

FINANCE/AUDIT COMMITTEE

Wednesday August 11th 6:30pm.

- 1 – 2 Budget Transfers from Community Development – M. Bruck
- 2 – Budget Transfer to cover overtime in Planning – S. Cahill
- 3 – Budget Transfer to cover employee pay-out in Planning – S. Cahill
- 4 – Authorizing Funds for the Pedestrian Safety Action Plan – K. Wilson
- 5 – Hiring of 3 officers in KPD – Mayor Noble
- 6 – Building Safety increase – Pres. Shaut

OLD BUSINESS

- 1 - Rite Aid- Dan Baker
- 2 – ATV Fee (law from Albany)
- 3 – Hotel License fee

FIN

1

Tinti, Elisa

From: Bruck, Amanda
Sent: Friday, July 30, 2021 10:54 AM
To: Shaut, Andrea
Cc: Tuey, John; Tinti, Elisa
Subject: Budget Modification Request
Attachments: 7 30 2021 Modification to budget.pdf; 7 30 2021 Modification to budget (2).pdf

Dear President Shaut,

Attached please find two budget modification requests for the Office of Community Development.

The first request is to cover additional expenses in Advertising and General Materials & Supplies. The advertising for the CDBG Program has been higher than previous years due to the number of mandatory public notices published for each of the regular CDBG funding, two rounds of CDBG-CV funding and a CDBG Substantial Amendment.

The second request is to transfer funding reimbursements already received by the City to Contractual Services.

Respectfully,

Mandy

Amanda L. Bruck
Director, Office of Community Development
Executive Director, Kingston Local Development Corporation

1A

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

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

DEPARTMENT: Community Development DATE: July 28, 2021

Description: Transfer from A16989-14-5461 Travel \$100

A16989-14-5462 Dues & Seminars \$650

to A16989-14-5472 Contracted Services \$330

A16989-14-5464 Advertising \$300

A16989-14-5485 General Materials & Supplies \$120

Estimated Financial Impact: \$ 0 Signature *Amanda Y. Bruck*

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		

1B

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER AUTHORIZATION CLAIMS

CONTINGENCY TRANSFER BUDGET MODIFICATION ZONING

TRANSFER BONDING REQUEST OTHER

DEPARTMENT: Community Development

DATE: July 30, 2021

Description: Transfer from: A16989.23.43389 NYS Grants \$50,350

to: A16989.13.5301 Contractual Services \$50,350

Estimated Financial Impact: \$ 0 Signature

Handwritten signature of Amanda L. Bruck

Director, Community Development

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: _____

Table with 3 columns: Committee Vote, YES, NO. Rows include Reynolds Scott Childress, Don Tallerman, Anthony Davis, Michele Hirsch, and Steven Schabot.

2

F1A

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

Suzanne Cahill, Planning Director
Kyla Dedea, Assistant Planner



Steven T. Noble, Mayor

July 20, 2021

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

Re: FY 2021 Budget Amendment - Planning Overtime

Dear Pre. Shaut:

This is to request that authorization of an internal budget request to cover costs associated with overtime pay in the Planning Board FY 2021 budget. At this time the allocation which was originally adopted has been depleted and there is a need to cover both current and anticipated costs through the end of the year. The transfer is moving existing funds from other accounts and lines so that there is no fiscal impact to the City. Therefore, I respectfully request the following budget transfer:

INCREASE BUDGET LINE A1-8020.5103 (Planning - Overtime-Contracted Expenses) by \$1,600.00

DECREASE BUDGET LINES:

- A17520 5485 (Landmarks - General Materials) by \$200.00
- A18030 5485 (Heritage - General Materials) by \$200.00
- A18020 5408 (Planning - DP Supplies) by \$200.00
- A18020 5411 (Planning - Consultants) by 1,000.00

A proposed form of Committee Report is attached for your use. If there are any questions, please do not hesitate to contact our office to discuss.

Sincerely,

Suzanne Cahill

Suzanne Cahill
Planning Director

CC: S. Noble, Mayor
Ald. R. Scott-Childress, W3, Chairman F&A
J. Tuey, Comptroller

3

F&A

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

Suzanne Cahill, Planning Director
Kyla Dedea, Assistant Planner



Steven T. Noble, Mayor

July 20, 2021

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

Re: FY 2021 Budget Amendment – Planning – Payout

Dear Pre. Shaut:

As all may be aware, J. Edelson-Safford unexpectedly left the City of Kingston employment as a part time Historic Preservation Administrator in June of 2021. We are currently seeking a replacement for that position in our office. This is to request authorization of an internal budget request to cover costs associated with her departure as we are contractually obligated to pay her out for unused time. This time was audited by both our Civil Service and Comptroller's Office prior to be paid and was not an anticipated expense under our regular 2021 budget. The transfer is moving existing funds from another payroll account line so that there is no fiscal impact to the City. Therefore, I respectfully request the following budget transfer:

INCREASE BUDGET LINE: A1-8020 5105 (Planning – Retirement Accumulation) by \$2,554.21

DECREASE BUDGET LINE: A1-8020 5112 (Planning – Part Time Employees) by \$2,554.21

A proposed form of Committee Report is attached for your use. If there are any questions, please do not hesitate to contact our office to discuss.

Sincerely,

Suzanne Cahill

Suzanne Cahill
Planning Director

CC: S. Noble, Mayor
Ald. R. Scott-Childress, W3, Chairman F&A
J. Tuey, Comptroller

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F+A

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

Kristen Wilson, Director



Steven T. Noble, Mayor

July 30, 2021

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

Re: Authorizing funding in the first instance for the Pedestrian Safety Action Plan

Dear President Shaut,

The City of Kingston received federal funding of \$530,000 for the Pedestrian Safety Action Plan Project in 2019. These funds do not require a local match.

To date, the funding for the Preliminary Design and Detailed Design has been expended and Right-of-Way (ROW) was not required; these components were authorized under Resolution 101 of 2019. This current request is to authorize the remaining funds for the Construction and Construction Inspection costs for the project.

The City of Kingston is improving pedestrian safety at both signalized and uncontrolled crosswalk intersections throughout the City. The main objective behind these improvements is to ultimately reduce the potential for pedestrian crashes in target areas. Intersections will have ADA compliant curb ramps/ extensions, high visibility crosswalks, including pedestrian signal updates such as countdown timers and signal timing.

In order to access the remaining funds, the NYSDOT requires that the City pass a resolution to fund the construction and construction inspection project costs in the first instance. The attached resolution, originally drafted by NYSDOT, will allow the City to request reimbursements from the NYSDOT for the remaining \$471,000.

I am requesting placement on the agenda of the appropriate committee in August to recommend the passage of this resolution. Ruth Ann Devitt-Frank, the Project Manager for this project, will attend the meeting.

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

Sincerely,

Kristen E. Wilson
Director

THE CITY OF KINGSTON COMMON COUNCIL

**FINANCE AND AUDIT
COMMITTEE REPORT**

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

DEPARTMENT: Office of Grants Management DATE: _____

Description

A resolution authorizing the implementation and funding in the first instance 100% of the federal-aid eligible costs of the Pedestrian Safety Action Plan project for Construction and Construction Inspection.

Estimated Financial Impact: \$0 Signature _____

Motion by _____

Seconded by _____

Action Required:

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

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Reynolds Scott-Childress, Chairman Ward 3		
Don Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

RESOLUTION

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID PROJECT, AND APPROPRIATING FUNDS THEREFORE FOR THE CITY OF KINGSTON PEDESTRIAN SAFETY ACTION PLAN IMPROVEMENTS

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

WHEREAS, a Project for the City of Kingston Pedestrian Safety Action Plan Improvements, PIN 8762.07 (The Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% federal funds and 0% non-federal funds; and

WHEREAS, the City of Kingston desires to advance the Project by making a commitment of 100% of the costs of construction and construction inspection.

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

SECTION 1. That the Common Council of the City of Kingston hereby approves the above subject Project.

SECTION 2. That the Common Council of the City of Kingston hereby authorizes the City of Kingston to pay in the first instance 100% of the federal and non-federal share of the cost of construction and construction inspection work for the Project or portions thereof.

SECTION 3. That the sum of \$471,000 is hereby appropriated from the General Fund to the Capital Fund and made available to cover the cost of participation in the above phase of the Project.

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

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

SECTION 6. That in addition to the Mayor the following municipal titles: Superintendent of Public Works, City Engineer, City Comptroller, and Director of the Office of Grants Management are also hereby authorized to execute any necessary agreements or certifications on behalf of the Project identified in the State/Local Agreement.

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CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

FIA

Steven T. Noble
Mayor



July 29, 2021

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

Re: Hiring Additional Police Officers

Dear President Shaut,

I am requesting the Common Council approve the funding to allow for the hiring of three (3) new police officers for the Kingston Police Department. The financial impact on the 2021 budget will be \$77,986 out of our fund balance. These officers will assist with our new community policing initiatives as well as the AVERT initiative I recently discussed with the Council. I believe we need to add these additional resources to assist in keeping our residents safe while building better relationships with our community, block by block, front porch by front porch.

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

Respectfully Submitted,

Steven T. Noble
Mayor

<u>Account #</u>	<u>Account Description</u>	<u>Difference</u>
<u>From:</u>		
A19999.5901	Fund Balance	<u>77,986</u>
		<u>77,986</u>
<u>To:</u>		
A13120.5101	Regular Pay	40,149
A13120.5811	Social Security	3,071
A13120.5814	Police Retirement	11,643
A13120.5821	Hospital and Medical ins	22,140
A13120.5822	Dental Ins	<u>983</u>
		<u>77,986</u>

6

F+A

Tinti, Elisa

From: Shaut, Andrea
Sent: Thursday, July 29, 2021 1:37 PM
To: Scott-Childress, Reynolds
Cc: Knox, Stephan; Tuey, John; Tinti, Elisa; Sills, Dee
Subject: Communication for Finance & Audit
Attachments: Copy of Building Dept Transfer (003).xlsx

Good afternoon Rennie,

As you are aware, the council has introduced a few new initiatives over the past year, as well as currently looking at a couple more, that significantly impact the Building Safety department. I would like to propose to increase their budget to give the department the resources they need to properly oversee the additions. After discussing with Steve Knox, I believe the appropriate increase would be to fund a building inspector, increase a part-time clerk to full-time, and add another vehicle for the additional inspector. Attached is a spreadsheet from John Tuey to outline the specific costs. I would like the Finance & Audit committee to consider these requests at the August meeting. Please let me know if you have any questions.

Elisa – can you please include this email, as well as the attached document, to my communications folder?

Thank you,

Andrea Shaut

Council President, City of Kingston

OLD BUSINESS



FIA

Tinti, Elisa

From: Baker, Daniel
Sent: Friday, July 02, 2021 3:05 PM
To: Shaut, Andrea
Cc: Scott-Childress, Reynolds; Tinti, Elisa; Tuey, John
Subject: Department of Assessment Communication (Month of July) Rite Aid v. The City of Kingston

Madam President,

I would like the opportunity to discuss with the Common Council's Finance Committee the matter of Rite Aid Corporation v the City of Kingston.

Please accept this email as a formal communication for the month of July from my office with regards to this matter.

Respectfully,

Dan

Daniel Baker
City of Kingston
Assessor
(845) 334-3912
dbaker@kingston-ny.gov

Tinti, Elisa

From: Shaut, Andrea
Sent: Wednesday, July 14, 2021 11:12 PM
To: Scott-Childress, Reynolds; Davis, Tony; Schabot, Steven; Tallerman, Donald; Hirsch, Michele
Cc: Tinti, Elisa
Subject: Albany Law - ATV
Attachments: Local Law E - Dirtbikes and ATVs (AA 4.3.21) (1).docx

Good evening,

As promised, see the attached for the law from Albany re:ATVs. You will see their fees under penalties. If I find others, I will pass it along, but figured information quickly would help for August prep.

Elisa – can you include this in my folder? It'll be good to include on the agenda. Thanks!

Kindly yours,

Andrea Shaut

Council President, City of Kingston

Council Members Conti, Balarin, and Love introduced the following:

LOCAL LAW E OF 2021 (MC) (As Amended 04/03/2021)

A LOCAL LAW AMENDING CHAPTER 357 (VEHICLES, OFF ROAD) OF THE CODE OF THE CITY OF ALBANY RELATING TO THE ILLEGAL OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF ALBANY

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Chapter 357 (Vehicles, Off-Road) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

~~§ 357-1 Purpose and intent.~~

~~[The Common Council hereby finds and declares that the interests of public welfare and convenience require the preservation, promotion and protection of the aesthetic and ecological aspects of the environs of the City of Albany and intends through this legislation to preserve, promote and protect the aesthetic and ecological integrity of the Pine Bush.]~~

~~[§ 357-2 Scope.~~

~~The provisions of this chapter, unless otherwise expressly indicated or subsequently amended, are intended to apply and shall have application to the area of the City of Albany known as the “Pine Bush.”]~~

§ ~~[357-3]~~ 357-1 Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

~~OFF-THE-ROAD VEHICLES~~

All-terrain vehicles (sometimes known as “ATVs”) as that term is defined in section 2281 (1) of the New York State Vehicle and Traffic Law, off-highway motorcycles as that term is defined in section 125-a of the New York State Vehicle and Traffic Law, motocross or dirt bikes, dune buggies, go-carts and any and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles in this area.

OPERATE

To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner, whether or not said off-road vehicle is under way.

PUBLIC HIGHWAY

Matter in brackets and ~~[strike through]~~ to be deleted. Matter underlined is new material.

Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

§ ~~357-4~~ 357-2 Restrictions.

~~[No off-the-road vehicles shall be used or operated on, upon, through or over the trails, trail system, dunes or other unpaved areas of the Pine Bush, the Albany Municipal Golf Course, Normanskill Farm, Tivoli Lakes, the Corning Reserve and Lower Patroon Island, Krank Park and the public lands in the vicinity of Frisbie Avenue not otherwise specifically designated or intended for vehicular traffic.]~~

A. Public Property. No person shall operate an off-road vehicle on a public highway or on any public property in the City of Albany.

B. Private Property. No person shall operate an off-road vehicle off a public highway on private property in the City Of Albany unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle on private property in the City of Albany lacks consent to operate the off-road vehicle on private property.

§ ~~[357-5]~~ 357-3 Penalties for offenses; impoundment and redemption.

A. Any person ~~[or persons so using or operating an off-the-road vehicles as aforesaid]~~ who operates an off-road vehicle in violation of § 357-2 (A) or (B) of this chapter shall be guilty of an offense punishable by a fine not to exceed \$650 or imprisonment not to exceed 15 days, or both.

B. In addition to the penalties set forth in subsection (A) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of § 357-2 (A) or (B) of this chapter. Such impounded off-road vehicle shall be stored by the pertinent police department or enforcement agency pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent notice of such impoundment at the address on file with the New York State Department of Motor Vehicles by certified mail within five days after the impoundment. Neither the police department impounding such off-road vehicle, nor the City of Albany, nor any agent nor employee thereof, shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of § 357-2 (A) or (B) of this chapter may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of \$2,350. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney.

§ ~~[357-6]~~ 357-4 Enforcement.

The Chief of Police is charged with the enforcement of the provisions of this chapter.

§ ~~[357-7]~~ 357-5 Severability.

If any clause, sentence, paragraph or part of this chapter or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgment shall have been rendered.

~~[§ 357-8 When effective.~~

~~This chapter shall take effect immediately.]~~

Section 2. Section 359-27 (Unclaimed Vehicles; public auction) of Chapter 359 (Vehicles and Traffic) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

§ 359-27 Unclaimed vehicles; public auction.

Whenever any vehicle which has been impounded by the Department of Police remains in the possession of the Department unclaimed by any person having the right to the possession of such vehicle for a period of 60 days, such vehicles ~~[shall]~~ may be: (a) sold under the direction of the Purchasing Agent, at public auction, to the highest bidder after notice of such auction has been given for not less than one week, by one publication in the newspaper of the City of Albany; (b) sold for scrap; or (c) destroyed.

Section 3. Section 359-29 (Redeeming of vehicles) of Chapter 359 (Vehicles and Traffic) of Part II (General Legislation) of the Code of the City of Albany is hereby amended to read as follows:

§ 359-29 Redeeming of vehicles.

The owner of such vehicles or his agent may, within 60 days from the date of impounding, redeem the vehicle by paying to the Chief of Police the sum of \$70 for towing or hauling and storage charges not exceeding \$20 per day for each day impounded. ~~[He]~~ Such owner or agent shall also sign a written receipt for such vehicle. Said sums shall be in addition to any bond required for the violation for which the vehicle was towed, in addition to any redemption fee established in this Code, and in addition to any outstanding fines due for parking, stopping or standing violations.

Section 3. This local law shall take effect upon final passage, public hearing, and filing with the Secretary of State.

**APPROVED AS TO FORM THIS
3RD DAY OF APRIL, 2021**

Corporation Counsel

Matter in brackets and ~~striketrough~~ to be deleted. Matter underlined is new material.

To: Danielle Gillespie, City Clerk

From: Brett Williams, Senior Assistant Corporation Counsel

Re: Request for Common Council Legislation
Supporting Memorandum

Date: March 9, 2021, Updated April 3, 2021

Sponsor(s): Balarin, Conti, and Love

Local Law E of 2021 (*As Amended 04/03/2021*)

TITLE

A LOCAL LAW AMENDING CHAPTER 357 (VEHICLES, OFF ROAD) OF THE CODE OF THE CITY OF ALBANY RELATING TO THE ILLEGAL OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF ALBANY

GENERAL PURPOSE OF THE LEGISLATION

The reckless operation of illegal, unregistered dirt bikes, ATVs, and other non-street legal vehicles on the streets and in the parks of Albany has been a scourge on City residents and visitors in recent years – particularly during the summer. The operators of these vehicles, usually in groups, ride with abandon over many parts of the City with no regard for traffic laws, their own well-being, or the safety of bystanders, let alone the considerable noise their vehicles generate, disturbing the peace as they maraud across the City.

While the operation of dirt bikes and ATVs is already illegal on public highways under the New York State Vehicle and Traffic Law, this law makes it explicitly unlawful to operate such vehicles on the public highways, in the public parks, or on any other private land in the City of Albany. It also expressly forbids the operation of these vehicles on private property without the express consent of the owner or occupant of such property.

This local law also allows the police to impound any vehicles used in violation of this local law, provides for a \$2,350 redemption fee, which the title owner of a vehicle impounded under this law must pay before the vehicle will be released back to the owner. Together with the maximum \$650 fine already in place for violations of Chapter 357, violators of this Chapter will now face up to \$3,000 in fines and fees for each violation.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Chapter 357 of the Code, as it stands now, bans the use of “off-the-road” vehicles only “on, upon, through or over the trails, trail system, dunes or other unpaved areas of the Pine Bush, the Albany Municipal Golf Course, Normanskill Farm, Tivoli Lakes, the Corning Reserve and Lower Patroon Island, Krank Park and the public lands in the vicinity of Frisbie Avenue not otherwise specifically

designated or intended for vehicular traffic.” This law expands and clarifies the definition of “off-road vehicles” and bans their operation on public property, as well as private property without the owner or occupant’s permission, throughout the City.

This law retains the former Chapter 357’s maximum \$650 fine for a violation of the chapter, but allows the police to impound vehicles used in the commission of such violations and establishes a redemption fee, as discussed above, which vehicle owners must pay in order to receive their vehicles back.

Amendments have also been made to the sections of Chapter 357 dealing with the release of impounded vehicles, in order to authorize the collection of the redemption fee and allow APD to destroy or sell impounded vehicles for scrap.

FISCAL IMPACT

This law adds an impoundment redemption fee of \$2,350 which did not exist in the former version of Chapter 357.



Tinti, Elisa

From: Shaut, Andrea
Sent: Wednesday, July 14, 2021 6:42 AM
To: Tinti, Elisa
Cc: Scott-Childress, Reynolds; Tuey, John
Subject: Tonight's Finance

Good morning,

Last night two resolutions (#139 & 140) were referred to finance to discuss next steps – the fee schedule for the ATV ban, and a hotel licensing fee. Can we make sure to add these to the agenda?

Thank you,

Andrea Shaut

Council President, City of Kingston

RESOLUTION 139 of 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
PROHIBITING THE USE OF ALL TERRAIN VEHICLES ON PUBLIC AND CITY OWNED
PROPERTIES AND REFERRING SAME TO THE FINANCE AND AUDIT COMMITTEE FOR
CONSIDERATION OF THE RELATED FEES ON THE FEE SCHEDULE**

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

WHEREAS, request has been made to add a sub section prohibiting the use of All Terrain Vehicles (ATVs) on public and city owned properties or public parks; and

WHEREAS, that the consideration of related fees be referred to the Finance and Audit Committee for inclusion on the Fee Schedule.

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, New York, authorizes adding a sub-section 148-4 (o) prohibiting the operation of All Terrain Vehicles (ATVs) on public and city owned properties or public parks.

SECTION 2. That the consideration of an increase in impoundment fees be referred to the Finance and Audit Committee.

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

RESOLUTION 140 of 2021

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK,
AMENDING CHAPTER 277-2 AND 277-3 AND REFERRING TO THE FINANCE AND AUDIT
COMMITTEE FOR THE PURPOSE OF ESTABLISHING A HOTEL LICENSING FEE**

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

WHEREAS, request has been made to amend Chapter 277-2 of the City Code, as per the attached, to include a fee for the processing of the application of a license and to provide that proof of the payment of the County Boarding taxes is presumptive evidence of a pre-existing condition and entitlement to a license; and

WHEREAS, request has been made to amend Chapter 277-3 of the City Code, as per the attached, to require the operators of short term rentals to maintain guest records and make them available upon request in the context of an inspection by the Building Department; and

WHEREAS, request to add a section to the Fee Schedule and refer to the Finance and Audit Committee for the purpose of establishing a hotel licensing fee and adding a fee for the processing of the application of a license.

**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 277-2 of the Code of the City of Kingston as per the attached.

SECTION 2. That the Common Council of the City of Kingston authorizes the amendment of Section 277-3 of the Code of the City of Kingston as per the attached.

SECTION 3. That the request to add a section to the Fee Schedule for the purpose of establishing a hotel licensing fee and adding a fee for the processing of the application of a license be referred to the Finance and Audit Committee.

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