



CITY OF KINGSTON
OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT
2019-2020
LEAD SERVICE LINE REPLACEMENT PROGRAM GUIDELINES

This program is made possible by the New York State Department of Health. New York's Clean Water Infrastructure Act of 2017 amended the Public Health Law to require the Department of Health to institute a Lead Service Line Replacement Program helping municipalities combat this public health issue.

For additional information contact:

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A. INTRODUCTION

The City of Kingston's Lead Service Line Replacement Program (Program) will administer funds provided by the New York State Department of Health to provide lead water service line replacement assistance to owner-occupied single-family residences and rental properties located within City of Kingston limits. The City of Kingston Water Department, based on historical documentation and service line installation dates, estimates that approximately 59% of existing City water service lines may contain lead pipes. The EPA estimates that 10 to 20 percent of the lead exposure in young children may come from drinking water. The City of Kingston is committed to the protection of public health and its high quality water does not contain lead when it leaves the treatment plant. Lead enters water through contact with the corrosion of lead pipes and lead solder. The City will continue replacing identified lead service through February 2020 or until all funds have been expended.

B. PROCESS & PROCEDURES

1. Property Owners will confirm their interest in replacing lead service lines by submitting a Contact Information Request Form to the City. These Forms are available on the City of Kingston's Website or by calling the City's Office of Economic and Community Development at 845 334 3920. Contact Information Request Forms will be accepted either in person or by mail through Friday, August 16, 2019 at 3:00 p.m. at Kingston City Hall, The Office of Economic and Community Development, 420 Broadway, Kingston, NY 12401.
2. Using the contact information provided a City's Housing Rehabilitation Specialist will make at least three attempts to make an appointment to:
 - a. inspect the supply side pipe of the water meter,
 - b. get a general look of the property,
 - c. identify potential hazards, and
 - d. see if any obvious obstacles exist.
3. Lead service line replacement will only be considered if a City of Kingston Housing Rehabilitation Specialist is able to visually verify that a lead pipe is connected to the supply side of the water meter.
4. If the City's Housing Rehabilitation Specialists verify more homes with a lead pipe connected to the supply side of the water meter than can be served by the estimated remaining funds:
 - a. Properties with residents with verified elevated blood levels will be served first.
 - b. Properties with verified residents under six year of age will be served next.
 - c. The remaining properties will be put on a waiting list. Lots will be drawn for the order of the remaining homes on the waiting list.
5. Plumbing Contractors whose pre-qualification application have been approved may participate in the program.
6. Bids will be requested from pre-approved Plumbing Contractors. The Plumbing Contractor submitting the lowest responsible Bid will be awarded the project unless the Property Owner can show reason why the contractor is not responsible and must do so in writing.
7. Prior to expending any funds for the project, the Property Owner will enter into an Agreement with the City permitting work on their private property. The Property Owner must also agree to indemnify and hold harmless the City of Kingston and its staff.

8. Agreement execution will be between the Property Owner and the Plumbing Contractor and will take place in the Office of Economic and Community Development or at the project site.
9. The contractor is responsible for securing all required permissions, permits, and inspections, and for paying all necessary fees. All work will be subject to progress inspections by a Housing Rehabilitation Specialist or other qualified City staff.
10. Upon completion of the work to be performed under the Agreement, the Contractor will submit an original invoice detailing work items completed and a signed City of Kingston voucher form to the Office of Economic and Community Development.

If satisfied with the work performed Property Owners will sign a statement saying that they have no objection to the final payment.

11. When all required documents have been received, the Office of Economic and Community Development will process the payment request and payment will be made within 30 days. At the time final payment is made, the Contractor will execute a one-year warranty of work performed and a lien release from all subcontractor costs, labor costs, materials and equipment.

C. ELIGIBILITY

1. Eligible properties must have a visibly identifiable lead water service line and be located in the City of Kingston.
2. Eligible properties may be single-family owner-occupied or rental properties.
3. Owners of rental properties that are not owner-occupied will be required to contribute \$750.00 toward the cost of their lead water service replacement. Owners of multiple rental properties may apply for additional properties but the required contribution will increase to \$1,000.00 for each property after the second water service line replacement approval.
4. Backflow prevention device requirement for properties with three or more units:
 - a. Whether or not a Property Owner participates in the Lead Service Line Replacement Program properties with three or more rental units are required by the City of Kingston Water Department (WD) to have an approved (by the WD) backflow prevention device before the water meter.
 - b. The Lead Service Line Replacement Program will not fund this installation.
 - c. If there is no backflow prevention device the Property Owner will be required to install one at his or her own expense as a condition of participation in the Lead Service Line Replacement Program.
 - d. Property Owners in need of a backflow prevention device may combine the installation of the required device (at his or her own expense) with the work performed during the Lead Service Line Replacement.
5. Applicants must be listed on the property's deed. The OECD will compare applicant names to names on the deeds on file at the City of Kingston Assessor's office.
6. Property Owners must have and submit proof of their property owner's insurance.
7. Property Owners must agree to hold the City of Kingston and its staff harmless and not liable for any damages as a result of any lead service line replacement activities.

8. This program is for residential properties only. Mixed use, industrial, manufacturing and commercial properties are not eligible.
9. The Lead Service Line Replacement Program will not be retroactive to include any work started before application submission, approval and contract execution.

D. ELIGIBLE WORK

This Program is for the replacement of identified lead water service lines from the City of Kingston water main to the Property Owner's water meter connection usually located in the basement of the residence. Replacement of the lead water service line may include a main supply tap, curb box, shut off, copper supply line and meter connection. Projects with road, sidewalk and/or yard disturbance (lawn repairs only, no plants or shrubs) will be repaired to match existing as closely as possible.

E. FEASIBILITY

We anticipate project costs in the range of \$5,000.00 to \$10,000.00. Projects with costs exceeding the anticipated range will be reviewed on a case-by-case basis for cost reasonableness. Property owners will be required to contribute funds if Contractor quotes exceed the \$10,000.00 anticipated limit. Property owners required to contribute funds must pay the required amount as a down payment payable to the contractor at least three (3) business days prior to starting the project.

F. FAIR HOUSING

The Lead Service Line Replacement Program will be implemented in ways consistent with the City's commitment to Fair Housing. No person shall be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with LSLRP Funds on the basis of his or her religion or religious affiliation, age, race, color, ancestry, national origin, sex, marital status, familial status (children), physical or mental disability, sexual orientation, or other arbitrary cause.

G. OUTREACH

Community members are informed of the details of the LSLRP Program and eligibility requirements through area newspapers, advertisements, and the City of Kingston's website. Property owners will be provided with information about the flushing procedures that need to be done post lead service line replacement. Persons who do not speak English who wish to participate in the LSLRP Program and need assistance should contact the Office of Economic and Community Development (Arlene Puentes) at (845) 334-3920.

Las personas que no hablan inglés y que desean participar en el Programa y necesitan asistencia deben comunicarse con la Oficina de Desarrollo Económico y Comunitario (Arlene Puentes) al (845) 334-3920.

H. DISPUTE RESOLUTION/APPEALS PROCEDURE

Contractor/Property Owner Disputes: The Agreement for the lead service line replacement is between the Contractor and the Property Owner. If a situation occurs where the two parties are in conflict, the following procedure will be followed:

Stage 1: Before any intervention occurs, the Property Owner or Contractor will communicate perceived problems or complaints directly to the other party. In an attempt to resolve the differences, each party will give the other party an opportunity to respond or correct the problem.

Stage 2: If the Stage 1 attempt fails to resolve the problem, the Property Owner or Contractor may ask the Housing Rehabilitation Specialist to informally intervene. This intervention might include

telephone call(s) to the Contractor or Property Owner, meeting(s) at the job site or in the office, or other actions that seem appropriate, including such things as the establishment of written working guidelines, or other post-contractual agreement.

Stage 3: It must be recognized that the Property Owner has other options which he or she may choose to utilize, including contacting the Contractor's applicable state licensing board to submit a complaint if applicable.

Any controversy between the parties that cannot be settled through the informal intervention process outlined above may need to seek other avenues such as binding arbitration or legal channels if necessary.

I. CHANGES & EXCEPTIONS

At the discretion of City of Kingston staff, the Lead Service Line Replacement Program may be modified to ensure timely expenditures of Program funds, to implement improved practices, or to better comply with New York State Department of Health grant requirements.

Exceptions are defined as any action which would depart from policy and procedures stated in the Program Guidelines. The City or its agent may make an exception based on extenuating circumstances.