

SEPTEMBER 2022
LAWS & RULES COMMITTEE MEETING
Wednesday September 21st 6:30pm.

NEW BUSINESS

- 1 – Release of Restriction
- 2 – Amending Section 1 of Resolution 179 of 2012 – Mayor Noble

OLD BUSINESS

1. Repeal of the Second Amendment
2. Scattering of ashes
3. Re-zoning application-Golden Hill

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401



Instrument Number: 2007- 00027993

Recorded On: December 14, 2007

As
D01 - Deed

Parties: KINGSTON CITY

To
MEG PROPERTIES LLC

Recorded By: KINGSTON CITY

Billable Pages: 4

Comment:

Num Of Pages: 4

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

D01 - Deed	37.00	RP5217-75	75.00	Tax Affidavit TP 584	5.00
Recording Charge:	117.00				
		Consideration			
	Amount	Amount	RS#GS#		
Tax-Transfer	50.00	12,266.00	2087	Basic	0.00
KINGSTON CITY				Additional	0.00
				Special Additional	0.00
				Transfer	50.00
Tax Charge:	50.00				

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

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

File Information:

Document Number: 2007- 00027993

Receipt Number: 622463

Recorded Date/Time: December 14, 2007 02:36:50P

Book-Vol/Pg: Blk-D VI-4495 Pg-272

Cashier / Station: s smar / Cashier Workstation 6

Record and Return To:

RENATE SOYER
MEG PROPERTIES LLC
184 ALBANY AVENUE
KINGSTON NY 12401



Nina Postupack

Nina Postupack Ulster County Clerk

✓
TO
08

THIS INDENTURE, made the 5th day of December, year two thousand and seven

BETWEEN City of Kingston, a municipal corporation with its principal place of business at 420 Broadway, Kingston, New York 12401

party of the first part, and

M.E.G. Properties, LLC, with principal place of business at 184 Albany Avenue, Kingston, New York 12401

parties of the second part,

WITNESSETH, that the party of the first part, in consideration of One and no/100 (\$1.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Kingston, County of Ulster, State of New York, known as:

Property Address: 14 Elmendorf Street

Kingston, New York, Tax Map Identifier #56.25-1-26, as described on the tax rolls of the City of Kingston for the year 2004 and being the same premises conveyed to the City of Kingston by Penny Radel, Comptroller of the City of Kingston, by deed dated January 30, 2007 and recorded on February 9, 2007, in the office of the Clerk of the County of Ulster as Document Number 2007-3365, Liber 4375 of deeds at page 42.

Also, attached hereto as Schedule A is a survey description prepared by Michael F. Vetere, Jr., PLS. The City of Kingston does not guarantee the accuracy of the attached survey description.

SUBJECT, however, to the following conditions:

- a. The premises are to be used as a two family rental dwelling.
- b. The premises and all buildings thereon must be constructed to comply with existing building and fire codes after consultation with the Building Safety Division of the City of Kingston.
- c. Purchaser is required to obtain all approvals, permits, licenses and certificates necessary to perform the work required and to occupy the premises.
- d. All work necessary to satisfy the building and fire codes must be completed within one year of the date of this deed. The purchaser will promptly apply for the necessary permits and approvals to permit the construction and occupation of the site for its proposed use.
- e. Purchaser agrees to obtain a building permit within two (2) months of obtaining final approval from all of the boards and/or commissions for which said approval may be required.
- f. Grantee will permit periodic inspections of the interior and exterior of the premises by the Building Safety Division until a Certificate of Occupancy is issued by the Building Safety Division.
- g. In the event the Fire Officer, after due deliberation, determines that the Grantee has breached any of the conditions herein, he shall notify the Planning Department of such breach who in turn shall notify Grantee of the breach, in writing, by certified mail. The Grantee shall, within thirty (30) days of mailing of such notice, correct the breached conditions, or in the alternative at the expiration of said thirty (30) days, surrender the premises and quit and vacate the premises conveyed.
- h. Upon failure of the Grantee to attend the obligations specified herein, and upon expiration of the time period set forth in paragraph "d" hereof, title to the premises shall revert to the City of Kingston and the City shall upon due application to a Justice of the Supreme or County Court, be entitled to a Court order directing reversion of title to the City.
- i. After receiving the Court order reverting title to the City's name, the City shall cause to be recorded in the office of the Ulster County Clerk a certificate or other appropriate document in recordable form indicating that title to the lands and premises has reverted to the City of Kingston.
- j. Upon the Grantee receiving a certificate of occupancy for the demised premises, the City of Kingston will issue a release to the Grantee evidencing the fulfillment and satisfaction of all the terms and conditions specified herein.
- k. The Grantee agrees to indemnify and hold harmless the City of Kingston its successors and assigns from any and all claims, liabilities, liens, or encumbrances affecting the properties reacquired by the City.

Kingston City

CHECKED SM
 ENTERED SM
 MARK/OFF _____

1. That 14 Elmendorf Street, Tax Map No. 56.25-1-26 cannot be sold at any time in the future by M.E.G. Properties, LLC without the prior written consent of the Common Council of the City of Kingston.

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

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

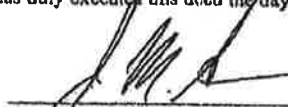
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with § 13 of the Lien Law, hereby covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement before using any part of the total of the same for any other purpose.

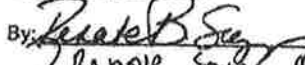
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN THE PRESENCE OF


James M. Sottile, Mayor, City of Kingston

M.E.G. Properties, LLC

By: 
Renate Soyer, Manager

State of New York }
 } ss:
County of Ulster }


On the 5th day of December in the year 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared James M. Sottile, Mayor of the City of Kingston, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

JANET K. HIGGINS
Notary Public, State of New York
No. 01H4283985
Qualified in Ulster County
Commission Expires Sept. 30, 20 09

State of New York }
 } ss:
County of Ulster }

On the 4th day of December in the year 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Renate Soyer 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

JANET K. HIGGINS
Notary Public, State of New York
No. 01H4283985
Qualified in Ulster County
Commission Expires Sept. 30, 20 09

Record & Return to:
Renate Soyer
M.E.G. Properties, LLC
184 Albany Avenue
Kingston, New York 12401

**DESCRIPTION OF LANDS TO BE CONVEYED TO
MEG PROPERTIES, LLC**

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

Beginning at a found iron bar on the Southeasterly street line of Elmendorf Street, said iron bar being the Northeasterly corner of lands of R.L.R.J.B. Realty, Inc., said iron bar also being North $62^{\circ}-22'-10''$ East, 150.00 feet from a found railroad spike driven in asphalt on the Northeasterly street line of Broadway; thence North $62^{\circ}-21'-24''$ East, along said street line of Elmendorf Street, 50.00 feet to a found iron bar, said iron bar being the Northwesterly corner of lands of Leslie Mitchell; thence South $27^{\circ}-38'-36''$ East, along the Southwesterly bounds of Mitchell, 134.61 feet to a set iron bar on the Northwesterly bounds of lands of Adalberto and Olgalivia Villa; thence South $64^{\circ}-23'-11''$ West, along the Northwesterly bounds of Villa and the bounds of lands of Herbert W. and Anne J. Nestell, 41.53 feet to a set iron bar on the Northeasterly bounds of lands of Strand Community Organization to Rehabilitate the Environment, Inc.; thence North $27^{\circ}-51'-38''$ West, along the last mentioned bounds, 83.81 feet to a found iron bar, said iron bar being the Southeasterly corner of lands of R.L.R.J.B. Realty, Inc., the last course passing over a found iron bar distant 44.77 feet; thence North $37^{\circ}-03'-45''$ West, along the Northeasterly bounds of R.L.R.J.B. Realty, Inc., 50.00 feet to the point of beginning.

Being 5,786.38 square feet or 0.133 acre more or less.

All bearings are magnetic of October 2007 as surveyed by Michael F. Vetere, Jr., P.L.S.

M. F. Vetere, Jr.

2

L+R

CITY OF KINGSTON
Office of the Mayor
mayor@kingston-ny.gov

Steven T. Noble
Mayor



September 9th, 2022

Honorable Andrea Shaut
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, New York 12401

Dear President Shaut,

Section 1 of Resolution 179 of 2012 includes the requirement "that contractors and subcontractors on construction contracts over \$100,000 have approved apprenticeship agreements." I believe this language should be updated to better suit the needs of utilizing our local work force. I would recommend adding:

"Such apprenticeship program must have a graduation rate of 30% over the last five years as determined by the New York State Department of Labor. In addition, each trade specific apprenticeship program must provide documentation verifying a minimum of three trade-specific graduates per calendar year for the last five years."

Respectfully submitted,

Steven T. Noble
Mayor

Resolution 179 of 2012

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR ADOPTING THE REQUIREMENT THAT CONTRACTORS AND SUBCONTRACTORS ON CONSTRUCTION CONTRACTS HAVE APPROVED APPRENTICESHIP AGREEMENTS PURSUANT TO NYS LABOR LAW §816-b.

Sponsored By: Laws & Rules/Cable Committee: Aldermen: Senor, Brown, Ball, Mills, Dunn

WHEREAS, New York State Labor Law §816-b permits municipalities to require contractors and subcontractors on construction contracts to have approved apprenticeship agreements for contracts exceeding a set limit; and

WHEREAS, in 2004 the City of Kingston adopted the requirement that contractors and subcontractors on construction contracts over \$1,000,000 have approved apprenticeship agreements pursuant to NYS Labor Law §816-b; and

WHEREAS, it is in the best interests of the City to lower the contract price limit for the purpose of making significant savings for development and infrastructure repair projects throughout the City.

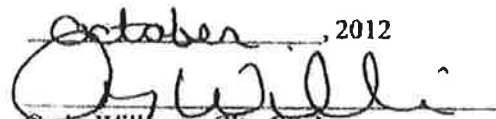
NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

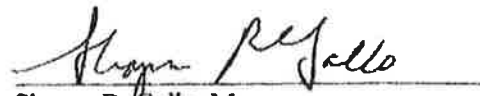
SECTION-1. That the City of Kingston hereby adopts the requirement that contractors and subcontractors on construction contracts over \$100,000 have approved apprenticeship agreements pursuant to NYS Labor Law §816-b.

SECTION-2. This resolution shall take effect immediately.

Submitted to the Mayor this 3rd day of

Approved by the Mayor this 3rd day of
October, 2012

October, 2012

Carly Williams, City Clerk


Shayne R. Gallo, Mayor

Adopted by Council on October 2, 2012.

OLD BUSINESS

Memorializing Resolution Calling for the Repeal of the Second Amendment

We, the members of the Common Council and the Mayor of Kingston, New York, demand action to drastically reduce firearm violence in the United States by repealing the Second Amendment to the United States Constitution.

Whereas, United States Supreme Court Justice John Paul Stevens called in 2018 for the repeal of the Second Amendment because the provision of a "well-regulated militia" is a "relic of the 18th century";¹ and

Whereas, Warren Burger, the Chief Justice of the United States Supreme Court from 1969-1986, castigated the NRA's argument for an individual right to own firearms as "one of the greatest pieces of fraud, I repeat the word fraud, on the American public by special interest groups that I have ever seen in my lifetime"²;

Whereas, United States Supreme Court in 1939 unanimously decided in *United States v. Miller* (1939) that Congress had the power to prohibit possession of sawed-off shotguns because they had no reasonable role in the preservation or efficiency of a "well regulated militia";

Whereas, the Federal Government has in the past established limits and taxes on the possession, manufacture, and distribution of various types of firearms such as the National Firearms Act of 1934 and Violent Crime Control and Enforcement Act of 1994;

Whereas, the current Supreme Court of the United States shows virtually no interest in enabling common-sense regulation of the use, manufacture, and distribution of firearms;

Whereas, other nations that have taken steps to regulate the use, manufacture, and distribution of firearms have significantly reduced and even eliminated mass shootings;

Whereas, the framers of the United States Constitution in 1787 could not possibly have envisioned the destructive power of contemporary firearms;

Whereas, the annual number of deaths by the use of firearms is a significant public-health hazard with the number of firearm-related deaths reaching 45,222 in 2020;

Whereas, firearm deaths became *the leading cause of death* among children and adolescents aged 1-19 years of age in 2020;³

Whereas, death by mass shooters causes untold grief, distress, and diminished well-being among family relations, community members, and citizens throughout the nation;

¹ John Paul Stevens, "Repeal the Second Amendment," *New York Times*, 27 March 2018, <https://www.nytimes.com/2018/03/27/opinion/john-paul-stevens-repeal-second-amendment.html>

² Warren Burger, Interview, *PBS News Hour*, 16 December 1991, https://www.youtube.com/watch?v=Eya_k4P-iEo.

³ Jason E. Goldstick et al., "Current Causes of Death in Children and Adolescents in the United States," *Journal of the American Medical Association*, 19 May 2022, <https://www.nejm.org/doi/full/10.1056/NEJMc2201761>

Whereas, the repeal of the Second Amendment would allow individual states to establish tighter firearm regulations in the absence of federal action;

BE IT THEREFORE RESOLVED: the Common Council and Mayor of the City of Kingston, New York, call on our elected officials in the United States Senate to introduce legislation to repeal the Second Amendment from the Constitution of the United States.

BE IT FURTHER RESOLVED: this resolution will be sent by the Mayor's office to New York Senators Charles Schumer and Kirsten Gillibrand.



CITY OF KINGSTON

(LIR)

Office of the City Clerk & Registrar of Vital Statistics

cityclerk@kingston-ny.gov

Steven T. Noble, Mayor
Elisa Tinti, City Clerk & Registrar



Deidre Sills, Deputy Clerk
Susan Mesches, Deputy Registrar

President Shaut
420 Broadway
Kingston, New York 12401

May 31, 2022

Dear President Shaut,

Recently it was brought to my attention that there is no legislation in the City of Kingston in regard to the scattering of Ashes. As Registrar of the City of Kingston, my office maintains all of the Death Certificates for individuals who pass away within the city limits. I have been asked about the city policy and or permit process by family members of deceased who want to spread the ashes of their loved ones. Currently, we do not have a process or permit in place. Please assign this topic to Laws & Rules for discussion.

Thank you,
Elisa Tinti

City Clerk & Registrar

Tinti, Elisa

From: Tinti, Elisa
Sent: Wednesday, August 17, 2022 7:03 PM
To: Shaut, Andrea; Alderman
Subject: Fwd: Follow up to Laws & Rules discussion re scattering ashes
Attachments: Ashes Actionable Checklist.docx

Sent from my iPhone

Begin forwarded message:

From: "Timbrouck, Lynsey" <ltimbrouck@kingston-ny.gov>
Date: August 17, 2022 at 3:52:42 PM EDT
To: "Tinti, Elisa" <emtinti@kingston-ny.gov>
Subject: FW: Follow up to Laws & Rules discussion re scattering ashes

Hi Elisa,

Just reviewed Barbara's e-mail and check list again and I think from my perspective, there should certainly be strict guidelines as to the location and dates/times of scattering ashes, as well as some sort of a firm permitting process. I also think there should be a very clear designated area(s) where scattering ashes is permitted and it should be specified that other locations or sites are not authorized for this to occur. As discussed, we have many visitors who come to our parks at various times throughout each day and conflicts could arise if people aren't aware of this type of private moment that may be occurring or that there is a specified location where it is permitted. Our parks are open to the public and permits are only required to reserve a pavilion or to hold a special event within the parks. Other than that, visitors are allowed to come and go to enjoy the park from dawn to dusk as they please.

Please let me know if there are any questions or concerns to share. Thanks.

-Lynsey

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

From: Graves-Poller, Barbara <BGraves@kingston-ny.gov>
Sent: Friday, July 29, 2022 9:47 AM
To: Scott-Childress, Reynolds <rscott-childress@kingston-ny.gov>; Hill, Barbara <ward1@kingston-ny.gov>; Frankel, Carl <ward2@kingston-ny.gov>; Olivieri, Michael <ward7@kingston-ny.gov>; Shaut, Andrea <ashaut@kingston-ny.gov>; Worthington, Rita <ward4@kingston-ny.gov>; Tinti, Elisa <emtinti@kingston-ny.gov>; Timbrouck, Lynsey <ltimbrouck@kingston-ny.gov>; Potter, Kitt

Ashes Actionable Checklist

- 1. Designated, and beautified ash scattering areas within certain parks, permit required with a waivable fee**
- 2. Designated ash scattering areas within certain parks, permit required with a waivable fee**
- 3. No designated areas but regulatory guidelines on how/where/when to scatter and permit required w waivable fee**
- 4. Guidelines for scattering and permit only required for certain areas or times of day or for volume of attendees**
- 5. Regulatory guidelines on scattering ashes with no permit requirement**

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(L+R)

CITY OF KINGSTON

Office of the City Clerk & Registrar of Vital Statistics

cityclerk@kingston-ny.gov

Steven T. Noble, Mayor
Elisa Tinti, City Clerk & Registrar



Deidre Sils, Deputy Clerk
Susan Mesches, Deputy Registrar

KINGSTON ZONING AMENDMENT APPLICATIONS

ZONING AMENDMENT: Is a Legislative act, carried out by the Common Council, which amends (adds/deletes/modifies) either the text of written Ordinances, or changes property zoning classification on the map (rezoning). Rezoning must be in furtherance of a community's planning objectives (land use plan). If a property is rezoned, it changes the district regulations which are applied, allowing any use permitted and bulk requirements to be constructed.

A complete application is considered to be:

- Application form completed
- Completed and signed SEQRA form (Part 1 only).
- Non-refundable \$75.00 application fee (checks payable to City Comptroller).
- Minimum – five (5) copies of any attachments and supporting data.

DEADLINE FOR SUBMISSIONS: All petitions for zoning amendments must be submitted to **The Clerk's Office at City Hall, no later than 4:00 pm on the Friday** before the Common Council meeting date.

L+R

To: Office of the City Clerk & Registrar of Vital Statistics
 420 Broadway
 Kingston, NY 12401

Date: 07-06-2022	Project #: CZ32186.00
Re: Golden Hill Development	
Zoning Amendment Application	

Attn: Ms. Elisa Tinti, City Clerk & Registrar

- We are sending you:**
- Attached
 Under Separate Cover
- Shop Drawings
 Prints
 Plans
 Samples
 Specifications
- Copy of Letter
 Change Order
 Please Sign and Return
 Applications

Copies	Date	No.	Description
6	06-30-2022	-	Kingston Zoning Amendment Application (Original + 5 Copies)
1	06-30-2022	143	\$75.00 application fee
5	10-28-2021	-	Letter of Permission to Represent Ulster County
5	04-01-2022	-	Golden Hill Introduction & Project Narrative
6	06-30-2022	-	Full Environmental Assessment Form Part 1 - Project and Setting (Original + 5 Copies)
5	06-08-2022	SP1	Plat of Subdivision Prepared for Pennrose, LLC
5	04-01-2022	C010	Overall Site Plan
5	04-01-2022	C130	Site Plan

- These are transmitted**
- For Approval
 Reviewed
 Resubmit _____ Copies for approval
- For Your Use
 Furnish as corrected
 Submit _____ Copies for distribution
- As Requested
 Returned for corrections
 Ret:rn _____ Corrected prints
- For Review and Comment

- For Bids due _____

Comments

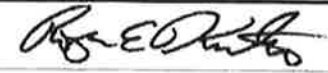
Elisa,

Attached please find 5 copies of the Zoning Amendment Application and supporting documentation for the proposed Golden Hill Development project.

Thank you,

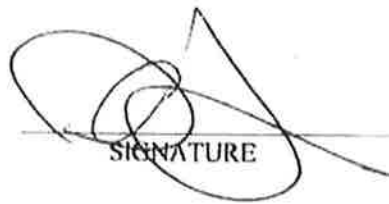
Roger

Copy to: Suzanne Cahill, Planning Director w/enc.
 _____ w/enc.
 _____ w/enc.

Signed: 
 Roger Keating, PE, LEED AP BD+C
 Senior Civil Engineer, Regional Leader

6. Provide detailed reason for request (Attach additional sheets as required):
 The proposed Golden Hill development is an intergenerational, affordable mixed-income housing community. Buildings range from one-story to four-story, and a total of 164 housing units are proposed. The existing RRR district is primarily a single-family residence district and also limits maximum building height to 35 ft. The proposed O-2 district allows for office, residential, and mixed-use development including the construction of dwellings for four or more families. The O-2 district also does not limit building height. The Applicant is requesting a zoning change for the approximate 20.14 acre site being subdivided out for the development. The second parcel, lands now or formerly of Ulster County, will be approximately 20.87 acres and shall remain in the RRR zoning district.
7. Attach supporting documents as necessary, i.e.- maps, photographs, financial information, traffic, drainage data, petitions, condition reports, etc...

Dylan Sultman, Authorized Signatory
Pennock N^o Developer LLC
 PRINT NAME, TITLE



SIGNATURE

6/30/22
 DATE

PRINT NAME, TITLE:

SIGNATURE

DATE

FOR OFFICE USE ONLY

Date Received: _____	Referrals to HLPC: _____
Application Fee: _____	SEQRA: _____
Intro to KCC: _____	Referral to UCPB: _____
Referral to L&R: _____	Public Notice: _____
Referral to KPB: _____	Public Hearing: _____
FINAL DECISION/DATE/RESOLUTION #:	_____