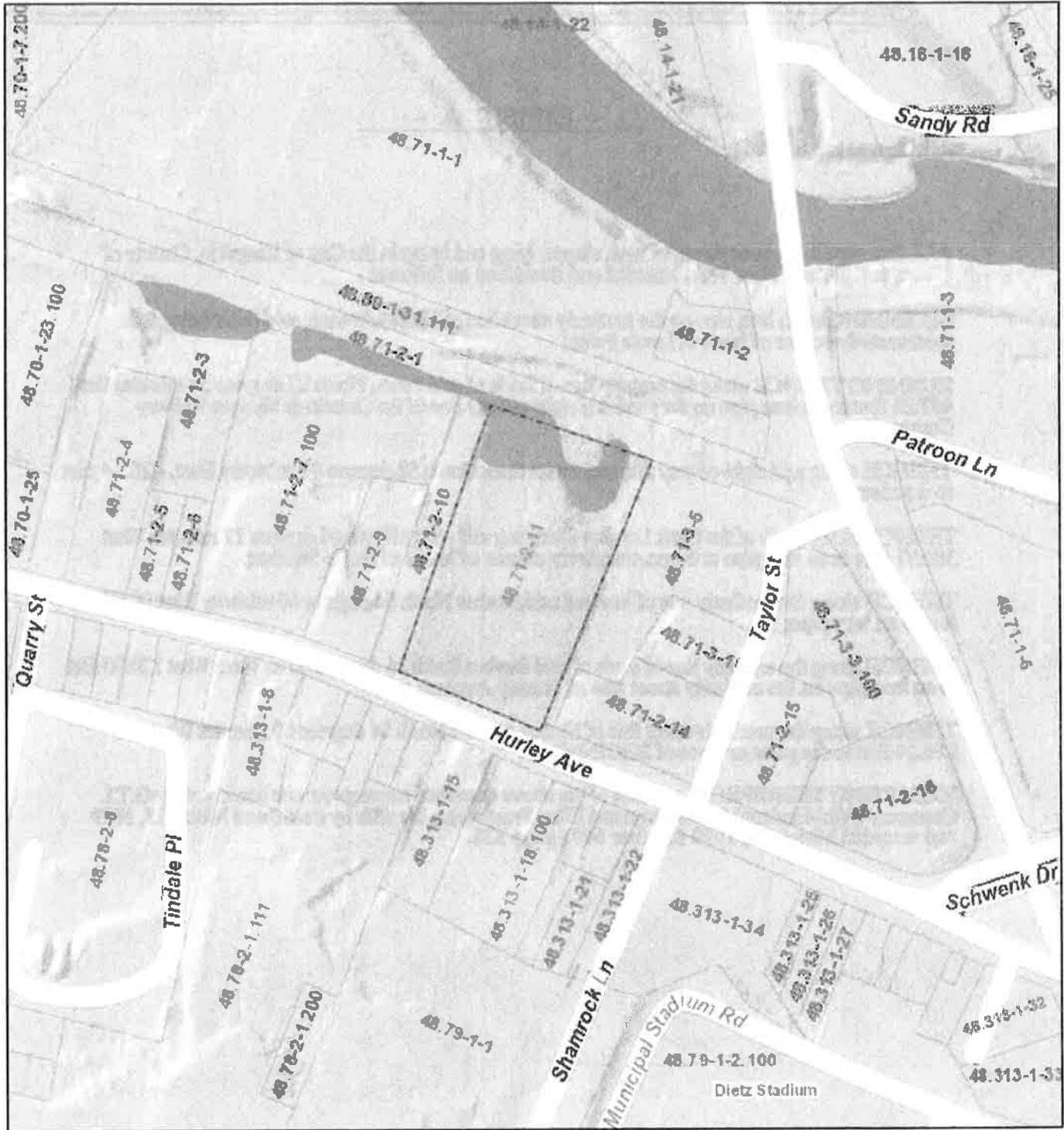
THENCE along the northerly line of lands of said Struber North 54 degrees 00 minutes West 90.02 feet to an iron pipe;

THENCE along the westerly line of lands of said Struber South 36 degrees 00 minutes West 120.00 feet to an iron pipe on the northerly street line of Hurley Avenue; and

THENCE along the northerly street line of Hurley Avenue North 54 degrees 00 minutes West 256.84 feet to the point or place of **BEGINNING**.

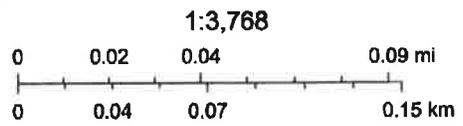
EXCEPTING THEREFROM so much of the above described premises as was conveyed by G.T.L. Company (Mid-Hudson) to Salvatore and Ellen Provenzano, his wife by deed dated March 15, 1979 and recorded March 16, 1979 in Liber 1407 page 338.

Ulster County Parcel Viewer *EXHIBIT "B"*



December 8, 2020

-  Override 1
-  Override 1



Extent "C"



79 HURLEY AVENUE: AKA THE DAILY FREEMAN BUILDING

DIETZ STADIUM

FORSYTH PARK



79 HURLEY AVENUE: AKA THE DAILY FREEMAN BUILDING

DIETZ STADIUM

FORSYTH PARK

Short Environmental Assessment Form

Part 1 - Project Information

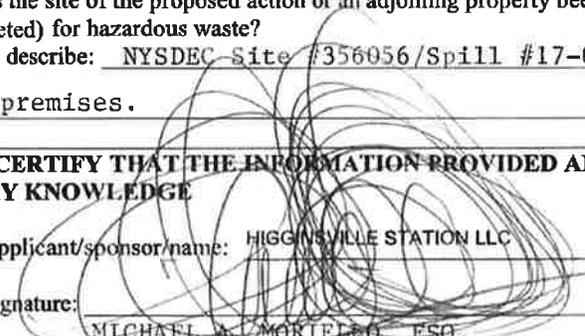
Instructions for Completing

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 I 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				
Name of Action or Project: Petition for Zoning Change by Higginsville Station LLC				
Project Location (describe, and attach a location map): 79 Hurley Avenue, Kingston, New York, 12401				
Brief Description of Proposed Action: Petition to rezone a 2.051 acre improved premises from the present O-2 Zoning District designation to the adjacent C-2 Zoning District designation. The project is classified as an Unlisted Action under SEQRA pursuant to 6 NYCRR Part 617.4.				
Name of Applicant or Sponsor: Higginsville Station LLC		Telephone: (845) 338-6603 E-Mail: mike@moriellolaw.com		
Address: 411 Washington Avenue, Suite 201				
City/PO: Kingston		State: New York	Zip Code: 12401	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? See Zoning Petition annexed. 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 2.051 acres				
b. Total acreage to be physically disturbed? _____ 0 acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 2.051 acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>Connected.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Connected.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
Not Applicable. No disturbance of site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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? Not Applicable. No disturbance of site.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, Site is developed with no disturbances of the site.	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: <u>NYSDEC Site #356056/Spill #17-0624 is situate adjacent to</u> <u>the premises.</u>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>HIGGINSVILLE STATION LLC</u> Date: <u>12/10/20</u> Signature: <u></u> Title: <u>Attorney</u> <u>MICHAEL A. MORIELE, ESQ.</u>		

PRINT FORM

AUTHORIZATION

**IN THE MATTER OF THE PETITION OF
HIGGINSVILLE STATION LLC FOR ZONING CHANGE**

LOCATION OF PROPERTY: 79 Hurley Avenue
Kingston, New York 12401

RECORD OWNER/PETITIONER: Higginsville Station LLC
Mr. Robert J. Ryan, Jr.
411 Washington Avenue, Suite 201
Kingston, New York 12401

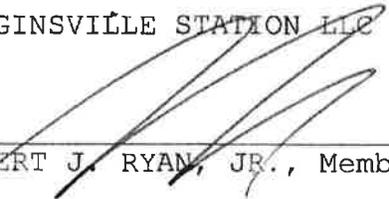
ATTORNEY FOR PETITIONER: Riseley and Moriello, PLLC
Michael A. Moriello, Esq.
111 Green Street
Post Office Box 4465
Kingston, New York 12402
(845) 338-6603

PROJECT: Rezoning of a 2.051 acre improved
premises and related improvements
known as the "Kingston Freeman
Building"

TO: The City of Kingston Common Council:

This will duly authorize Michael A. Moriello, Esq. to forward any and all necessary Petitions with the City of Kingston Common Council and all Involved Agencies under the New York State Environmental Quality Review Act [SEQRA], as well as all other applicable laws and, as fee owner of the subject premises, I hereby consent to all to the Zoning Petition and all associated documentation for all approvals associated with this project.

HIGGINSVILLE STATION LLC

By: 
ROBERT J. RYAN, JR., Member


Sworn to before me this
day of December, 2020

Notary Public

MICHAEL MORIELLO
Notary Public, State of New York
Resident In And For Ulster County
Commission Expires December 28, 2022