

**RESOLUTION 21 OF 2022**

**RESOLUTION OF THE COMMO COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, REQUESTING A 2021 TRANSFER IN THE PARKS &  
RECREATION DEPARTMENT IN THE AMOUNT OF \$8,114.26 TO  
RECONCILE DEPARTMENT ACCOUNTS**

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

**WHEREAS**, a request was made by the Director of the Parks & Recreation department for a transfer in the amount of \$8,114.26 to reconcile department accounts, 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:**

<b>FROM:</b>	1625.5111	Seasonal Employees	\$8,114.26
<b>TO:</b>	7020.5117	Rec. Admin Vacation Pay back	\$2,608.30
	7020.5826	Rec. Admin Optical Ins.	\$0.76
	7620.5422	Adult Rec. Electricity	\$66.29
	7143.5423	EHC Natural Gas	\$1,038.57
	7142.5421	MNC Telephone	\$28.33
	7141.5422	RNC Electricity	\$836.76
	7141.5423	RNC Natural Gas	\$936.80
	7210.5422	Dietz Electricity	\$2,120.37
	7210.5443	Dietz Building Maint.	\$25.62
	7210.5472	Dietz Contracted Services	\$452.46

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_ 2022



THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER  X   
AUTHORIZATION \_\_\_\_\_  
CLAIMS \_\_\_\_\_

CONTINGENCY TRANSFER \_\_\_\_\_  
BUDGET MODIFICATION \_\_\_\_\_  
ZONING \_\_\_\_\_

TRANSFER \_\_\_\_\_  
BONDING REQUEST \_\_\_\_\_  
OTHER \_\_\_\_\_

DEPARTMENT: Parks and Recreation

DATE: 12/27/2021

Description:

Year-end internal budget transfer of \$8,114.26 to reconcile department accounts.

(See attached spreadsheet)

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



**Parks & Recreation 2021 Year End**

<b>Account #</b>	<b>Amount</b>	<b>Description</b>
7020.5117	\$2,608.30	Rec Admin Vacation Payback
7020.5826	\$0.76	Rec Admin Optical Insurance
7620.5422	\$66.29	Adult Recreation Electricity
7143.5423	\$1,038.57	EHC Natural Gas
7142.5421	\$28.33	MNC Telephone
7141.5422	\$836.76	RNC Electricity
7141.5423	\$936.80	RNC Natural Gas
7210.5422	\$2,120.37	Dietz Electricity
7210.5443	\$25.62	Dietz Building Maintenance
7210.5472	\$452.46	Dietz Contracted Services
<b>Total:</b>	<b>\$8,114.26</b>	
<b>Take from:</b>		
1625.5111	\$8,114.26	Seasonal Employees



City of Kingston  
Parks and Recreation Department  
[ltimbrouck@kingston-ny.gov](mailto:ltimbrouck@kingston-ny.gov)

Steven T. Noble, Mayor



Lynsey Timbrouck, Director

December 27, 2021

President Andrea Shaut  
420 Broadway  
Kingston, NY 12401

Dear President Shaut,

Attached, please find the Parks & Recreation 2021 year end transfer documentation and committee report. There is zero financial impact to the City, as the transfer of funds is accomplished internally with various department accounts.

Thank you in advance for your consideration.

Respectfully,



Lynsey Timbrouck  
Director of Parks and Recreation

cc: City Comptroller, John Tuey





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**Tinti, Elisa**

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**From:** Timbrouck, Lynsey  
**Sent:** Tuesday, December 28, 2021 11:09 AM  
**To:** Shaut, Andrea  
**Cc:** Tuey, John; Tinti, Elisa  
**Subject:** 2021 Year End Budget Transfer  
**Attachments:** Communication to Council- 2021 Year End Budget Transfer.pdf; Committee\_Report-Finance Committee 2021 year end transfers.pdf; 2021 Parks and Rec Year End Transfers.XLSX

Dear President Shaut,

Please see the attached budget transfer request, committee report, and accounts spreadsheet.

Thank you.

-Lynsey

**Lynsey Timbrouck**  
**Director of Parks and Recreation**  
**City of Kingston**  
**467 Broadway**  
**Kingston, N.Y. 12401**  
**(p) 845-481-7333**



**RESOLUTION 22 of 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL AID PROJECT AND APPROPRIATING ADDITIONAL FUNDS FOR THE HENRY STREET SAFE ROUTES TO SCHOOL PROJECT**

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

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

**WHEREAS**, Resolution 176 of 2017 adopted by the Common Council of the City of Kingston on September 7, 2017, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right of way incidental work; and

**WHEREAS**, it was subsequently found necessary to undertake additional preliminary engineering work not contemplated in the original agreement authorized by the previous Resolution; and

**WHEREAS**, it has been found necessary to increase the federal and non-federal share of costs for the additional preliminary engineering work for the Project; and

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

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK 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 the additional preliminary engineering work and the construction and construction inspection work for the Project of portions thereof.

**SECTION 3.** That the sum of \$1,555,655 (\$1,685,655 minus previous \$130,000) is hereby appropriated from a General Municipal bond 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 Common Council of the City of Kingston shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof.

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

**SECTION 6.** That in addition to the Mayor, the following municipal titles: Superintendent of Public Works, City Engineer, and City Comptroller, are also hereby authorized to execute any necessary agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement.

**SECTION 7.** That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

**SECTION 8.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022



**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 X  
OTHER \_\_\_\_\_

DEPARTMENT: Engineering

DATE: \_\_\_\_\_

Description:

Request authorizing an amendment to increase the bond ordinance for the Henry Street Safe Routes to School project in the amount of **\$886,150.00**. The original ordinance dated September 6<sup>th</sup>, 2017 was made for \$337,132, which was 20% Local Match to NYSDOT's \$1,348,542.00 grant. This ordinance was previously increased by \$115,000 on July 13<sup>th</sup>, 2021 to fund historic bluestone. This amendment would increase the bond from its current value of \$452,132.00 to **\$1,338,282.00** (local match + bluestone + current amendment)

The total project cost has therefore increased from \$1,685,656.00 to **\$2,686,806.00** (original + bluestone + current amendment)

Estimated Financial Impact: **\$886,150.00** (current)

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><b>Committee Vote</b></u>	<u><b>YES</b></u>	<u><b>NO</b></u>
Reynolds Scott-Childress, Chairman		
<del>Donald Tallerman, Ward 8</del> <i>Michael Olivier 7</i>		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		





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F+A

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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

December 29, 2021

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

RE: Henry Street Safe Routes to School - Construction Authorization and Funding

President Shaut,

The Engineering Department requests placement on the agenda of the Finance & Audit Committee to for authorization of construction/construction inspection and additional bonding for the Henry Street Safe Routes to School project.

As you may recall, the City of Kingston was awarded \$1,348,524.00 in grant funding for the design and construction of the Henry Streets Safe Routes to School project through the NYS DOT Transportation Alternatives Program. On September 7<sup>th</sup>, 2017, the Common Council passed Resolution 176 of 2017 to fund preliminary engineering and right-of-way incidentals.

In order to proceed to construction, the Common Council must pass a similar resolution authorizing additional preliminary engineering, construction and construction inspection. Please see the attached draft resolution using standard NYS DOT language.

The original bond ordinance for this project, Resolution 175 of 2017 dated September 6<sup>th</sup>, 2017, was for \$337,132, which funded the 20% local match requirement to DOT's \$1,348,524.00 grant. This constituted a total project cost of \$1,685,656.00.

The bond ordinance was then amended on July 13<sup>th</sup>, 2021 to increase it by \$115,000 in order to fund the reuse of historic bluestone for the sidewalks between Wall Street and Pine Street. This increased the bond ordinance to \$452,132.00 and the total project cost to \$1,800,656.00

Based on the most current construction estimates, the total project cost will be \$2,686,806.00. Therefore, we are requesting an amendment to increase the bond ordinance by **\$886,150.00** from its current value of \$452,132.00 to \$1,338,282.00. Please see the attached draft resolution.

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



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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

Sincerely,

John Schultheis  
City Engineer

cc: Steven T. Noble, Mayor  
John Tuey, Comptroller



**RESOLUTION 23 of 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AN AMENDMENT TO INCREASE THE BOND ORDINANCE FOR THE HENRY STREET SAFE ROUTES TO SCHOOL PROJECT BY THE SUM OF \$886,151 FOR CONSTRUCTION AND CONSTRUCTION INSPECTIONS COSTS**

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

**WHEREAS**, the Engineering Department has requested an amendment to increase the bond originally dated September 6, 2017, for \$337,132, and later increased on July 13, 2021 by \$115,000, by the sum of \$886,151 to fund construction and construction inspection costs for the Henry Street Safe Routes to School 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:**

**SECTION 1.** That the Common Council of the City of Kingston hereby authorizes an amendment to increase the bond originally dated September 6, 2017 for \$337,132, and later increased on July 13, 2021 by \$115,000, by the sum of \$886.151 to fund construction and construction inspection costs for the Henry Street Safe Routes to School Project.

**SECTION 2.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022



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

Description:

Request authorizing an amendment to increase the bond ordinance for the Henry Street Safe Routes to School project in the amount of **\$886,150.00**. The original ordinance dated September 6<sup>th</sup>, 2017 was made for \$337,132, which was 20% Local Match to NYSDOT's \$1,348,542.00 grant. This ordinance was previously increased by \$115,000 on July 13<sup>th</sup>, 2021 to fund historic bluestone. This amendment would increase the bond from its current value of \$452,132.00 to **\$1,338,282.00** (local match + bluestone + current amendment)

The total project cost has therefore increased from \$1,685,656.00 to **\$2,686,806.00** (original + bluestone + current amendment)

Estimated Financial Impact: **\$886,150.00** (current)                      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		
Donald Tallerman, Ward 5		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		





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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

December 29, 2021

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

RE: Henry Street Safe Routes to School - Construction Authorization and Funding

President Shaut,

The Engineering Department requests placement on the agenda of the Finance & Audit Committee to for authorization of construction/construction inspection and additional bonding for the Henry Street Safe Routes to School project.

As you may recall, the City of Kingston was awarded \$1,348,524.00 in grant funding for the design and construction of the Henry Streets Safe Routes to School project through the NYS DOT Transportation Alternatives Program. On September 7<sup>th</sup>, 2017, the Common Council passed Resolution 176 of 2017 to fund preliminary engineering and right-of-way incidentals.

In order to proceed to construction, the Common Council must pass a similar resolution authorizing additional preliminary engineering, construction and construction inspection. Please see the attached draft resolution using standard NYS DOT language.

The original bond ordinance for this project, Resolution 175 of 2017 dated September 6<sup>th</sup>, 2017, was for \$337,132, which funded the 20% local match requirement to DOT's \$1,348,524.00 grant. This constituted a total project cost of \$1,685,656.00.

The bond ordinance was then amended on July 13<sup>th</sup>, 2021 to increase it by \$115,000 in order to fund the reuse of historic bluestone for the sidewalks between Wall Street and Pine Street. This increased the bond ordinance to \$452,132.00 and the total project cost to \$1,800,656.00

Based on the most current construction estimates, the total project cost will be \$2,686,806.00. Therefore, we are requesting an amendment to increase the bond ordinance by **\$886,150.00** from its current value of \$452,132.00 to \$1,338,282.00. Please see the attached draft resolution.

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

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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

Sincerely,

John Schultheis  
City Engineer

cc: Steven T. Noble, Mayor  
John Tuey, Comptroller

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

John Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

Sincerely,

John Schultheis  
City Engineer

cc: Steven T. Noble, Mayor  
John Tuey, Comptroller



BOND ORDINANCE DATED FEBRUARY 1, 2022.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$886,150 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE HENRY STREET PEDESTRIAN IMPROVEMENT 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 costs of the Henry Street Pedestrian Improvement Project, including engineering costs, street improvements, rights-of-way and incidental expenses in connection therewith, in and for the City of Kingston, Ulster County, New York, there are hereby authorized to be issued an additional \$886,150 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 \$2,686,806.

Section 2. The plan for the financing of such \$2,686,806 maximum estimated cost is as follows:

- a) By the issuance of the \$337,132 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated September 6, 2017;
- b) By the issuance of the \$115,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond ordinance dated July 13, 2021;
- c) By the expenditure of \$1,348,524 grants; and
- d) By the issuance of the additional \$886,150 bonds of said City herein authorized.

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.

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 \_\_\_\_\_  
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\_\_\_\_\_ 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 1st day of February, 2022.
- 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 February, 2022.

\_\_\_\_\_  
City Clerk

(CORPORATE SEAL)



**LEGAL NOTICE OF ESTOPPEL**

The bond ordinance, summary of which is published herewith, has been adopted on February 1, 2022, 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,

\_\_\_\_\_, 2022

\_\_\_\_\_  
City Clerk

**BOND ORDINANCE DATED FEBRUARY 1, 2022.**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$886,150 BONDS OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE HENRY STREET PEDESTRIAN IMPROVEMENT PROJECT, IN AND FOR SAID CITY.**

Specific object or purpose:	Henry Street Pedestrian Improvement Project
Period of probable usefulness:	15 years
Revised maximum estimated cost:	\$2,686,806
Amount of obligations to be issued pursuant to this ordinance:	\$886,150 additional bonds; \$452,132 previously authorized; \$1,348,524 grants



**ADDITIONAL MONEY BOND ORDINANCE**  
(Henry Street Pedestrian Improvement 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 1st day of February, 2022, 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:



Orrick, Herrington & Sutcliffe LLP

51 West 52nd Street  
New York, NY 10019-6142

+1 212 506 5000

orrick.com

Thomas E. Myers

E tmyers@orrick.com

D +1 212 506 5212

F +1 212 506 5151

January 26, 2022

**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  
Henry Street Pedestrian Improvement Project – Additional \$886,150 Bonds  
Orrick File: 42394-2-75

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

**RESOLUTION 25 of 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX (PILOT) AGREEMENT BY AND AMONG THE CITY OF KINGSTON, STUYVESANT APARTMENTS OWNERS LLC AND STUYVESANT APARTMENTS HOUSING DEVELOPMENT FUND COMPANY, INC.**

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

**WHEREAS**, the City of Kingston (the “City”) desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for individuals and families with low incomes; and

**WHEREAS**, Stuyvesant Apartments Housing Development Fund Company, Inc., a New York not-for-profit corporation organized under Article XI New York Private Housing Finance Law (the “HDFC”) and Stuyvesant Apartments Owners LLC, a New York limited liability company (the “Company”), have identified a certain improved parcel of real property, located at 1-143 Sheehan Court, City of Kingston, County of Ulster, State of New York, (the “Property”), for the purpose of redeveloping on the Property a housing project for individuals and families of low income to be commonly known as Stuyvesant Apartments, said project to consist of: (i) the acquisition of a fee title in the Property; (ii) the rehabilitation of the improvements thereon to provide for approximately one hundred twenty (120) units of housing for individuals and families of low income (the “Improvements”); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the “Equipment”), and collectively with the Property and the Improvements, (the “Project”); and

**WHEREAS**, the HDFC has been formed for the purpose of providing residential rental accommodations for individuals and families of low income; and

**WHEREAS**, the HDFC has, or will, acquire fee title to the Property, as nominee for the Company, and has, or will, convey its equitable and beneficial interests in the Property to the Company in furtherance of the redevelopment of the Project; and



**WHEREAS**, the HDFC's and the Company's plan for the use of the Property constitutes a "housing project" as that term is defined in the Private Housing Finance Law of the State of New York ("PHFL"); and

**WHEREAS**, the HDFC is a "housing development fund company" as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Members of the City of Kingston Common Council to exempt the Project from real property taxes; and

**WHEREAS**, the HDFC is a member of the managing members of the Company; and

**WHEREAS**, the Company and the HDFC are willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the City as set forth in the PILOT Agreement presented to this Common Council for approval, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Company and the HDFC are willing to execute a PILOT Mortgage to secure the payment obligations under the PILOT Agreement, with such PILOT Mortgage to be subordinate in lien priority to any mortgage securing the financing for the redevelopment of 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 hereby exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed Pilot Agreement among the City, the Company, and the HDFC in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement.

**SECTION 2.** That the Company, the HDFC, and the Mayor of the City of Kingston are hereby authorized to execute and deliver the foregoing PILOT Agreement and foregoing PILOT Mortgage, respectively, on behalf of the City.

**SECTION 3.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day  
of \_\_\_\_\_, 2022

Approved by the Mayor this \_\_\_\_ day of  
\_\_\_\_\_, 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022





**AGREEMENT FOR PAYMENT IN LIEU OF TAXES (PILOT)  
BY AND AMONG THE CITY OF KINGSTON, STUYVESANT APARTMENTS OWNERS  
LLC**

**AND STUYVESANT APARTMENTSHOUSING DEVELOPMENT FUND COMPANY,  
INC.**

**THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES** (the “Agreement”), dated \_\_\_\_\_, by and among the **CITY OF KINGSTON, NEW YORK**, a New York incorporated municipality, having its principal office located at City Hall, 420 Broadway, Kingston, New York 12401 (the “City”), and **STUYVESANT APARTMENTS DEVELOPMENT FUND COMPANY, INC.**, a New York not-for-profit corporation organized under Article XI of the New York Private Housing Finance Law, having its principal office located c/o Kingston Housing Authority at 132 Rondout Drive Kingston, New York 12401 (the “HDFC”) and Stuyvesant Apartments Owners LLC, a New York limited liability company having its principal office located at 700 White Plains Road, Scarsdale, NY 10583 (the “Company”)

**WHEREAS**, the HDFC is, or will become, the bare legal or record fee owner, and the Company is, or will become, the beneficial and equitable owner, of certain real property and improvements located at 1-143 Sheehan Court, City of Kingston, County of Ulster, State of New York, having tax map number Section 48.74, Block 3, Lot 8, as more particularly described in Exhibit A attached hereto (the “Property”); and

**WHEREAS**, the HDFC is a corporation established pursuant to Section 402 of the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law (“PHFL”); and

**WHEREAS**, the HDFC is a member of the managing member of the Company; and

**WHEREAS**, the HDFC and the Company have been formed for the purpose of providing residential rental accommodations for persons of low-income; and

**WHEREAS**, the Company will purchase, redevelop, own, construct, maintain and operate a mixed use-mixed income housing project for persons of low income at the Property, anticipated to consist of approximately one-hundred twenty (120) residential rental units for families , one superintendent’s unit plus community service facility space, to be commonly known as Stuyvesant Apartments (the “Project”); and

**WHEREAS**, the HDFC has or will acquire fee title to the Property, as nominee for the Partnership, and has or will convey its equitable and beneficial fee interests in the Property to the Partnership in furtherance of the development of the Project; and

**WHEREAS**, the HDFC’s and the Partnership’s plan for the use of the Property constitutes a “housing project” as that term is defined in the PHFL; and

**WHEREAS**, the HDFC is “housing development fund company” as the term is defined in Section 572 of the PHFL; and

**WHEREAS**, pursuant to Section 577 of the PHFL, the local legislative body of a municipality may exempt the real property of a housing project of a housing development fund company from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project; and

**WHEREAS**, the Council Members of the City of Kingston, New York, by resolution adopted February 1, 2022, approved and authorized the Mayor's execution of this Agreement:

**NOW, THEREFORE**, it is agreed as follows:

1. Pursuant to Section 577 of the PHFL, the City hereby exempts from local and municipal taxes, other than assessments for local improvements, one hundred percent (100%) of the value of the Property, including both the land and the improvements included in the Project. "Local and Municipal Taxes" shall mean any and all real estate taxes levied by any affected Taxing Jurisdiction (as defined in Subdivision I (b) of Section 577 of the PHFL), which has jurisdiction over the Property, including City, Ulster County and Kingston City School District taxes and intending to bind the applicable Taxing Jurisdictions to the fullest extent provided under Section 577 of the PHFL (collectively, the "Taxing Jurisdictions").

2. This tax exemption will take effect on the first tax status date for the Taxing Jurisdictions following the date of the HDFC's acquisition of the fee title interest in the Property and shall continue for a period of thirty-two (32) years, unless terminated earlier as a result of an Event of Default as provided in Section 6 in this Agreement. This Agreement shall not limit or restrict the HDFC's or the Company's right to apply for or obtain any other tax exemption to which the Property might be entitled upon the expiration of this Agreement.

3. For so long as the exemption hereunder continues, the Company shall make annual payments in lieu of taxes in the amount of One Hundred Forty Four Thousand and 00/100 Dollars (\$144,000.00) per year for the first year ~~(pro-rated for the year in which the HDFC acquires fee title to the Property, -~~ increasing two and one-half percent (2.5%) annually, ~~on or before January 31st, which.~~ PILOT payments shall cover all Local and Municipal Taxes, other than assessments for local improvements, owed in connection with the Property and the Project, and which payments shall be shared by the Taxing Jurisdictions on the same basis as property taxes would be shared if the Property and the Project were fully taxed. If additional units in excess of the aforementioned one-hundred twenty (120) residential units are developed on the Property, the additional units will pay full property taxes or a separate PILOT Agreement will need to be negotiated with the City.

In addition to the required PILOT payments, the Company shall make a one-time Municipal Impact Fee payment of One Hundred and Twenty Thousand (\$120,000) Dollars to the City of Kingston. That payment shall be made at the time the Company takes title to the Property.

4. The tax exemption provided by this Agreement will continue for the term described above provided that the Property and the Project continue to be used as housing facilities for persons of low income and (i) the HDFC and the Partnership own and operate the Property and the Project in conformance with Article XI of the PHFL; or (ii) the HDFC assumes sole legal and beneficial ownership of the Property and the Project and operates the Project in conformance with Article XI of the PHFL; or (iii) in the event an action is brought to foreclose a mortgage upon the Property and the legal and beneficial interest in the Property and the Project shall be acquired at the foreclosure sale, or from the mortgagee, or by a conveyance in lieu of such sale, by a housing development fund corporation organized pursuant to Article XI of the PHFL and such successor in interest operates the Project in conformance with Article XI of the PHFL.

5. The failure to make the required payment will be treated as failure to make payment of taxes and will be governed by the same provisions of law as apply to the failure to make payment of taxes, including but not limited to enforcement and collection of taxes to the extent permitted by law.

6. All notices and other communications hereunder shall be in writing and shall be sufficiently given when delivered to the applicable address stated above (or such other address as the party to whom notice is given shall have specified to the party giving notice) by registered or certified mail, return receipt requested or by such other means as shall provide the sender with documentary evidence of such delivery.

7. This Agreement shall inure to the benefit of and shall be binding upon the City, the HDFC and the Company and their respective successors and assigns, including the successors in interest of the HDFC and the Company. There shall be no assignment of this Agreement by the HDFC or the Company except with prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed.

8. If any provision of this Agreement or its application is held invalid or unenforceable to any extent, the remainder of this Agreement and the application of that provision to other persons or circumstances shall be enforced to the greatest extent permitted by law.

9. No waiver or modification of this Agreement or any covenant, condition or limitation therein shall be valid unless in writing and duly executed by the individual party to be charged therewith; and no evidence of any waiver or modification shall be offered or received in evidence in any proceeding, arbitration, or litigation between the parties hereto arising out of or affecting this Agreement, or the rights or obligations of any party hereunder, unless such waiver or modification is in writing, duly executed as aforesaid. The provisions of this Section may be waived as herein set forth.

10. This Agreement and the performance hereunder, and all actions and special proceedings relating thereto shall be construed in accordance with, under, and pursuant to the laws of the State of New York.

11. This Agreement may be executed in any number of counterparts with the same effect as if all the signing parties had signed the same document. All counterparts shall be construed together and shall constitute the same instrument.

12. This Agreement constitutes the entire agreement of the parties relating to payments in lieu of taxes with respect to the Property and supersedes all prior contracts, or agreements, whether oral or written, with respect thereto.

13. Each of the parties individually represents and warrants that the execution, delivery and performance of this Agreement, (i) has been duly authorized and does not require any other consent or approval, (ii) does not violate any article, by-law or organizational document or any law, rule, regulation, order, writ, judgment or decree by which it is bound, and (iii), will not result in or constitute a default under any indenture, credit agreement, or any other agreement or instrument to which any of them is a party. Each party represents that this Agreement shall constitute the legal, valid and binding agreement of the parties enforceable in accordance with its terms.

*Remainder of page intentionally left blank.*

**IN WITNESS WHEREOF**, the City, the HDFC and the Company have caused this Agreement to be executed in their respective names by their duly authorized representatives and their respective seals to be hereunder affixed, all as of the date above-written.

**CITY OF KINGSTON, NEW YORK**

DATED: February , 2022

By: \_\_\_\_\_

Name: Steven Noble

Title: Mayor

**STUYVESANT APARTMENTSHOUSING  
DEVELOPMENT FUND COMPANY,  
INC.**

DATED: February , 2022

By: \_\_\_\_\_

Name: Benjamin O'Shea

Title: Authorized Representative

**STUYVESANT APARTMENTS OWNERS  
LLC**

DATED: \_\_\_\_\_

By: \_\_\_\_\_

Name: Joel B. Mouny

Title: Authorized Representative

STATE OF \_\_\_\_\_ )

) SS.:

COUNTY OF \_\_\_\_\_ )

On the \_\_\_\_\_ day of February in the year 2022, before me personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF \_\_\_\_\_ )

) SS.:

COUNTY OF \_\_\_\_\_ )

On the \_\_\_\_\_ day of February in the year 2022, before me personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

---

NOTARY PUBLIC

**Stuyvesant Apartments Housing Development Fund Company Payment Schedule**

PILOT Year	Roll Year	Payment Amount	\$ per Apartment Unit
1	* TBD	\$144,000.00	\$1,200.00
2	TBD+1	\$147,600.00	\$1,230.00
3	TBD+2	\$151,290.00	\$1,260.75
4	TBD+3	\$155,072.25	\$1,292.27
5	TBD+4	\$158,949.06	\$1,324.58
6	TBD+5	\$162,922.78	\$1,357.69
7	TBD+6	\$166,995.85	\$1,391.63
8	TBD+7	\$171,170.75	\$1,426.42
9	TBD+8	\$175,450.02	\$1,462.08
10	TBD+9	\$179,836.27	\$1,498.64
11	TBD+10	\$184,332.17	\$1,536.10
12	TBD+11	\$188,940.48	\$1,574.50
13	TBD+12	\$193,663.99	\$1,613.87
14	TBD+13	\$198,505.59	\$1,654.21
15	TBD+14	\$203,468.23	\$1,695.57
16	TBD+15	\$208,554.94	\$1,737.96
17	TBD+16	\$213,768.81	\$1,781.41
18	TBD+17	\$219,113.03	\$1,825.94
19	TBD+18	\$224,590.86	\$1,871.59
20	TBD+19	\$230,205.63	\$1,918.38
21	TBD+20	\$235,960.77	\$1,966.34
22	TBD+21	\$241,859.79	\$2,015.50
23	TBD+22	\$247,906.28	\$2,065.89
24	TBD+23	\$254,103.94	\$2,117.53
25	TBD+24	\$260,456.54	\$2,170.47
26	TBD+25	\$266,967.95	\$2,224.73
27	TBD+26	\$273,642.15	\$2,280.35
28	TBD+27	\$280,483.20	\$2,337.36
29	TBD+28	\$287,495.28	\$2,395.79
30	TBD+29	\$294,682.66	\$2,455.69
31	TBD+30	\$302,049.73	\$2,517.08
32	TBD+31	\$309,600.97	\$2,580.01

\* When the HDFC acquires fee title to the property, the exemption and payments will follow in accordance with NYS RPTL Taxable Status Date



**1THE 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: Assessment      DATE: 1/11/2022

Description:

Authorizing the exemption of parcel SBL# 48.74-3-8 under PHFL Sections 572 & 577. Additionally authorizing the Mayor to execute a Payment In Lieu of Tax agreement and Payment In Lieu of Tax Mortgage by and among the City of Kingston, Stuyvesant Apartment Owners LLC and Stuyvesant Housing Development Fund Company, Inc.

Estimated Financial Impact: \$120,000+

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	
Michael Olivieri, Ward 7		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		



F1A

**Stuyvesant Apartment Owners LLC  
700 White Plains Road, Suite 363  
Scarsdale, New York 10583**

December 17, 2021  
Via Email

Mr. Daniel Baker  
Assessor's Office  
420 Broadway  
Kingston, New York 12401

Re: Stuyvesant Apartments: Request for PILOT Agreement

Dear Mr. Baker:

Please accept this letter as a formal request to remove the referenced property from the City's 2022 Tax Rolls and enter into a Payment in Lieu of Taxes (PILOT) Agreement and PILOT Mortgage for the property.

In support of this request, I have attached the following:

1. Site Location Map
2. Exterior Photographs of Stuyvesant Complex
3. Project Narrative – Concept Paper
4. Draft Resolution Authorizing PILOT Agreement
5. Draft PILOT Agreement
6. Draft PILOT Mortgage

**Background**

Stuyvesant Apartments is a 120-unit (40 1BR/80 2BR) Development. The apartments are dispersed in seven two story buildings located on Sheehan Court in the vicinity of St. Mary's cemetery on Flatbush Avenue.

The property is currently owned by Stuyvesant Charter Inc. (Stuyvesant Charter), a local not for profit corporation which is affiliated with the Kingston Housing Authority (KHA). After a request for qualifications (RFQ) process, the KHA and Stuyvesant Charter selected Mountco Construction and Development Corp. to be their partner in the redevelopment of the Stuyvesant Apartments complex.

As set forth in more detail in the Project Narrative-Concept Paper, the KHA/Stuyvesant Charter/Mountco team expect to obtain 4% Tax Credits from the New York State Housing Finance Agency, which is also expected to issue Tax-Exempt Bonds and a Low Interest Subordinate Loan for the project. The goal is to completely renovate Stuyvesant Apartments so that the development can be maintained as Affordable Housing for a new 30 year life-cycle. Stuyvesant Charter has entered into a Purchase and Sale contract with Stuyvesant Apartments Owners LLC, an entity that essentially is a Joint Venture between Stuyvesant Charter and Mountco.

**Key Elements of Development Plan**

- Stuyvesant Apartments will be completely renovated

- There will be no displacement/relocation of households (tenant-in-place rehab)
- No household will pay more than 30% of its income for rent
- There will be no change to number/bedroom distribution of units
- There is a possibility that in the future 20-40 additional affordable housing units could be added at the site

#### PILOT/Municipal Impact Fee Proposal

We believe the property is currently paying approximately \$129,000 in property taxes. Our PILOT proposal is as follows:

1. \$1,200 per unit, for an annual PILOT payment of \$144,00.00: this is an increase of 11.1% over current payments
2. Annual increase of 2.5% per year
3. 32 Year Term
4. One-time Municipal Impact Fee payment of \$120,000 (\$1,000 per Unit)

#### Benefits to City

We believe that the Stuyvesant Apartments Redevelopment project will provide a number of significant financial and other benefits for the City that should be considered when evaluating this PILOT request. They include:

1. Preservation of Stuyvesant Apartments, a vital affordable housing resource
2. Generation of almost \$150,000 in fees to City (MIF and Building Permit)
3. Creation of construction employment opportunities for KHA residents
4. Creation of Sub-Contracting construction work opportunities for local construction firms
5. Potential for additional affordable housing on site which will generate additional property tax revenues
6. The KHA gets to share several million dollars of Developers Fees which can be used to improve its other projects

Please note that the draft Resolution authorizing the PILOT Agreement, the draft PILOT Agreement, and the draft PILOT Mortgage have not yet been fully reviewed by the Counsel to the KHA or Stuyvesant Apartment Owners LLC, and are submitted subject to that review. We can provide redlined/bluelined versions from the models which you sent me, and blacklined versions as well. Once we get further into our discussion we can provide these documents in word form for your convenience.

We are working with the New York State Housing Finance Agency to close on the financing of this project within the next several months. We would ask your assistance in evaluating and considering this request as soon as possible.

Thank you for your anticipated cooperation and assistance in this matter.

Very truly yours,



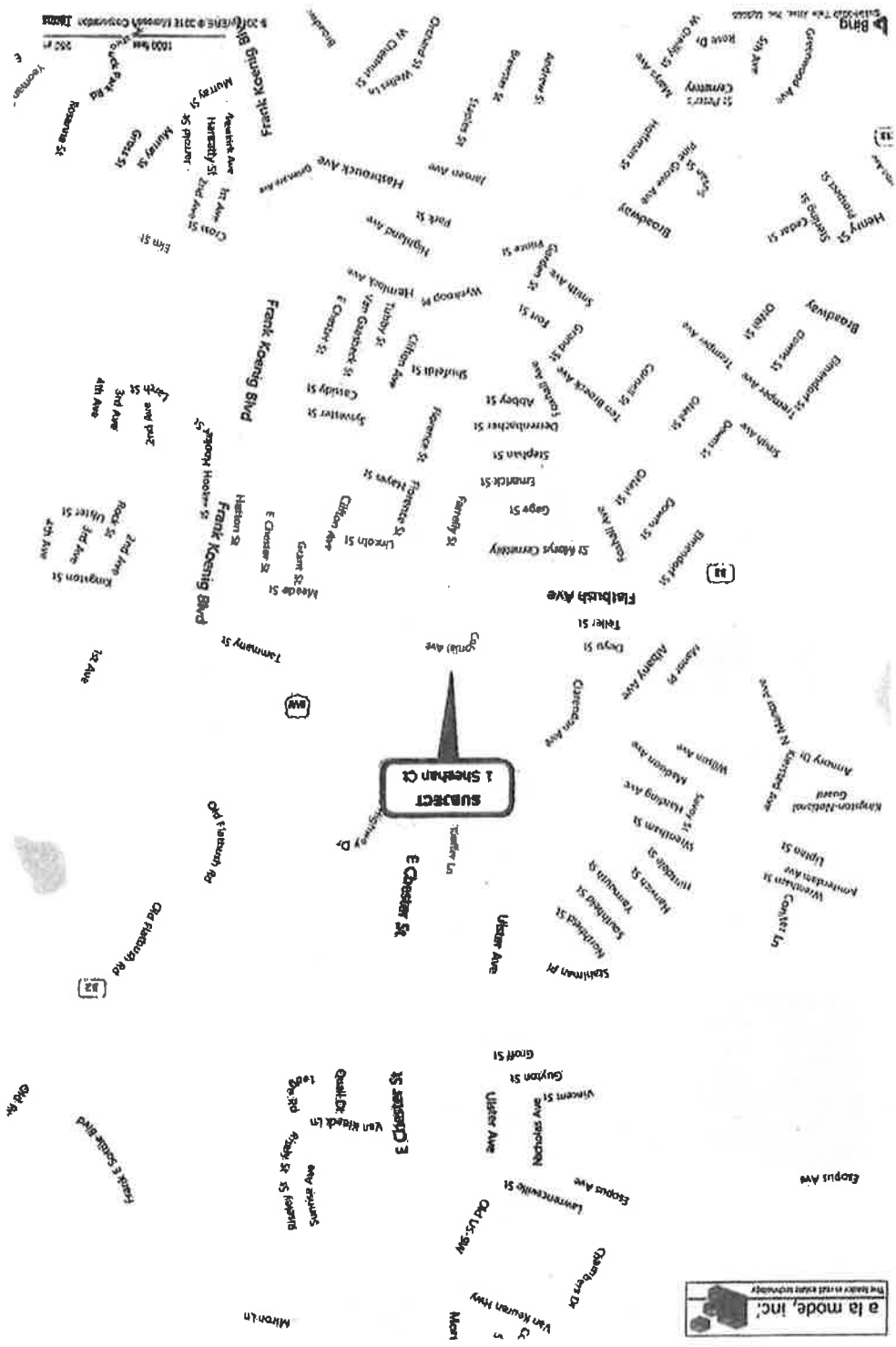
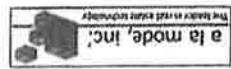
John Madeo

cc: Mayor Steven Noble

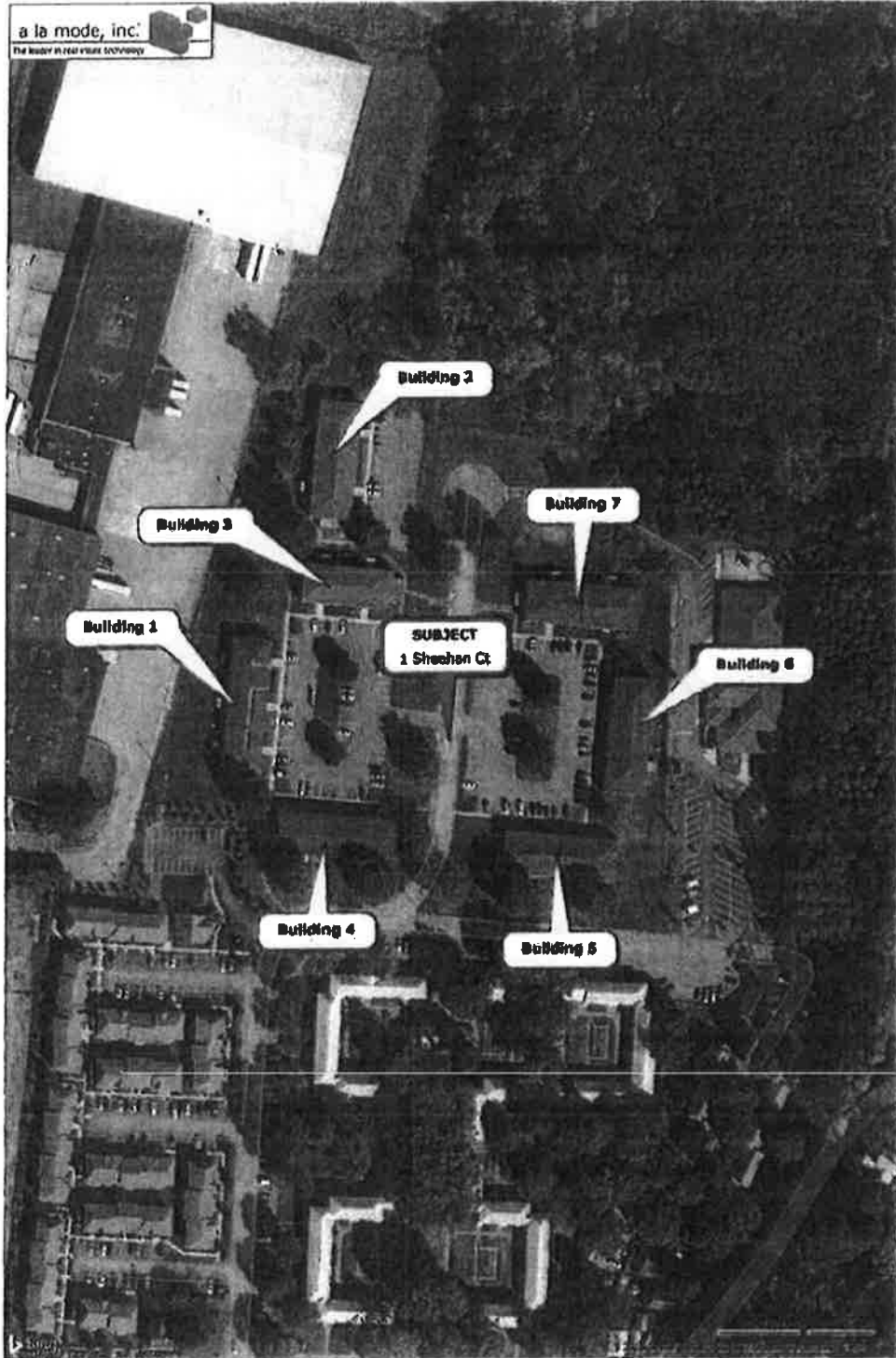
Marge Knox, Chairperson, KHA  
Benjamin O'Shea, Executive Director, KHA  
Brian Lawlor, Counsel, KHA  
John Furst, Counsel, KHA

# NEIGHBORHOOD MAP

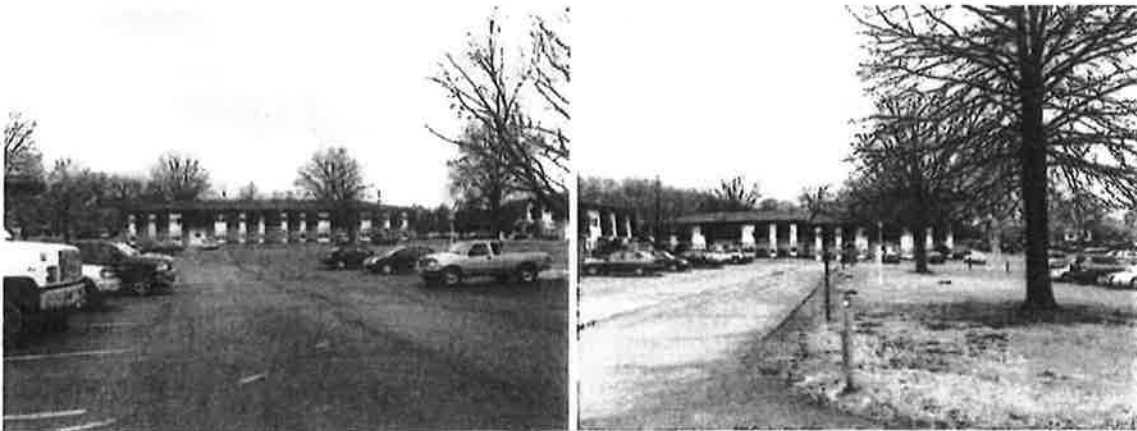
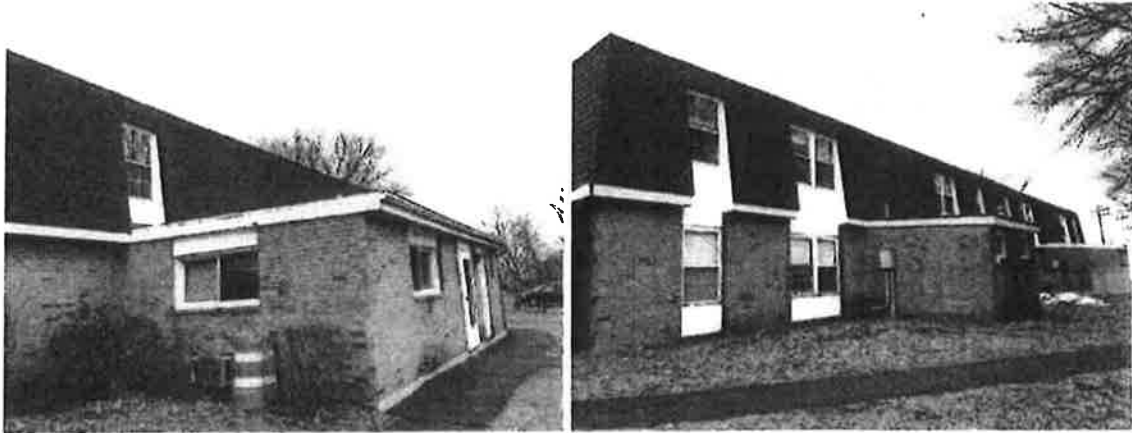
Map data © 2011 Mapbox Corporation



**AERIAL MAP**



**PHOTOGRAPH PAGES**



**Typical exterior views of the subject complex**

## Stuyvesant Apartments-Project Narrative-

- I. **Overview-** The Applicant is proposing the acquisition and rehabilitation of Stuyvesant Apartments (Stuyvesant), a 120 unit affordable housing development for families. This project is the cornerstone of a redevelopment effort on the part of the Kingston Housing Authority (KHA), working in conjunction with the U.S. Department of Housing and Urban Development (HUD) and the NYS Division of Homes and Community Renewal (HCR) to restructure its entire housing portfolio.

The project will be undertaken as a tenant-in-place rehab. It will create long-term financial stability for the development. No residents will be required to pay more than 30% of their income for rent.

- II. **Site Location/Status-** Stuyvesant Apartments (Stuyvesant) is located at 1-144 Sheehan Court, Kingston, NY (Section 48.74, Block 3, Lot 8). The site is located just north of Flatbush Avenue (NYS RT 32) on Colonial Drive. The property is located in a R-6 Multiple Resident District zone, which permits the existence of multi-family dwellings.

Police, Fire and medical facilities are within approximately 1-1.5 miles. Public transportation and many neighborhood conveniences are within walking distance.

- III. **Physical Layout-** The project is comprised of seven buildings located on a parcel of approximately 9.1 acres. Each building is a two story walk-up, built on-grade, and is of masonry/wood-frame construction, with a brick and shingle exterior. There is a playground, recreational areas, and ample (171 spaces) parking for residents and visitors. There are a total of 40 one-bedroom apartments and 80 two-bedroom apartments. The project has a total of 112,500 sq. ft. of residential space. site is fully serviced by all utilities. Each of the residential buildings has laundry facilities for the residents. The utilities are paid for by the owner. There is no gas supply on site.

- IV. **Organizational Structure-** Stuyvesant is owned by Stuyvesant Charter, Inc. (SCI), a locally-based not-for-profit housing corporation which is affiliated with the KHA. The property will be developed and owned by Stuyvesant Apartment Owner's LLC ("the Applicant"), a single purpose entity that will be controlled by affiliates of the KHA and Mountco Construction and Development Corp. (Mountco).

- V. **Need-** It should be noted that the project is overwhelmingly occupied by households in the very-low (<30%) and low-(<50%) income categories. In fact, almost 90% of the households have incomes at or below 50% of the median area income. The development is over 40 years old, and are in need of major renovation to provide decent, safe, and sanitary conditions for a new 30 year life-cycle. Without the planned rehabilitation work this affordable housing stock is likely to continue the downward spiral in its physical condition, and eventually it could be lost to the community thereby exacerbating the local affordable housing crisis.

- VI. **Financing Narrative-** The proposed financing for the project is typical of the financing focused throughout the country to renovate older affordable housing developments like Stuyvesant Apartments. The Applicant is requesting that NYSHCR issue a 4% tax credit allocation, and subsidy financing, and that the NYSHFA issue tax-exempt bonds for the project.



**RESOLUTION 26 OF 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, AMENDING THE CITY’S FEE SCHEDULE, REFERENCED IN  
ADMIN. CODE 217-1, TO REFLECT THE FEES ADOPTED PURSUANT TO  
RESOLUTION 160 OF 2022, ANTI-IDLING LEGISLATION**

Sponsored By: Laws & Rules Committee: Alderman Worthington,  
Hill, Frankel, Scott-Childress, Olivieri

**WHEREAS**, Resolution 160 of 2021 went into effect January 1, 2022, and;

**WHEREAS**, the Fee Schedule will reflect in Section 390-82 “Penalties for Offenses” Subsection B, amended to include violation: “Idling” with an initial fee of \$20 and a fine of \$40 after 15 days, 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-** This resolution shall take place immediately after passage and approval.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Elisa Tinti, City Clerk

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022



# 2022 City of Kingston Fee Schedule

## CITY CLERK/REGISTRAR

Auction license	\$125
City Code	
Code book set or computer disk	\$330
Annual Code updates	\$110
City Hall Space Rental	
Building/Room usage fee	\$100
Building/Room usage fee – additional hourly charge for staff overtime	\$55
Equipment Rental	\$25
Dog Licenses	
Dog License - Unneutered males and unspayed females	\$18
Dog License - Neutered males and spayed females	\$9
Replacement tag fee	\$3
Dog Impoundment/Boarding/Adoption	
Dog Redemption Fee	\$40
Boarding Fee per day	\$20
Enumeration fee	\$5
Dog adoption fee	\$160
Gaming	
Bingo license	\$18.75
Games of chance license fee	\$25
Genealogy Search (birth, death marriage)	
1-3 years (per record/name)	\$22
4-10 Years	\$42
11-20 Years	\$62
+\$20.00 increments per 10 years	
Marriage license application	\$40
Municipal ID	
Adult	\$10
Child (14-17)	\$5
Senior (62+)	\$5
Veteran	\$5
Photocopies (not exceeding 8.5 inches by 11 inches), per page	\$0.25
Pawnbroker permits	\$25
Rezoning Amendment Application Fee	\$75
Sales of merchandise license	\$100

## ELECTRICAL

Copy of manual of rules and regulations	\$5
Master Electrician license	\$225
Annual renewal fee	\$200
Master Electrician license, Class B	\$200
Special Electrician's license	\$100
Renewal Special Electrician's license	\$50
Master Electrician limited license	\$200
Renewal Master Electrician limited license	\$100
Late charge for all electrical licenses	\$150
License holders who wish to consider their license inactive for the current year	\$75
Examination fee	\$50
Plate or sign for Class A Master Electrician's license	\$25

**Electrical permits:**

Residential	\$50
Residential (new construction)	\$100
Commercial	\$100
Commercial (new construction)	\$200

**COMPTROLLER**

Printed version of city budget	\$10
Tax advertising fee	\$20
Tax search redemption of city property	\$200

**FIRE DEPARTMENT**

Fire report fees	\$10
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**BUILDING DEPARTMENT**

Application for sidewalk cafe	\$150
Permit for sidewalk café	\$250
Site development permit	\$250
Minimum fee for any building permit	\$75
(*plus a per-square-foot fee for the following):	
New building	\$0.50
Additions	\$0.30
Alterations	\$0.30
Elevators and lifts (flat fee)	\$100
Demolition interior (flat fee)	\$100
Demolition (residential structure removal flat fee)	\$250
Demolition (commercial structure removal flat fee)	\$500
Pools - Aboveground (flat fee)	\$50
Pools - In-ground (flat fee) including required fencing	\$100
Job trailers (per job)	\$100
Blasting (per job)	\$100
Review of Plans Prior to Permit App or for revisions to approved plans	\$100 per hour
Fireworks Permit	\$200
Permit Extension (All Permits)	\$50
Must Be Requested within 5 days of expiration date of original permit and may not exceed an additional 6 months.	
Expired Permit Renewal (All Permits)	50% of original fee but not less than \$50
New Application Required	
Working without a permit fee	
Residential – First Instance	\$250 plus permit cost
Residential – Second Instance	\$500 plus permit cost
Residential – Each Instance After Second Instance	\$1,000 plus permit cost
Commercial – First Instance	\$500 plus permit cost
Commercial – Each Instance After First Instance	\$1,000 plus permit cost
Failure to call for and schedule required inspections fee within timeframe specified with permit	
Residential	\$100
Commercial	\$250
Roofing Permits:	
Residential	\$75
Commercial	\$75 or \$.02 per square foot whichever is larger

Inspections or service requested outside of normal business hours (3 hour minimum) hour	\$70 per
Solar permits	
Installation of up to 5KW of solar electric usage	\$50
Installation of 5.1KW to 7.5 KW of solar electric usage	\$125
Installation of 7.51 KW to 10 KW of solar electric usage	\$250
Over 10.1 KW of solar electric usage	\$500
Over 25 KW of solar electric usage	\$1000
Commercial Solar Facilities	\$6000
Commercial Battery Facilities	\$3500
In addition to the above, the following fees shall apply:	
Certificate of compliance	\$150
Certificate of occupancy (copy)	\$5
Certificate of compliance (copy)	\$5
Temporary Certificate of Occupancy	\$100
Inspection for certificate of compliance or certificate of occupancy	
One- and two-family house	\$100
Three or more apartments (per unit)	\$50
Re-inspection Fee	\$150
Record of Inspection (per square foot per floor)	\$0.25
Rental property inspection fees-multiple dwellings	
Apartment buildings	
1-3 rental units: flat fee plus \$50 per each unit	\$75
4-9 rental units: flat fee plus \$50 per each unit	\$150
10-20 rental units: flat fee plus \$45 per each unit	\$250
Over 20 rental units: flat fee plus \$40 per each unit	\$400
R o o m i n g   h o u s e s	
1-9 rental units: flat fee plus \$40 per each unit	\$100
10-20 rental units: flat fee plus \$35 per each unit	\$200
Over 20 rental units: flat fee plus \$30 per each unit	\$350
Hotel/Short Term Rental property inspection fees-multiple dwellings	
Hotel/Short Term Rental Buildings	
1-3 rental units: Flat fee plus \$50 per each unit	\$75
4-9 rental units: Flat fee plus \$50 per each unit	\$150
10-20 rental units: Flat fee plus \$45 per each unit	\$250
Over 20 rental units: Flat fee plus \$40 per each unit	\$400
Assembly Spaces (annual inspection)	
Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125
Plus \$.02/sq ft	
Failed Inspection Fees	
First Instance	\$250
Second Instance	\$500
Third or any Subsequent Instance	\$1,000
Fuel tank Removal Fees:	
Residential	\$100
Commercial	\$200
Fire Sprinkler Permit	\$200
Commercial Property/Fire Inspections	
Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125 plus \$.03 sq ft
(Maximum fee for commercial property fire inspections is \$1500)	
(Maximum fee for non profits and churches is \$500)	
Marinas-Commercial fire inspection fees apply to buildings/structures plus \$2/per boat slip	
Gas Stations	\$125
plus \$25 per pump	

Change of Occupancy/Use Permit	
Residential	\$100
Commercial	\$200
Flood Plain Permit	\$300
Towers/Cell Towers	
Equipment modifications/replacement or collocation	\$750
New tower installation	\$1,500

### PARKING

Parking meters	
For 6 minutes	\$0.10
For 12 minutes	\$0.20
For 30 minutes	\$0.50
Severe disability waiver for metered parking available through Kingston Police Department	
Expired parking meter	\$25
Over limit parking	\$25
Expired parking meter after 15 days	\$50
Over limit parking after 15 days	\$50
Off-Street Parking in City owned and maintained parking lots	\$ .75/hour, Mon-Sat, 9am-6pm
Off-Street Parking Permits for City owned and maintained parking lots	\$20/month, \$100/year
Replacement of Off-Street Parking Permit tag	\$20

### PARKS AND RECREATION

Aging Programs	
Senior ceramics -Resident	\$30
Senior Ceramics - Nonresident	\$40
Dietz Stadium	
Basic Field Rental Weekdays	\$100/hr
Basic Field Rental Weekdays with Lights	\$125/hr
Basic Field Rental Weekend Days	\$125/hr
Basic Field Rental Weekend with Lights	\$150/hr
Community or Youth Event Fee	\$150
Hourly Per Person Staff Fee (if applicable)	\$55/hr
Promotion Fee	\$600
Field rental (no lights) for City League teams for two hours	\$5
Field rental (no lights) for two hours	\$10
Field Rental with lights, per hour	\$55
Flag football	
Resident	\$65
Nonresident	\$80
Forsyth Zoo Guided birthday parties	
Resident	\$100
Nonresident	\$125
Hasbrouck stone building rental	
Resident	\$140
Nonresident	\$200
Kayaking	
Resident	\$30
Non-Resident	\$40
Park rental - weekend/holidays	
Resident	\$125
Nonresident	\$175
Park rental – weekdays	

Resident	\$75
Nonresident	\$100
Park rental for youth organizations/non profits located in Kingston, Monday through Friday	
Resident	No charge
Park Rental Fee - Trash removal as required (resident and non-resident)	\$120
Rondout and Murphy Center Rental	
Up to 8 hours plus \$55 /hour staff	\$300
Up to 8 hours plus \$55/hour staff (movie rental)	\$450
Summer Parks Program	
Resident	\$250
Nonresident	\$350
Junior naturalist program - Resident One Week Program	\$105
Junior naturalist program - Non-Resident One Week Program	\$160
Junior naturalist program - Resident Two Week Program	\$200
Junior naturalist program - Non-Resident Two Week Program	\$275
Swim lessons	
Resident	\$50
Nonresident	\$75
Team league sponsorships	
Softball (team)	\$555
Beach volleyball (team)	\$195
Fall/winter volleyball (team)	\$360
Over 30 basketball (team)	\$340
Youth basketball league (team)	\$270
Tennis Lessons (NJTL)	
Resident	\$40
Nonresident	\$50
Youth Basketball	
Resident	\$45
Nonresident	\$65
Youth basketball program (Five-to six-year-old)	
Resident	\$20
Nonresident	\$25
Youth Basketball camp	
Resident	\$65
Nonresident	\$80

### PLANNING

Noise Permit - Single Day Event	\$35
Noise Permit – Up to 7 day Event	\$50
Noise Permit – Up to 6 months	\$450
Noise Permit – Up to 1 year	\$750
Site Plan Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft
Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Site Plan Extension/Renewal	10% of Original Application Fee
Special Use Permit Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft

Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Copies on CD	\$7.50
Copies	
8.5" x 11"	\$0.25
8.5" x 14"	\$0.35
11" x 14"	\$0.50
Large Map Copies	Cost, plus \$3 Service Fee
Mailing	At Cost
Special Use Permit Renewal	\$75
Rooming and Boarding House per Building (up to 4 rooms)	\$250
Additional cost per room in excess of 4 Rooms per Building	\$30
Subdivision (Non-Refundable)	
Subdivision/Lot Line/Revision/Lot line Deletion	\$150 plus \$50/resultant lot
Subdivision Regulations	\$15 plus mailing if needed
Zoning Ordinance	\$20 plus mailing if needed
Signage Base	\$50 fee plus \$2 per square foot of sign face
Curb Cut Review (fee is not applicable if part of site plan or subdivision reviews)	\$25
Recreation Fee-In Lieu of Parkland	
Per Dwelling Unit	Maximum \$3,000/unit over 4
Heritage Area Commission	
Base Fee	\$50
Base Fee if dual applicant with Historic Landmark Preservation Commission	\$20
Coastal Consistency Review as Required	\$50
Historic Landmarks Preservation Commission Application Fee	\$50
Lighthouse	
Use Fee for Structure	\$110 Resident/\$150 Non-Resident
Cleaning Fee	\$75

### PLUMBING

Application and initial license fee (plumbing – includes oil heat)	\$300
Gas license (includes water connection)	\$125
Oil heating license (includes water connection)	\$125
Examination fee (each exam)	\$100
Inactive license fee (each)	\$75
License renewal fee (plumbing)	\$300
License renewal fee (gas or oil)	\$125
License reinstatement fee (plumbing)	\$300
License reinstatement fee (gas or oil)	\$75
Plumbing Permits-base fee plus:	\$75
Fee Per Fixture	\$10
Single job permit fee:	
Up to \$10,000	\$400
From \$10,001 to \$100,000	\$900
Over \$100,000	\$1,500

### POLICE DEPARTMENT

ATV impoundment	\$250
Anti-Idling	
Initial fine	\$20
After 15 days	\$40
Application fee for exhibitions/shows	
Each show	\$10
First investigation	\$50



Each subsequent inspection	\$10
Burglar alarms	
Application to operate	\$40
False alarms	\$50
License to peddle and solicit	\$150
Skateboard redemption fee	\$25
Taxi Cab Licenses	
Taxi cab registration fee	\$25
Temporary taxi driver's license	\$10
Taxi cab driver's license	\$10
Taxi cab vehicle inspection	\$50
Taxi cab license fee	\$100
Replacement taxi driver's license fee	\$5
Tow truck inspection	
Annual inspection	\$200
Each tow vehicle inspected	\$20
Placement of Signs	\$25
Towing fee**Charges collected by tow truck operators**	

Day: \$100.00, Nights & Weekends: \$125.00,

Above three-quarter ton trucks Day: \$125.00, Nights & Weekends \$150.00

Tractor Trailers 18,000 GVW – Return empty Days: \$75.00, Nights & Weekends: \$100.00

Snow Tows Day or night includes dig out: \$125.00

**\*\*Additional Charges\*\*** The licensee shall be permitted to charge additional fees for additional services. Any fees not provided herein shall be in accordance with the schedule of fees filed with the Kingston Police Department.

### PUBLIC WORKS

Blocking Parking permit - Non-Metered	\$50 (up to 2 weeks)
Blocking Parking permit – Metered	\$25/space/day
Brush (Commercial – Per Ton)	\$30
Less one ton	\$15
Bulk Refuse (per pound)	\$0.15
Commercial Refuse (per pound)	\$0.20
Curb Cut Permit	\$100
Electronic equipment disposal (curbside fee only, free at transfer station)	
Small electronics (other than TV's)	\$8
CRT/TV/Monitor (picture tube style) under 27"	\$15
Flat Screen TV's	\$10
Consoles, large printers, large CRT TV's (over 27")	\$38
Additional Fine for curbside collection of electronics (per item)	\$15
Excavation Permit- Street, Right of Way	\$300
Linear Trenches	\$4.00 per ft
Excessive Trash – in excess of 96 gallons, small curbside clean-up	\$100
Excessive Trash – in excess of 96 gallons but less than 192 gallons, large curbside clean-up	\$250
Excessive Trash – massive clean-up (move out, eviction) flat fee plus:	\$250
Tipping Fee	\$.15 Per Lb.
Hourly Rate (to include labor and equipment)	\$200

<b>Furniture (Per Item)</b>	
Curb Pick-up by permit only	\$25
At transfer station (no permit required)	\$15
Mattress/box spring (at curb)	\$25
Mattress/box spring (at transfer station)	\$15
<b>Leachate</b>	
\$.08 gallon tank size up to 3,000	
\$.06 gallon for tank size of 3,000 gallons or over	
Placement of signs/banners	\$25
Private hauler permits	\$600
<b>Recycling non-compliance</b>	
\$25 first incidence	
\$50 second incidence	
\$100 third or more incidences	
Refuse (annual fee for additional refuse tote)	\$450
Sewer use - scavenger waste license fee	\$100
Sewer Tap	\$350
Sidewalk repair or replace permit	\$50
<b>Tires</b>	
Bike without rim	\$6
Bike with rim	\$7
Passenger car up to 17 inches	\$12
Passenger car up to 17 inches with rim	\$32
Passenger car, above 17 inches	\$32
Passenger car, above 17 inches with rim	\$37
Farm and construction without rim	\$200
Farm and construction with rim	\$250
<b>White Goods (Appliances)</b>	
Without Freon at curb (per item)	\$25
With Freon at curb (per item)	\$35
With Freon at transfer station (per item)	\$25
Without Freon at transfer station (per item)	\$15

### **SPECIAL EVENTS**

Application Fee (all events)	\$25
<b>Blocked Parking Fees (events other than non-profit, government or community org)</b>	
On-street metered areas (per space)	\$50/space
On-street non-metered areas (per event)	\$100
Off-street metered areas (per space)	\$25/space
Off-street non-metered areas (per event)	\$100
<b>Personnel Reimbursement (events other than non-profit, government or community org)</b>	
DPW/Parks & Rec (per employee)	\$55/hour
Police (per officer)	\$90/hour
Fire (per firefighter)	\$90/hour
<b>Street Closure/Detour Plan (all events)</b>	
Street Closure/Detour Plan 1-5 Roads/Intersections	\$50
Street Closure/Detour Plan 6-10 Roads/Intersections	\$100
Street Closure/Detour Plan 11 or more Roads/Intersections	\$150
Tote Fee (with refuse removal)	\$20/tote
Vendor Permit (all events)	\$40/ vendor

### **ZONING**

<b>Zoning Letter:</b>	
Residential	\$100
Commercial	\$250

Zoning Variance Fees:

Area Variance – Residential	\$150
Area Variance – Commercial	\$350
Usage Variance – Residential	\$150
Usage Variance – Commercial	\$350







**RESOLUTION 27 OF 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, AMENDING THE FEE SCHEDULE TO REFLECT FINES AND  
FEES ASSOCIATED WITH ILLEGAL USE OF OFF-ROAD VEHICLES**

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

**WHEREAS**, the Fee Schedule will reflect in Section 390-82 “Penalties for Offenses” Subsection B, amend to include violation: “Illegal use of off-road vehicles” with a fee of \$650 per violation and a redemption fee for impounded off-road vehicles \$2350, 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-** This resolution shall take place immediately after passage and approval.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Elisa Tinti, City Clerk

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022







**THE CITY OF KINGSTON COMMON COUNCIL**

**FINANCE AND AUDIT  
COMMITTEE REPORT**

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

DEPARTMENT: _____	DATE: <u>1-11-22</u>
Description:	
Estimated Financial Impact: \$ _____	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	
Tony Davis, Ward 5		
Michael Olivieri, Ward 7		
Steve Schabot, Ward 8		
Michele Hirsch, Ward 9		

# 2022 City of Kingston Fee Schedule

## CITY CLERK/REGISTRAR

Auction license	\$125
City Code	
Code book set or computer disk	\$330
Annual Code updates	\$110
City Hall Space Rental	
Building/Room usage fee	\$100
Building/Room usage fee – additional hourly charge for staff overtime	\$55
Equipment Rental	\$25
Dog Licenses	
Dog License - Unneutered males and unspayed females	\$18
Dog License - Neutered males and spayed females	\$9
Replacement tag fee	\$3
Dog Impoundment/Boarding/Adoption	
Dog Redemption Fee	\$40
Boarding Fee per day	\$20
Enumeration fee	\$5
Dog adoption fee	\$160
Gaming	
Bingo license	\$18.75
Games of chance license fee	\$25
Genealogy Search (birth, death marriage)	
1-3 years (per record/name)	\$22
4-10 Years	\$42
11-20 Years	\$62
+\$20.00 increments per 10 years	
Marriage license application	\$40
Municipal ID	
Adult	\$10
Child (14-17)	\$5
Senior (62+)	\$5
Veteran	\$5
Photocopies (not exceeding 8.5 inches by 11 inches), per page	\$0.25
Pawnbroker permits	\$25
Rezoning Amendment Application Fee	\$75
Sales of merchandise license	\$100

## ELECTRICAL

Copy of manual of rules and regulations	\$5
Master Electrician license	\$225
Annual renewal fee	\$200
Master Electrician license, Class B	\$200
Special Electrician's license	\$100
Renewal Special Electrician's license	\$50
Master Electrician limited license	\$200
Renewal Master Electrician limited license	\$100
Late charge for all electrical licenses	\$150
License holders who wish to consider their license inactive for the current year	\$75
Examination fee	\$50
Plate or sign for Class A Master Electrician's license	\$25

**Electrical permits:**

Residential	\$50
Residential (new construction)	\$100
Commercial	\$100
Commercial (new construction)	\$200

**COMPTROLLER**

Printed version of city budget	\$10
Tax advertising fee	\$20
Tax search redemption of city property	\$200

**FIRE DEPARTMENT**

Fire report fees	\$10
------------------	------

**BUILDING DEPARTMENT**

Application for sidewalk cafe	\$150
Permit for sidewalk café	\$250
Site development permit	\$250
Minimum fee for any building permit	\$75
(*plus a per-square-foot fee for the following):	
New building	\$0.50
Additions	\$0.30
Alterations	\$0.30
Elevators and lifts (flat fee)	\$100
Demolition interior (flat fee)	\$100
Demolition (residential structure removal flat fee)	\$250
Demolition (commercial structure removal flat fee)	\$500
Pools - Aboveground (flat fee)	\$50
Pools - In-ground (flat fee) including required fencing	\$100
Job trailers (per job)	\$100
Blasting (per job)	\$100
Review of Plans Prior to Permit App or for revisions to approved plans	\$100 per hour
Fireworks Permit	\$200
Permit Extension (All Permits)	\$50
Must Be Requested within 5 days of expiration date of original permit and may not exceed an additional 6 months.	
Expired Permit Renewal (All Permits)	50% of original fee but not less than \$50
New Application Required	
Working without a permit fee	
Residential – First Instance	\$250 plus permit cost
Residential – Second Instance	\$500 plus permit cost
Residential – Each Instance After Second Instance	\$1,000 plus permit cost
Commercial – First Instance	\$500 plus permit cost
Commercial – Each Instance After First Instance	\$1,000 plus permit cost
Failure to call for and schedule required inspections fee within timeframe specified with permit	
Residential	\$100
Commercial	\$250
Roofing Permits:	
Residential	\$75
Commercial	\$75 or \$.02 per square foot whichever is larger

Inspections or service requested outside of normal business hours (3 hour minimum) hour	\$70 per
Solar permits	
Installation of up to 5KW of solar electric usage	\$50
Installation of 5.1KW to 7.5 KW of solar electric usage	\$125
Installation of 7.51 KW to 10 KW of solar electric usage	\$250
Over 10.1 KW of solar electric usage	\$500
Over 25 KW of solar electric usage	\$1000
Commercial Solar Facilities	\$6000
Commercial Battery Facilities	\$3500
In addition to the above, the following fees shall apply:	
Certificate of compliance	\$150
Certificate of occupancy (copy)	\$5
Certificate of compliance (copy)	\$5
Temporary Certificate of Occupancy	\$100
Inspection for certificate of compliance or certificate of occupancy	
One- and two-family house	\$100
Three or more apartments (per unit)	\$50
Re-inspection Fee	\$150
Record of Inspection (per square foot per floor)	\$0.25
Rental property inspection fees-multiple dwellings	
Apartment buildings	
1-3 rental units: flat fee plus \$50 per each unit	\$75
4-9 rental units: flat fee plus \$50 per each unit	\$150
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R o o m i n g   h o u s e s	
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Hotel/Short Term Rental property inspection fees-multiple dwellings	
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Assembly Spaces (annual inspection)	
Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125
Plus \$.02/sq ft	
Failed Inspection Fees	
First Instance	\$250
Second Instance	\$500
Third or any Subsequent Instance	\$1,000
Fuel tank Removal Fees:	
Residential	\$100
Commercial	\$200
Fire Sprinkler Permit	\$200
Commercial Property/Fire Inspections	
Properties up to 1,000 sq ft	\$125
Properties over 1,000 sq ft	\$125 plus \$.03 sq ft
(Maximum fee for commercial property fire inspections is \$1500)	
(Maximum fee for non profits and churches is \$500)	
Marinas-Commercial fire inspection fees apply to buildings/structures plus \$2/per boat slip	
Gas Stations	\$125
plus \$25 per pump	

Change of Occupancy/Use Permit	
Residential	\$100
Commercial	\$200
Flood Plain Permit	\$300
Towers/Cell Towers	
Equipment modifications/replacement or collocation	\$750
New tower installation	\$1,500

### PARKING

Parking meters	
For 6 minutes	\$0.10
For 12 minutes	\$0.20
For 30 minutes	\$0.50
Severe disability waiver for metered parking available through Kingston Police Department	
Expired parking meter	\$25
Over limit parking	\$25
Expired parking meter after 15 days	\$50
Over limit parking after 15 days	\$50
Off-Street Parking in City owned and maintained parking lots	\$.75/hour, Mon-Sat, 9am-6pm
Off-Street Parking Permits for City owned and maintained parking lots	\$20/month, \$100/year
Replacement of Off-Street Parking Permit tag	\$20

### PARKS AND RECREATION

Aging Programs	
Senior ceramics-Resident	\$30
Senior Ceramics - Nonresident	\$40
Dietz Stadium	
Basic Field Rental Weekdays	\$100/hr
Basic Field Rental Weekdays with Lights	\$125/hr
Basic Field Rental Weekend Days	\$125/hr
Basic Field Rental Weekend with Lights	\$150/hr
Community or Youth Event Fee	\$150
Hourly Per Person Staff Fee (if applicable)	\$55/hr
Promotion Fee	\$600
Field rental (no lights) for City League teams for two hours	\$5
Field rental (no lights) for two hours	\$10
Field Rental with lights, per hour	\$55
Flag football	
Resident	\$65
Nonresident	\$80
Forsyth Zoo Guided birthday parties	
Resident	\$100
Nonresident	\$125
Hasbrouck stone building rental	
Resident	\$140
Nonresident	\$200
Kayaking	
Resident	\$30
Non-Resident	\$40
Park rental - weekend/holidays	
Resident	\$125
Nonresident	\$175
Park rental – weekdays	

Resident	\$75
Nonresident	\$100
Park rental for youth organizations/non profits located in Kingston, Monday through Friday	
Resident	No charge
Park Rental Fee - Trash removal as required (resident and non-resident)	\$120
Rondout and Murphy Center Rental	
Up to 8 hours plus \$55 /hour staff	\$300
Up to 8 hours plus \$55/hour staff (movie rental)	\$450
Summer Parks Program	
Resident	\$250
Nonresident	\$350
Junior naturalist program - Resident One Week Program	\$105
Junior naturalist program - Non-Resident One Week Program	\$160
Junior naturalist program - Resident Two Week Program	\$200
Junior naturalist program - Non-Resident Two Week Program	\$275
Swim lessons	
Resident	\$50
Nonresident	\$75
Team league sponsorships	
Softball (team)	\$555
Beach volleyball (team)	\$195
Fall/winter volleyball (team)	\$360
Over 30 basketball (team)	\$340
Youth basketball league (team)	\$270
Tennis Lessons (NJTL)	
Resident	\$40
Nonresident	\$50
Youth Basketball	
Resident	\$45
Nonresident	\$65
Youth basketball program (Five-to six-year-old)	
Resident	\$20
Nonresident	\$25
Youth Basketball camp	
Resident	\$65
Nonresident	\$80

### PLANNING

Noise Permit - Single Day Event	\$35
Noise Permit – Up to 7 day Event	\$50
Noise Permit – Up to 6 months	\$450
Noise Permit – Up to 1 year	\$750
Site Plan Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft
Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Site Plan Extension/Renewal	10% of Original Application Fee
Special Use Permit Base Fee	\$200
Plus Additional Square Foot Fee as per below:	
Structure Up to 2,000 square feet	\$0 plus \$.10 per sq ft
Structure over 2,000 to 5,000 square feet	\$100 plus \$.20 per sq ft
Structure over 5,000 up to 20,000 square feet	\$250 plus \$.25 per sq ft
Structure over 20,000 up to 50,000	\$400 plus \$.30 per sq ft

Structure over 50,000 square feet	\$600 plus \$.35 per sq ft
Copies on CD	\$7.50
Copies	
8.5" x 11"	\$0.25
8.5" x 14"	\$0.35
11" x 14"	\$0.50
Large Map Copies	Cost, plus \$3 Service Fee
Mailing	At Cost
Special Use Permit Renewal	\$75
Rooming and Boarding House per Building (up to 4 rooms)	\$250
Additional cost per room in excess of 4 Rooms per Building	\$30
Subdivision (Non-Refundable)	
Subdivision/Lot Line/Revision/Lot line Deletion	\$150 plus \$50/resultant lot
Subdivision Regulations	\$15 plus mailing if needed
Zoning Ordinance	\$20 plus mailing if needed
Signage Base	\$50 fee plus \$2 per square foot of sign face
Curb Cut Review (fee is not applicable if part of site plan or subdivision reviews)	\$25
Recreation Fee-In Lieu of Parkland	
Per Dwelling Unit	Maximum \$3,000/unit over 4
Heritage Area Commission	
Base Fee	\$50
Base Fee if dual applicant with Historic Landmark Preservation Commission	\$20
Coastal Consistency Review as Required	\$50
Historic Landmarks Preservation Commission Application Fee	\$50
Lighthouse	
Use Fee for Structure	\$110 Resident/\$150 Non-Resident
Cleaning Fee	\$75

### PLUMBING

Application and initial license fee (plumbing – includes oil heat)	\$300
Gas license (includes water connection)	\$125
Oil heating license (includes water connection)	\$125
Examination fee (each exam)	\$100
Inactive license fee (each)	\$75
License renewal fee (plumbing)	\$300
License renewal fee (gas or oil)	\$125
License reinstatement fee (plumbing)	\$300
License reinstatement fee (gas or oil)	\$75
Plumbing Permits-base fee plus:	\$75
Fee Per Fixture	\$10
Single job permit fee:	
Up to \$10,000	\$400
From \$10,001 to \$100,000	\$900
Over \$100,000	\$1,500

### POLICE DEPARTMENT

ATV-Illegal use of off-road vehicle	
Per violation	\$650
ATV impoundment	
Redemption fee for impounded off-road vehicle	\$2350
Anti-Idling	
Initial fine	\$20



After 15 days	\$40
Application fee for exhibitions/shows	
Each show	\$10
First investigation	\$50
Each subsequent inspection	\$10
Burglar alarms	
Application to operate	\$40
False alarms	\$50
License to peddle and solicit	\$150
Skateboard redemption fee	\$25
Taxi Cab Licenses	
Taxi cab registration fee	\$25
Temporary taxi driver's license	\$10
Taxi cab driver's license	\$10
Taxi cab vehicle inspection	\$50
Taxi cab license fee	\$100
Replacement taxi driver's license fee	\$5
Tow truck inspection	
Annual inspection	\$200
Each tow vehicle inspected	\$20
Placement of Signs	\$25
Towing fee**Charges collected by tow truck operators**	

Day: \$100.00, Nights & Weekends: \$125.00,

Above three-quarter ton trucks Day: \$125.00, Nights & Weekends \$150.00

Tractor Trailers 18,000 GVW – Return empty Days: \$75.00, Nights & Weekends: \$100.00

Snow Tows Day or night includes dig out: \$125.00

**\*\*Additional Charges\*\*** The licensee shall be permitted to charge additional fees for additional services. Any fees not provided herein shall be in accordance with the schedule of fees filed with the Kingston Police Department.

### PUBLIC WORKS

Blocking Parking permit - Non-Metered	\$50 (up to 2 weeks)
Blocking Parking permit – Metered	\$25/space/day
Brush (Commercial – Per Ton)	\$30
Less one ton	\$15
Bulk Refuse (per pound)	\$0.15
Commercial Refuse (per pound)	\$0.20
Curb Cut Permit	\$100
Electronic equipment disposal (curbside fee only, free at transfer station)	
Small electronics (other than TV's)	\$8
CRT/TV/Monitor (picture tube style) under 27"	\$15
Flat Screen TV's	\$10
Consoles, large printers, large CRT TV's (over 27")	\$38
Additional Fine for curbside collection of electronics (per item)	\$15
Excavation Permit- Street, Right of Way	\$300
Linear Trenches	\$4.00 per ft
Excessive Trash – in excess of 96 gallons, small curbside clean-up	\$100

Excessive Trash – in excess of 96 gallons but less than 192 gallons, large curbside clean-up	\$250
Excessive Trash – massive clean-up (move out, eviction) flat fee plus:	\$250
Tipping Fee	\$.15 Per Lb.
Hourly Rate (to include labor and equipment)	\$200
Furniture (Per Item)	
Curb Pick-up by permit only	\$25
At transfer station (no permit required)	\$15
Mattress/box spring (at curb)	\$25
Mattress/box spring (at transfer station)	\$15
Leachate	
\$.08 gallon tank size up to 3,000	
\$.06 gallon for tank size of 3,000 gallons or over	
Placement of signs/banners	\$25
Private hauler permits	\$600
Recycling non-compliance	
\$25 first incidence	
\$50 second incidence	
\$100 third or more incidences	
Refuse (annual fee for additional refuse tote)	\$450
Sewer use - scavenger waste license fee	\$100
Sewer Tap	\$350
Sidewalk repair or replace permit	\$50
Tires	
Bike without rim	\$6
Bike with rim	\$7
Passenger car up to 17 inches	\$12
Passenger car up to 17 inches with rim	\$32
Passenger car, above 17 inches	\$32
Passenger car, above 17 inches with rim	\$37
Farm and construction without rim	\$200
Farm and construction with rim	\$250
White Goods (Appliances)	
Without Freon at curb (per item)	\$25
With Freon at curb (per item)	\$35
With Freon at transfer station (per item)	\$25
Without Freon at transfer station (per item)	\$15

#### SPECIAL EVENTS

Application Fee (all events)	\$25
Blocked Parking Fees (events other than non-profit, government or community org)	
On-street metered areas (per space)	\$50/space
On-street non-metered areas (per event)	\$100
Off-street metered areas (per space)	\$25/space
Off-street non-metered areas (per event)	\$100
Personnel Reimbursement (events other than non-profit, government or community org)	
DPW/Parks & Rec (per employee)	\$55/hour
Police (per officer)	\$90/hour
Fire (per firefighter)	\$90/hour
Street Closure/Detour Plan (all events)	
Street Closure/Detour Plan 1-5 Roads/Intersections	\$50
Street Closure/Detour Plan 6-10 Roads/Intersections	\$100
Street Closure/Detour Plan 11 or more Roads/Intersections	\$150
Tote Fee (with refuse removal)	\$20/tote
Vendor Permit (all events)	\$40/ vendor

#### ZONING

Zoning Letter:

Residential	\$100
Commercial	\$250

Zoning Variance Fees:

Area Variance – Residential	\$150
Area Variance – Commercial	\$350
Usage Variance – Residential	\$150
Usage Variance – Commercial	\$350



**RESOLUTION 28 OF 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REQUESTING RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, ISSUING A NEGATIVE DECLARATION IN CONNECTION WITH THE FRANKLIN STREET COMPLETE STREETS PROJECT IN THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) PROCESS PURSUANT TO 6 NYCRR PART 617**

Sponsored By: Lays & Rules Committee: Alderman Worthington, Hill, Frankel, Scott-Childress, Davis, Olivieri

**WHEREAS**, the City of Kingston Common Council is undertaking a project to improve the pedestrian accessibility and safety by implementing complete streets features on Franklin Street; and,

**WHEREAS**, the project includes construction of sidewalks along the north and south sides of Franklin Street, between Wall Street and Broadway. Additional work elements include new curbs, tree removals, installation of new trees. All permanent work will occur within the City's right-of-way; and,

**WHEREAS**, the Common Council has determined through its evaluation of the State Environmental Quality Review Act (SEQR) that the Franklin Street Complete Streets project meets the requirements of 6 NYCRR Part 617.5(c)(2), "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part."; and,

**WHEREAS**, the Common Council has determined that the project is a Type II action under SEQR;

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

**SECTION 1.** The City of Kingston hereby determines that the Franklin Street Complete Streets project is a Type II action in accordance with 6 NYCRR Section 6.17.5(c)(2), which constitute the "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part," and is therefore not subject to further review under 6 NYCRR Part 617.



**SECTION 2.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

Approved by the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_ 2022

\_\_\_\_\_  
Steven T. Noble, Mayor

Submitted to the Mayor this \_\_\_\_ day of  
\_\_\_\_\_, 2022

Elisa Tinti, City Clerk

Approved by the Mayor this \_\_\_\_ day of  
\_\_\_\_\_, 2022

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022





**THE CITY OF KINGSTON COMMON COUNCIL**

**LAWS & RULES  
COMMITTEE REPORT**

DEPARTMENT: Engineering

DATE: Jan 19, 2022

Description:

A resolution that pursuant to 6 NYRCC Part 617, the City of Kingston Common Council hereby determines that the Franklin Street Complete Streets Project is a Type II action under SEQRA, will have no potentially significant adverse environmental impacts and hereby renders a negative declaration in connection with this action pursuant to of 6 NYCRR Part 617.5(c)(2)

No financial impact.

Signature \_\_\_\_\_

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Action Required:

SEQRA Decision:  
 Type I Action \_\_\_\_\_  
 Type II Action   X    
 Unlisted Action \_\_\_\_\_

Negative Declaration of Environmental Significance:   X  

Conditioned Negative Declaration: \_\_\_\_\_

Seek Lead Agency Status: \_\_\_\_\_

Positive Declaration of Environmental Significance: \_\_\_\_\_

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Rita Worthington, Chairperson		
Barbara Hill, Ward 1		
Carl Frankel, Ward 2		
Reynolds Scott-Childress, Ward 3		
Michael Olivieri, Ward 7		



**RESOLUTION 29 OF 2022**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, AUTHORIZING THE PARTIAL ABANDONMENT OF FAIR  
STREET EXTENSION AND AUTHORIZING THE MAYOR TO EXECUTE ANY  
AND ALL DOCUMENTS RELATED TO THE PARTIAL ABANDONMENT OF  
FAIR STREET EXTENSION**

Sponsored By: Finance & Audit Committee: Alderman Scott-  
Childress, Davis, Olivieri, Schabot, Hirsch

**WHEREAS**, the City of Kingston owns Fair Street Extension; and

**WHEREAS** the City will retain ownership of the Fair Street Extension under the terms specified herein; and

**WHEREAS**, the term “partial abandonment” includes the closure of a portion of the street to through-moving vehicular traffic; and

**WHEREAS** the term “partial abandonment” does not mean the transfer of ownership of a public street to any private party; nor does such term encompass the “giving away,” “sale,” as such term is used in the Administrative Code, or the transfer by deed of any City-owned land; and

**WHEREAS**, the Common Council approved Resolution No. 128 of 2020, which enumerated public amenities required to be constructed and maintained on portions of the Fair Street Extension that are subject to the partial abandonment terms set forth herein; and

**WHEREAS**, the Common Council approved Resolution No. 43 of 2021, which approved the transfer of 21 North Front Street as part of the Kingstonian Development Project (the “Project”) and expressly provided that ownership of the transferred property will revert to the City if the Project fails to provide the specified public amenities, including those to be constructed on the portions of Fair Street Extension subject to the partial abandonment described herein; and

**WHEREAS**, the Common Council approved Resolution No. 215 of 2021, which conveyed an easement “to allow for an ADA compliant pedestrian access bridge over Schwenk Drive and the location of structural support for the pedestrian bridge and elevator tower adjacent to Schwenk Drive” as part of the Project; and

**WHEREAS**, the portions of the Fair Street Extension subject to the partial abandonment described here will remain remain open for public use, subject to conditions that apply in the City’s parks; and



**WHEREAS**, the State of New York has agreed to provide funding for the construction of the public plaza; and

**WHEREAS**, the construction of a public plaza upon the portions of the Fair Street Extension subject to the partial abandonment, will provide a publicly beneficial, outdoor space for community gatherings and similar events; and

**WHEREAS**, the construction of the plaza will enable the development of much-needed housing and commercial establishments as part of the Project; and

**WHEREAS**, the public plaza will be connected to an ADA-compliant, pedestrian walkway, which will enhance the ability of persons with disabilities to navigate the City's central commercial areas; and

**WHEREAS**, the public restrooms included within the Project's public amenities will be maintained on portions of the Fair Street Extension subject to the partial abandonment and will provide a much-needed public resource at no additional cost to taxpayers; and

**WHEREAS**, the lower portion of Fair Street Extension will remain accessible to vehicles accessing a parking garage, which will be operated in accordance with the terms set forth in Resolution No. 128 of 2020 and Resolution No. 43 of 2021; and

**WHEREAS**, that parking garage will provide a much-needed increase in available public parking in Uptown Kingston; and

**WHEREAS**, a request has been made to authorize the partial abandonment of Fair Street Extension; and

**WHEREAS**, the Common Council's Finance & Audit Committee voted to recommend the requested partial abandonment on October 13, 2021; and

**WHEREAS**, a public hearing regarding the partial abandonment of Fair Street Extension was held on January 12, 2022.

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

**SECTION I:** That the Common Council of the City of Kingston, New York, authorizes the partial abandonment of Fair Street Extension.



**SECTION 2.** That the Common Council of the City of Kingston, New York, authorizes the Mayor to execute any and all documents related to the partial abandonment of Fair Street Extension.

**SECTION 3.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2022

