RESOLUTION 28 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REFERRING THE AMENDMENT OF THE DEFINITION OF "HOTEL" IN THE CITY OF KINGSTON ZONING CODE THE HLPC, CITY OF KINGSTON PLANNING BOARD, AND THE ULSTER COUNTY PLANNING BOARD

Sponsored By:

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

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

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

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

SECTION 1 –That the following proposal to amend the definition of "HOTEL" in section 405-3 of the City of Kingston Code to provide:

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

be and is hereby referred to the Ulster County Planning Board, the City of Kingston Planning Board and the Historic Landmarks Preservation Commission.

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

SECTION 3- That this resolution shall take place immediately.

Submitted to the Mayor this day of	Approved by the Mayor this day of
, 2021	, 2021
	-
Elisa Tinti, City Clerk	Steven T. Noble, Mayor
Adopted by Council on	, 2021

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

City of Kingston, NY / PART II: GENERAL LEGISLATION Chapter 277Hotels, Motels, Inns, Rooming Houses and Boardinghouses

§ 277-11 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BED-AND-BREAKFAST

A residential establishment where rooms are rented to transient nonpermanent guests, on a short-term basis, with breakfast being the only meal served to said guests.

BOARDINGHOUSE

A private dwelling in which at least three rooms are offered for rent and table board is furnished only to roomers and in which no transients are accommodated. A rooming house or a furnished room house shall be deemed a "boardinghouse."

HOTEL or MOTEL

A building which has transient living and sleeping accommodations for rent for five or more persons and which is open for year-round occupancy; a "hotel" or "motel" shall include similar establishments designated as auto courts, tourist cabins, etc.

UPDATE TO:

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

INN

A building which has transient living and sleeping accommodations for rent for at least five or more persons but no more than 10 persons.

TRANSIENT LIVING

A guest or customer of a hotel or motel the nature of which the term of stay is limited to no more than 30 consecutive days or 90 total days in any individual calendar year.

§ 277-1License required.

It shall be unlawful, without obtaining a license from the City Clerk, for any person, firm or corporation, either as owner, tenant or agent, to run, operate or maintain in the City of Kingston, a hotel, motel, inn, boardinghouse, lodging house, rooming house, association, club or any building used in the business of renting rooms or furnishing meals with accommodations for more boarders than allowed in a single-family dwelling as set forth in Chapter **405**, Zoning, of the City of Kingston.

https://ecode360.com/6727053#6727066

City of Kingston, NY / PART II: GENERAL LEGISLATION / Zoning Article II Terminology

Section 405-3 Definitions

HOTEL

A building containing rooms designed to be used or which are used, rented or occupied for sleeping purposes by transient guests and where only a general kitchen and dining room may be provided within the building or in an accessory building. The word "hotel" includes the word "motel," "motor lodge," "motel hotel," "motor court," "inn," "tourist court" or similar names.

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RESOLUTION 29 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2020 TRANSFER IN THE ENGINEERING DEPARTMENT IN THE AMOUNT OF \$35,343.16 FROM CONTINGENCY TO PAY CSX RAILROAD FEES RELATING TO A CITY STORM DRAIN PROJECT

Sponsored By:

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

WHEREAS, the Engineering Department has requested a transfer in the amount of \$35,343.16 from contingency to pay CSX railroad fees related to a city storm drain 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 following sums be transferred as follows:

FROM:	A1.1990.14.5404	Contingency	\$35,343.16
TO:	A1.1440.5301	Capital Cont. Services	\$35,343.16

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this _____ day of

_____, 2021

Approved by the Mayor this _____ day of

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQU	JEST	DESCRIP	TION

INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS _____

CONTINGENCY TRANSFER ×_____ BUDGET MODIFICATION _____ ZONING _____

TRANSFER ______ BONDING REQUEST _____ OTHER _____

DEPARTMENT Engineering on Behalf of Community Development DATE Jan 13, 2021

Description: A contingency transfer to pay CSX railroad fees relating to a City Storm drain project

constructed in 2015. Transfer \$35,343.16 from contingency to a capital account to

be able to make payment to CSX.

Estimated Financial Impact \$35,343.16

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>	YES	NO
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9	Ø	
Steven Schabot, Ward 8		

CITY OF KINGSTON Office of the City Engineer

jschultheis@kingston-ny.gov

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



Steven T. Noble, Mayor

January 8, 2021

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

RE: Budget Transfer Request, Contract CK-141 (2015 project), CSX Railyard crossing and storm sewer conveyance

Dear President Shaut:

In 2015 a City contract, CK-141, was issued to construct a storm drain. Because the project crossed land owned by CSX railroad, it was necessary to pay certain fees to CSX for review of drawings, permits, and inspection services. These fees are due to CSX whenever a project crosses their right of way. In these cases, CSX invoices the City based on actual time and expenses they incur related to the City's project.

Originally it was expected that CSX would invoice the City's contractor for these fees, and that the contactor would then pay CSX. However it was later decided that the City would pay CSX's fees directly. A change order for this purpose was executed.

It appears that amounts due to CSX were not paid prior to closing out the project. This may be due to an oversight on the part of City staff. It appears that most or all of the City staff who managed this project are no longer employed by the City, and was done under the supervision of the prior Mayor, so it is not possible to say exactly how this oversight occurred.

We have researched available files, in coordination with the Community Development department and the Comptroller to confirm that the amount that CSX claims is due. We have determined that \$35,343.16 remains due to CSX from this 2015 project, and there is no remaining funding from the original 2014 funding authorization.

Therefore I am requesting a budget transfer from contingency in the amount \$35,343.16 in order to make payment to CSX for the full amount due.

I note that this was not a project managed by the Engineering department. My office became involved only earlier this year in order to assist with settlement of this outstanding issue. It is our practice to always account for project costs carefully and to close out projects as promptly as possible. Although it is not a project managed by my office, I will make myself available to answer questions regarding the transfer request

CITY OF KINGSTON Office of the City Engineer

jschultheis@kingston-ny.gov

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



Steven T. Noble, Mayor

Please refer this item to the Finance Committee for further discussion and action. Should you have any questions concerning this request, do not hesitate to contact me.

Respectfully,

John M. Schultheis, P.E. City Engineer

Cc: Mayor Steven T. Noble Comptroller John Tuey

RESOLUTION 30 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2021 TRANSFER IN THE GRANTS MANAGEMENT DEPARTMENT IN THE AMOUNT OF \$6,000.00 TO PAY THE COST OF OVERTIME.

Sponsored By:

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

WHEREAS, the Grants Management Department has requested a transfer in the amount of \$6,000.00 to cover the cost of overtime

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 following sums be transferred as follows:

FROM:	A1.1440.18.5821	Engineering Med. Ins.	\$1,000.00
	A1.1440.11.5101	Engineering reg. pay	\$2,000.00
	A1.1990.14.5404	Contingency	\$3,000.00
TO:	A1.6990.11.5103	Grants Mngt. Overtime Pay	\$6000.00

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this _____ day of

Approved by the Mayor this _____ day of

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on	, 2021

1THE CITY OF KINGSTON COMMON COUNCIL

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FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION						
AUTHORIZATION	CONTINGENCY TRANSFERX BUDGET MODIFICATION ZONING	TRANSFERX BONDING REQUEST OTHER				
DEPARTMENT: Grants Manageme	nt 202\	DATE: _2/10/2021				
Description: Transfer \$6000 of funds into the Gran	ts Management account for overtime	e costs.				
From: Engineering Medical Insurance – A11 Engineering Regular Pay – A11440.13 Contingency –A11990.14.5404: \$300	.5101: \$2000					
To: Grants Management Overtime Pay –	A16990.11.5103					
Estimated Financial Impact: \$3000.0	0 Signature					
Motion by						
Seconded by	Commi	ttee Vote YES NO				
Action Required:						
		Childress, Ward 3, irman				
SEQRA Decision:	Don Taller	man, Ward 5				
Type I Action Type II Action	Anty	A X				
Unlisted Action	Anthony Di	Wis, Ward 6				
Negative Declaration of Environmental Signification	ince:					
Conditioned Negative Declaration:	Michele Hi	rsch, Ward 9				
Seek Lead Agency Status:	Allel	HULL X				
Positive Declaration of Environmental Significat	steven Sehr	abot, Ward 8				

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CITY OF KINGSTON Office of Grants Management

grants@kingston-ny.gov

Kristen E. Wilson, Director



Steven T. Noble, Mayor

January 28, 2021

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

Re: Request for Overtime Funds

Dear President Shaut,

The Office of Grants Management requests placement on the agenda of the appropriate committee for a request to transfer additional funds into the Grants Management budget to cover overtime costs for the Grants Manager.

Due to the City's large grant project portfolio (the current numbers and project statuses are shown in the grants activity update delivered this month), and due to recent shortages in staff, there is a need for the Grants Manager to work extra hours in order to complete the minimum requirements needed to keep our grants in good standing. We have put some projects on hold, but there are still inevitable deadlines we must meet for many funders. In addition, to save local taxpayer dollars, new funding can be acquired for existing projects the City has already planned to complete. We anticipate new funding sources to become increasingly available as a result of the change in federal administration.

We have estimated at this time that \$6000 is needed. We are able to transfer \$3000 from the Engineering Department as a result of savings incurred by not hiring two employees on the exact start date originally planned. We request that the additional \$3000 be transferred from contingency.

Thank you for your consideration.

Sincerely,

the GWile

Kristen Wilson

RESOLUTION 31 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2021 INTERDEPARTMENTAL TRANSFER IN THE AMOUNT OF \$7,900.00 IN THE COMPTROLLER'S DEPARTMENT TO BALANCE THE BUDGET

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

WHEREAS, the Comptroller's Department has requested a transfer in the amount of \$7,900.00 to cover the cost of overtime

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 following sums be transferred as follows:

FROM:	A1.1330.5111	Seasonal	\$4,000.00
	A1.3320.5103	Overtime	\$1,200.00
	A1.3320.5118	Standby Pay	\$2,700.00
TO:	A1.1315.5102	Longevity	\$550.00
	A1.1315.5103	Overtime	\$1,900.00
	A1.1320.5411	Consultant	3,000.00
	A1.1330.5103	Overtime	\$1,900.00
	A1.3320.5102	Longevity	\$550.00

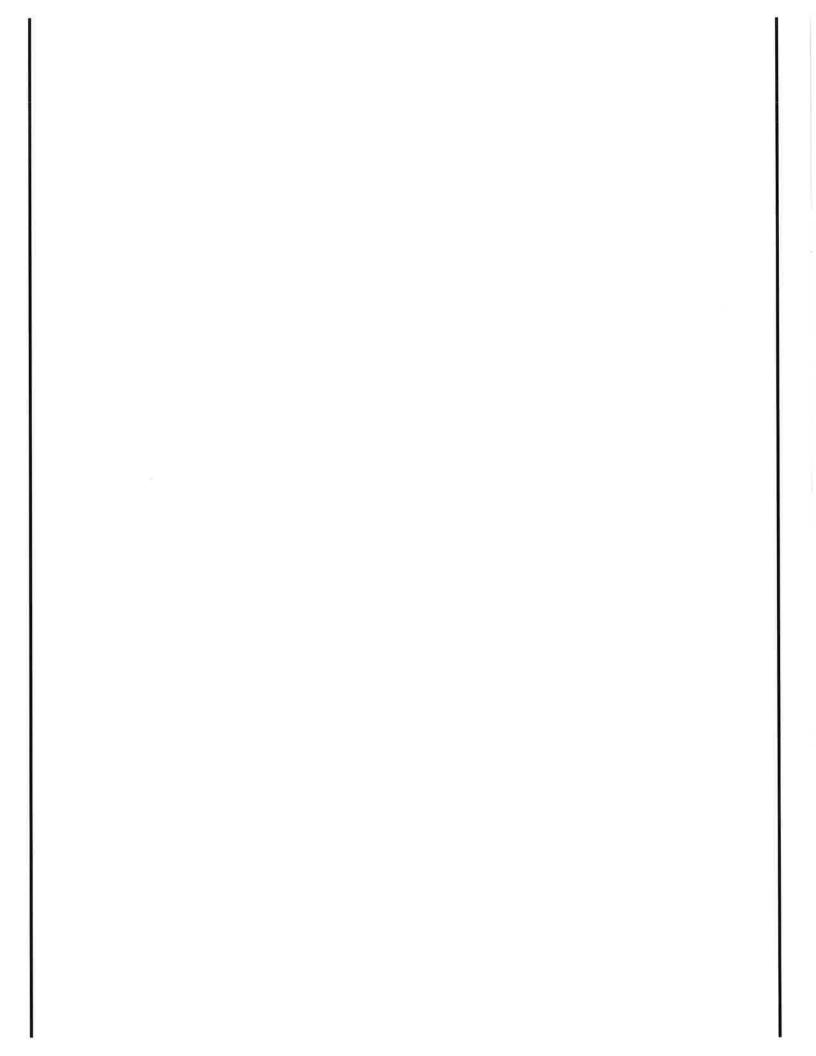
SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this	day of
-----------------------------	--------

Approved by the Mayor this _____ day of

____, 2021

_____, 2021



THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____ AUTHORIZATION X _____ CLAIMS _____ CONTINGENCY TRANSFER _____ BUDGET MODIFICATION X_____ ZONING _____

TRANSFER _____ BONDING REQUEST _____ OTHER _____

DEPARTMENT Comptroller

DATE1/28/2021

Description: Respectfully request approval of interdepartmental 2021 budgetary transfers

Estimated Financial Impact N/A

_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:

Committee Vote	<u>YES</u>	<u>NO</u>
Myuls halli	V	1
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3 Pon Tailerman Autwy Anthony Days, Ward 6	7	
Anthony Davis, Ward 6		
Michele Mirsch, Ward 9		
Steven Schabot, Ward 8	X	
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CITY OF KINGSTON Office of the Comptroller

comptroller@kingston-ny.gov

John Tuey, Comptroller



Steven T. Noble, Mayor

January 28, 2021

Alderman At Large Andrea Shaut, President City of Kingston Common council City Hall, 420 Broadway Kingston, NY 12401

RE: Mid-Year 2021 Budgetary Transfers

Dear President Shaut,

I am submitting the attached 2021 budgetary transfers to accommodate necessary adjustments to my office's 2021 budget. There is no overall financial impact from these transfers.

Respectfully

John R. Tudy, CPA Comptroller, City of Kingston

General Fund Budgetary Transfer

To:					From:				
Fund	Dept	Acct #	Acct Description	Amount	Fund	Dept	Acct #	Acct Description	Amount
A1	1315	5102	Longevity	550.00	A1	13 30	5111	Seasonal	4,000.00
A1	1315	5103	Overtime	1,900.00	A1	3320	5103	Overtime	1,200.00
A1	1320	5411	Consultant	3,000.00	A 1	3320	5118	Standby Pay	2,700.00
A1	1330	5103	Overtime	1,900.00					
A1	3320	5102	Longevity	550.00					
				7,900.00					7,900.00

RESOLUTION 32 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2020 TRANSFER IN THE PLANNING DEPARTMENT IN THE AMOUNT OF \$65.00 TO COVER THE COST OF OVERRUN IN ADVERTISING EXPENSES

Sponsored By:

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

WHEREAS, the Planning Department has requested a transfer in the amount of \$65.00 to cover the cost of advertising expenses

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 following sums be transferred as follows:

FROM:	A1.8.8021.11.5103	Overtime	\$65.00
TO:	A1.8.8021.11.5464	Advertising	\$65.00

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this _____ day of

Approved by the Mayor this _____ day of

_____, 2021

Elisa Tinti, City Clerk

_____, 2021

Steven T. Noble, Mayor

Adopted by Council on	, 2021
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1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION			
INTERNAL TRANSFER <u>×</u> AUTHORIZATION CLAIMS	CONTINGENCY BUDGET MODIF ZONING	FICATION BON	NSFER DING REQUEST ER
DEPARTMENT: Planning	Г.	DATE: 1-27-21	
Description: Authorize FY 2020	Planning Budget Modifica	ation to Cover Cost Overrun in A	dvertising Expenses
Decrease Budge	et Line A1-8-8020-11	-5103 (Overtime) \$65.00	
Increase Budget	Line A1-8-8020-11-	5464 (Advertising) \$65.00	
Estimated Financial Impact: \$0 Signature			
		Committee Vot	e <u>YES</u>
Seconded by			
Action Required:		Aguild & tall - (in
		Reyholds Scott Childress, Chairman	ward 3,
SEQRA Decision:		Don Tallerman, Ward	.5
Type I Action Type II Action *		Anturat	M UU
Unlisted Action		Anthony Davis, Ward	6

Michelo Hirsch, Ward 9

Steven Schabot, Ward 8

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Negative Declaration of Environmental Significance:

Conditioned Negative Declaration:

Seek Lead Agency Status:

Positive Declaration of Environmental Significance:

CITY OF KINGSTON

FINTANdity

Kingston Planning planning@kingston-ny.gov

Suzanne Cahill, Planning Director Kyla Dedea, Assistant Planner



Steven T. Noble, Mayor

January 27, 2021

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

Re: FY 2020 Budget Amendment - Planning

Dear Pre. Shaut:

In reconciling our FY 2020 budget accounts, I need to request a budget amendment to the Planning Board Account, to cover an advertising expense, as follows:

INCREASE BUDGET LINE A1-8-8020-11-5464 (Advertising) by \$65.00 DECREASE BUDGET LINE A1-8-8020-11-5103 (Overtime) by \$65.00

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

Be well and stay safe.

Sincerely,

yanne Cahill

Suzanne Cahill Planning Director

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

RESOLUTION 33 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2021 TRANSFER IN THE CITY CLERK'S BUILDING MAINTENANCE BUDGET IN THE AMOUNT OF \$23,627.00 FOR CARRYOVER OF UNSPENT GRANT MONIES FROM NYSERDA CLEAN ENERGY COMMUNITIES GRANT PROJECT

Sponsored By:

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

WHEREAS, the City Clerk's Department has requested a transfer in the amount of \$23,627.00 for carryover of unspent grant monies from NYSERDA Clean Energy Communities Grant Project "City Hall Energy Efficiency Upgrades." Reimbursement will come from funding provided by a NYSERDA grant in the amount of \$23,627.00, there is no required match.

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 following sums be transferred as follows:

FROM:	A1.1620.43389	NYS Grant	\$23,627.00
TO:	A1.1620.5301	Contracted Services	\$23,627.00

SECTION 2- That this resolution shall take place immediately

Submitted to	the Mayor	this	day of
--------------	-----------	------	--------

, 2021

Approved by the Mayor this _____ day of . 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

DEOUDOW DROCDUDION					
INTERNAL TRANSFER AUTHORIZATION CLAIMS	REQUEST DES CONTINGENCY TF BUDGET MODIFIC ZONING	RANSFER	TRANSFER_x_ BONDING REQ OTHER	UEST	
DEPARTMENT:City Clerk		DATE: _1	28/2021		
Description: Transfer funds in the Building Maintenance Budget for carryover of unspent grant monies from the NYSERDA Clean Energy Communities grant project "City Hall Energy Efficiency Upgrades" in the amount of \$23,627. Reimbursement will come from funding provided by a NYSERDA grant in the amount of \$23,627, and there is no required match.					
FROM General Account # A1620.4	3389 NYS Gran	t \$23	,627		
TO General Account # A1620.5301 Contracted Services \$23,627					
Estimated Financial Impact: \$ Signature_2014					
Motion by		Committee	Vata	YES	
Seconded by		Committee	vote	TES	<u>NO</u>
Action Required:					
		Reynolds Scott Child Chairman Mynan Ja	ress, Ward 3,	~	
SEQRA Decision:	7	buy D 1966 Tallerman,	Ward 6		-
Type I Action Type II Action		Antry	J.	V	
Unlisted Action		Anthony Davis,	Ward J.		
Negative Declaration of Environmental Signi	ficance:				
Conditioned Negative Declaration:		Michele Hirsch,	Ward 9		
Seek Lead Agency Status:		My llos	LUN		
Positive Declaration of Environmental Signif	icance:	Steven Schabot,	Ward 8		

Positive Declaration of Environmental Significance:

2021

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City of Kingston Parks and Recreation Department

ltimbrouck@kingston-ny.gov

Steven T. Noble, Mayor



Lynsey Timbrouck, Director

January 28, 2021

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

Re: Budget Transfer for the NYSERDA Clean Energy Communities City Hall Windows and Lights Grant

Dear President Shaut:

This is a request for placement on the agenda of the next appropriate Committee, expected to be the Finance and Audit Committee, to discuss the authorization of a resolution for budget transfer for a grant awarded to the City. The Information is as follows:

A grant was awarded to the City of Kingston by NYSERDA Clean Energy Communities which is for \$100,000 with no local match required. This grant was awarded in 2018 and the request is for a budget transfer in the City Clerk's budget for carryover of unspent grant monies in the amount of \$23,627.

Thank you for your consideration Sincerely,

tie L. Noble

Julie J. Noble Sustainability Coordinator

Cc: Steven T. Noble, Mayor John Tuey, Comptroller Kristen Wilson, Director of Grants Management Rennie Scott-Childress, Chair, Finance Committee Elisa Tinti, City Clerk

467 Broadway · Kingston, New York 12401 · (845) 481-7330 · Fax (845) 331-1175 · www.kingston-ny.gov



RESOLUTION 34 OF 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RECOMMENDING APPROVAL FOR A 2021 TRANSFER IN THE FIRE DEPARTMENT IN THE AMOUNT OF \$33,097.08 TO PAYOUT A FIRE FIGHTER WHO RETIRED IN JANUARY 2021

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

WHEREAS, the Fire Department has requested a transfer in the amount of \$33,097.08 to payout a firefighter who retired on January 22, 2021

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 following sums be transferred as follows:

FROM:	A1.1990.14.5404	Contingency	\$33,097.08
TO:	A1.13410.5105	Retirement	\$33,097.08

SECTION 2- That this resolution shall take place immediately

Submitted to the Mayor this day of

Approved by the Mayor this day of

_____, 2021

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on	, 2021
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1THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT **COMMITTEE REPORT**

REQUEST DESCRIPTION						
	INTERNAL TRANSFER AUTHORIZATION CLAIMS	BUDGET MODIFICATION BOND	SFER ING REQUEST R			
	DEPARTMENT: A13410.	DATE: 01/26/2021				
	Description: Transfer to : A13410.105	2021				
	From: Contingency					
	I am requesting that the total of \$33,097.08 be transfered from Contingency to					
	Retirement Accumulation to payout a Fire Fighter who retired on January 22, 2021.					
	Estimated Financial Impact: \$33,097.08 Signature Mul J A					
N	lotion by					
S	econded by	Committee Vote	YES NO			
A	ction Required:					
Ту Ту	EQRA Decision: /pe I Action /pe II Action nlisted Action	Reynolds Scott Childress, Wa Chairman Meynolds Hall Ch Don Tallerman, Ward 5 Anthony Davis, Ward 6	rd 3,			
Ne	gative Declaration of Environmental Signific		20			
Co	nditioned Negative Declaration:	Michele Hirsch, Ward 9	1			
See	ek Lead Agency Status:	flechte Hud				
Pos	sitive Declaration of Environmental Significa	ince: Steven Schabot, Ward 8	A D			

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CITY OF KINGSTON Kingston Fire Department

Fin AdiF

mbrown@kingston-ny.gov

Mark Brown, Fire Chief



Steven T. Noble, Mayor

January 27, 2021

Common Council President Andrea Shaut City of Kingston Common Council 420 Broadway Kingston, NY 12401

Dear Alderman at Large Shaut:

Please consider approving the follow transfer from Contingency to A13410 Retirement Accumulation. This \$33,097.08 will payout a Fire Fighter who retired on January 22, 2021.

Sincerely,

Inlib

Mark Brown Fire Chief

cc: John Tuey, Comptroller Reynolds Scott- Childress, Finance Committee Chairman

RESOLUTION 35 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, ADOPTING A UNIFORM DEFINITION OF "HOTEL" IN THE CITY CODE OF THE CITY OF KINGSTON TO REFLECT THE ULSTER COUNTY DEFINITION

Sponsored By:

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

WHEREAS, request has been made to reconcile the definition of hotels and motels in Chapter 277-11, Zoning Code Section 405-3 and Sales and Use Tax Section 360-1 of the City Code of the City of Kingston so all definitions are in alignment and consistent with the Ulster County Code Section 312.5 - Hotel and Motel Room Occupancy Tax.

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 amends Section 277-11 and Section 360-1 "definitions" to provide:

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

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this day of

Approved by the Mayor this _____ day of

, 2021

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

THE	CITY	OF	KINGST	ON	COMM	ON.	COUN	CIL
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LAWS & RULES COMMITTEE REPORT

DEPARTMENT:	DATE: 2-17-21	24 10.000 0000000000000000000000000000000
Description: Resolution to eds	ade to reflect the	nitian Utiter
Signature:	-	
Notion by <u>R 5C</u>	Committee Vote	YES NO
econded by <u>RW</u>	Jeffrey Vertura Morell, Chairman	-
	Art N	V
	Patrick O'Reilly Ward	
EQRA Decision: ype I Action ppe II Action nlisted Action	Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3	
ype I Action ype II Action nlisted Action egative Declaration of Environmental Significance:	Rennie Scott-Childress, Ward 3 Multh Statt	
ype I Action ype II Action nlisted Action		

Tinti, Elisa

From: Sent: To: Cc: Subject: Shaut, Andrea Wednesday, January 27, 2021 2:42 PM Hirsch. Michele; Tinti, Elisa Gartenstein, Daniel RE: Short Term Rentals in relation to the City of Kingston

Follow Up Flag: Flag Status: Follow up Flagged

Thank you.

Elisa – please include the below communication in my folder.

Andrea

From: Hirsch. Michele
Sent: Wednesday, January 27, 2021 12:48 PM
To: Shaut, Andrea <ashaut@kingston-ny.gov>
Cc: Gartenstein, Daniel <dgartenstein@kingston-ny.gov>
Subject: Short Term Rentals in relation to the City of Kingston

Dear President Shaut,

Please accept this communication regarding Short Term Rental legislation in relation to the City of Kingston.

Numerous Ulster County Municipalities have Intermunicipal Agreements for the purpose of sharing information related to Short-Term Rental Properties. I am requesting that the City of Kingston Common Council initiate an agreement with Ulster County which will enable the City of Kingston to receive an inventory of all properties within the City of Kingston that have been identified as advertising Short Term Rentals.

Furthermore, the City of Kingston General Legislation Code and the Ulster County Code have numerous and different definitions of hotels and overnight accommodations for transient guests.

I am requesting that we reconcile sections of the City of Kingston General Legislation in relation to the Definition of Hotels and Motels in Chapter 277-11, Zoning Code section 405-3 and Section 360-1 of the Sales and Use Tax so that all definitions are in alignment and consistent with the Ulster County Code Section 312.5 Hotel and Motel Room Occupancy Tax. Additional amendments should be made to Chapter 277-1 License Required so that we can regulate the use of Short Term Rentals in the City of Kingston.

I believe that the proposed amendments will promote consistency and enforceability for transient guests instead of creating separate legislation based upon legislation passed in the City of Beacon which is not consistent with our own Zoning Code.

I will send further documentation in advance of the next Laws and Rules Committee meeting.

Thank you.

Michele Hirsch Alderwoman, Ward 9

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RESOLUTION 36 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE CITY OF KINGSTON TO ENTER INTO AND EXECUTE AN INTERMUNICIPAL AGREEMENT FOR THE SHARING OF INFORMATION FOR SHORT TERM RENTAL PROPERTIES WITH THE COUNTY OF ULSTER

Sponsored By:

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

WHEREAS, a request is made to enter into an agreement with the County of Ulster which will enable the City of Kingston to receive an inventory of all properties within the City of Kingston that have been identified as advertising Short Term Rentals.

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

SECTION 1. That the Common Council of the City of Kingston authorizes the City of Kingston to enter into and execute an Intermunicipal Agreement with the County of Ulster enabling the City to receive an inventory of all properties within the City of Kingston that have been identified as advertising Short Term Rentals.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of

Approved by the Mayor this _____ day of

, 2021

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

THE CITY OF KINGS	FON COMMON COUNCIL		
	& RULES		
COMMIT	TEE REPORT		-
DEPARTMENT:	DATE: 2-17-21		
Description: Replution to an initiate shared service ac to receive impormation set	thoring the Month	the Count stals	5
			-
			-
Signature:			
Motion by <u>RSC</u>	Committee Vote-	YES	
Motion by <u>RSC</u> Seconded by <u>RW</u>	Committee Vote	<u>YES</u>	
Motion by <u>RSC</u> Seconded by <u>RW</u>	Committee Vote Jeffre Votura Morelle Chairman	YES V	
Motion by RSC Seconded by RW Action Required:	faplell	YES V	
Motion by <u>RSC</u> Seconded by <u>RW</u> Action Required: SEQRA Decision: Type I Action	Jeffrey Vynura Morelle Chairman	YES V	
Motion by RSC Seconded by RW Action Required: SEQRA Decision:	Jeffrey Vynura Morelle Chairman	YES V	
Motion by <u>RSC</u> Seconded by <u>RW</u> Action Required: SEQRA Decision: Type I Action Type II Action	Jeffret Vyplura Morelle Chairman Patrick O'Reilly Ward 7	YES V	
Motion by <u>RSC</u> Seconded by <u>RW</u> Action Required: SEQRA Decision: Type I Action Type I Action Unlisted Action	Jeffret Vyplura Morelle Chairman Patrick O'Reilly Ward 7		
Motion by <u>RSC</u> Seconded by <u>RW</u> Action Required: SEQRA Decision: Type I Action Type I Action Unlisted Action Negative Declaration of Environmental Significance: Conditioned Negative Declaration:	Jeffred Ventura Morelle Chairman Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3 MMMM Batt		
Motion by <u>RSC</u> Seconded by <u>RW</u> Action Required: SEQRA Decision: Type I Action Type I Action Unlisted Action Negative Declaration of Environmental Significance:	Jeffred Ventura Morelle Chairman Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3 MMMM Batt		

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https://ecode360.com/6727053#6727066

City of Kingston, NY / PART II: GENERAL LEGISLATION / Zoning Article II Terminology

Section 405-3 Definitions

HOTEL

A building containing rooms designed to be used or which are used, rented or occupied for sleeping purposes by transient guests and where only a general kitchen and dining room may be provided within the building or in an accessory building. The word "hotel" includes the word "motel," "motor lodge," "motel hotel," "motor court," "inn," "tourist court" or similar names.

Resolution No. 187 May 19, 2020

Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement For The Sharing Of Information Relating To Short-Term Rental Properties With The Town Of Ulster – Department Of Finance

Referred to: The Ways and Means Committee (Chairwoman Archer and Legislators Bartels, Gavaris, Haynes, Maio, Ronk, and Walter)

Legislator Brian Cahill offers the following:

WHEREAS, this resolution is submitted by the County Executive on behalf of the Department of Finance; and

WHEREAS, the growth of the short-term rental marketplace has left local municipalities scrambling to understand the scope and size of this marketplace within their jurisdiction, while attempting to address health and safety concerns and quality of life issues determined through local zoning and code enforcement; and

WHEREAS, in an effort to assist local municipalities, the County has offered to provide the Town of Ulster (the "Town") with an inventory of all properties within the Town that have been identified as advertising short term rentals; and

WHEREAS, the County and the Town now desire to enter into an agreement for the sharing of the inventory information; now, therefore, be it

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute an intermunicipal agreement for the sharing of inventory information and any related amendments with the Town, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Ways and Means on May 12, 2020

FINANCIAL IMPACT: NONE

- Page 2 -

Resolution No. 187 May 19, 2020

Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement For The Sharing Of Information Relating To Short-Term Rental Properties With The Town Of Ulster – Department Of Finance

STATE OF NEW YORK

SS:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19th Day of May in the year Two Thousand Twenty, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22nd Day of May in the year Two Thousand Twenty.

<u>|s| Victoria A. Fabella</u> Victoria A. Fabella, Clerk Ulster County Legislature

Submitted to the County Executive this 22nd Day of May, 2020.

[s] Victoria A. Fabella Victoria A. Fabella, Clerk Ulster County Legislature Approved by the County Executive this 27th Day of May, 2020.

<u>|s| Patrick K. Ryan</u> Patrick K. Ryan, County Executive https://ecode360.com/14826660

City of Kingston, NY / PART II: GENERAL LEGISLATION Chapter 277Hotels, Motels, Inns, Rooming Houses and Boardinghouses

§ 277-11**Definitions**.

As used in this chapter, the following terms shall have the meanings indicated:

BED-AND-BREAKFAST

A residential establishment where rooms are rented to transient nonpermanent guests, on a short-term basis, with breakfast being the only meal served to said guests.

BOARDINGHOUSE

A private dwelling in which at least three rooms are offered for rent and table board is furnished only to roomers and in which no transients are accommodated. A rooming house or a furnished room house shall be deemed a "boardinghouse."

HOTEL or MOTEL

A building which has transient living and sleeping accommodations for rent for five or more persons and which is open for year-round occupancy; a "hotel" or "motel" shall include similar establishments designated as auto courts, tourist cabins, etc.

UPDATE TO:

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

INN

A building which has transient living and sleeping accommodations for rent for at least five or more persons but no more than 10 persons.

TRANSIENT LIVING

A guest or customer of a hotel or motel the nature of which the term of stay is limited to no more than 30 consecutive days or 90 total days in any individual calendar year.

§ 277-1License required.

It shall be unlawful, without obtaining a license from the City Clerk, for any person, firm or corporation, either as owner, tenant or agent, to run, operate or maintain in the City of Kingston, a hotel, motel, inn, boardinghouse, lodging house, rooming house, association, club or any building used in the business of renting rooms or furnishing meals with accommodations for more boarders than allowed in a single-family dwelling as set forth in Chapter **405**, Zoning, of the City of Kingston.

https://ecode360.com/6727053#6727066

City of Kingston, NY / PART II: GENERAL LEGISLATION / Zoning Article II Terminology

Section 405-3 Definitions

HOTEL

A building containing rooms designed to be used or which are used, rented or occupied for sleeping purposes by transient guests and where only a general kitchen and dining room may be provided within the building or in an accessory building. The word "hotel" includes the word "motel," "motor lodge," "motel hotel," "motor court," "inn," "tourist court" or similar names.

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



RESOLUTION 37 of 2021

Zoning Amendment No. 115

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AMENDING THE ZONING ORDINANCE TO REZONE 79 HURLEY AVENUE, TAX MAP NO. 48.71-2-11 FROM O-2 LIMITED OFFICE TO C-2 COMMERCIAL DISTRICT, HIGGINSVILLE STATION, LLC, OWNER/APPLICANT AND ACCEPTING COMMENTS BY THE ULS TER COUNTY PLANNING BOARD AND THE CITY OF KINGSTON PLANNING BOARD

Sponsored By:

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

WHEREAS, 79 Hurley Avenue, Tax Map No. 48.71-2-11 is currently zoned O-2 Limited Office; and

WHEREAS, a zoning amendment has been requested to change the zoning of this parcel to C-2 Commercial District; and

WHEREAS, that public hearing was held on this matter; and

WHEREAS, this zoning amendment is in the best interest of the City of Kingston in that it would not change the character of the neighborhood; and

WHEREAS, each zoning amendment must undergo a determination of environmental significance in accordance with the State Environmental Quality Review Act; and

WHEREAS, a negative declaration of environmental significance is recommended.

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

SECTION 1. That 79 Hurley Avenue, Higginsville Station, LLC, Tax Map No. 48.71-2-11 be re-zoned from O-2 Limited Office to C-2 Commercial District.

SECTION 2. That the comments submitted to the Common Council of the City of Kingston by the Ulster County Planning Board and the City of Kingston Planning Board are accepted.

SECTION 2. That a negative declaration of environmental significance is recommended.

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

SECTION 4. This resolution shall take effe	ect immediately.
Submitted to the Mayor this day of	Approved by the Mayor this day of
, 2021	, 2021
Elisa Tinti, City Clerk	Steven T. Noble, Mayor
Adopted by Council on	, 2021

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THE CI	TY OF KINGSTON COMMON COUNCIL
	LAWS & RULES COMMITTEE REPORT
DEPARTMENT: Planning	
Description: <u>Resolution</u> per attached from accepting the com	to recome 79 Husley One. as
the illetter Count	Beard. Breach and the little of
Signature:	
Signature:	
Motion by <u>RSC</u>	<u>Committee Vôte</u> <u>YES</u> <u>7</u>
Motion by <u>RSC</u> Seconded by <u>PO'R</u>	- GONIN -
Motion by <u>RSC</u> Seconded by <u>PO'R</u>	<u>Committee Vote</u> <u>YES</u> <u>T</u> Jeffice Fontera Morcill Chairman Whith Olluby V
Motion by <u>RSC</u> Seconded by <u>PO'R</u> Action Required: SEQRA Decision:	- GONIN -
Motion by <u>RSC</u> Seconded by <u>PO'R</u> Action Required: SEQRA Decision: Type I Action Type II Action	Jeffrey Fontera Morell, Chairman Childh Oluby Patrick O'Reilly Ward 7
Motion by <u>RSC</u> Seconded by <u>PO'R</u> Action Required: SEQRA Decision: Type I Action Type II Action Julisted Action	Jeffrey Fontura Morell, Chairman JAAA Olub Patrick O'Reilly Ward 7 Rennie Scott-Childresk, Ward 3
Motion by <u><u>RSC</u> Seconded by <u>PO'R</u> Action Required: SEQRA Decision: Type I Action Type I Action Julisted Action Negative Declaration of Environmental Sign</u>	Jeffrey Fontura Morell, Chairman Jeffrey Fontura Morell, Chairman Ohth Olub Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3 Multiplicance:
Motion by <u><u>RSC</u> Seconded by <u>PO'R</u> Action Required: SEQRA Decision: Type I Action Type II Action Julisted Action Negative Declaration of Environmental Sign Conditioned Negative Declaration:</u>	Jeffrey Fontura Morell, Chairman JAAA Olub Patrick O'Reilly Ward 7 Rennie Scott-Childresk, Ward 3
Motion by <u>RSC</u> Seconded by <u>PO'R</u> Action Required:	Jeffrey Jontura Morelli Chairman Jeffrey Jontura Morelli Chairman Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3 Multibulle Don Tallerman, Ward 5

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CITY OF KINGSTON	()
Office of Planning	\sim

Office of Planning

planning@kingston-ny.gov

Suzanne Cahill, Planning Director



Steven T. Noble, Mayor

January 25, 2021

REQUEST FOR RECOMMENDATION from the Common Council with regard to a petition to re-zone 79 Hurley Avenue (48. 71-2-11) from O-2 Limited Office to C-2 Commercial District. Higginsville Station, LLC; owner/applicant.

Dear Andrea Shaut, City of Kingston, Alderman At Large:

This letter is to advise you that at the virtual meeting of the Kingston Planning Board held on January 19, 2021 the Board voted unanimously to recommend the rezoning of 79 Hurley Avenue from O-2 Limited Office to C-2 Commercial noting the compatibility of the new zoning with the surrounding uses, the existing structure and functionality, and the potential reuse of the structure and conformance with the Comprehensive Plan.

If you have any questions please call our office at 845-334-3955.

Sincerely, Donna Brady Planning, Sr. Clerk

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RESOLUTION 38 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE RELEASE OF THE RESTRICTION IN THE DEED FOR 162-188 FOURTH AVENUE REQUIRING THAT THE PROPERTY CANNOT BE SOLD IN THE FUTURE WITHOUT COMMON COUNCIL CONSENT

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

WHEREAS, by Resolutions 189, 190 and 191 of 2011 the Common Council authorized the sale of 162-188 Fourth Avenue to Louis F. Kolano Jr. and Mark A. Darwak; and

WHEREAS, said Resolutions 189, 190 and 191 of 2011 required that the deed to the property contain a restriction that the property could not be sold in the future without the consent of the Common Council; and

WHEREAS, Louis F. Kolano Jr. and Mark A. Darwak are desirous of selling said premises and requests that the Common Council release the restriction requiring that the property cannot be sold in the future without the consent of the Common Council.

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 consents to the elimination of the clause requiring the consent of the Common Council to the resale of 162-188 Fourth Avenue.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of

_____, 2021

Approved by the Mayor this _____ day of

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

	AWS & RULES MITTEE REPORT
DEPARTMENT: Description: Resolution to app and resulter clause long 4th anenues on per att	DATE: <u>2-17-21</u> reve the release of conditions tained in the Seal for 162 - 18. tached .
Signature:	
Motion by <u>RSC</u>	Committee-Vote YES N
Seconded by RW	Dollar 1
Action Required:	Jeffrey fortura Morell, Chairman
SEQRA Decision:	Jeffrey ontura Morell, Epairman Patrick O'Reilly Ward 7
SEQRA Decision: Type I Action Type II Action	Patrick O'Reilly Ward 7
SEQRA Decision: Type 1 Action Type II Action Unlisted Action	Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3
SEQRA Decision: Type I Action Type II Action	Patrick O'Reilly Ward 7 Rennie Scott-Childress, Ward 3

COOK, NETTER, CLOONAN, KURTZ & MURPHY, P.C.

ATTORNEYS & COUNSELORS AT LAW 85 MAIN STREET P.O. BOX 3939 KINGSTON, N.Y. 12402 (845) 331-0702 FAX: (845) 331-1003 e-mail: <u>law@cookfirm.com</u> <u>www.cookfirm.com</u>

OF COUNSEL: ROBERT E. NETTER WILLIAM N. CLOONAN ROBERT D. COOK

ANDREW J. COOK, SR. (1884-1958) ANDREW J. COOK, JR. (1918-1997) FRANCIS X. TUCKER (1923-1987)

ERIC M. KURTZ THOMAS A. MURPHY MICHAEL T. COOK

JOHN C. BURNS

January 14, 2021

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

Re: Request for Release of Reverter

Dear Ms. Shaut:

I serve as counsel to Louis F. Kolano, Jr. and Mark A. Darwak who purchased property at a tax sale from the City of Kingston in 2012. The parcels extend from 162-188 4th Avenue and are described in a certain deed, copy of which is enclosed, dated May 24, 2012 and recorded in the office of Ulster County Clerk on June 4, 2012 as Instrument Number 00008318, Volume 5332 of Deeds at Page 305.

Upon transfer, the deed instrument contained the standard conditions regarding the use and renovation of the property. The premises however are vacant land.

The present owners are considering placing the property for sale and before doing so they are requesting that the Common Council take action to release the conditions and the reverter clause contained in the instrument. It is therefore requested that the Common Council consider this action at its next regularly scheduled meeting.

I thank you for your courtesy and cooperation and should you have any questions, please do not hesitate to contact me.

Respectfully yours,

COOK, NETTER CLOONAN, KURTZ & MURPHY, PC

WILLIAM N. CLOONAN

WNC/slm Enclosure

cc: City of Kingston Corporation Counsel City Hall 420 Broadway Kingston, New York 12401

Louis Kolano 166 Hilltop Drive Hurley, New York 12443

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Mark A. Darwak 80 Arnold Drive Kingston, New York 12401 ×

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		Instrum	ent Numb	er: 2012-000083	18	
	June 04, 2012 KINGSTON CITY To		A D01 -	-		
	KOLANO LOUIS F J	R			Billable Pages:	4
Recorded By: Comment:	CITY OF KINGSTON				Num Of Pages:	4
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D01 - Deed	60.00	RP5217-2	50	250.00	Tax Affidavit TP 584	5.00
Recording C	harge: 315.00					
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KINGSTON	CITY			Local	0.00 Special Additional	0.00
Tax	Charge: 8.00			Additional	0.00 Transfer	8.00

** 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: 2012-00008318 Receipt Number: 1155185 Recorded Date/Time: June 04, 2012 02:49:42P Book-Vol/Pg: Bk-D VI-5332 Pg-305 Cashier / Station: s smar / Cashier Workstation 6

Record and Return To:

LOUIS F KOLANO JR 166 HILLTOP DRIVE HURLEY NY 12443

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Nina Postupack Ulster County Clerk

THIS INDENTURE, made the 34 day of 2 ay , two thousand and twelve.

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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

Louis F. Kolano Jr. residing at 166 Hilltop Drive, Hurley, New York 12443 and Mark A. Darwak residing at 80 Arnold Drive, Kingston, New York 12401

party 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: 162-180 Fourth Avenue

Kingston, New York, Tax Map Identifier #48.83-7-8 formerly titled to Sheila McLaughlin, Jonathan Shanks, Isabel M. McLaughlin a/k/a Margaret Isabel McLaughlin, Anthony Dixon Morris and Stephan Gurley Morris as described on the tax rolls for the City of Kingston for the year 2008.

Property Address: 182-184 Fourth Avenue

Kingston, New York, Tax Map Identifier #48.83-7-7 formerly titled to Sheila McLaughlin and Jonathan Shanks as described on the tax rolls for the City of Kingston for the year 2008

Property Address: 186-188 Fourth Avenue

Kingston, New York, Tax Map Identifier #48.83-7-6 titled to the City of Kingston as described on the tax rolls for the City of Kingston for the year 2008

Property Address: 194-196 Fourth Avenue

Kingston, New York, Tax Map Identifier #48.83-7-4 formerly titled to Paige W. Monroe and Linda Gay Monroe as described on the tax rolls for the City of Kingston for the year 2008

SUBJECT, however, to the following conditions:

- a. All of the above premises will be preserved as vacant with possible residential use in the future.
- b. The premises and all buildings thereon must be rehabilitated to comply with existing building, fire and zoning 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

·Lity & Kingston

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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 the 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 Court, 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. That any of the above premises cannot be sold at any time in the future by Louis F. Kolano Jr. and/or Mark A. Darwak without the prior written consent of the Common Council, which consent shall not be arbitrarily withheld upon compliance with the provisions of (a) through (i) above.
- k. 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.
- 1. 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.

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 Section 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 and will apply the same first to the payment of 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 PRESENCE OF:

Shayne R. Gallo, Mayor, CITY OF KINGSTON

*

State of New York

)) ss.

)

County of Ulster

On the 3° day of 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared Shayne R. Gallo 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 the person upon behalf of which the individual acted, executed the instrument.

State of New York)) ss. County of Ulster)

JANET K. HIGGINS Notary Public, State of New York No. 01HI4283985 Qualified In Ulster County Commission Expires Sept. 30, 20 13

On the ?! day of may 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared Louis F. Kolano Jr. 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 the person upon behalf of which the individual acted, executed the instrument.

J.NET K. HIGGINS Notary Public, State of New York No. 01 HI4283985 Qualified in Ulster County Commission Expires Sept. 30, 20 13

State of New York)) ss. County of Ulster)

On the *Hy* day of *May* 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared **Mark A. Darwak** 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 the person upon behalf of which the individual acted, executed the instrument.

JANET K. HIGGINS Notary Public, State of New York No. 01HI4283985 Qualified in Ulster County Commission Expires Sept. 30, 20 🦽

Record and Return: Louis F. Kolano Jr. 166 Hilltop Drive Hurley, New York 12443

RESOLUTION 39 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RE-ALLOCATING \$95,000 OF CITY OF KINGSTON'S ROUND 1 FY 2019 **CDBG-CV FUNDING**

Sponsored By: Community Development Committee: Alderman: Schabot, Worthington, Koop, Ventura Morell, O'Reilly

WHEREAS, request has been made to re-allocate \$95,000 of City of Kingston's Round 1 FY 2019 CDBG-CV funding as approved by the Community Development Committee at its February 23, 2021 meeting

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 reallocation of funds as follows (See attachment)

\$32,000 for City of Kingston administration for a total of \$62,900

\$62,100 for Rupco's Rental Assistance Program for a total of \$132,100

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this day of

, 2021

Approved by the Mayor this day of

, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

THE CITY OF KINGSTON COMMON COUNCIL

COMMUNITY DEVELOPMENT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____ AUTHORIZATION _____ CLAIMS

CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING TRANSFER_____ BONDING REQUEST ____ OTHER _____

DEPARTMENT	Community	/ Develo	pment
		7 7	

DATE February 23, 2021

To re-allocate \$95,000 of City of Kingston's Round I FY 2019 CDBG-CV funding as approved by the Community Development Committee at its February 23, 2021 meeting as follows:

\$32,900 for City of Kingston administration for a total of \$62,900 \$62,100 for RUPCO's Rental Assistance program for a total of \$132,100

Estimated Financial Impact <u>\$0</u>

Signature Amee Peterson Amee Peterson Digitally signed by Amee Peterson DN: cn=Amee Peterson, o=City of Kingston, ou=OECD, email=apeterson@kingston-ny.gov, c=US Date: 2021.02.24 11:58:28 -05'00'

Motion by <u>Ald. Morell</u>

Seconded by Ald. Koop

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:

Committee Vote	YES /	NO
Addes		
Steven Schapot, Chairman	1	/
Jeffret Vertura Morell, Ward / Doug Koop, Ward 2	\checkmark	
Rita Worthington, Ward 4		
Patrick O'Reilly, Ward 7	2	

а

THE CITY OF KINGSTON COMMON COUNCIL

COMMUNITY DEVELOPMENT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____ AUTHORIZATION ____ CLAIMS CONTINGENCY TRANSFER _____ BUDGET MODIFICATION _____ ZONING TRANSFER _____ BONDING REQUEST _____ OTHER

DEPARTMENT Community Development

DATE February 23, 2021

To re-allocate \$226,576 of City of Kingston's Round II FY 2019 CDBG-CV funding as approved by the Community Development Committee at its February 23, 2021 meeting as follows:

Organization	Program	Allocation
City of Kingston	Administration	\$41,275
City of Kingston	Drop-In School Support Program	\$40,000
BAK	BAK Micro-Grant Program	\$25,000
Boys' and Girls' Club	Essential Child Care	\$15,000
CCE	Project ACCESS	\$25,000
Family of Woodstock	Meal preparation - EHC, RNC, BGC, CCE	\$20,000
Gateway Community Industries	Emergency Meals	\$15,000
LSHV	Response for Legal Services	\$20,000
People's Place	CV Precaution Intake Registration	\$10,000
Read and Write	Drop-In School Support at RNC, Hodge	\$11,000
RUPCO	Rental Assistance	\$3,101
UIDN	Emergency Food Assistance	\$10,000
UPAC	Arts in Education	\$10,000
YMCA	Senior Fitness	\$6,000
YWCA	Magic Circle Lunches	\$5,000
Estimated Financial Impact <u>\$0</u>	Signature	Digitally signed by Amee Peterson
	Amee P	eterson DN: cn=Amee Peterson, o=City of email appeterson is included and

Motion by Ald. Worthington

Seconded by Ald. Morell	<u>Committee Vote</u>	YES	<u>NO</u>
Action Required:	Steven Schabot, Chairman		
SEQRA Decision: Type I Action Type II Action Unlisted Action	Jeffrey Ventura-Morell, Ward 1		
Negative Declaration of Environmental Significance: Conditioned Negative Declaration:	Doug Koop, Ward 2		
Seek Lead Agency Status:	Dito Worthinston Word 4		
Positive Declaration of Environmental Significance:	Rita Worthington, Ward 4		
	Patrick O'Reilly, Ward 7		

RESOLUTION 40 of 2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, RE-ALLOCATING FY 2020 CDBG FUNDING A TOTAL OF \$87,400 FROM YMCA – Y PARK AND MIDTOWN RISING – INDOOR BASKETBALL COURT AT CAUMC TO PARKS & RECREATION PARKING IMPROVEMENTS PHASE 1

Sponsored By: Community Development Committee: Alderman: Schabot, Worthington, Koop, Ventura Morell, O'Reilly

WHEREAS, request has been made to re-allocate FY 2020 CDBG Funding \$55,000 from YMCA – Y Park and \$32,400 from Midtown Rising – Indoor Basketball Court at CAUMC to Parks & Recreation Parking Improvements Phase 1.

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 reallocation of funds as follows:

From: \$55,000 from YMCA – Y Park

From: \$32,400 from Midtown Rising – Indoor Basketball Court at CAUMC

To: \$87,400 to Parks & Recreation Parking Improvements Phase 1.

SECTION 2. This resolution shall take effect immediately.

Submitted to the Mayor this _____ day of

_____, 2021

Approved by the Mayor this _____ day of

_____, 2021

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2021

THE CITY OF KINGSTON COMMON COUNCIL

COMMUNITY DEVELOPMENT COMMITTEE REPORT

DEPARTMENT:	DATE:
Description:	
To re-allocate FY2020 CDBG Funding:	
\$55,000 from YMCA - Y Park \$32,400 from Midtown Rising - Indoor Basketball Court at CAUMC	
То:	
Parks & Recreation Parking Improvements Phase I	
×	
As approved by the Community Development Committee at its January 26	5, 2021 meeting.
amarch J. Bruck Director, OCD	

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:

Committee Vote	YES	<u>NO</u>
Steve Schabot, Chairman Steven Schabot Steven Schabot (Jan 29, 2021 20:13 EST)		
Rita Worthington Ward 4 Rita Worthington Pita Worthington (Jan 28, 5021 09:36 EST)		
Doug Koop, Ward 2 D. A. Koop D. A. Koop D. A. Koop		
Jeffrey Ventura Morell, Ward 1		
Patrick Of Reilly, Ward 7	$\mathbf{\nabla}$	
1		

CD Committee Report 1-26-21

Final Audit Report

2021-01-30

Created:	2021-01-28
Ву:	Andrea Shaut (ashaut@kingston-ny.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAD4aQywVv3kdFCmYacmc8rad5JgKDBz9d

"CD Committee Report 1-26-21" History

- Document created by Andrea Shaut (ashaut@kingston-ny.gov) 2021-01-28 - 1:09:37 AM GMT- IP address: 69.206.47.255
- Document emailed to Rita Worthington (ward4@kingston-ny.gov) for signature 2021-01-28 - 1:13:32 AM GMT
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- Email viewed by Jeffrey Ventura Morell (ward1@kingston-ny.gov) 2021-01-28 - 2:29:44 AM GMT- IP address: 24.161.57.39

Higgins, Janet

From: Sent: To: Subject: Attachments:

Shaut, Andrea Wednesday, January 27, 2021 8:21 PM Tinti, Elisa; Higgins, Janet FW: Committee Report CD Committee Report 1-26-21.pdf

Hello,

See attached for the committee report that came out of Community Development Tuesday night. We do NOT want this on the agenda for February's meeting. Because of the timing of a needed public hearing, the council will need to vote in March. Is there a way to put this in a file so that we don't forget to add this when it's time? I don't want to forget!

Thank you, Andrea

From: Bruck, Amanda Sent: Wednesday, January 27, 2021 1:06 AM To: Shaut, Andrea <<u>ashaut@kingston-ny.gov</u>> Cc: Schabot, Steven <<u>sschabot@kingston-ny.gov</u>> Subject: Committee Report

Andrea & Steve,

Attached you will find the Committee Report from Tuesday night. I know Amee already sent one but this is the form Elisa sent me to use and I've added the correct date. I've also been told by the City Clerk that the Department Head is to sign off on the report so I've done that as well.

Mandy

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

420 Broadway Kingston, NY 12401 (845) 334-3930