

RESOLUTION 69 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER IN THE POLICE DEPARTMENT
BUDGET IN THE AMOUNT OF \$375,000.00 TO COVER THE EXPENSE OF
FIXED MOUNTED LICENSE PLATE READERS**

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

WHEREAS, the Police Chief has requested a transfer in the amount of \$375,000.00 for fixed license plate readers, and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM:	A1.1990.5404	Contingency	\$150,000.00
	A1.3120.3389	NYS Grant	\$225,000.00
TO:	A1.3120.5201	Major Equipment	\$375,000.00

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

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CITY OF KINGSTON

Police Department

police@kingston-ny.gov

Egidio F. Tinti, Chief of Police



Steven T. Noble, Mayor

April 1, 2021

Honorable Andrea Shaut
Alderman-at-Large
420 Broadway
Kingston, NY 12401

Dear Ms. Shaut,

Resolution 191 of 2020, dated 12/14/2020, approved the use of funds in the amount of \$375,000 for the purchase of License Plate Readers.

The necessary purchase order was not able to be secured by the end of the calendar year.

I am respectfully requesting that a similar transfer of funds be made for the calendar year 2021.

Attached is the new committee report and supporting documentation for the request.

Thank you for your time and consideration in this matter. If you or your committee needs additional information, please do not hesitate to contact me.

Sincerely,

Egidio Tinti
Chief of Police
City of Kingston Police Department

EFT

Enclosure

Cc: Honorable Steven T. Noble
Mayor, City of Kingston

John Tuey
City Comptroller

RESOLUTION 191 OF 2020

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REQUESTING A TRANSFER IN THE POLICE DEPARTMENT IN THE AMOUNT OF \$375,000.00 TO COVER THE EXPENSE OF FIXED MOUNTED LICENSE PLATE READER

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

WHEREAS, the Police Department has requested a transfer in the amount of \$375,000.00 for fixed mounted license plate reader

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

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

FROM:	A1.1990.5404	Contingency	\$150,000.00
	A1.3120.3389	NYS Grants	\$225,000.00
TO:	A13120.201	Major Equipment	\$375,000.00

Submitted to the Mayor this 2nd day of
December, 2020



Elisa Tinti, City Clerk

Approved by the Mayor this 4th day of
December, 2020



Steven T. Noble, Mayor

Adopted by Council on December 1, 2020

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2020 Budget Modification

<u>Account #</u>	<u>Transfer Out of</u>	<u>Transfer Into</u>
A1312012		
.201 Major Equipment		\$ 375,000.00
Contingency Account A1.1990.5404	\$ 150,000.00	
NYS Grant A1.3120.3389	\$ 225,000.00	
TOTALS	\$ 375,000.00	\$ 375,000.00

(77)

Tinti, Elisa

From: Bonse, Michael
Sent: Friday, November 06, 2020 10:08 AM
To: Noble, Steve; Shaut, Andrea; Tinti, Elisa; Sills, Dee
Cc: Tinti, Egidio
Subject: Budget Transfer Request - LPR Project
Attachments: 20201106100648.pdf

Good morning all,

Attached is a copy of a proposed budget transfer request for the transfer of funds from Contingency to our Major Equipment Account to fund the purchase of fixed mounted license plate reader (LPR) technology to be installed as part of the City's NYPA Smart City Technology Grant. This is a match grant and more than half of the project will be funded by the grant. The total cost of this project is \$375,000, the cost to the City will be \$150,000.

Please forward this to the appropriate committee for review and approval.

Respectfully submitted,

Michael Bonse

Lieutenant of Police
City of Kingston Police Department

Office #: (845) 943-5707

Fax #: (845) 943-5782

Email: mbonse@kingston-ny.gov

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT <u>Police</u>	DATE <u>11/12/2020</u>
Description: <u>The police department is requesting a transfer of funds from contingency in the amount of \$150,000 as matching funds as part of the City's NYPA Smart City Technology Grant. The grant will provide \$225,000 for an overall total of \$375,000. The grant funds will be used to expand the current use of License Plate Readers in and around the City of Kingston.</u>	
Estimated Financial Impact <u>\$ 150,000</u>	Signature

Motion by _____

Seconded by RSC

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman <i>D. A. Koop</i> <small>D. A. Koop (Nov 27, 2020 15:23 PST)</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reynolds Scott-Childress Ward 3 <i>Reynolds Scott-Childress</i> <small>Reynolds Scott-Childress (Nov 27, 2020 15:23 PST)</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Davis, Ward 6 <i>Anthony Davis</i> <small>Anthony Davis (Nov 27, 2020 15:23 PST)</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michele Hirsch, Ward 9 <i>Michele Hirsch</i> <small>Michele Hirsch (Nov 27, 2020 15:23 PST)</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Steven Schabot, Ward 8 <i>Steven Schabot</i> <small>Steven Schabot (Nov 27, 2020 15:23 PST)</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

01/01/2020-12/31/2021

COMMITTEE: Finance

DATE: 12/1/20

RESOLUTION TITLE *Resolution #191 of 2020 authorizing a transfer in the Kingston Police Department budget in the amount of \$375,000*

OFFERED BY: ALDERMAN _____
SECONDED BY: ALDERMAN _____

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

TOTALS CARRIED 6-3 DEFEATED _____

ELISA TINTI
CITY CLERK

RESOLUTION 70 of 2021

Ordinance: No Parking or Standing At Any Time

Parking Prohibited Certain Hours

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-97, SCHEDULE XIV, NO PARKING OR STANDING AT ANY TIME OF THE KINGSTON CITY CODE ON NORTH STREET AND AMENDING SECTION 390-99, SCHEDULE XVI, PARKING PROHIBITED CERTAIN HOURS ON NORTH STREET

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

WHEREAS, a request has been made to amend the manner in which parking is permitted on North Street; and

WHEREAS, it is in the best interests of the City to amend parking on North Street.

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

SECTION 1. That the Common Council of the City of Kingston authorizes the amendment of Section 390-97, Schedule XIV, No Parking or Standing At Any Time on North Street as follows:

Remove North Street, east side, from the intersection of Delaware Avenue to a point 50 feet north thereof

Add North Street, east side, from Delaware Avenue north to the end of the street

SECTION 2. That the Common Council of the City of Kingston authorizes the amendment of Section 390-99, Schedule XVI, Parking Prohibited Certain Hours on North Street as follows:

Remove North Street, east side, from Delaware Avenue to Willow Street (currently prohibited November 1 to March 15)

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

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

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

DEPARTMENT: Engineering / Mayor

DATE: May 26, 2021

Description: Amend 390-99 Schedule XVI: Parking Prohibited Certain Hours to remove east side of North Street from Delaware Avenue to Willow (currently prohibited Nov. 1 to March 15), and Amend 390-97 Schedule XIV: No Parking or Standing at any time to remove North Street, east side, from the intersection of Delaware Avenue to a point 50 feet north thereof, and Amend 390-97 Schedule XIV: No Parking or Standing any time, to add North Street, east side, from Delaware Avenue north to the end of the street.

Signature: John M. Schultheis, City Engineer

Motion by JM

Seconded by MH

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>
Tom Davis, Chairman <i>[Signature]</i>	✓	
Doug Koop, Ward 2	✓	
Rennie Scott-Childress, Ward 3		
Jeffrey Ventura Morell, Ward 1	✓	
Michele Hirsch, Ward 9	✓	

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



December 15th, 2020

Honorable Andrea Shaut
President Common Council
420 Broadway
Kingston, NY 12401

Re: No Parking on East Side of North Street

Dear President Shaut,

As the City prepares for the grand-opening of the Empire State Trail along the Hudson River, I am requesting that the Common Council designate the East Side of North Street, from Delaware Avenue to the end of North Street, as a No Parking area. Keeping one side of the street cleared of parking will allow for a less impeded flow of pedestrians and cyclists to the new recreational area. This would keep the area safer for both motorists and trail guests.

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

Respectfully Submitted,

Steven. T. Noble
Mayor

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

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



Steven T. Noble, Mayor

April 22, 2021

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

RE: No Parking, North Street from Delaware Avenue to north end

Dear President Shaut:

Mayor Noble's letter dated December 15, 2020 requested that the Common Council prohibit parking on the east side of North Street from Delaware Avenue to the north end of the street.

I visited the site and measured the street to be 30-ft feet wide. This width supports parking on one side only and two travel lanes. Based on the development pattern and the routing of the Empire State Trail on the east side of the street, the best arrangement is to allow parking on the west side and prohibit parking on the east side.

Therefore, my recommendation is that the Common Council amend the Code as follows:

Amend 390-99 Schedule XVI: Parking Prohibited Certain Hours to remove east side of North Street from Delaware Avenue to Willow (currently prohibited Nov. 1 to March 15), and

Amend 390-97 Schedule XIV: No Parking or Standing at any time to remove North Street, east side, from the intersection of Delaware Avenue to a point 50 feet north thereof, and

Amend 390-97 Schedule XIV: No Parking or Standing any time, to add North Street, east side, from Delaware Avenue north to the end of the street.

I plan to attend the meeting of the committee so that I may answer any questions that arise.

Respectfully,

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

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



Steven T. Noble, Mayor

John M. Schultheis, P.E.
City Engineer

Cc: Steve Noble, Mayor
Ed Norman, Superintendent, Department of Public Works
Tony Davis, Alderman

RESOLUTION 71 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER IN THE PARKS AND
RECREATION DEPARTMENT OF UNSPENT ALLOCATED REC FEE
RESERVE FUNDS IN THE AMOUNT OF \$67,288.08 TO COVER THE
EXPENSE OF THE CONSTRUCTION OF THE KINGSTON POINT PARK
PLAYGROUND**

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

WHEREAS, the Parks and Recreation Department has requested a transfer in the amount of \$67,288.08 the construction of the Kingston Point Park Playground, and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM:	A1.388905	Rec Fee Reserve	\$67,288.08
TO:	A1.7110.13.5302	Construction Materials	\$67,288.08

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

7A

(F+A)

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

Steven T. Noble, Mayor



Lynsey Timbrouck, Director

March 29, 2021

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

Re: Recreation Fee Reserve Budget Transfer

Dear President Shaut,

This is a request for placement on the agenda of the next appropriate Committee, expected to be the Finance and Audit Committee, to discuss a request for budget transfer for Parks Capital Improvement Projects.

Resolution 119 of 2020 authorized the Mayor to expend up to \$264,500 from the Recreation Trust Fund (read: Recreation Fee Reserve) for Parks and Recreation Capital Projects. Resolution 181 of 2020 further permitted the budget transfer of the modified amount of \$148,322 from the Recreation Fee Reserve to the Parks Construction Materials and Supplies line. This allocation permitted completion of the following projects:

- Hasbrouck Park Pavilion
- Hutton Park Pavilion
- Loughran Park playground equipment and repairs
- Skate Park phase 1 construction
- Rickel Knox Memorial Park Improvements
- WIFI and Security Cameras in city parks
- Fence removal at Barmann Park

Due to numerous factors, this 2020 Recreation Fee Reserve allocation concluded the year under budget; some projects were determined to be eligible for CDBG funding, some projects came in under budget, some projects were not able to advance.

Of the originally allocated \$148,322, a total of \$81,033.92 was expended in 2020, and thus \$67,288.08 remains from the 2020 allocation.

This request, is for the budget transfer of \$67,288.08 of unspent allocated monies from A1-388905 Rec Fee Reserve to A1 7110.13.5302 for use in construction of the Kingston Point Park Playground.

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

Steven T. Noble, Mayor



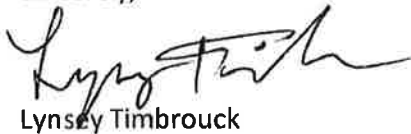
Lynsey Timbrouck, Director

In Resolution 11 of 2021, the Common Council approved the amendment and reallocation of CDBG Action Plan funding from previous multiple years of CDBG unspent monies in the amount of \$120,000, \$70,000 of which was allocated for a playground at Kingston Point Park. In Resolution 42 of 2021, the Council approved expending the funds in the first instance for said project.

However, due to numerous constraints, the Department is unable to advance the Kingston Point Park Playground project using CDBG funding and thus is requesting use of this remaining allocation of Rec Fee Reserve to fund the playground.

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

Sincerely,



Lynsey Timbrouck

Recreation Director

RESOLUTION 72 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER IN THE GRANTS MANAGEMENT
DEPARTMENT IN THE AMOUNT OF \$35,000.00 TO COVER THE EXPENSE
OF A TRAFFIC SAFETY CAMPAIGN CONSULTANT**

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

WHEREAS, the Grants Department has requested a transfer in the amount of \$35,000.00 to cover the expense of a traffic study campaign consultant, and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM: A1.1990.14.5404 Contingency \$35,000.00

TO: A1.6990.14.5411 Grants Management Consultant \$35,000.00

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

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1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

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

DEPARTMENT: Grants Management DATE: 3/10/2021

Description:
Transfer \$ 35,000 of funds into the Grants Management account for a traffic safety campaign consultant

From:
Contingency –A11990.14.5404: \$35,000

To:
Grants Management Consultant - A16990.11.5411

Estimated Financial Impact: \$35,000 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>
Reynolds Scott Childress, Ward 3, Chairman		
Don Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

F+A

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

Kristen E. Wilson, Director



Steven T. Noble, Mayor

February 26, 2021

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

Re: Request for Funds for a Traffic Safety Campaign

Dear President Shaut,

The Office of Grants Management requests placement on the agenda of the appropriate committee to discuss funding a City-branded Traffic Safety Campaign. The campaign would initially be developed for the opening of the Broadway Streetscape Project, and then the branding, logos, and content developed would be available for use in campaign outreach and communications for other street projects coming online and being constructed. (Henry Street, Uptown Transportation Improvements, Flatbush & Foxhall, Franklin Street).

The purpose of the initial campaign would be 1) to target the audiences of vehicle drivers, bicyclists, pedestrians, elected officials, and emergency service providers with messages that explain the change in traffic patterns on Broadway and how to properly use the infrastructure, and 2) to raise awareness of traffic laws that ensure the safety of everyone. When a new traffic pattern is introduced, as it will be on Broadway, there is typically an adjustment period for travelers when perhaps more crashes could occur until the community adapts to the changes. The end goal would be to inspire behavior change that will result in a safer traveling environment for all and to prevent crashes.

When researching marketing costs and discussing the project with people in the marketing field, my Office discovered that marketing costs can have a big range. In essence, the more tasks you assign to a firm, the less they may charge. We have drafted a scope of work that includes writing the campaign plan, developing the logo, brand, copywriting, creating a homepage for the campaign on EngageKingston.com, radio spots, instructional and educational videos, and ad spend for social media. We estimate that we could implement this scope for a minimum of \$35,000. The initial campaign would run starting one month before Broadway opens and then for up to two months after Broadway opens.

We are requesting that the Common Council consider utilizing contingency funds for the campaign at a minimum of \$35,000. During the meeting I can share more about the quotes and numbers I gathered if the Council would be interested in allocating more to this effort.

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

Kristen E. Wilson, Director



Steven T. Noble, Mayor

You can visit these websites to see how some other communities in New York State have created traffic safety campaigns.

<https://www1.nyc.gov/html/dot/html/about/campaigns.shtml>

<https://www.cdtempo.org/page/57-whatwedo/pedestrian/61-cap-coexist>

<https://drive2bbetter.org/>

I hope that Council members will seriously consider this proposal as the effort could prevent injury and save lives, communicate the benefits of our investment in the Broadway project, and create a safer and more respectful experience for the traveling public. This relatively small investment by the City can have a lasting impact on traffic safety and awareness for many years to come.

Thank you for your consideration.

Sincerely,

Kristen Wilson

RESOLUTION 73 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR TO EXPEND FUNDS IN THE FIRST INSTANCE FOR ADLN GRANT #21SG2064 FROM ENTERPRISE COMMUNITY PARTNERS, INC. FOR IMPLEMENTATION OF ANTI-DISPLACEMENT STRATEGIES IN THE CITY OF KINGSTON.

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

WHEREAS, the City of Kingston has been awarded ADLN Grant #21SG2064 in the amount of \$1,000,000 from Enterprise Community Partners for Implementation of Anti-displacement Strategies in Kingston and;

WHEREAS, there are no matching funding requirements; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds; and

WHEREAS, the action is categorized under 6 NYCRR, Part 617.5 as Type II.

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

SECTION 1. Administration of all funds under these grants will be in accordance with all terms and conditions contained in guidelines provided by Enterprise Community Partners.

SECTION 2. The Mayor of the City of Kingston is hereby authorized to expend funds in the first instance under the terms of the Implementation of Anti-displacement Strategies Contract #21SG2064.

SECTION 3. 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

1 THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT
COMMITTEE REPORT

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

DEPARTMENT: Grants Management DATE: 03/31/21

Description:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR TO EXPEND FUNDS IN THE FIRST INSTANCE IN THE AMOUNT OF \$1,000,000 FOR ADLN GRANT #21SG2064 FROM ENTERPRISE COMMUNITY PARTNERS, INC. FOR IMPLEMENTATION OF ANTI-DISPLACEMENT STRATEGIES IN THE CITY OF KINGSTON

Estimated Financial Impact: \$0

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>
Reynolds Scott Childress, Ward 3, Chairman		
Don Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

F.A

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

Kristen E. Wilson, Director



Steven T. Noble, Mayor

March 31, 2021

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

Re: Resolution to Expend Funds for Anti-displacement Strategies in Kingston

Dear President Shaut,

The Office of Grants Management requests placement on the Finance Committee agenda in April to discuss a resolution needed to expend funds for implementation of anti-displacement strategies in the City of Kingston. This important project is funded with a \$1,000,000 grant the City won from Enterprise Community Partners.

The purpose of the project is to further develop and implement strategies to prevent homelessness and displacement of residents due to housing shortages and rising costs. Strategies were identified during a series of workshops that were part of Enterprise Community Partner's Anti-Displacement Learning Network (ADLN) Phase 1 Program in 2020. In late 2020, Enterprise awarded the City of Kingston the \$1 million grant to further develop and begin implementing its strategies. A fact sheet outlining additional details is attached.

A draft resolution and committee report are also included with this communication.

Thank you for your consideration.

Sincerely,

Kristen Wilson

Digitally signed by Kristen Wilson
DN: cn=Kristen Wilson, o=City of Kingston, ou=Office of
Grants Management, email=kwilson@kingston-ny.gov, c=US
Date: 2021.04.01 09:23:36 -04'00'

Kristen E. Wilson
Director

RESOLUTION ___ of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR TO EXPEND FUNDS IN THE FIRST INSTANCE FOR ADLN GRANT #21SG2064 FROM ENTERPRISE COMMUNITY PARTNERS, INC. FOR IMPLEMENTATION OF ANTI-DISPLACEMENT STRATEGIES IN THE CITY OF KINGSTON.

Sponsored by: Finance and Audit Committee Aldermen: Scott-Childress, Davis, Hirsch, Schabot and Tallerman

WHEREAS, the City of Kingston has been awarded ADLN Grant #21SG2064 in the amount of \$1,000,000 from Enterprise Community Partners for Implementation of Anti-displacement Strategies in Kingston and;

WHEREAS, there are no matching funding requirements; and

WHEREAS, there are specific requirements and regulations governing the expenditure of these funds; and

WHEREAS, the action is categorized under 6 NYCRR, Part 617.5 as Type II.

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

SECTION 1. Administration of all funds under these grants will be in accordance with all terms and conditions contained in guidelines provided by Enterprise Community Partners.

SECTION 2. The Mayor of the City of Kingston is hereby authorized to expend funds in the first instance under the terms of the Implementation of Anti-displacement Strategies Contract #21SG2064.

SECTION 3. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day
of _____ 2021

Approved by the Mayor this _____ day
of _____ 2021

Carly Williams, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2017



About City of Kingston Anti-Displacement Strategies

Prepared 3.4.21

Purpose: To further develop and implement strategies to prevent homelessness and displacement of residents due to housing shortages and rising costs. Strategies were identified during a series of workshops that were part of Enterprise Community Partner's Anti-Displacement Learning Network (ADLN) Phase 1 Program in 2020. In late 2020, Enterprise awarded the City of Kingston a \$1 million grant to further develop and begin implementing its strategies.

Program Funder: Enterprise Community Partners

Anti-Displacement Team: Guy Kempe, RUPCO
Jeffrey Ventura Morell, CoK Common Council
Andrea Shaut, CoK Common Council
Rashida Tyler, Kingston Tenants Union
Frank Waters, Midtown Rising

Existing team members will soon be joined by additional community members to form an expanded Project Advisory Committee.

Honorary Chair: Steven T. Noble, Mayor

Team Leader: Kevin Corté, CoK Director of Housing, kcorte@kingston-ny.gov

Grant & Engagement Manager: Ruth Ann Devitt-Frank, rfrank@kingston-ny.gov

Background

Every citizen has the right to a safe, quality home, but rising costs here in Kingston and across the country continue to threaten that right. As a result, many of our low-income residents face homelessness and displacement from the City.

In late 2019, Enterprise Community Partners — a national non-profit whose mission is to address America's affordable housing crisis — selected the City of Kingston and nine other New York State municipalities for participation in a 10-month Anti-Displacement Learning Network (ADLN) program. Each municipality was asked to create an ADLN Volunteer Team to examine existing conditions, structures, and programs in their communities. They were also charged with identifying one or more new strategies that could be implemented to prevent displacement of residents at risk of eviction and/or homelessness.

Throughout 2020, the City's team convened regularly with Enterprise staff, housing experts, and the other teams from across the State for a series of workshops designed to guide strategy identification. The strategies that the City of Kingston pinpointed are outlined below. The ADLN Team is now expanding into a larger Project Advisory Committee; in the coming months, this group will continue to develop these concepts, resolve any potential problems, and begin to implement them.

Kingston's strategies are:

- Creation of a **Tiny Homes Community** to provide safe, emergency non-congregate housing and support services for up to 30 Kingston residents who are at risk of becoming, or are already, homeless. Rental rates, if charged, would be in line with affordability based on the Department of Social Services housing allowance. Ultimately, tenants would transition out of the tiny homes into permanent homes. The City is accepting proposals from qualified consultants to develop a business plan, and construct and manage the community, until April 1, 2021.
- Establish a **Landlord Incentive Program** to provide owners facing foreclosure or mortgage distress with a subsidy to rent unused space in their homes at affordable rates for low-income tenants;
- Develop **anti-displacement goals** to be included in our future city-wide **rezoning plan**;
- Develop an **Affordable Housing Trust Fund** to reduce upfront costs for low-income residents who would like to take advantage of existing programs including the Kingston Land Bank's and RUPCO's First-Time Homebuyers Program initiatives.
- Additional strategy to be identified.

For program updates, please register on [EngageKingston.com](https://www.engagekingston.com) and visit our [Anti-Displacement Strategy page](#).

#

RESOLUTION 74 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE TRANSFER OF 124-126 FRANKLIN STREET, SBL 56.108-3-4 TO THE KINGSTON CITY LAND BANK FOR REHABILITATION, REDEVELOPMENT AND DISPOSITION AND RECOMMENDING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE

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

WHEREAS, the New York State Land Bank Program, signed into law in July 2011, permits municipalities to apply for and create land banks in their communities; and

WHEREAS, the City of Kingston Land Bank was approved by the Empire State Development Board on March 29, 2018; and

WHEREAS, land banks are not-for-profit corporations created to take control of, and redevelop vacant or abandoned properties to better serve the public interest.

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

SECTION 1. That the Common Council of the City of Kingston authorizes the transfer of 124-126 Franklin Street, SBL 56.108-3-4 to the Kingston City Land Bank for rehabilitation, redevelopment and disposition for the sum of \$19,398.71.

SECTION 2. That the Common Council of the City of Kingston hereby authorizes the Mayor to sign any and all documents necessary conveying all of the City of Kingston's interest in and to 124-126 Franklin Street, SBL 56.108-3-34

SECTION 3. That a negative declaration of environmental significance is recommended.

SECTION 4. 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

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1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

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

DEPARTMENT: KCLB DATE: 4/14/2021

Description: Request authorization of the sale of 124-126 Franklin Street, Kingston NY 12401 (SBL 56.108-3-4) to the Kingston City Land Bank for \$19,398.71.

Estimated Financial Impact: \$0 Signature _____

Motion by Schabot

Seconded by Davis

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>
Reynolds Scott Childress, Ward 3, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Davis, Ward 6	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michele Hirsch, Ward 9	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Steven Schabot, Ward 8	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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F+A

Tinti, Elisa

From: Mike Gilliard <mike@kingstoncitylandbank.org>
Sent: Tuesday, March 30, 2021 8:34 AM
To: Shaut, Andrea
Cc: Alderman; Daniel Kanter
Subject: [EXTERNAL EMAIL] KCLB: request to place item on Finance Committee agenda
Attachments: RESOLUTION_172_of_2018.pdf

Good Morning President Shaut and Council Members,

We hope this finds you well. I am sending this message on behalf of KCLB Board Chair Daniel Kanter, cc'd here.

We respectfully request you place the following item on the next Finance Committee agenda:

- purchase by the Kingston City Land Bank of 124-126 Franklin Street, Kingston, NY 12401 (SBL 56.108-3-4) from the City of Kingston for \$19,398.71

For your information, we are ready, willing and able to purchase and redevelop this property immediately. This would be our 5th and final property in our current PILOT program to redevelop affordable homes for first-time purchasers.

Please note this property was not included in the list of properties in Council Resolution 172 (2018), attached. The property was originally slated to become the office of the KCLB and we now feel the highest and best use of this property is to become an affordable home for current and future Kingston residents.

Thank you for your consideration of this request.

Sincerely and In Partnership,

Mike

Mike Gilliard
 Executive Director | Kingston City Land Bank (KCLB)
 17 Hoffman Street | Kingston, NY 12401 | KCLB.org
 C: 845-514-4908

WORK WITH US: [OPEN RFQ](#) | SUPPORT US: [DONATE](#)

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

RESOLUTION 172 of 2018

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE TRANSFER OF SURPLUS PROPERTIES TO THE KINGSTON CITY LAND BANK FOR REHABILITATION, REDEVELOPMENT AND DISPOSITION AND RECOMMENDING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE

Sponsored By: Finance & Economic Development Committee
Aldermen: Koop, Scott-Childress, Davis, O'Reilly, Schabot

WHEREAS, the New York State Land Bank Program, signed into law in July 2011, permits municipalities to apply for and create land banks in their communities; and

WHEREAS, the City of Kingston began working toward establishment of a Land Bank in 2015; and

WHEREAS, the City of Kingston Land Bank was approved by the Empire State Development Board on March 29, 2018; and

WHEREAS, Land banks are not-for-profit corporations created to take control of, and redevelop, vacant or abandoned properties to better serve the public interest.

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

SECTION 1. That ownership of the attached list of surplus properties shall be transferred to the Kingston City Land Bank for rehabilitation/redevelopment and disposition

SECTION 2. That the Mayor is hereby authorized to sign any and all documents, including a quitclaim deed, conveying all of the City of Kingston's interest in the properties to the Kingston City Land Bank

SECTION 3. That a negative declaration of environmental significance is recommended.

SECTION 4. This resolution shall take effect immediately.

Submitted to the Mayor this 3rd

day of October 2018.



CARLY WINNIE, CITY CLERK

Approved by the Mayor this 3rd

day of October 2018.



STEVEN T. NOBLE, MAYOR

Approved by Council October 2, 2018

<u>Street #</u>	<u>Street</u>	<u>Sec/Blk/Lot</u>	<u>Balance as of</u> <u>Mar 31, 2018</u>	<u>Prop. Type</u>
28	Abbey	48.82-4-37	\$22,019.83	2 Fam Res
38	Chapel	56.49-4-5	\$48,972.29	1 Fam Res
111	Downs	48.333-4-15	\$15,781.85	2 Fam Res
237	East Union	56.36-3-12	\$24,609.32	1 Fam Res
168	Fairview	48.312-5-10	\$35,514.97	1 Fam Res
63	German	56.42-14-17	\$10,711.39	1 Fam Res
69	Gill	56.36-3-3	\$18,265.54	1 Fam Res
149	Greenkill	56.108-5-27	\$23,709.67	1 Fam Res
24	Hamilton	56.57-1-14	\$15,001.12	1 Fam Res
174	Hasbrouck	56.35-5-9	\$23,695.48	1 Fam Res
169	Hurley	48.70-1-22	\$41,157.98	1 Fam Res
248	Main	56.106-1-21	\$46,702.57	1 Fam Res
177	Murray	56.35-8-12	\$13,383.12	1 Fam Res
46	North	56.36-1-32	\$14,423.14	1 Fam Res
50	North	56.36-1-33	\$24,646.50	1 Fam Res
38	Post	56.43-4-38-130	\$22,315.17	Other Storage
	Rodney	56.49-4-10-110	\$17,606.69	1 Fam Res
29	Rogers	56.35-1-11	\$21,394.84	1 Fam Res
20	Stephan	48.82-3-32	\$27,626.20	1 Fam Res
64	Van Buren	56.109-1-4	\$16,722.66	1 Fam Res
	Catskill Terrace	48.82-7-35	\$1,122.17	Vacant Res
68-70	Elm	56.27-6-36	\$3,540.09	Vacant Res
72-76	Elm	56.27-6-37	\$3,552.33	Vacant Res
Head of	Elm	56.27-6-41	\$5,662.21	Vacant Res
514-520	First	48.16-5-11	\$8,801.17	Vacant Res
522-528	First	48.16-5-10	\$10,952.48	Vacant Res
72	Garden	56.26-7-52	\$64,772.34	Vacant Com
240-256R	Hurley	48.78-1-4	\$20,164.97	Vacant Res
197-225	North	48.84-1-2	\$142,814.19	Vacant Com
73-75	Prospect	56.108-4-20.200	\$14,749.48	Vacant Res
2 to 20	Purvis	56.57-1-4	\$545.51	Vacant Res
151	Third	48.83-7-35	\$16,388.97	Vacant Res
488	Hasbrouck	56.26-8-46	\$69,913.42	1 Fam Res
46	Grand	56.26-8-47	\$118,480.73	Bar
52	Grand	56.26-8-48	\$70,386.99	1 Fam Res
250-256R	Third	48.83-6-10	\$12,113.83	Vacant Res
			<u>\$1,048,221.21</u>	

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT Economic & Community Development DATE 9/18/2018

Description: Resolution authorizing the transfer of surplus properties to the Kingston City Land Bank for rehabilitation/redevelopment and disposition. *no attached*

Estimated Financial Impact +\$1,048,221.21 Signature *Bruce Kalin*

Motion by *FOR*

Seconded by *AD*

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
<i>DAKoop</i> Douglas Koop, Chairman	✓	
<i>Reynolds Scott-Childress</i> Reynolds Scott-Childress Ward 3	✓	
<i>Anthony Davis</i> Anthony Davis, Ward 6	✓	
<i>Patrick O'Reilly</i> Patrick O'Reilly, Ward 7	✓	
<i>Steven Schabot</i> Steven Schabot, Ward 8	✓	

City of Kingston, New York Common Council
Honorable James Noble, Presiding

1/01/18 -12/31/19

Roll Call

Committee Finance/ ED

Date October 2, 2018

Resolution Title: *Resolution #172 of 2018 Authorizing the transfer of Surplus Properties to the Kingston City Land Bank for rehabilitation, redevelopment and disposition and recommending a negative declaration of environmental significance*

Offered By: Alderman _____

Seconded By: Alderman _____

Record of Vote

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

Totals: Carried 9 Defeated 0

Carly Winnie, City Clerk

RESOLUTION 75 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE IMPLEMENTATION OF THE UPDATED AMENDED INVESTMENT POLICY FOR THE CITY OF KINGSTON

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

WHEREAS, the City of Kingston previously adopted an Investment Policy; and

WHEREAS, a request is made to update the Investment Policy with the only changes from the previous Investment Policy are depository investment limits and the removal of one financial institution.

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

SECTION 1. That the Common Council of the City of Kingston hereby approves the updated amended Investment Policy attached hereto.

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

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F+A

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

John Tuey, Comptroller



Steven T. Noble, Mayor

March 30, 2021

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

RE: City of Kingston Investment Policy

Dear Alderman at Large Shaut,

In order to facilitate my ability to handle the ongoing investment needs of the City, I've attached an updated Investment Policy for the Common Council's consideration and approval. The only changes from the previous version are depository investment limits and the removal of one financial institution which the City has not banked with in a number of years. Thank in you advance.

Sincerely,

John R. Tuey
Comptroller, City of Kingston

cc: Mayor Steven T. Noble

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	\$35,000,000
New York Liquid Asset Fund	\$25,000,000
NYCLASS	\$25,000,000
Bank of Greene County	\$10,000,000
JP Morgan Chase Bank	\$10,000,000
TD Bank	\$10,000,000
Catskill Hudson Bank	\$10,000,000

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 76 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER FROM CONTINGENCY IN THE
AMOUNT OF \$30,000.00 TO COVER THE CITY'S SHARE OF FUNDING THE
"LIGHT'S ON" INITIATIVE AS PER ATTACHED**

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

WHEREAS, the Mayor has requested a transfer from Contingency in the amount of \$30,000.00 to cover the City's share of funding for the "Light's On" initiative, and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM: A1.1990.14.5404 Contingency \$30,000.00

TO: A1.1210.14.5472 Contracted Services \$30,000.00

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

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FIN

Tinti, Elisa

From: Noble, Steve
Sent: Tuesday, March 23, 2021 9:54 AM
To: Alderman
Cc: Tinti, Elisa
Subject: Light's On Kingston Initiative - Finance Communication

Dear President Shaut,

Since January, I have been working with County Executive Pat Ryan and Superintendent of Schools Paul Padalino to create a new program to get our teens off the street on Friday nights. This new program will utilize Kingston High School and serve our youth from 6pm to 10pm each Friday evening (Start date TBD). This new, joint initiative will make sure that our youth have a safe and supervised location to have fun and learn, keeping also in mind our current covid restrictions). The County has requested a \$30,000 dollar commitment from the City for this initiative, which I am supportive of, but is not currently budgeted in the 2021 budget and so a budget modification would be necessary.

Respectfully Submitted,

-Steve

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

Operative Plan on Lights On Program

Hours of operation

6pm – 10pm

Administrative Team

The team (Harambee) will work with the County and City to create forms for families to fill out for any participating individual. Every child and parent must fill these forms out. Harambee Admins will handle all documentation and will be the reporting team to respective parties.

Lights On Team

- Supervisors
- Organizations
- Security

Supervisors

Supervisors will have designated areas that they will be assigned to in the building to make sure the area is safe. They will also be a support system to organizations programming.

- Monitoring assigned locations
- Checking in on organization doing programming
- Assign security detail and collect security reports in their respective area
- Assisting young adults as needed

Organizations

Organizations will be responsible for promoting and doing programming in the agreed times of operation and help maintain the safety of all participants

- Creating programming for young students
- Monthly report of services / invoices
- Attend Monthly meetings

Security

Security team will assure safety of the building and surrounding grounds. There will be security stations and some walking and patrolling the halls and checking in classrooms. Security will also create a behavior log to keep tabs on individuals who maybe causing issues within the building.

- Assuring safety in the Building
- Assuring safety around the grounds
- Maintaining behavioral logbooks

- Attending Monthly meetings
- Submitting invoices

Budgeting for Lights On Program

Supervisors

3 Supervisors

\$25 Hr / \$100 a week / 4 Hrs a day / \$400 a Month

\$1200 a month for 3 Supervisors

Programming

10 programs @ \$20 Hr / 4 HRs a day / \$80 a week / 3,200 a month

PLEASE NOTE THAT WE CAN ADJUST THE 10 PROGRAMS INTO LESSOR PROGRAMS FOR THE AMOUNT OF STAFF. MEANING INSTEAD OF HAVING 10 PROGRAMS WE WILL HIRE MORE STAFF TO HELP STAFF A PROGRAM NEEDING MORE THEN ONE PERSON. FOR EXAMPLE, IN THE GYM OR BASKETBALL PROGRAM WE ARE LOOKING TO HIRE 4 INDIVIDUALS TO CREATE AND MONITOR THIS PROGRAM SO WE WOULD BE PAYING 4 PEOPLE AT \$20 HR

Security

\$85 a week per person / 4 Weeks /

10 Security @ 17 Hr / 5 Hrs a day / \$3400 a month

Total - \$7,800 a Month X 12 months = \$93,600

Lights On Programing

Arts craft	Social Club (Girls, Boys, LGBTQ+, Parents)
Sporting	Farm project
Dance	Business Club
Stepping	Drumming
Music	Gaming

RESOLUTION 77 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER FROM CONTINGENCY IN THE
AMOUNT OF \$20,000.00 TO FUND ANTI GUN VIOLENCE PREVENTION
PROGRAM**

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

WHEREAS, the Aldermen and Mayor Noble have requested a transfer in the amount of \$20,000.00 from contingency to fund anti gun violence prevention, and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM: A1.1990.14.5404 Contingency \$20,000.00

TO: A1.1210.14.5472 Contracted Services \$20,000.00

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

1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

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

DEPARTMENT: Citywide DATE: 4/14/21

Description: Request \$20,000 to fund anti violence gun prevention program through a transfer from contingency (A11990.14.5404) to contracted services (A11210.14.5472) under the Mayor's office.

Estimated Financial Impact: \$ 20,000 Signature _____

Motion by Davis

Seconded by Schabot

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>
Reynolds Scott Childress, Ward 3, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Davis, Ward 6	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michele Hirsch, Ward 9	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Steven Schabot, Ward 8	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Tinti, Elisa

From: Worthington, Rita
Sent: Friday, April 16, 2021 4:52 PM
To: Hirsch, Michele; Noble, Steve
Cc: Alderman
Subject: Re: SNUG
Attachments: Sung Manual.pdf

Good Afternoon:

Hopefully, the following will answer questions raised at the finance meeting.

I met with both Debra Long, Program Director and David Mcnamara from Samahdi Recovery Center to discuss the city of Kingston's contribution, if any to SNUG, an anti-gun violence program.

We asked for a contributory amount of \$20,000.00 from the city of Kingston's contingency fund to be used as start-up funds. This would cover the following:

1. A three-day credible messenger training boot camp approved by the state and would be overseen by DCJS (Division of Criminal Justice Services);
2. Help cover 1 staff member.
3. Help Samahdi Recovery Center re-instate drug reentry program. Samahdi will be in direct partnership with the program as many of its residents are involved in gangs/gun violence and are attendees at the recovery center.

Credible messengers are volunteers chosen and interviewed by a panel consisting of program director/manager; 1 law enforcement officer; 1 city elected official and 1 community member.

The program is described as having a "one-way" conversation with law enforcement. This means, a SNUG member would meet with a designated city of Kingston police officer to get weekly updates of who may be at risk of carrying a gun, who the shooter may be, etc. Law enforcement gives SNUG info to interrupt any possible gun activity. The designated officer will also be trained.

Most funding is through DCJS and SNUG has just recently applied for a grant through DCJS. The program is also on target to receive funding through Michelle Hinchey's office and Congressman Delgado's office.

A SNUG team consists of 4 members, including 1 social worker and 1 case manager.

The program will be solely Kingston based with participants all coming from the city of Kingston.

Please see SNUG manual attached. Please also take a look at Jesse Smith's article in the Kingston Wire about the program.

Thank you.

Rita

From: Hirsch, Michele
Sent: Friday, April 16, 2021 1:46 PM
To: Noble, Steve; Worthington, Rita
Cc: Alderman
Subject: SNUG

Good afternoon, Mayor Noble and Alderwoman Worthington,

In follow up to Wednesday night's finance meeting, I have the following questions regarding Kingston establishing a SNUG program before the \$20,000.00 expenditure vote goes to the full Common Council:

What is the specific framework that Samhadi intends to use; would Samhadi be part of the larger NYS SNUG program?

If Samahadi will not be part of the NYS SNUG program, who is providing the scope of work to Samhadi?

Who will be determining the protocols to be used by Samhadi and how will they will be engaging with law enforcement?

How will Samhadi be reporting out and to whom?

If Samhadi will be doing affirmative outreach what social service agencies will be providing resources?

Is the framework Samhadi will be using match NYS SNUG?

How will Samhadi be recruiting for all of the the positions required by the program?

Who will provide the training for the program?

How will Samhadi be measuring success?

Will Samhadi be coming to the Common Council to present their program and budget for the program?

If it's the City of Kingston's intention to start a NYS SNUG program that can be funded by Federal and NY state grants, have we approached Poughkeepsie's SNUG program provider, Family Services to start Kingston's SNUg program as they have offices and services in Kingston as they serve both Ulster County and Dutchess County.

Thank you for your consideration to these very important questions as I recognize how extremely dangerous the situation has become in our city and I want to be sure that we are doing our due diligence in stemming the tide of violence when we consider the programs that we will be implementing.

Thank you.

With kind regards,

Michele Hirsch
Alderwoman, Ward 9

RESOLUTION 78 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING ADOPTING A BOND ORDINANCE IN THE SUM OF \$725,000 FOR THE CONSTRUCTION OF THE ELMENDORF STREET BRIDGE FOR REPAIR OR REPLACEMENT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES FOR THE PROJECT

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

WHEREAS, deterioration of the timber beams that support the Elmendorf Street Bridge was discovered resulting in the bridge being closed to vehicular traffic until repair or replacement of the bridge can be completed; and

WHEREAS, total costs are estimated at \$800,000 for the repair or replacement of the bridge; and

WHEREAS, a request for an additional sum of \$725,000 in bonding is being made for the construction, construction administration and inspection portion of the project; and

WHEREAS, request is made for authorization for the Mayor to execute a contract for professional services for the project.

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

SECTION 1. That the Common Council of the City of Kingston authorizes adopting a bond in an additional amount of \$725,000 for the construction, construction administration and inspection portion for the repair of the Elmendorf Street bridge.

SECTION 2. That the Common Council of the City of Kingston authorizes the Mayor to execute a contract for professional services for the project.

SECTION 3. 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

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

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



Steven T. Noble, Mayor

March 26, 2021

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

RE: Elmendorf Street Bridge over rail trail

Dear President Shaut:

Following the Council's authorization of design costs in September 2020, we have completed design of this bridge rehabilitation and will soon be ready to bid and construct the project. The project construction could then proceed with construction complete by September 2021.

An estimated budget is as follows:

Design:	\$55,000
Construction:	\$670,000
Construction Admin / Inspect	\$75,000
Total Estimated Project Cost	\$800,000

Bond Funding of \$75,000 was previously authorized (resolution 141 of 2020). The remaining \$725,000 is now requested by bonding to be able to advance the project to construction. Please refer this request to an upcoming meeting of the Finance and Audit Committee.

I plan to attend the meeting of the finance and audit committee so that I may answer any questions.

Respectfully,

A handwritten signature in black ink, appearing to be "JMS", is written over a light blue circular stamp.

John M. Schultheis, P.E.
City Engineer

Cc: Steve Noble, Mayor
Ed Norman, Superintendent, DPW

BOND ORDINANCE DATED MAY 4, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$725,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS OF THE ELMENDORF STREET BRIDGE REHABILITATION PROJECT, IN AND FOR SAID CITY.

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

Section 1. For the specific object or purpose of paying part of the cost of the Elmendorf Street Bridge Rehabilitation, including costs incidental thereto, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$725,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of \$800,000.

Section 2. The plan for the financing of such \$800,000 maximum estimated cost is as follows:

- a) By the issuance of the \$75,000 bonds of said City heretofore authorized to be issued for engineering and design costs pursuant to a bond ordinance dated September 1, 2020; and
- b) By the issuance of the additional \$725,000 bonds of said City herein authorized; provided, however, that the amount of bonds to be issued shall be reduced to the extent of state and federal grants received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose, is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law, computed from the date of the first bond anticipation note issued therefor. The five year period of probable usefulness assigned to engineering and design in the September 1, 2020 bond ordinance is hereby amended accordingly.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

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

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

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

Section 8. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The ordinance was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

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

- 1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of May, 2021.
- 2. That such meeting was a **special regular** (circle one) meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
- 5. That all members of the Common Council of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given PRIOR THERETO in the following manner:

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

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2021.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on May 4, 2021, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Kingston, New York,
_____, 2021.

City Clerk

BOND ORDINANCE DATED MAY 4, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$725,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS OF THE ELMENDORF STREET BRIDGE REHABILITATION PROJECT, IN AND FOR SAID CITY.

Specific object or purpose:	Elmendorf Street Bridge Rehabilitation Project
Period of probable usefulness:	20 years
Revised maximum estimated cost:	\$800,000
Amount of obligations to be issued pursuant to this ordinance:	\$725,000 bonds/\$75,000 previously authorized

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Orrick, Herrington & Sutcliffe LLP
51 West 52nd Street
New York, NY 10019-6142
+1 212 506 5000
orrick.com

April 26, 2021

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

Mr. John Tuey
City Comptroller
City of Kingston
City Hall, 420 Broadway
Kingston, New York 12401

Thomas E. Myers

E tmyers@orrick.com
D +1 212 506 5212
F +1 212 506 5151

Re: City of Kingston, Ulster County, New York
Elmendorf Street Bridge Rehabilitation Project – Additional \$725,000 Bonds
Orrick File: 42394-2-502

Dear John:

In accordance with your recent request, we have prepared and enclose herewith a draft form of bond ordinance relating to the above matter for adoption by the Common Council.

Please see that this ordinance is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the ordinance, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with a certified copy of the enclosed ordinance, together with an original printer's affidavit of publication of the Legal Notice of Estoppel thereof.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers

TEM/es
Enclosures

ADDITIONAL MONEY BOND ORDINANCE
(Elmendorf Street Bridge Rehabilitation Project)

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of May, 2021, at _____ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

RESOLUTION 80 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, AUTHORIZING THE ADOPTION OF A BOND ORDINANCE
FOR THE SUM OF \$325,000 FOR THE BROADWAY & GRAND
INTERSECTION IMPROVEMENTS PROJECT CONSTRUCTION AND
CONSTRUCTION INSPECTION COSTS**

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

WHEREAS, a request for bonding is being made in the sum of \$325,000 for the Broadway & Grand Intersection Improvements Project construction and construction inspection costs.

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

SECTION 1. That the Common Council of the City of Kingston authorizes an amount of \$325,000 be provided through

General Municipal bonding for the Broadway & Grand Intersection Improvements Project construction and construction inspection costs.

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

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THE CITY OF KINGSTON COMMON COUNCIL


FINANCE AND AUDIT COMMITTEE REPORT

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

DEPARTMENT: Engineering DATE: 04/14/21

Description:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE ADOPTION OF A BOND ORDINANCE FOR THE SUM OF \$325,000 FOR THE BROADWAY & GRAND INTERSECTION IMPROVEMENTS PROJECT CONSTRUCTION AND CONSTRUCTION INSPECTION COSTS

Estimated Financial Impact: \$325,000 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>
Reynolds Scott-Childress, Chairman		
Don Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele, Hirsch, Ward 9		
Steven Schabot, Ward 8		

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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

April 1, 2021

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

Re: Additional Bonding for the Broadway & Grand Intersection Improvement Project

Dear President Shaut,

This project was previously authorized by Council resolutions in 2020. Following those authorizations, we proceeded to final design and bidding. Four bids were received on March 30. The apparent low bidder is A. Colarusso & Son, Inc. with a bid in the amount of \$1,279,298.00. We are confident that the public bidding process has produced competitive pricing for this project.

Funding for this project consists of a combination of City bonding and grant funds. The funding allowed for a construction budget of up to \$977,000.00, as had been supported by earlier engineer's estimates. However, based on the apparent low bid being above this amount, we are now requesting additional bonding authorization in the amount of \$325,000.00.

Approval of this funding by the Council will allow us to construct the best terminus for the Broadway Streetscape Project, implement a signalization plan that will improve traffic flow for the entire corridor, and create the foundation for a meaningful public space in Midtown. Further it will enhance safety for all users at this intersection.

In order to award and construct this project this year, we are requesting you refer this to the next available Finance and Audit Committee and approval of the additional funding by the Full Council at the soonest opportunity. A delay would put the bid price and construction schedule at risk. Thank you for your consideration.

Sincerely,

John M. Schultheis

BOND ORDINANCE DATED MAY 4, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$325,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE BROADWAY AND GRAND INTERSECTION PROJECT, IN AND FOR SAID CITY.

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

Section 1. For the specific object or purpose of paying part of the cost of the Broadway and Grand Intersection Project, including costs incidental thereto, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$325,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of \$1,500,000.

Section 2. The plan for the financing of such \$1,500,000 maximum estimated cost is as follows:

- a) By the issuance of the \$425,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated December 1, 2020;
- b) By the issuance of the additional \$325,000 bonds of said City herein authorized; provided, however, that the amount of bonds to be issued shall be reduced to the extent of state and federal grants received therefor; and
- c) By the expenditure of \$750,000 in grants monies expected to be received in connection with this project.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law, computed from the date of the first bond anticipation note issued therefor.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

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

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

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

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

Section 8. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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Orrick, Herrington & Sutcliffe LLP
51 West 52nd Street
New York, NY 10019-6142
+1 212 506 5000
orrick.com

April 26, 2021

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

Mr. John Tuey
City Comptroller
City of Kingston
City Hall, 420 Broadway
Kingston, New York 12401

Thomas E. Myers
E tmyers@orrick.com
D +1 212 506 5212
F +1 212 506 5151

Re: City of Kingston, Ulster County, New York
Broadway and Grand Intersection Project – Additional \$325,000 Bonds
Orrick File: 42394-2-501

Dear John:

In accordance with your recent request, we have prepared and enclose herewith a draft form of bond ordinance relating to the above matter for adoption by the Common Council.

Please see that this ordinance is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the ordinance, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with a certified copy of the enclosed ordinance, together with an original printer's affidavit of publication of the Legal Notice of Estoppel thereof.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers

TEM/es
Enclosures

ADDITIONAL MONEY BOND ORDINANCE
(Broadway and Grand Intersection Project)

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of May, 2021, at _____ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The ordinance was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of May, 2021.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
5. That all members of the Common Council of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

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

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of May, 2021.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on May 4, 2021, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Kingston, New York,

_____, 2021.

City Clerk

BOND ORDINANCE DATED MAY 4, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$325,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE BROADWAY AND GRAND INTERSECTION PROJECT, IN AND FOR SAID CITY.

Specific object or purpose:	Broadway and Grand Intersection Project
Period of probable usefulness:	15 years
Revised maximum estimated cost:	\$1,500,000
Amount of obligations to be issued pursuant to this ordinance:	\$325,000 bonds/\$425,000 previously authorized/ \$750,000 grant monies

RESOLUTION 82 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, AUTHORIZING THE MAYOR TO ENTER INTO AN
INTERMUNICIPAL AGREEMENT WITH THE KINGSTON CITY SCHOOL
DISTRICT FOR A BIKE SHELTER TO BE PLACED AT THE GEORGE
WASHINGTON ELEMENTARY SCHOOL AS PER ATTACHED**

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

WHEREAS, THIS AGREEMENT is made and entered into as of the 7th day of April, 2021, between the CITY OF KINGSTON, a municipal corporation, with offices located at 420 Broadway, Kingston, New York 12401 (hereinafter "City") and the KINGSTON CITY SCHOOL DISTRICT, a school district of the State of New York, with offices located at 21 Wynkoop Place, Kingston, New York 12401 (hereinafter "School District").

WITNESSETH:

WHEREAS, the School District owns and maintains the George Washington Elementary School property, its school buildings and facilities, located at 67 Wall Street, Kingston, New York (hereinafter "School"); and

WHEREAS, the City is desirous of utilizing the School Facilities at George Washington Elementary School for the construction and placement of a permanent bicycle shelter for use by students and employees of the School, as well as by City residents when the School is not being used for school purposes or school-sponsored activities, upon the terms and conditions contained herein; and

WHEREAS, Article 5-G, Section 119-o of the General Municipal Law specifically authorizes municipal corporations to enter into intermunicipal cooperative agreements for the performance between themselves or one for the other of their respective functions, power and duties;

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

1. The School District shall permit the City to construct a permanent bicycle shelter on School property at a location to be determined by the School District but subject to approval by the City. The City shall be solely responsible to purchase and install the

bicycle shelter at the designated location at the School. The City shall provide the School District with information and specifications regarding the proposed bicycle shelter, for review and approval by the School District's architect/engineer.

2. The City shall require in any contract with a contractor hired by the City to install the bicycle shelter that the contractor agrees to indemnify and defend the School District, its officers, employees, agents and volunteers, against it and save it, its officers, employees, agents and volunteers, harmless from and against any and all claims, actions, losses, damages, liabilities, judgments, and expenses (including, but not limited to, reasonable attorneys' fees) which are in any way related to the work undertaken by the contractor at the School, and to maintain liability insurance backing up its indemnity set forth above reasonably acceptable to the City, naming the City and School District as additional insureds and shall provide a copy of the certificate of insurance to the prior to commencement of any work at the School. Such certificate of insurance shall evidence that the insurance is in effect and cannot be cancelled on less than thirty (30) days' notice to the City.

3. The bicycle shelter may not be removed from the School unless approved by the City and the School District, unless the presence of the bicycle shelter is determined to be a health or safety hazard by the School District and its architects/engineers, in which case the School District can have the bicycle shelter removed upon at least five (5) business days' notice to the City.

4. The School District may not restrict the usage of the bicycle shelter by any certain group of persons. However, it is anticipated the bikes attached to the shelter for over 30 consecutive days without movement may be removed by the City and be considered abandoned property by the City.

4. Neither party may transfer ownership of the bicycle shelter without the prior written approval of the other party.

5. The City shall be responsible for maintenance and repair of the bicycle shelter pursuant to this Agreement. Unless there is an emergency necessitating an immediate repair, the City will provide at least three (3) business days' written notice to the School District prior to performing work on the bicycle shelter.

6. The School District and the City shall each procure and maintain at their own cost and expense, during the term of this Agreement, comprehensive general liability insurance to the effect that both parties are insured against any liability from the use of the bicycle shelter at the School. In addition, the City shall name the School District as an additional insured on its liability insurance policy and the School District shall name the City as an additional insured on its municipal liability insurance policy. The City and the School District shall provide the other party with a certificate of insurance evidencing compliance with this provision.

7. Each party (the “Indemnifying Party”) agrees to indemnify, defend and hold the other party (the “Indemnified Party”) harmless to the maximum extent possible under law with respect to any obligations relating to or the use of the bicycle shelter. Accordingly, the Indemnifying Party agrees for itself, its successors, and assigns, to defend, indemnify, and hold harmless the Indemnified Party, its officers, directors, agents and employees from and against liability for all claims, demands, suits, and judgments, including costs of defense thereof, for injury to persons, death, or property damage which is caused by, arises out of, or is incidental to the acts or omissions of the Indemnifying Party, its officers, directors, agents and/or employees in the performance of this Agreement, except to the extent of the negligence or willful misconduct of the Indemnified Party, its officers, directors, agents and/or employees. The Indemnifying Party’s obligations under this section shall include the duty to promptly notify the other party of any claim received, to accept tender of defense and provide defense to the Indemnified Party at the Indemnifying Party’s expense.

8. That this Agreement constitutes the complete understanding of the parties. No modification of any provision thereof shall be valid unless in writing and signed by both parties.

9. This Agreement shall be commensurate with the period of probable usefulness of the bicycle shelter as set forth in the Local Finance Law, the term to commence on April 7, 2021 and to end on April 7, 2036.

10. This Agreement may not be assigned by either party.

11. This Agreement constitutes the entire understanding and agreement between the parties in connection with the subject matter contained herein and any and all prior agreements, understandings and representations are merged herein and are of no further force and effect.

12. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the Agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.

13. In the event any issue which is unanticipated in relation to the subject matter of this Agreement or by the parties occurs, the parties agree to communicate and to cooperate to address same.

14. No amendment, change or modification of this Agreement shall be valid unless in writing, signed by the parties hereto.

15. This Agreement shall be governed in all respects by the laws of the State of New York. The parties hereby specifically consent to jurisdiction in the State of New York, Ulster County for any action or proceeding arising out of this Agreement.

16. This Agreement may be executed by electronic means and in multiple counterparts, each of which shall be an original, and all of which shall constitute one and the same instrument.

17. This Agreement is subject to the approval of the Common Council of the City of Kingston and the Board of Education of the Kingston City School District.

18. That the Mayor of the City has executed this Agreement pursuant to Resolution adopted by the Common Council, at a meeting thereof held on the 7th day of April, 2021 and the Superintendent of the School District has executed this Agreement pursuant to Resolution adopted by the Board of Education of the Kingston City School District, at a meeting thereof held on the 3rd day of March, 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY OF KINGSTON

KINGSTON CITY SCHOOL DISTRICT

BY: _____

BY: _____

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

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

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Grants Management DATE: 4-21-21

Description: Authorizing the Mayor to enter into an intermunicipal agreement with George Washington School regarding a bike shelter as part of the Henry St. Safe Routes to School project.

Signature: _____

Motion by RW

Seconded by PO'R

Action Required: _____

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

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

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LIR

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

Kristen E. Wilson, Director



Steven T. Noble, Mayor

February 26, 2021

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

Re: Intermunicipal Agreement for Bike Shelter at the George Washington Elementary School

Dear President Shaut,

The Office of Grants Management requests placement on the agenda of the appropriate committee to discuss an Intermunicipal Agreement for the placement of a covered bicycle shelter at the George Washington Elementary School as part of the Henry Street Safe Routes to School Project.

The agreement is included with this communication. The bike shelter will be similar to this one shown below.



Sincerely,

Kristen Wilson

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT is made and entered into as of the 7th day of April, 2021, between the CITY OF KINGSTON, a municipal corporation, with offices located at 420 Broadway, Kingston, New York 12401 (hereinafter "City") and the **KINGSTON CITY SCHOOL DISTRICT**, a school district of the State of New York, with offices located at 21 Wynkoop Place, Kingston, New York 12401 (hereinafter "School District").

WITNESSETH:

WHEREAS, the School District owns and maintains the George Washington Elementary School property, its school buildings and facilities, located at 67 Wall Street, Kingston, New York (hereinafter "School"); and

WHEREAS, the City is desirous of utilizing the School Facilities at George Washington Elementary School for the construction and placement of a permanent bicycle shelter for use by students and employees of the School, as well as by City residents when the School is not being used for school purposes or school-sponsored activities, upon the terms and conditions contained herein; and

WHEREAS, Article 5-G, Section 119-o of the General Municipal Law specifically authorizes municipal corporations to enter into intermunicipal cooperative agreements for the performance between themselves or one for the other of their respective functions, power and duties;

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

1. The School District shall permit the City to construct a permanent bicycle shelter on School property at a location to be determined by the School District but subject to approval by the City. The City shall be solely responsible to purchase and install the bicycle shelter at the designated location at the School. The City shall provide the School District with information and specifications regarding the proposed bicycle shelter, for review and approval by the School District's architect/engineer.

2. The City shall require in any contract with a contractor hired by the City to install the bicycle shelter that the contractor agrees to indemnify and defend the School District, its officers, employees, agents and volunteers, against it and save it, its officers, employees, agents and volunteers, harmless from and against any and all claims, actions, losses, damages, liabilities, judgments, and expenses (including, but not limited to, reasonable attorneys' fees) which are in any way related to the work undertaken by the contractor at the School, and to maintain liability insurance backing up its indemnity set forth above reasonably acceptable to the City, naming the City and School District as additional insureds and shall provide a copy of the certificate of insurance to the prior to commencement of any work at the School. Such

certificate of insurance shall evidence that the insurance is in effect and cannot be cancelled on less than thirty (30) days' notice to the City.

3. The bicycle shelter may not be removed from the School unless approved by the City and the School District, unless the presence of the bicycle shelter is determined to be a health or safety hazard by the School District and its architects/engineers, in which case the School District can have the bicycle shelter removed upon at least five (5) business days' notice to the City.

4. The School District may not restrict the usage of the bicycle shelter by any certain group of persons. However, it is anticipated the bikes attached to the shelter for over 30 consecutive days without movement may be removed by the City and be considered abandoned property by the City.

4. Neither party may transfer ownership of the bicycle shelter without the prior written approval of the other party.

5. The City shall be responsible for maintenance and repair of the bicycle shelter pursuant to this Agreement. Unless there is an emergency necessitating an immediate repair, the City will provide at least three (3) business days' written notice to the School District prior to performing work on the bicycle shelter.

6. The School District and the City shall each procure and maintain at their own cost and expense, during the term of this Agreement, comprehensive general liability insurance to the effect that both parties are insured against any liability from the use of the bicycle shelter at the School. In addition, the City shall name the School District as an additional insured on its liability insurance policy and the School District shall name the City as an additional insured on its municipal liability insurance policy. The City and the School District shall provide the other party with a certificate of insurance evidencing compliance with this provision.

7. Each party (the "Indemnifying Party") agrees to indemnify, defend and hold the other party (the "Indemnified Party") harmless to the maximum extent possible under law with respect to any obligations relating to or the use of the bicycle shelter. Accordingly, the Indemnifying Party agrees for itself, its successors, and assigns, to defend, indemnify, and hold harmless the Indemnified Party, its officers, directors, agents and employees from and against liability for all claims, demands, suits, and judgments, including costs of defense thereof, for injury to persons, death, or property damage which is caused by, arises out of, or is incidental to the acts or omissions of the Indemnifying Party, its officers, directors, agents and/or employees in the performance of this Agreement, except to the extent of the negligence or willful misconduct of the Indemnified Party, its officers, directors, agents and/or employees. The Indemnifying Party's obligations under this section shall include the duty to promptly notify the other party of any claim received, to accept tender of defense and provide defense to the Indemnified Party at the Indemnifying Party's expense.

8. That this Agreement constitutes the complete understanding of the parties. No modification of any provision thereof shall be valid unless in writing and signed by both parties.

9. This Agreement shall be commensurate with the period of probable usefulness of the bicycle shelter as set forth in the Local Finance Law, the term to commence on April 7, 2021 and to end on April 7, 2036.

10. This Agreement may not be assigned by either party.

11. This Agreement constitutes the entire understanding and agreement between the parties in connection with the subject matter contained herein and any and all prior agreements, understandings and representations are merged herein and are of no further force and effect.

12. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the Agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.

13. In the event any issue which is unanticipated in relation to the subject matter of this Agreement or by the parties occurs, the parties agree to communicate and to cooperate to address same.

14. No amendment, change or modification of this Agreement shall be valid unless in writing, signed by the parties hereto.

15. This Agreement shall be governed in all respects by the laws of the State of New York. The parties hereby specifically consent to jurisdiction in the State of New York, Ulster County for any action or proceeding arising out of this Agreement.

16. This Agreement may be executed by electronic means and in multiple counterparts, each of which shall be an original, and all of which shall constitute one and the same instrument.

17. This Agreement is subject to the approval of the Common Council of the City of Kingston and the Board of Education of the Kingston City School District.

18. That the Mayor of the City has executed this Agreement pursuant to Resolution adopted by the Common Council, at a meeting thereof held on the 7th day of April, 2021 and the Superintendent of the School District has executed this Agreement pursuant to Resolution adopted by the Board of Education of the Kingston City School District, at a meeting thereof held on the 3rd day of March, 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY OF KINGSTON

KINGSTON CITY SCHOOL DISTRICT

BY: _____

BY: _____

RESOLUTION 83 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE MAYOR OF THE CITY OF KINGSTON TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF KINGSTON AND THE COUNTY OF ULSTER REGARDING THE SHARING OF ECONOMIC DEVELOPMENT SERVICES

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

WHEREAS, THIS MEMORANDUM OF AGREEMENT (the "Agreement") is entered into by and between the **CITY OF KINGSTON** (the "City"), a municipal corporation of the State of New York with its offices at 420 Broadway, Kingston, New York 12401, and the **COUNTY OF ULSTER** (the "County"), a municipal corporation and a county of the State of New York, having its principal office at 244 Fair Street, Kingston, New York 12401 (each, a "Party," and collectively, the "Parties").

WITNESSETH:

WHEREAS, Article 5-G of New York State General Municipal Law provides municipal corporations and districts with the authority to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, The FY 2018 Enacted State Budget established and the FY 2019 Enacted State Budget extended the County-Wide Shared Services Initiative ("CWSSI"), designed to generate property tax savings by facilitating operational collaboration between local governments; and

WHEREAS, Part BBB of Chapter 59 of the Laws of 2017 requires that a Shared Services Panel ("Panel") must be established in each of the 57 counties outside of New York City, to be chaired by the Chief Executive Officer of the county, and further requires each Panel to develop, and ultimately approve, a Plan through intergovernmental cooperation to find new opportunities to share and coordinate services; and

WHEREAS, Article 12-I of New York State General Municipal Law further expanded upon the CWSSI by, among other changes, extending the program through calendar year 2021; and

WHEREAS, Per Part BBB of Chapter 59 of the Laws of 2017, each county that has an approved plan is eligible to apply to the State for a one-time match of the net savings resulting from new shared service actions set forth in and implemented pursuant to such plan; and

WHEREAS, in keeping with the statutory requirements related to implementation of the CWSSI, the Ulster County Executive did convene the Panel on three separate occasions during calendar year 2019 for the purposes of developing the County's 2019 County-wide Shared Service Tax Savings Plan ("Plan"), and did further hold three public hearings to gather feedback and input from the residents of Ulster County on the Plan; and

WHEREAS, following the satisfaction of all statutory requirements, the Panel did vote and on December 27, 2019, did approve the Plan, following which the County Executive did submit the Plan to the Secretary of State, as required by law; and 2

WHEREAS, based on the recommendations of the Panel, and consistent with the goals of the CWSSI, the Plan included a proposed project wherein the City will contract with the County for the provision of Economic Development services, which project is estimated to generate net taxpayer savings in the form of avoided future costs totaling \$75,000 per year; and

WHEREAS, the Parties have assessed the costs and benefits of streamlining and centralizing business services offered by local government and finds that it is mutually beneficial to the Parties as well as business located within the city as well as those businesses that may be attracted to the city;

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

ARTICLE I

Shared Economic Development Services

SECTION 1.01 County Management Of Economic Development Services

In accord with the recommendations of the Panel as set forth in the Plan, the County agrees to manage, through its Office of Economic Development, all municipal economic development services for the City. The City agrees to cooperate with and assist the County as requested in connection with the transition of any services from the City to the County.

SECTION 1.02 Forgoing Of City Funding

The City agrees to forgo up to and including \$75,000 in funding or grants for economic development and remit all such funding or grants to the County.

ARTICLE II

Indemnification and Insurance

SECTION 2.01. Indemnification and Insurance by the City

The City agrees to indemnify, defend and hold harmless the County from any and all actions, claims, losses, and expenses (including reasonable attorneys' fees and expenses) for the acts, omissions, or decisions of the City, its agents, employees, invitees, and those under its control with respect to all matters covered under this Agreement. The City shall add the County as an additional insured on any liability policy related to economic development services, which shall remain in full force and effect during the term of this Agreement.

SECTION 2.02. Indemnification and Insurance by County

The County agrees to indemnify, defend and hold harmless the City from any and all actions, claims, losses, and expenses (including reasonable attorneys' fees and expenses) for the acts, omissions, or decisions of the County, its officers, employees, agents, invitees and those under its control with respect to all matters covered under this Agreement. The County shall add the 3

City as an additional insured on any liability policy related to economic development, which shall remain in full force and effect during the term of this Agreement.

ARTICLE III

Miscellaneous

SECTION 3.01. Permits and Consents.

The County hereby acknowledges that it is the County's responsibility to obtain such permits and consents as may be required or necessary from any local, state or federal agency, where necessary to accomplish the purpose of this Agreement.

The City hereby acknowledges that it will not withhold any necessary approvals and consents from the County so as to allow the County to obtain needed permits and approvals.

SECTION 3.02. Modification.

No changes, amendments or modifications of any of the terms and/or conditions of this Agreement shall be valid unless reduced to writing and signed by the parties to this Agreement. Changes in the scope of Agreement shall not be binding, and no payment shall be due in connection therewith, unless prior to the performance of any such services, the County and the City execute an Amendment or Change Order to this Agreement, which Amendment or Change Order shall specifically set forth the scope of such extra or additional services, the amount of compensation, and extension of time for performance, if any, for any such services. Unless otherwise specifically provided for therein, the provisions of this Agreement shall apply with full force and effect to the terms and conditions contained in such Amendment or Change Order.

SECTION 3.04. Assignment

This Agreement may not be assigned by either Party, nor its right, title or interest therein assigned, transferred, conveyed, sublet or disposed of without the prior written consent of the other Party.

SECTION 3.05. Disputes

Any and all disputes involving this Agreement, including the breach or alleged breach thereof, may not be submitted to arbitration unless specifically agreed thereto in writing by the County's Attorney, but must instead only be heard in the Supreme Court of the State of New York, with venue in Ulster County or if appropriate, in the Federal District Court with venue in the Northern District of New York, Albany Division.

SECTION 3.06 Notices

Except as expressly provided otherwise in this Agreement, all notices given to any of the Parties pursuant to or in connection with this Agreement will be in writing, will be delivered by hand, by certified or registered mail, return receipt requested, or by Federal

Express, Express Mail, or other nationally recognized overnight carrier. Except where otherwise specifically defined within 4

this Agreement, notices will be effective when received. Notice addresses are as follows:

If to City:

City of Kingston

Attention: Mayor

420 Broadway

Kingston, New York 12401

If to County:

Ulster County Legislature

Attention: Chairman

Post Office Box 1800

244 Fair Street

Kingston, New York 12402

Any communication or notice regarding indemnification, termination, litigation or proposed changes to the terms and conditions of this Agreement shall be deemed to have been duly made upon receipt by both the Ulster County Legislature and the Ulster County Attorney's Office at the addresses set forth herein, or such other addresses as may have been specified in writing by the County:

Mailing Address: Physical Address:

County of Ulster County of Ulster

Attention: County Attorney Attention: County Attorney

Post Office Box 1800 244 Fair Street, 5th Floor

Kingston, New York 12402 Kingston, New York 12401

Either Party may, by written notice to the other Party given in accordance with the foregoing, change its address for notices.

SECTION 3.07. Severability

Should any part, term, or provision of this Agreement be determined by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining portion or provisions shall not be affected.

SECTION 3.08. Headings and Defined Terms

The Article headings used in this Agreement are for reference and convenience only, and will not in any way limit or amplify the terms, conditions, and/or provisions hereof. All capitalized terms, acronyms, and/or abbreviations will have the meanings ascribed to them by this Agreement. 5

IN WITNESS WHEREOF, the Parties to this Agreement, acting under the authority of their respective governing bodies, have caused this Agreement to be executed in several counterparts, each of which shall constitute an original as of the dates set forth below.

CITY OF KINGSTON

By: _____ Date: _____

COUNTY OF ULSTER

By: _____ Date: _____

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

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Mayor DATE: 4-21-21

Description: Authorize the Mayor to enter into an agreement with Water County regarding sharing Economic Development services as per attached.

Signature: _____

Motion by RSC

Seconded by DT

Action Required: _____

SEORA Decision:

Type I Action _____

Type II Action _____

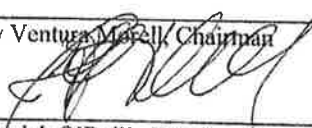
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffrey Ventura-Marell, Chairman 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick O'Reilly, Ward 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rennie Scott-Childress, Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rita Worthington, Ward 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



March 24, 2021

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

Re: County Shared Services Agreement Economic Development

Dear President Shaut,

In an effort to continue our work with Ulster County in the area of economic development and to further our goals of shared services, I have attached a shared services agreement for review and approval. This agreement will allow the County to assist us in delivering a variety of grant deliverables related to our Downtown Revitalization Grant which will assist our local businesses in Kingston.

Please feel free to contact me if you have any questions or concerns.

Respectfully Submitted,

Steven T. Noble
Mayor

**MEMORANDUM OF AGREEMENT BETWEEN
THE CITY OF KINGSTON AND THE COUNTY OF ULSTER
REGARDING THE SHARING OF ECONOMIC DEVELOPMENT SERVICES**

THIS MEMORANDUM OF AGREEMENT (the “Agreement”) is entered into by and between the **CITY OF KINGSTON** (the “City”), a municipal corporation of the State of New York with its offices at 420 Broadway, Kingston, New York 12401, and the **COUNTY OF ULSTER** (the “County”), a municipal corporation and a county of the State of New York, having its principal office at 244 Fair Street, Kingston, New York 12401 (each, a “Party,” and collectively, the “Parties”).

WITNESSETH:

WHEREAS, Article 5-G of New York State General Municipal Law provides municipal corporations and districts with the authority to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, The FY 2018 Enacted State Budget established and the FY 2019 Enacted State Budget extended the County-Wide Shared Services Initiative (“CWSSI”), designed to generate property tax savings by facilitating operational collaboration between local governments; and

WHEREAS, Part BBB of Chapter 59 of the Laws of 2017 requires that a Shared Services Panel (“Panel”) must be established in each of the 57 counties outside of New York City, to be chaired by the Chief Executive Officer of the county, and further requires each Panel to develop, and ultimately approve, a Plan through intergovernmental cooperation to find new opportunities to share and coordinate services; and

WHEREAS, Article 12-I of New York State General Municipal Law further expanded upon the CWSSI by, among other changes, extending the program through calendar year 2021; and

WHEREAS, Per Part BBB of Chapter 59 of the Laws of 2017, each county that has an approved plan is eligible to apply to the State for a one-time match of the net savings resulting from new shared service actions set forth in and implemented pursuant to such plan; and

WHEREAS, in keeping with the statutory requirements related to implementation of the CWSSI, the Ulster County Executive did convene the Panel on three separate occasions during calendar year 2019 for the purposes of developing the County’s 2019 County-wide Shared Service Tax Savings Plan (“Plan”), and did further hold three public hearings to gather feedback and input from the residents of Ulster County on the Plan; and

WHEREAS, following the satisfaction of all statutory requirements, the Panel did vote and on December 27, 2019, did approve the Plan, following which the County Executive did submit the Plan to the Secretary of State, as required by law; and

WHEREAS, based on the recommendations of the Panel, and consistent with the goals of the CWSSI, the Plan included a proposed project wherein the City will contract with the County for the provision of Economic Development services, which project is estimated to generate net taxpayer savings in the form of avoided future costs totaling \$75,000 per year; and

WHEREAS, the Parties have assessed the costs and benefits of streamlining and centralizing business services offered by local government and finds that it is mutually beneficial to the Parties as well as business located within the city as well as those businesses that may be attracted to the city;

NOW, THEREFORE, the parties hereto set forth their understanding of this undertaking as follows:

ARTICLE I
Shared Economic Development Services

SECTION 1.01 County Management Of Economic Development Services

In accord with the recommendations of the Panel as set forth in the Plan, the County agrees to manage, through its Office of Economic Development, all municipal economic development services for the City. The City agrees to cooperate with and assist the County as requested in connection with the transition of any services from the City to the County.

SECTION 1.02 Forgoing Of City Funding

The City agrees to forgo up to and including \$75,000 in funding or grants for economic development and remit all such funding or grants to the County.

ARTICLE II
Indemnification and Insurance

SECTION 2.01. Indemnification and Insurance by the City

The City agrees to indemnify, defend and hold harmless the County from any and all actions, claims, losses, and expenses (including reasonable attorneys' fees and expenses) for the acts, omissions, or decisions of the City, its agents, employees, invitees, and those under its control with respect to all matters covered under this Agreement. The City shall add the County as an additional insured on any liability policy related to economic development services, which shall remain in full force and effect during the term of this Agreement.

SECTION 2.02. Indemnification and Insurance by County

The County agrees to indemnify, defend and hold harmless the City from any and all actions, claims, losses, and expenses (including reasonable attorneys' fees and expenses) for the acts, omissions, or decisions of the County, its officers, employees, agents, invitees and those under its control with respect to all matters covered under this Agreement. The County shall add the

City as an additional insured on any liability policy related to economic development, which shall remain in full force and effect during the term of this Agreement.

ARTICLE III
Miscellaneous

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The County hereby acknowledges that it is the County's responsibility to obtain such permits and consents as may be required or necessary from any local, state or federal agency, where necessary to accomplish the purpose of this Agreement.

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No changes, amendments or modifications of any of the terms and/or conditions of this Agreement shall be valid unless reduced to writing and signed by the parties to this Agreement. Changes in the scope of Agreement shall not be binding, and no payment shall be due in connection therewith, unless prior to the performance of any such services, the County and the City execute an Amendment or Change Order to this Agreement, which Amendment or Change Order shall specifically set forth the scope of such extra or additional services, the amount of compensation, and extension of time for performance, if any, for any such services. Unless otherwise specifically provided for therein, the provisions of this Agreement shall apply with full force and effect to the terms and conditions contained in such Amendment or Change Order.

SECTION 3.04. Assignment

This Agreement may not be assigned by either Party, nor its right, title or interest therein assigned, transferred, conveyed, sublet or disposed of without the prior written consent of the other Party.

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Any and all disputes involving this Agreement, including the breach or alleged breach thereof, may not be submitted to arbitration unless specifically agreed thereto in writing by the County's Attorney, but must instead only be heard in the Supreme Court of the State of New York, with venue in Ulster County or if appropriate, in the Federal District Court with venue in the Northern District of New York, Albany Division.

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this Agreement, notices will be effective when received. Notice addresses are as follows:

If to City:

City of Kingston
Attention: Mayor
420 Broadway
Kingston, New York 12401

If to County:

Ulster County Legislature
Attention: Chairman
Post Office Box 1800
244 Fair Street
Kingston, New York 12402

Any communication or notice regarding indemnification, termination, litigation or proposed changes to the terms and conditions of this Agreement shall be deemed to have been duly made upon receipt by both the Ulster County Legislature and the Ulster County Attorney's Office at the addresses set forth herein, or such other addresses as may have been specified in writing by the County:

Mailing Address:

County of Ulster
Attention: County Attorney
Post Office Box 1800
Kingston, New York 12402

Physical Address:

County of Ulster
Attention: County Attorney
244 Fair Street, 5th Floor
Kingston, New York 12401

Either Party may, by written notice to the other Party given in accordance with the foregoing, change its address for notices.

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Should any part, term, or provision of this Agreement be determined by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining portion or provisions shall not be affected.

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CITY OF KINGSTON

By: _____

Date: _____

COUNTY OF ULSTER

By: _____

Date: _____

RESOLUTION 84 OF 2021

MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, URGING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO EXERCISE ITS AUTHORITY AND RESPONSIBILITY FOR ENFORCING STATE AND FEDERAL LAWS TO PROTECT WATER QUALITY, PARTICULARLY IN THE RELEASES TO THE LOWER ESOPUS CREEK, WHICH HAS A DIRECT IMPACT ON THE CITY OF KINGSTON AS PER ATTACHED

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

Draft Environmental Impact Statement (DEIS) for the Modification of the CATALUM SPDES Permit to incorporate turbidity control measures, including operation of Ashokan Reservoir in accordance with the Interim Ashokan Release Protocol.

WHEREAS: The Esopus Creek is located in northern Ulster County where it travels sixty-eight miles (68) from the mountains of the Catskills to the Hudson River.

WHEREAS: In 1915, the City of New York completed construction of the Ashokan Reservoir by damming the Esopus Creek in Olivebridge. The Lower Esopus – the Esopus Creek downstream of the dam – flows through the towns of Marbletown, Hurley, Ulster, Kingston, and Saugerties, and the City of Kingston, and the Village of Saugerties.

WHEREAS: The Lower Esopus Creek forms the northwest municipal boundary of the City of Kingston. The Creek and its floodplain are biologically important aquatic and terrestrial habitat areas. The floodplain forests, riparian zones, marshes and adjacent grasslands along the Esopus Creek is the second most important high-value terrestrial biodiversity resource identified in the Natural Resources Inventory. The Creek provides significant recreational and tourism potential, with waterfront activities, kayaking, and docks which can be a draw for visitors. The Creek and its floodplain are included in goals of Kingston Open Space Plan with regards to trails and launches and preservation of farmland and open space. Large wood debris dams were removed in 2020 to open up blocked areas. Discussion has begun on an Esopus water trail that would connect to Hurley and Marbletown and Ulster. Turbid water and high discharge makes this recreation less viable.

WHEREAS: The Ashokan Reservoir is one of the largest sources of drinking water for the state of New York, providing up to 40% of the water for 9.5 million residents. In addition to New York City, many communities in the Hudson Valley are served by the Catskill Aqueduct.

WHEREAS: The Ashokan dam and reservoir system includes a “to the Lower Esopus, which for nearly a century was not used, except during an emergency in 2006. DEP now refers to the “waste channel” as a “release channel,” though its function remains the same.

WHEREAS: In 2010, DEP instituted new operating procedures that called for releasing exceptionally turbid water from the reservoir into the Lower Esopus through the previously unused release channel, as DEP alone deemed “necessary.”

WHEREAS: Elevated turbidity after storms is a long standing problem in the Ashokan Reservoir, The designers knew this and constructed the Reservoir with two basins to allow the turbidity to settle in the west basin before moving clearer water into the east basin to send down the Catskill Aqueduct for drinking water. Elevated turbidity after storms and will be magnified in the future due to more frequent and intense storm events due to climate change.

WHEREAS: In the past, whenever turbidity levels in both basins exceeded state and federal drinking water standards, the DEP treated the water with aluminum sulfate, alum, which coagulates suspended solids. Alum is added in the Catskill Aqueduct above the Kensico Reservoir in Westchester County. Since 2013, the DEP has been required by state and federal law to reduce the amount of alum discharged to the Kensico Reservoir from the Catskill Aqueduct.

WHEREAS: With its 2010 procedures, the DEP made a major change to its operations, without community input, environmental review, rules or permit modification regarding the waste channel’s operating parameters to release turbid water from the west basin into the Lower Esopus to prevent turbid water from spilling into the east basin, potentially impacting NYC’s drinking water quality and requiring alum treatment.

WHEREAS: When a waterbody is turbid, the levels of light and oxygen within the water are reduced. This negatively affects everything living in the stream, from microscopic organisms and submerged plants to aquatic insects and fish. In particular, it stresses fish and impacts their ability to feed and see their food. Fine sediment also physically impacts the stream channel by filling in the natural voids and spaces in the streambed. This reduces habitat for aquatic insects and smothers fish eggs and larvae.

WHEREAS: The Lower Esopus valley has extensive agricultural production that depends on the creek for clean irrigation water throughout the year. Turbid water can clog irrigation equipment and potentially impair the quality of the irrigation water to the point where crops are not marketable. These crops are part of Kingston’s local food supply.

WHEREAS: The release of turbid water have already impaired use and enjoyment of the creek for recreational activities, including paddling, angling and ice fishing. Is The DEC constructed a canoe/kayak launch and fishing ramp on Sandy Road just off Washington Avenue just over the municipal boundary in the Town of Ulster. Kingston residents use this ramp as the only safe public access to the Esopus Creek. The high turbidity, fluctuating water level and discharge are problems for recreationists as conditions change dramatically on the creek.

WHEREAS: During extended turbid releases from the waste channel, the sediment plume from the Lower Esopus is clearly visible in the Hudson River, which is the drinking water supply for over 100,000 people. The Towns of Esopus, Lloyd, Poughkeepsie, Rhinebeck, Hyde Park, and the City of Poughkeepsie and Village of Rhinebeck draw municipal drinking water from the Hudson River downstream of where the Esopus empties into it. During major releases, the water treatment plants have recorded elevated turbidity, resulting in the need for increased chemical and electricity use for treatment, and increased production of sludge, all of which come at an increased cost for those communities.

WHEREAS: The increased volume of water sent by DEP into the Lower Esopus represents the single largest change to the Creek's hydrologic regime (flow) since the completion of the reservoir.

WHEREAS: The frequency and intensity of storms has increased in recent years, and is projected to increase significantly in the coming decades. Under current conditions and operating procedures, these storms will increase erosion, turbidity, and the resulting impacts.

WHEREAS: Periodically since 2011, the DEP has released millions of gallons a day of turbid, muddy water from the Ashokan Reservoir into the Lower Esopus Creek. DEP argues it has the authority to do so because of its Interim Release Protocol (IRP), which was put in place temporarily pending a full environmental review of the City's releases pursuant to an October 2013 Consent Order. DEC issued the Consent Order to settle an enforcement action it brought against the City with respect to the City's turbid releases in February 2011.

WHEREAS: The Interim Release Protocol is an inexpensive way for the DEP to preserve the quality of NYC drinking water, but the farmers, businesses and residents along the Lower Esopus have been forced to bear the consequences. The releases have had such negative impacts that in 2013 the U.S. Environmental Protection Agency placed the Lower Esopus on the NYS Impaired Water Bodies List for excessive turbidity.

WHEREAS: DEP has most recently discharged turbid water to the Lower Esopus Creek following storms during Christmas 2020, and continuing until today.

WHEREAS: The specific impacts of the current releases to the Lower Esopus are unknown, because DEP did not conduct or provide stakeholders with a baseline assessment prior to initiating releases. A scientific study prior to the initiation of releases was necessary to set the baseline from which to accurately assess review of the City's releases pursuant to an October 2013 Consent Order. DEC issued the Consent Order to settle an enforcement action it brought against the City with respect to the City's turbid releases in February 2011.

WHEREAS: The Interim Release Protocol is an inexpensive way for the DEP to preserve the quality of NYC drinking water, but the farmers, businesses and residents along the Lower Esopus have been forced to bear the consequences. The releases have had such negative impacts that in 2013 the U.S. Environmental Protection Agency placed the Lower Esopus on the NYS Impaired Water Bodies List for excessive turbidity.

WHEREAS: DEP has most recently discharged turbid water to the Lower Esopus Creek following storms during Christmas 2020, and continuing until today.

WHEREAS: The specific impacts of the current releases to the Lower Esopus are unknown, because DEP did not conduct or provide stakeholders with a baseline assessment prior to initiating releases. A scientific study prior to the initiation of releases was necessary to set the baseline from which to accurately assess environmental impacts.

WHEREAS: As part of the aforementioned Consent Order, DEP was required to study all social, economic and environmental impacts of the releases and alternative methods to reduce turbidity in the Ashokan Reservoir. Alternatives to be considered included both structural and operational practices; however, DEP rejected all structural alternatives requiring construction expenditures and proposed instead only slight adjustments to the Interim Release Protocol as the preferred alternative.

WHEREAS: The DEC has released the Draft EIS for the Modification of the Catalum SPDES Permit and made it available for public review and comment. The Draft EIS concludes that the City's operation of the Ashokan Release channel pursuant to its Interim Release Protocol does not cause any significant adverse impacts to the lower Esopus Creek. This conclusion is in contrast to the experience of communities along the Lower Esopus Creek.

WHEREAS: The public currently has an opportunity to comment on DEP's Draft EIS, either through submission of written comments to DEC between now and 5:00pm on June 16, 2021.

WHEREAS: The Lower Esopus is an important contributor to the social, economic and environmental quality along the creek's corridor. It cannot be the solution to NYC's turbid water problems.

WHEREAS: The Hudson River is an essential drinking water supply for over 100,000 people in the Mid-Hudson Region. Protecting water quality in this drinking water source is a critical regional priority. The current state of Ashokan releases is unsustainable and unacceptable.

NOW THEREFORE BE IT RESOLVED, that we, as representatives of City of Kingston Common Council in Ulster County, NY, urge the New York State Department of Environmental Conservation (NYSDEC) to exercise its authority and responsibility for enforcing the state and federal laws that protect water quality in our rivers and streams, and as the lead agency overseeing the State Environmental Quality Review (SEQR) process responsible for evaluating the impacts of New York City Department of Environmental Protection's (NYCDEP) releases to the Lower Esopus Creek; and further;

BE IT FURTHER RESOLVED, that DEC must consider all the public comments to capture the concerns raised before making a decision about whether to approve or deny approval; and require revision and/or supplementation of the current DEIS. The input of the City of Kingston on the adequacy of the current DEIS is very important to ensure the community's interests are protected. The potential and actual short-term, long-term and cumulative impacts on the downstream communities along the Esopus Creek and Hudson River must be recognized and thoroughly studied within the DEIS, including impacts on other drinking water systems, the local economy, recreation and the aesthetics of the area. In addition, the City of Kingston calls for the incorporation of a detailed look at a range of alternatives in the DEIS, including examining combinations of structural and operational alternatives. The DEIS must present a long-term plan to reduce the discharge of high quantities of turbid water and specifically account for climate change impacts. A copy of this Resolution should be forwarded to the NYS DEC Public Comment Contact Person: Kristen Cady-Poulin, Environmental Analyst, 625 Broadway, Albany, NY 12233, Phone: 518-402-9167, E-mail: DEPPermitting@dec.ny.gov, Comments sent by regular mail must be postmarked no later than June 16, 2021. E-mail comments must be received by 5:00 p.m. June 16, 2021.

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

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: C.A.C. DATE: 4-21-21

Description: Memorializing resolution urging the NYS Department of Environmental Conservation to exercise its authority and responsibilities for enforcing state and federal laws to protect water quality as per attached.

Signature: _____

Motion by DT

Seconded by RSC

Action Required: _____

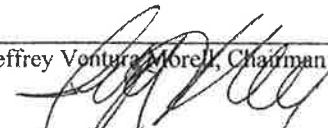
SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffrey Vontura Morell, Chairman 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick O'Reilly Ward 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rennie Scott-Childress, Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rita Worthington, Ward 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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L+R



**City of Kingston
Conservation Advisory Council
420 Broadway Kingston, NY 12401
(845) 481-7339**

April 1, 2021

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

Re: Ashokan Release Protocol

Dear President Shaut,

The Kingston Conservation Advisory Council would like to request that the Kingston Common Council consider adoption of a memorializing resolution urging the NYS Department of Environmental Conservation to exercise its authority and responsibility for enforcing state and federal laws to protect water quality, particularly in relation to releases to the Lower Esopus Creek, which has a direct impact on the City of Kingston.

Links to refer to:

- <https://www.riverkeeper.org/campaigns/safeguard/ashokan-reservoir-stop-the-mud/>
- <https://www.dec.ny.gov/lands/79771.html>
- https://www.dec.ny.gov/docs/water_pdf/catalumdrafteisexecsum.pdf

Please see a DRAFT Resolution, attached, for your consideration.

Sincerely,

Julie L. Noble, Chair

Members: Lorraine Farina, Emilie Hauser (Vice-Chair), Kevin McEvoy, Sebastian Pilliteri

MEMORIALIZING RESOLUTION

Draft Environmental Impact Statement (DEIS) for the Modification of the CATALUM SPDES Permit to incorporate turbidity control measures, including operation of Ashokan Reservoir in accordance with the Interim Ashokan Release Protocol.

WHEREAS: The Esopus Creek is located in northern Ulster County where it travels sixty-eight miles (68) from the mountains of the Catskills to the Hudson River.

WHEREAS: In 1915, the City of New York completed construction of the Ashokan Reservoir by damming the Esopus Creek in Olivebridge. The Lower Esopus – the Esopus Creek downstream of the dam – flows through the towns of Marbletown, Hurley, Ulster, Kingston, and Saugerties, and the City of Kingston, and the Village of Saugerties.

WHEREAS: The Lower Esopus Creek forms the northwest municipal boundary of the City of Kingston. The Creek and its floodplain are biologically important aquatic and terrestrial habitat areas. The floodplain forests, riparian zones, marshes and adjacent grasslands along the Esopus Creek is the second most important high-value terrestrial biodiversity resource identified in the Natural Resources Inventory. The Creek provides significant recreational and tourism potential, with waterfront activities, kayaking, and docks which can be a draw for visitors. The Creek and its floodplain are included in goals of Kingston Open Space Plan with regards to trails and launches and preservation of farmland and open space. Large wood debris dams were removed in 2020 to open up blocked areas. Discussion has begun on an Esopus water trail that would connect to Hurley and Marbletown and Ulster. Turbid water and high discharge makes this recreation less viable.

WHEREAS: The Ashokan Reservoir is one of the largest sources of drinking water for the state of New York, providing up to 40% of the water for 9.5 million residents. In addition to New York City, many communities in the Hudson Valley are served by the Catskill Aqueduct.

WHEREAS: The Ashokan dam and reservoir system includes a “waste channel”, designed to release water from the Reservoir to the Lower Esopus, which for nearly a century was not used, except during an emergency in 2006. DEP now refers to the “waste channel” as a “release channel,” though its function remains the same.

WHEREAS: In 2010, DEP instituted new operating procedures that called for releasing exceptionally turbid water from the reservoir into the Lower Esopus through the previously unused release channel, as DEP alone deemed “necessary.”

WHEREAS: Elevated turbidity after storms is a long standing problem in the Ashokan Reservoir. The designers knew this and constructed the Reservoir with two basins to allow the turbidity to settle in the west basin before moving clearer water into the east basin to send down the Catskill Aqueduct for drinking water. Elevated turbidity after storms and will be magnified in the future due to more frequent and intense storm events due to climate change.

WHEREAS: In the past, whenever turbidity levels in both basins exceeded state and federal drinking water standards, the DEP treated the water with aluminum sulfate, alum, which coagulates suspended solids. Alum is added in the Catskill Aqueduct above the Kensico Reservoir in Westchester County. Since 2013, the DEP has been required by state and federal law to reduce the amount of alum discharged to the Kensico Reservoir from the Catskill Aqueduct.

WHEREAS: With its 2010 procedures, the DEP made a major change to its operations, without community input, environmental review, rules or permit modification regarding the waste channel's operating parameters to release turbid water from the west basin into the Lower Esopus to prevent turbid water from spilling into the east basin, potentially impacting NYC's drinking water quality and requiring alum treatment.

WHEREAS: When a waterbody is turbid, the levels of light and oxygen within the water are reduced. This negatively affects everything living in the stream, from microscopic organisms and submerged plants to aquatic insects and fish. In particular, it stresses fish and impacts their ability to feed and see their food. Fine sediment also physically impacts the stream channel by filling in the natural voids and spaces in the streambed. This reduces habitat for aquatic insects and smothers fish eggs and larvae.

WHEREAS: The Lower Esopus valley has extensive agricultural production that depends on the creek for clean irrigation water throughout the year. Turbid water can clog irrigation equipment and potentially impair the quality of the irrigation water to the point where crops are not marketable. These crops are part of Kingston's local food supply.

WHEREAS: The release of turbid water have already impaired use and enjoyment of the creek for recreational activities, including paddling, angling and ice fishing. The DEC constructed a canoe/kayak launch and fishing ramp on Sandy Road just off Washington Avenue just over the municipal boundary in the Town of Ulster. Kingston residents use this ramp as the only safe public access to the Esopus Creek. The high turbidity, fluctuating water level and discharge are problems for recreationists as conditions change dramatically on the creek.

WHEREAS: During extended turbid releases from the waste channel, the sediment plume from the Lower Esopus is clearly visible in the Hudson River, which is the drinking water supply for over 100,000 people. The Towns of Esopus, Lloyd, Poughkeepsie, Rhinebeck, Hyde Park, and the City of Poughkeepsie and Village of Rhinebeck draw municipal drinking water from the Hudson River downstream of where the Esopus empties into it. During major releases, the water treatment plants have recorded elevated turbidity, resulting in the need for increased chemical and electricity use for treatment, and increased production of sludge, all of which come at an increased cost for those communities.

WHEREAS: The increased volume of water sent by DEP into the Lower Esopus represents the single largest change to the Creek's hydrologic regime (flow) since the completion of the reservoir.

WHEREAS: The frequency and intensity of storms has increased in recent years, and is projected to increase significantly in the coming decades. Under current conditions and operating procedures, these storms will increase erosion, turbidity, and the resulting impacts.

WHEREAS: Periodically since 2011, the DEP has released millions of gallons a day of turbid, muddy water from the Ashokan Reservoir into the Lower Esopus Creek. DEP argues it has the authority to do so because of its Interim Release Protocol (IRP), which was put in place temporarily pending a full environmental review of the City's releases pursuant to an October 2013 Consent Order. DEC issued the Consent Order to settle an enforcement action it brought against the City with respect to the City's turbid releases in February 2011.

WHEREAS: The Interim Release Protocol is an inexpensive way for the DEP to preserve the quality of NYC drinking water, but the farmers, businesses and residents along the Lower Esopus have been forced to bear the consequences. The releases have had such negative impacts that in 2013 the U.S. Environmental Protection Agency placed the Lower Esopus on the NYS Impaired Water Bodies List for excessive turbidity.

WHEREAS: DEP has most recently discharged turbid water to the Lower Esopus Creek following storms during Christmas 2020, and continuing until today.

WHEREAS: The specific impacts of the current releases to the Lower Esopus are unknown, because DEP did not conduct or provide stakeholders with a baseline assessment prior to initiating releases. A scientific study prior to the initiation of releases was necessary to set the baseline from which to accurately assess environmental impacts.

WHEREAS: As part of the aforementioned Consent Order, DEP was required to study all social, economic and environmental impacts of the releases and alternative methods to reduce turbidity in the Ashokan Reservoir. Alternatives to be considered included both structural and operational practices; however, DEP rejected all structural alternatives requiring construction expenditures and proposed instead only slight adjustments to the Interim Release Protocol as the preferred alternative.

WHEREAS: The DEC has released the Draft EIS for the Modification of the Catalum SPDES Permit and made it available for public review and comment. The Draft EIS concludes that the City's operation of the Ashokan Release channel pursuant to its Interim Release Protocol does not cause any significant adverse impacts to the lower Esopus Creek. This conclusion is in contrast to the experience of communities along the Lower Esopus Creek.

WHEREAS: The public currently has an opportunity to comment on DEP's Draft EIS, either through submission of written comments to DEC between now and 5:00pm on June 16, 2021.

WHEREAS: The Lower Esopus is an important contributor to the social, economic and environmental quality along the creek's corridor. It cannot be the solution to NYC's turbid water problems.

WHEREAS: The Hudson River is an essential drinking water supply for over 100,000 people in the Mid-Hudson Region. Protecting water quality in this drinking water source is a critical regional priority. The current state of Ashokan releases is unsustainable and unacceptable.

NOW THEREFORE BE IT RESOLVED, that we, as representatives of City of Kingston Common Council in Ulster County, NY, urge the New York State Department of Environmental Conservation (NYSDEC) to exercise its authority and responsibility for enforcing the state and federal laws that protect water quality in our rivers and streams, and as the lead agency overseeing the State Environmental Quality Review (SEQR) process responsible for evaluating the impacts of New York City Department of Environmental Protection's (NYCDEP) releases to the Lower Esopus Creek; and further;

BE IT FURTHER RESOLVED, that DEC must consider all the public comments to capture the concerns raised before making a decision about whether to approve or deny approval; and require revision and/or supplementation of the current DEIS. The input of the City of Kingston on the adequacy of the current DEIS is very important to ensure the community's interests are protected. The potential and actual short-term, long-term and cumulative impacts on the downstream communities along the Esopus Creek and Hudson River must be recognized and thoroughly studied within the DEIS, including impacts on other drinking water systems, the local economy, recreation and the aesthetics of the area. In addition, the City of Kingston calls for the incorporation of a detailed look at a range of alternatives in the DEIS, including examining combinations of structural and operational alternatives. The DEIS must present a long-term plan to reduce the discharge of high quantities of turbid water and specifically account for climate change impacts. A copy of this Resolution should be forwarded to the NYS DEC Public Comment Contact Person: Kristen Cady-Poulin, Environmental Analyst, 625 Broadway, Albany, NY 12233, Phone: 518-402-9167, E-mail: DEPPermitting@dec.ny.gov, Comments sent by regular mail must be postmarked no later than June 16, 2021. E-mail comments must be received by 5:00 p.m. June 16, 2021.

RESOLUTION 85 of 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AMENDING THE DEFINITION OF HOTEL IN THE CITY OF KINGSTON ZONING CODE**

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

WHEREAS, request has been made to amend the definition of "hotel" as stated in the City of Kingston Zoning Code so as the definitions are consistent throughout the Code and also consistent with the definition contained within the Ulster County Code; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, such request to amend the Zoning Code has been referred to the City of Kingston Planning Board, the Ulster County Planning Board and the Historic Landmarks Preservation Commission for associated review and comment.

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

SECTION 1. That the definition of "hotel" in Section 405-3 of the City of Kingston Code is hereby amended to provide:

"a building or portion of it which is regularly used and kept open for lodging of transient guests on an overnight basis. The term "hotel" or "motel" includes "**short term rentals**" an apartment hotel, motor court or inn, "tourist cabins", boarding house or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served, and shall include those facilities commonly known as "bed and breakfasts" and "**short term rentals**".

SECTION 2. That same is declared a Type 2 action pursuant to NYCRR Part 617.

SECTION 3. 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

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Common Council

DATE: 4-21-21

Description: Declare the zoning code amendment of the definition of "Hotel" as a type 1 action under SEQRA and adopting findings of environmental significance as per attached.

Signature: _____

Motion by RSC

Seconded by RW

Action Required: _____

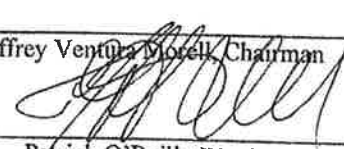
SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffrey Ventura Morelli, Chairman 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick O'Reilly, Ward 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rennie Scott-Childress, Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rita Worthington, Ward 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CITY OF KINGSTON

Kingston Planning

planning@kingston-ny.gov

Suzanne Cahill, Planning Director
Kyla Dedea, Assistant Planner



Steven T. Noble, Mayor

March 17, 2021

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

Re: KINGSTON PLANNING BOARD RECOMMENDATION to Common Council
Zoning Text Amendment - Definition of "Hotel" - Resolution 28 of 2021

Dear Pres. Shaut:

This is to advise you that at the virtual meeting of the Kingston Planning Board, held on March 15, 2021, the Board reviewed the referral from the Common Council with regard to amending the Zoning Code by modifying the definition of the term "Hotel" to be consistent through the Zoning, other City Code Sections and also with Ulster County's definition.

The Board concurred with amending the City Zoning Code to replace the existing definition of "Hotel or Motel" with the following:

Hotel: "A building or portion of it which is regularly used and kept open for lodging of transient guest on an overnight basis. The term "hotel" or "motel" includes short term rentals, an apartment hotel, motor court or inn, "tourist cabins", boardinghouse or club, or similar hotel or motel type of accommodation by whatever name designated, whether or not meals are served, and shall include those facilities commonly known as "bed and Breakfasts" and "short term rentals".

It was relayed to the Board through discussion with the City's Assistant Corporation Counsel, that this definition change would not affect the current definitions for the various short term rental uses and that the districts in which these uses are allowed would not change.

This Board recommendation incorporates the position with it that the Common Council act swiftly to move forward with action to adopt language defining how municipal agencies are to regulate and oversee the various forms of lodging under the umbrella of the new "Hotel" definition, and not to wait for a comprehensive rewrite of the current Zoning Code, which the Board also endorses to be moved forward.

CITY OF KINGSTON

Kingston Planning

planning@kingston-ny.gov

Suzanne Cahill, Planning Director
Kyla Dedea, Assistant Planner

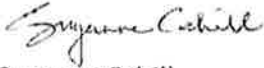


Steven T. Noble, Mayor

Although not a part of the Planning Board discussion, Planning Staff would advise that the Common Council will need to undertake a SEQR review, first classifying the Action, followed by determining how to proceed under SEQR. Note that zoning changes which are Citywide and/or affect more than 25 acres of land, would result in the action being a Type I action.

If there are any questions, please do not hesitate to contact our office to discuss.

Sincerely,



Suzanne Cahill
Planning Director

CC: Ald. J. Ventura-Morell, W1, Chairman L&Rs
E. Tinti, City Clerk
W. Platte, PB Chairman
D. Gartenstein, Assist. Corp. Counsel

CITY OF KINGSTON
Kingston Planning
planning@kingston-ny.gov

Suzanne Cahill, Planning Director
Kyla Dedea, Assistant Planner



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If there are any questions, please do not hesitate to contact our office to discuss.

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Suzanne Cahill
Planning Director

CC: Ald. J. Ventura-Morell, W1, Chairman L&Rs
E. Tinti, City Clerk
W. Platte, PB Chairman
D. Gartenstein, Assist. Corp. Counsel

REFERRAL RESPONSE



ULSTER COUNTY PLANNING BOARD

General Municipal Law of New York State

Article 12B

Sections 239-1 and 239-m

Referral Number

2021053

Municipality

Kingston City

Local File Number

Resolution
28 of 2021

Referring Agency

Local Governing Body

Type of Referral

Zoning Statute Amendment

Name of Applicant

City of Kingston

Name of Project

Resolution 28 of 2021

Project Location

Citywide

Description

Amend definition of "Hotel"

UCPB Decision

Required Modifications

See Attachments



Referral Officer

Representing the Ulster County Planning Board

Date Received

3/3/2021

Date Reviewed

4/7/2021

Form Date

4/8/2021

Status

Reviewed



Dennis Doyle, Director

RECOMMENDATION

Elisa Tinti, City Clerk
City of Kingston
420 Broadway
Kingston, N.Y. 12401

REFERRAL NO: 2021-053
DATE REVIEWED: 04/07/21

Re: Resolution 28 of 2021 – Zoning Statute Amendment

Summary

The City of Kingston is amending the way it regulates short-term rentals by updating the definition section of its zoning statute regarding “hotels or motels” to simply “hotels” and including short-term rentals within the definition of a “hotel” use. The City’s zoning statute currently only allows these hotels in the C-1, C-2, C-3, O-3, RF-R, and RF-H zoning districts and this remains unchanged.

The following materials were received for review:

- Referral Form
- Definition of Hotel or Motel
- Resolution of 28 of 2021
- Proposed amendments

Discussion

The City has chosen a creative means to regulate short-term rentals (STR) by including them as part of the definition of Hotel. While elegantly simple, the change does miss some key considerations this Board has suggested being included in regulating short-term rentals in zoning statutes. It should be noted that UCPB takes the amendment to read that short-term rental would be precluded from the zoning districts where hotels are not permitted.

There also may be some unintended consequences and questions that arise from this solution such as:

- how will the City treat existing STR’s in districts where they are no longer permitted or are STR’s in these districts still allowed;
- how is the STR/hotel use applied to mixed-use and multi-family buildings in the zones where allowed; and
- how does this impact those single-family homes in these districts particularly does this encourage their conversion to “hotel” use.?

The County Planning Board believes that STR regulations should address three broad categories 1. Public safety, 2. Protection of the quality of life in the areas they are located, 3. the availability of housing for residential use, and a disincentive to convert housing for solely STR use. It is unclear how the definition of a hotel “A building or portion of it which is regularly used and kept open for lodging of transient guests on an overnight basis” even when restricted to the districts in question can meet these goals. It is in these areas as

*2021-053 Resolution 28 of 2021
Zoning Statute Amendment*

well as more specific regulations typically enacted for short-term rentals that are at the core of the County Planning Board's comments.

Recommendations

Regulations for Short-Term Rentals

Registration with the County – Required Modification

A requirement to register with the County regarding the "Hotel & Motel Room Occupancy Tax" should be added to the statute. This is not currently cited nor found in Chapter 277: Hotels, Motels, Inns, Rooming Houses, and Boardinghouses. The registration information can be found at <https://ulstercountyny.gov/finance/hotel-motel-room-occupancy-tax>

Prohibition on Multi-Family – Required Modifications

The UCPB has consistently recommended that multi-family dwellings and accessory dwellings be prohibited from containing short-term rentals. Failure to do so erodes the available and more affordable housing stock. In areas of the County before the enactment of short-term rental laws, landlords have and continue to convert long-term rental units to STR's as they generate a higher profit.

Required Modification

Multi-family dwellings and the apartments in them should be precluded from being utilized as STR's.

Non-Owner Occupied Units

In most Ulster County municipalities the creation of non-owner occupied short-term rentals have been either prohibited or the municipality has placed a cap on how many non-owner occupied units are allowed or limited them to specific locations.

Required Modification

The UCPB recommends that for existing buildings in residential use within the districts where STR's would be permitted that non-owner-occupied "hotels" be prohibited. In this manner, the unintended consequences of existing housing stock converted to STR's can be avoided.

Responsible Party

Regulations for short-term rentals, especially for non-owner occupied units, have minimum requirements for the age, maximum distance, response time, and contact information of the owner or other responsible agent in the event violations or emergencies occur and to be on file with the Building inspector/fire and rescue service.

Required Modifications

The City should consider laws that regulate the management of short-term rentals, both owner and non-owner-occupied, indicate potential violations for failure to comply with said regulations, and provide renters with documentation to ensure the quality of life issues. For example, the Town of Gardiner is producing a "Good Neighbor Brochure" that is an advisory document prepared by the Town Board for STR occupants to facilitate the success of the STR, other land uses, and the guest and neighbor experiences by sharing the general rules of community conduct, private property considerations and the safety of residents and guests."

Single-Family Homes - Other Districts - Advisory Comment

As noted in the discussion, the addition of short-term rental to the definition for Hotel effectively eliminates them from many zones, including all residential zones in the City. While the UCPB is not opposed to this limitation, there are existing short-term rentals in these areas and the City will need to further regulate how these existing units will be handled. Based on the legislation proposed they would become nonconforming

2021-053 Resolution 28 of 2021
Zoning Statute Amendment

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*2021-053 Resolution 28 of 2021
Zoning Statute Amendment*

uses. We would note that with prohibitions on non-owner occupancy and use of newly created accessory dwelling units, the Board is not opposed to continuing to allow STR's in these districts.

Reviewing Officer



Robert A. Leibowitz, AICP
Principal Planner

Cc: Gio Gagliardi – UCPB
Suzanne Cahill – City Planner

FINAL ACTION REPORT FORM



Per GML 239-m and -n FINAL ACTION REPORTS ARE REQUIRED TO BE SUBMITTED WITHIN THIRTY DAYS AFTER FILING

Complete the local agency final action box, add the local file number, include any required submittals, and sign the form

Name of Project: Resolution 28 of 2021

Referral Number: 2021053

UCPB Decision: Required Modifications

Local Agency Final Action:

Approve Disapprove

Member Vote: Yes: No:

County Planning Board Decision - Reviewed no County Impact

Concurs with County Planning Board Modifications or Disapproval

Contrary to County Planning Board Modifications or Disapproval (see required submittals if checked)

Required Submittals Attached

Resolution Attached

Required Submittals:

Within thirty days after final action, the referring body must file a report of the final action it has taken with the UCPB. A referring body that acts contrary to a recommendation of modifications or disapproval of a proposed action shall set forth the reasons for the contrary action in such report attached to this form.

Local File Number: Resolution 28 of 2021

Municipality: Kingston City

Referring Agency: Local Governing Body

Type of Referral: Zoning Statute Amendment

Name of Applicant: City of Kingston

Project Location: Citywide

Description: Amend definition of "Hotel"

Local Officer: _____

Date: _____

~ For Ulster County Planning Board Use Only ~

Local Board Decision:

Original Date Received: 3/3/2021

Original Review Date: 4/7/2021

Final Action Date Received:

Status: Reviewed

Return Form to:

Referral Officer

Ulster County Planning Board

Box 1800 Kingston, N.Y. 12402

Need Help? Telephone: 340-3340

Form Revised 09/26/2000 UCPB

UCPB Date Stamp

RESOLUTION 86 OF 2021

Ordinance: Handicap Parking

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

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

WHEREAS, in the interest of safety and the needs of residents, parking on the street 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 by REMOVING the following:

104 W. Pierpont Street

SECTION 2- All ordinances and parts thereof, inconsistent herewith are hereby repealed

SECTION 3- This resolution 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

se

(PS+GG)

Tinti, Elisa

From: Hirsch, Michele
Sent: Wednesday, March 31, 2021 4:48 PM
To: Shaut, Andrea
Cc: Tinti, Elisa; Schultheis, John
Subject: Handicapped Parking Sign Removal at 106 W. Pierpont Street and adding an additional Do not
Attachments: [EXTERNAL EMAIL] Wrong way down one way street. - Hirsch, Michele.pdf; [EXTERNAL EMAIL] Wrong way down one way street. - Hirsch, Michele.pdf

Dear President Shaut,

Please accept this communication to remove the Handicapped Parking sign at 106 W. Pierpont Street as per the attached email from the homeowner of 95 W. Pierpont Street.

Additionally, the signage at W. Pierpont Street and McEntee Street needs to be addressed as there is a considerable amount of traffic traveling the wrong way on W. Pierpont Street from McEntee Street.

Thank you.

With kind regards,

Michele Hirsch
Alderwoman, Ward 9

RESOLUTION 87 OF 2021

Ordinance: No Parking

AN ORDINANCE AMENDING AN ORDINANCE IN RELATION TO PARKING ON THE STREETS OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-97, TO REMOVE “NO PARKING” ON THE WEST SIDE OF WALL STREET FROM PEARL TO A POINT 150 FEET SOUTH

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

WHEREAS, a request has been made to amend the manner in which parking is permitted on Wall Street by removing a “NO PARKING” sign; and

WHEREAS, it is in the best interest of the City to amend parking on the west side of Wall Street remove “NO PARKING” from Pearl Street to a point 150 feet south

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

SECTION 1- That the Common Council of the City of Kingston authorizes the amendment of Section 390-97, Schedule XIV, No Parking or Standing at any time, by removing restricted parking on Wall Street as follows: REMOVING “NO PARKING” on the west side of Wall Street from Pearl Street to a point 150 feet south

SECTION 2- All ordinances and parts thereof, inconsistent herewith, are hereby repealed

SECTION 3- This ordinance shall take effect immediately after passage, approval and publication as provided by law.

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

87

THE CITY OF KINGSTON COMMON COUNCIL

PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: DPW

DATE: 4/28/21

Description:
Resolution to amend Section 390-97
to remove No Parking on the ~~west~~ west side
of Wall Street from Pearl Street to a point
150 feet south.

Prepared by: Antony D

Reviewed by: mk

Approved by: JVM

Required:

Revision:
1 _____
2 _____
3 _____

Declaration of Environmental Significance: _____

Negative Declaration: _____

Agency Status: _____

Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Tony Davis, Chairman <u>Antony D</u>	✓	
<u>Doug Koop</u> Patrick O'Reilly Ward 2	✓	
Rennie Scott-Childress, Ward 3		
Jeffrey Ventura Morell, Ward 1	✓	
Michele Hirsch, Ward 9	✓	

RESOLUTION 88 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, REQUESTING A TRANSFER IN THE REC FEE RESERVE TO
COVER THE CITY'S SHARE FOR THE OPRHP FUNDED KINGSTON POINT
PARK IMPROVEMENTS PROJECT**

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

WHEREAS, the Mayor has requested a transfer in the amount of \$100,000.00 for the city's share for the OPRHP funded Kingston Point Park Improvements Project and;

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request;

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

FROM:	A1.388905	Rec Fee Reserve	\$100,000.00
TO:	A1.9905.19.5901	Capital Projects	\$100,000.00

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 89 of 2021

Ordinance: Stop Intersections

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING SECTION 390-92, SCHEDULE IX, STOP INTERSECTIONS

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

WHEREAS, a request has been made to amend Section 390-92, Schedule IX, Stop Intersections, where there is currently no stop or yield signs legislated on any approach; and

WHEREAS, it is in the best interests of the City to amend Section 390-92, Schedule IX, Stop Intersections.

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

SECTION 1. That the Common Council of the City of Kingston authorizes the amendment of Section 390-92, Schedule IX, Stop Intersections, and placing stop signs as per the attached list.

SECTION 2. All ordinances and parts thereof, inconsistent herewith, are hereby repealed.

SECTION 3. This ordinance shall take effect immediately after passage, approval and publication as provided by law.

Submitted to the Mayor this ____ day of _____, 2021

Approved by the Mayor this ____ day of _____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

List of Stop Locations Proposed Feb. 2021

STOP Sign On	Direction of Travel	At Intersection of
Albert Street	North	S. Wall Street
Alcazar Avenue	Southwest	York Street
Ardsley Street	Northeast	Smith Avenue
Ardsley Street	Southwest	Tremper Avenue
Catherine Street	East	Gill Street
Catherine Street	West	Tompkins Street
Clifton Avenue	Southwest	Park Street
Colfax Place	Southwest	Wilson Avenue
Cordts Street	South	Delaware Avenue
Cummings Avenue	Northeast	Mountainview Avenue
Elm Street	West	Second Avenue
Fort Street	east	Garden Street
Fort Street	west	Madden Street
Fortuna Street	West	Third Avenue
Garrison Street	East	E. Chester Street
German Street	Northeast	Hone Street
Granite Court	South	Merilina Avenue
Harrison Street	East	Charlotte Street
Harrison Street	West	Jefferson Avenue
Hazel Street	North	Emerick Street
High Street	West	Second Avenue
Irving Place	Northwest	Lounsbury Place
Lincoln Street	west	Farrelly Street
Lincoln Street	East	Hooker Street
Kachigan Street	South	Lincoln Street
Linwood Place	North	Shufeldt Street
Melvin Drive	Southeast	Dietz Court
Melvin Drive	Northwest	E. Chestnut Street
Moore Street	East	Second Avenue
New Street	North	Montrepose Avenue
Old Orchard Street	North	Delaware Avenue
Overlook Drive	North	Pearl Street
Overlook Drive	South	Ringtop Road
Peter Street	west	Hoffman Street
Pulaski Street	west	Third Avenue
Rodney Street	South	Dunn Street
Rondout Street	West	Second Avenue
Sharon Lane	Southeast	Lounsbury Place
Stickles Avenue	west	Fairview Avenue
Szymanski Street	west	Third Avenue
Tietjen Street	North	Deyo Street
Tompkins Street	Both	E. Union Street
Rock Street	North	Ulster Street
Ulster Street	West	Second Avenue
Hudson Street	North	W. Pierpont Street
Welles Lane	Southwest	Orchard Street
Welles Lane	East	W. Chestnut Street
Westbrook Place	Northeast	Johnston Avenue
Wilkie Avenue	North	Pearl Street
Wilkie Avenue	South	Ringtop Road

PUBLIC SAFETY/GENERAL GOVERNMENT
COMMITTEE REPORT

DEPARTMENT: Engineering

DATE: ~~March 2021~~
April 28, 2021

Description: _____

Add attached intersection locations to stop control, 390-92, Schedule IX

Motion by MH

Seconded by JVM

Action Required: _____

EQRA Decision:
 Type I Action _____
 Type II Action _____
 Listed Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Tony Davis, Chairman <i>[Signature]</i>	✓	
Doug Koop, Ward 2	✓	
Rennie Scott-Childress, Ward 3	✓	
Jeffrey Ventura Morell, Ward 1	✓	
Michele Hirsch, Ward 9	✓	

CITY OF KINGSTON
Office of the City Engineer

jschultheis@kingston-ny.gov

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



Steven T. Noble, Mayor

February 25, 2021

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

RE: Stop intersections, various locations

Dear President Shaut:

I have reviewed intersections throughout the city to identify locations where there is currently no stop or yield sign legislated on any approach. Based on this review, I have created a list of locations where legislation should be passed to correct these unsigned locations.

My suggestion is to add to 390-92 Schedule IX: Stop intersections the attached list of locations.

Please forward this request for consideration at Public Safety / General Government.

Respectfully,

John M. Schultheis, P.E.
City Engineer

Attachment: list of locations

Cc: Tony Davis, Chairman, Public Safety and General Government
Ed Norman, Superintendent, Department of Public Works
Elisa Tinti, City Clerk

RESOLUTION 90 of 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING ADOPTING A BOND ORDINANCE IN THE SUM OF \$5,000,000 FOR THE COOPER
LAKE DAM AND INTAKE REMEDIATION PROJECT**

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

WHEREAS, a request for an additional sum of \$5,000,000 in bonding is being made for the Cooper Lake Dam and Intake Remediation Project; and

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

SECTION 1. That the Common Council of the City of Kingston authorizes adopting a bond in an additional amount of \$5,000,000 for the Cooper Lake Dam and Intake Remediation Project.

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

Tinti, Elisa

From: Shaut, Andrea
Sent: Monday, April 26, 2021 9:27 AM
To: Alderman
Subject: FW: Cooper Lake Bids and Bond Authorization

Follow Up Flag: Follow up
Flag Status: Flagged

Here is the second agenda item to be discussed at the May 3 Special Finance meeting.

Andrea

From: Hansen, Judith
Sent: Friday, April 16, 2021 5:00 PM
To: Scott-Childress, Reynolds <rscott-childress@kingston-ny.gov>
Cc: Noble, Steve <SNoble@kingston-ny.gov>; ddc1953@hotmail.com; Hirsch, Michele <mhirsch@kingston-ny.gov>; Bill Cloonan <wnc76@hotmail.com>; Joanne Seche <jyseche@yahoo.com>; Bob Niedzielski <nijelski@aol.com>; Jim Noble <jnoble39@aol.com>; Shaut, Andrea <ashaut@kingston-ny.gov>
Subject: Cooper Lake Bids and Bond Authorization

Rennie

As the Mayor may have mentioned, we opened bids yesterday for our long awaited Cooper Lake Dam Project and were disappointed to see that the bids were all significantly above the engineers estimate for construction. We received 3 bids and all were within 1% of the low bid which suggests that the bids reflect the real cost of the project. We are working with our engineers to review the bids and see where the discrepancies are, but it appears that there has been a sharp escalation in the cost of materials for the project and that, not only have prices increased dramatically, but they are also continuing to increase.

The bottom line is that we have bonding authority from the Council for \$15 million for this project and it now appears that we will need \$20 million in total to undertake this work (an additional \$5 million) which will take 2 full construction seasons to complete. It is critical that we get full use of this season since work will begin in the Reservoir itself in year 1 and to accommodate the work, we must drop the water level in the Reservoir 10 feet below normal. Therefore, it is critical that we get this work completed ASAP so that we can return the Reservoir to normal levels.

Therefore, on behalf of the Water Board, I am asking that our request for an additional \$5 million in bonding authority be placed on the Agenda of the Finance Committee and, if approved, go before the full Council at your earliest convenience. On a more positive note, NYS DEC has just begun to approve grant funds for dam remediation, and while funding for planning and engineering are currently the only grants available, it is our understanding that grants for construction are on the horizon. The KWD is committed to applying for any and all funding opportunities to lessen the burden of this project on our rate-payers.

I am available to answer questions or provide additional information regarding this request. In advance, thank you for any consideration that you can provide. Judy

Judith A. Hansen
Superintendent
Kingston Water Department
PO Box 1537

Kingston, NY 12401
845 (331)-0175 (X1301)

Kingston Water Department Dam Rehabilitation Project

Board of Water Commissioners of the Kingston Water Department is requesting bonding authorization for up to an additional \$5 million dollars for a total of \$20 million for the Cooper Lake Dam project:

Project Background:

- In 2009 the NYS DEC promulgated new dam safety regulations that, among other things, stipulated that owners of high hazard dams had to conduct a condition assessment of their facilities and bring them into compliance with current factors of safety.
- The condition assessment indicated that both the main Dam and the West Dike at Cooper Lake needed to be rehabilitated. Following design, it was determined that this would take 2 years to construct and the Engineers Estimate of Probable Construction Cost (EOPCC) put construction costs at \$13,000,000 . Adding engineering design and construction management fees, the project was estimated to cost about \$15,000,000
- Previously, the KWD had requested and received authorization from The Common Council for bonding for the Cooper Lake Dam Rehabilitation Project for \$15,000,000.
- All required permits from the NYS DEC have been obtained. Construction will take 2 years and it is important that all in-reservoir work be completed in year 1, prior to the Reservoir icing over.

Bids:

- Bids for the project were received on April 15, 2021. We had 3 bidders submit proposals and all 3 were within 1% of each other (\$140,000 low to high). **Unfortunately, all exceeded the engineer's estimates by nearly \$3 million.**
- In conjunction with our engineering consultants, we took a detailed look at the bids to determine why they exceeded the estimated costs by such a large margin. The analysis revealed that **material costs have risen sharply due, in part, to supply chain issues as a result of the pandemic and are continuing to rise.** Additionally, since most of these materials will be used in year 2, the contractors are likely mitigating some of the risk in their pricing.
- Bids were opened on April 15, 2021 and bidders are only required to hold their bids for 30 days. Since all of the bids were tightly clustered, it is unlikely that rebidding the project would substantially reduce the cost. It would delay the project by a year and incur additional engineering fees to rebid.
- **The additional \$2 million** is being requested to cover possible contingencies as well as the operating costs associated with activating the Ashokan connection should a drought develop during the period when Cooper Lake capacity is reduced during construction.

Impact of Rate Payers:

- The Board of Water Commissioners is keenly aware of the impact that this project could have on our rate payers and has been taking steps to ease the rate shock that a project of this magnitude could impose.
 - There are costs associated with the activation of the water supply to the Ashokan that may never be incurred since they are weather dependent.
 - Those aspects of this project that are directly related to the supply of drinking water are eligible to be financed by low interest loans through the NYS EFC. The KWD has applied for this funding and is awaiting approval.
 - Recently, NYS DEC has made limited funding available for planning and design work associated with dam remediation. KWD is in the process of applying for this funding and will pursue similar opportunities as they become available.
-

91

42394-2-77

ADDITIONAL MONEY BOND ORDINANCE

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at the Common Council Chambers, City Hall, 420 Broadway, in said City, on the 3rd day of May, 2021, at _____ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

RESOLUTION NO. ___ OF 2021

BOND ORDINANCE DATED MAY 3, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$5,000,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE COOPER LAKE DAM AND INTAKE REMEDIATION PROJECT, IN AND FOR SAID CITY.

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Kingston, Ulster County, New York, as follows:

Section 1. For the object or purpose of paying costs in connection with the Cooper Lake Dam and Intake Remediation Project, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$5,000,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at the new maximum estimated cost of \$20,000,000.

Section 2. The plan for the financing of such \$20,000,000 maximum estimated cost is as follows:

- a) By the issuance of the \$800,000 bonds of said City heretofore authorized to be issued for design costs therefor pursuant to a bond ordinance dated February 6, 2018;
- b) By the issuance of the \$7,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated September 10, 2019;
- c) By the issuance of the \$7,200,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated January 7, 2020; and
- d) By the issuance of the additional \$5,000,000 bonds of said City herein authorized; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, including the design costs authorized by the February 6, 2018 bond ordinance.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, the date, denominations, maturities and interest payment dates, and also

including the consolidation with other issues, shall be determined by the City Comptroller. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

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

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

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

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

Section 8. The City Comptroller is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

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

Section 10. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 11. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, which is hereby designated as the official newspaper of said City for such purpose, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The ordinance was thereupon declared duly adopted.

* * * * *

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, summary of which is published herewith, has been adopted on May 3, 2021, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Kingston, New York,

_____, 2021.

City Clerk

BOND ORDINANCE DATED MAY 3, 2021.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$5,000,000 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE COOPER LAKE DAM AND INTAKE REMEDIATION PROJECT, IN AND FOR SAID CITY.

Specific object or purpose:	Cooper Lake Dam and Intake Remediation Project
Period of probable usefulness:	40 years
Revised maximum estimated cost:	\$20,000,000
Amount of obligations to be issued pursuant to this ordinance:	\$5,000,000 bonds/\$15,000,000 bonds previously authorized

Such ordinance pledges the full faith and credit of the City to the payment of the obligations authorized to be issued and delegates to the City Comptroller, the Chief Fiscal Officer, the power to authorize the issuance of and to sell such obligations. Additionally, such ordinance contains the estoppel clause provided for by Section 80.00 of the Local Finance Law and authorizes such ordinance, after taking effect to be published in summary form in the official newspaper, together with a notice of the City Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.



Orrick, Herrington & Sutcliffe LLP
51 West 52nd Street
New York, NY 10019-6142

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orrick.com

Thomas E. Myers

E tmyers@orrick.com
D +1 212 506 5212
F +1 212 506 5151

April 29, 2021

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

Mr. John Tuey
City Comptroller
City of Kingston
City Hall, 420 Broadway
Kingston, New York 12401

Re: City of Kingston, Ulster County, New York
Cooper Lake Dam and Intake Remediation Project – Additional \$5,000,000 Bonds
Orrick File: 42394-2-77

Dear John:

In accordance with a request from Matthew Dysard, we have prepared and enclose herewith a draft form of bond ordinance relating to the above matter for adoption by the Common Council.

Please see that this ordinance is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the ordinance, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with the following:

- (a) A certified copy of the enclosed ordinance; and
- (b) An original printer's affidavit of publication of the Legal Notice of Estoppel thereof.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
TEM/zes
Enclosures

cc: Mr. Matthew Dysard

RESOLUTION 92 OF 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,
NEW YORK, ADOPTING THE STANDARD WORK DAYS FOR ELECTED
AND APPOINTED OFFICIALS IN THE NEW YORK STATE RETIREMENT
SYSTEM**

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

WHEREAS, the City Clerk’s Office has submitted paperwork to be filed with the New York State Comptroller’s Office establishing Standard Work Days for Elected and Appointed Officials; and

WHEREAS, the Finance/Audit Committee has received, reviewed and approved this request

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

SECTION 1. The attached be filed with the New York State Comptroller’s Office establishing Standard Work Days for Elected and Appointed Officials in the City of Kingston

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

Tinti, Elisa

From: O'Reilly, Patrick
Sent: Thursday, April 29, 2021 5:36 PM
To: Tinti, Elisa
Cc: Shaut, Andrea; Scott-Childress, Reynolds
Subject: Patrick O'Reilly's Record of Activity

Hi Elisa, I have completed my record of activity for the New York State and local Retirement. I have submitted two signed and dated copies to your office. I have made a request to Council President Shaut and Finance committee chairman Rennie Scott-Childress that this be addressed at the May 3rd 2021 special Finance meeting. Please let me know if there is anything I need to do to make this happen. I will gladly write a communication to the Council President if needed. Thanks for all you do.

Patrick O'Reilly
Alderman #7

Sent from my iPhone

Patrick O'Reilly
 Alderman Ward 7
 City of Kingston New York
 Kingston, New York ,12401

Record of Activity for New York State and Local Retirement System.

110 State street, Albany, New York 12244

Date	Activity	Start time / End time		
January 5 th 2021	Council Meeting preparation	7:00pm – 7:30pm	.5	Hours
January 5 th 2021	Common Council meeting	7:30pm – 9:30pm	2	Hours
January 7 th 2021	Public Hearing	5:30pm – 5:45pm	.25	Hours
January 20 th 2021	Laws and Rules preparation	4:45pm – 5:30pm	.75	Hours
January 20 th 2021	Laws and Rules meeting	5:30pm - 7:30pm	2	Hours
February 10 th 2021	Complete streets	3:30pm – 4:45pm	1.25	Hours
February 10 th 2021	Finance Meeting	6:30pm – 8:00 pm	1.5	Hours
February 11 th 2021	Public Hearing	6:30pm - 8:15pm	1.75	Hours
February 17 th 2021	Laws and Rules preparation	5:30pm – 6:30pm	1	Hours
February 17 th 2021	Laws and Rules	6:30pm – 8:45pm	2.25	Hours
February 19 th 2021				
	Preparing Legal documents Kingstonian	3:30pm–5:30pm	2	Hours
February 23 rd 2021	CBGB community development			
	Meeting preparation.	5:30pm - 6:30pm	1	Hours
February 23 rd 2021	Community development Meeting	6:30 – 9:45 pm.	3.25	Hours
February 25 th 2021	Public hearing KLDC	6:45pm – 8:00pm	1.25	Hours
March 1 nd 2021	Special finance meeting	6:00pm - 6:30pm	.5	Hours
March 1 nd 2021	Public hearing CBGB	6:30pm – 6:45pm	.25	Hours
March 1 nd 2021	Caucus Preparation	6:15pm- 7:00pm	.75	Hours

March 1 nd 2021	Caucus	7:00pm - 8:30pm	1.5	Hour
March 2 nd 2021	Council Meeting preparation	7:00pm -7:30 pm	.5	Hours
March 2 nd 2021	Council Meeting	7:30pm -9:00pm	1.5	Hours
March 15 th 2021	Planning Board meeting	6:00pm – 8:00pm	2	Hours
March 17 th 2021	Laws and Rules meeting preparation	6:00pm -6:30pm	.5	Hours
March 17 th 2021	Laws and Rules meeting	6:30pm-8:45pm	2.25	Hours
March 23 rd 2021	Community Development meeting	6:30pm -7:00pm	.5	Hours
March 24 th 2021	Public safety meeting	7:00pm-7:30pm	.5	Hours

Total 31.5 Hours

With my signature, I attest to the accuracy of the record provided above.

Patricia O'Call

Signature

4/29/21

Date

Patrick O'Reilly
 Alderman Ward 7
 City of Kingston New York
 Kingston, New York ,12401

Record of Activity for New York State and Local Retirement System.

110 State street, Albany, New York 12244

Date	Activity	Start time / End time		
January 5 th 2021	Council Meeting preparation	7:00pm – 7:30pm	.5	Hours
January 5 th 2021	Common Council meeting	7:30pm – 9:30pm	2	Hours
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January 20 th 2021	Laws and Rules meeting	5:30pm - 7:30pm	2	Hours
February 10 th 2021	Complete streets	3:30pm – 4:45pm	1.25	Hours
February 10 th 2021	Finance Meeting	6:30pm – 8:00 pm	1.5	Hours
February 11 th 2021	Public Hearing	6:30pm - 8:15pm	1.75	Hours
February 17 th 2021	Laws and Rules preparation	5:30pm – 6:30pm	1	Hours
February 17 th 2021	Laws and Rules	6:30pm – 8:45pm	2.25	Hours
February 19 th 2021				
	Preparing Legal documents Kingstonian	3:30pm–5:30pm	2	Hours
February 23 rd 2021	CBGB community development			
	Meeting preparation.	5:30pm - 6:30pm	1	Hours
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March 1 nd 2021	Public hearing CBGB	6:30pm – 6:45pm	.25	Hours
March 1 nd 2021	Caucus Preparation	6:15pm- 7:00pm	.75	Hours

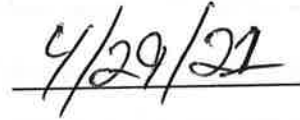
March 1 nd 2021	Caucus	7:00pm - 8:30pm	1.5	Hour
March 2 nd 2021	Council Meeting preparation	7:00pm -7:30 pm	.5	Hours
March 2 nd 2021	Council Meeting	7:30pm -9:00pm	1.5	Hours
March 15 th 2021	Planning Board meeting	6:00pm – 8:00pm	2	Hours
March 17 th 2021	Laws and Rules meeting preparation	6:00pm -6:30pm	.5	Hours
March 17 th 2021	Laws and Rules meeting	6:30pm-8:45pm	2.25	Hours
March 23 rd 2021	Community Development meeting	6:30pm -7:00pm	.5	Hours
March 24 th 2021	Public safety meeting	7:00pm-7:30pm	.5	Hours

Total 31.5 Hours

With my signature, I attest to the accuracy of the record provided above.



 Signature



 Date