

COMMON COUNCIL
of the
CITY OF SYRACUSE

(09/09)

REGULAR MEETING – SEPTEMBER 9, 2019
1:00 P.M.

1. *Pledge of Allegiance to the Flag – (Led by the Hon. Helen Hudson, President of the Syracuse Common Council)*
2. *Invocation – (Delivered by Father Jim D. Mathews, St. Lucy Church, Syracuse, New York)*
3. *Roll Call - (All Present – 9)*
4. *Minutes – August 19, 2019 – (Adopted 9-0)*
5. *Petitions – (none)*
6. *Committee Reports - (none)*
7. *Communications - From Heather Lamendola, Zoning Administrator, a letter advising that the demolition and new construction at 401-403, 405, 407, 409, and 411-413 Prospect Ave has been determined to be a Type 1 action and that the City of Syracuse Planning Commission intends to act as lead agency for the project; From Empire State Development the General Capital Project Plans for the Acropolis Center Redevelopment; Redhouse Arts & Culture Complex and SIDEARM. A public hearing was held at the State Office Building, to consider the plans; From Kerry P. Quaqlia, Executive Director of Home HeadQuarters, a letter accepting the terms and conditions of Special Ordinance #381 (06/17/2019).*
8. -----
UNFINISHED BUSINESS

BY COUNCILOR ALLEN:

- 9-0** a. *Local Law – Of the City of Syracuse to adopt a sustainable energy loan program through a partnership with Energy Improvement Corporation (EIC) as authorized by NYS. The City will assist EIC with certain loans allowing a special benefits lien to be placed up the property, subject to certain conditions to secure repayment of the loan.* **LL**

NEW BUSINESS

BY PRESIDENT HUDSON:

- 9-0** 9. Resolution - Approving the Appointment of Various Persons as Commissioners of Deeds for 2019-2020. **31-R**

BY COUNCILOR THOMPSON:

- 9-0** 10. Amend – Ord. #52 (01/23/2017), “Contract – With Cedar Path Solutions Group for COPS Camera Platform Video Surveillance project at “Kirk Park” for the period of 1 year with two (2) one-year renewal options with the approval of the Mayor and the Common Council, on behalf of the Department of Police. Total cost not to exceed \$57,880 from 2016 DASNY SAM Grant.” Amend to authorize the last one-year renewal option to expire March 3, 2020 for the Cannon Street/Ostrander Avenue Area with an additional amount not to exceed \$32,000 to be charged to Account #501480.35.31220. **535**
- 9-0** 11. Agreement - With Sean Morrison, to provide plan review support on behalf of the Department of Fire, for the period of one (1) year effective September 15, 2019. Total cost not to exceed \$20,000 to be charged to Account #34101.01.541500. **536**

BY COUNCILOR RUDD:

- T** 12. Local Law – Amend “Local Law #9 (12/18/2017) – Of the City of Syracuse to establish the “Syracuse Bureau of Administrative Adjudication,” (BAA) within the Department of Finance, pursuant to General Municipal Law § 380 (3) article 14-bb, adopted July 25, 2017 as 2017 New York State Bill Number 5763,” to transfer the supervision of the City’s BAA from the Department of Finance to the Department of Law along with several technical amendments to improve BAA operations, detailed in Appendix “A”. **T**
- 9-0** 13. Authorize - An Exemption Agreement with St. Anthony’s Associates Housing Development Fund Corporation (the Corporation”) pursuant to Section 573 and Section 577 of Article 11 of the New York Private Housing Finance Law and Section 402 of the New York Not-For-Profit Corporation Law, to construct 54 affordable housing units for senior citizens. The project will be located at 411 West Colvin Street, the former St. Anthony’s School. The term would be for the period of fifteen (15) years and each year based on 10% of the difference between gross rent minus utilities, or \$27,000, whichever is greater. **537**
- 9-0** 14. Correct Tax Rolls - (164 Seymour Street, 106 Wilkie Place, 409 South Edwards Avenue, 411 South Edwards Avenue, to remove board-up/clean up charges for tax year 2019/2020) as outlined in Appendix “A”. **538**

15. Purchase w/c/b – Title search services from Salt City Abstract Corporation and Independent Title Agency LLC for the period of July 1, 2019-June 30, 2020, for Finance/Treasury \$65,000, Law \$3,500, Code Enforcement \$7,500 and Engineering Projects \$4,000. Total cost not to exceed \$80,000 to be charged to Accounts #541500.01.13100, #541500.01.14200, #596220.01.90000, and #599807.07.80405. **539**

BY COUNCILOR GREENE:

- H 16. Amend – The Revised General Ordinances of the City of Syracuse, Chapter 14 entitled “Health and Sanitation” Article 2 “Solid Waste Collection and Disposal Building Code, amend Section 14.19 entitled “Operating rules and regulations for commercial waste generators including residential properties containing more than ten units” amend to add effective December 31, 2019 the City of Syracuse will no longer provide contracted commercial waste services to businesses. **H**
- WD 17. Amend – The Revised General Ordinances of the City of Syracuse, Chapter 14 entitled “Health and Sanitation” Article 2 “Solid Waste Collection and Disposal Building Code, amend Section 14.14 entitled “Definitions” for commercial waste and for household waste generator to read; four (4) residential units and amend Section 14.19 entitled “Operating rules and regulations for commercial waste generators including residential properties containing more than ten units” sub-section (f)1 Corrugated paper and sub-section (f)5 Office paper to read; as expected by commercial waste generation consisting of more than four (4) residential units. **WD**
- 9-0 18. Authorize – The reallocation of funds from D.P.W. Capital Account #701212015.07.14905 in the amount of \$198,428, previously authorized by Ordinance #864-2015 for City Hall elevators to purchase equipment (1-Payloader). **540**
- 9-0 19. Application & Agreement - To and with NYS Department of Environmental Conservation under the Municipal Waste Reduction and Recycling Program, for funds in an amount not to exceed \$491,280 to be used to purchase three (3) Packer Trucks, authorized by Ordinance #160-2019 charged to Account #599807.07.14905.7017020. The City will be eligible for a 50% reimbursement of \$245,640. **541**
- 9-0 20. Appropriate Funds – From the D.P.W. Sewer Fund Unallocated Cash Capital Account #599007.06.99999 in the amount of \$156,000 for the 2019/2020 Sewer Capital Equipment Program, as detailed in Schedule “A”. **542**
- 9-0 21. Amend – Ord. #512 (08/19/2019), “Bond Ordinance - Authorizing the issuance and sale of bonds of the City of Syracuse to defray the cost of the Scoping, Preliminary, Right of Way & Detailed Design Phase of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72. Total amount not to exceed \$70,000.” Amend to increase the total amount not to exceed \$80,500. **543**
- 9-0 22. Amend – Ord. #513 (08/19/2019), “Agreement - With NYS DOT the Scoping, Preliminary, Right of Way & Detailed Design Phase of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72. Total amount not to exceed \$70,000. The City will incur all initial costs for this project with subsequent 80% reimbursement from the Federal government through TIP.” Amend to increase the total amount not to exceed \$80,500. Total project cost not to exceed \$350,000. **544**

23. **9-0** Amend – Ord. #514 (08/19/2019), “Authorize - The Scoping, Preliminary, Right of Way & Detailed Design Phase of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72, on behalf of the Department of Public Works. Total amount not to exceed \$70,000. The City will incur all initial costs with subsequent 80% reimbursement from the Federal government through TIP.” Amend to increase the total amount not to exceed \$80,500. Total project cost not to exceed \$350,000. **545**
24. **9-0** Amend - Ord. #193 (04/23/2018), “Bond Ordinance - Authorizing the issuance and sale of bonds of the City of Syracuse to defray the cost to include Green Construction on South Geddes Street (Delaware to Shonnard), Ostrom Place (Euclid to Dead end) and Berkeley Drive (Broad to Stratford). Total amount not to exceed \$625,000.” Amend to add an additional cost for Green Construction on Wolf Street and Grand Avenue. Total cost not to exceed increased by \$761,439. **546**
25. **9-0** Amend - Ord. #194 (04/23/2018), “Authorize - An Intermunicipal Agreement (IMA) with Onondaga County for reimbursement of City funds in the amount of \$2,313,833 for the Green Construction to add Richmond Avenue, South Clinton Street, East Oneida Street, East Colvin Street (Jamesville Avenue to Comstock) Hastings Place (James Street to Dead End), Prospect Avenue (Butternut Street to Laurel), and Wellesley Road (Charmouth Drive to Glenwood), South Geddes Street (Delaware to Shonnard), Ostrom Place (Euclid to Dead end) and Berkeley Drive (Broad to Stratford) and increase the (IMA) by \$625,000 to an amount not to exceed \$2,938,833. Onondaga County has agreed to reimburse the City.” Amend to include Green Construction on Wolf Street and Grand Avenue and increase the (IMA) by \$761,439 to an amount not to exceed \$3,700,272. Onondaga County has agreed to reimburse the City of all costs. **547**
26. **9-0** Approve - Participation in the Central New York (CNY) Regional Planning and Development Board’s Proposal for the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program Year 12 (2020). Total cost not to exceed \$3,600 from the Sewer Fund Operating Account #541500.06.81100. **548**

BY COUNCILOR CARNI:

27. **9-0** Agreement - With The Food Bank of Central New York, to support access to free nutritious meals for youth, as part of the after school recreation programs on behalf of the Department of Parks, Recreation and Youth Programs, effective from the date of execution to June 30, 2020. There is no cost to the City. **549**
28. **9-0** Amend – Ord. #191 (05/06/2019), “Authorize – The Sunnycrest Ballfield Improvements Project funds to be use to upgrade lighting at Sunnycrest Park and the remaining balance for playscape improvements at Thornden Park, detailed in the ordinance, on behalf of the Department of Parks, Recreation & Youth Programs. Total amount not to exceed \$135,489 from the Sunnycrest Ballfield Improvement.” Amend to transfer funds total amount not to exceed \$110,000 from the safety surfacing at Thornden Park #599807.07.700402000.70205 to the Landscape Restoration Project at Elmwood Park, Kirk Park, Lincoln Park, Pass Arboretum, Schiller Park and Thornden Park. **550**

29. **9-0** *Appropriate Funds - From 2019/2020 Cash Capital Account #599007.01.99999 in an amount not to exceed \$99,000 for the 2019/2020 Capital Improvement Program/Equipment, as detailed in Schedule "A", on behalf of the Department of Parks, Recreation and Youth Programs.* **551**
30. **9-0** *Bond Ordinance - Authorizing the issuance and sale of bonds of the City of Syracuse to be used to defray the cost of the 2019/2020 Parks Equipment Program, to purchase a Packer (replacement). Total amount not to exceed \$136,000.* **552**
31. **9-0** *Authorize – The 2019/2020 Capital Improvement Program, Park Equipment Program to purchase a Packer (replacement), on behalf of the Department of Parks, Recreation and Youth Programs. Total cost not to exceed \$136,000.* **553**

BY COUNCILOR ALLEN:

32. **9-0** *Application & Agreement - To and with New York Community Trust Census Equity Fund, for funds in an amount not to exceed \$20,000 to use for census outreach efforts for the "Get Out the Count" projects aimed at increasing census participation of residents in hard to count areas or constituencies that have been consistently undercounted. There is no local match required.* **554**
33. **9-0** *Amend – Ord #436 (07/09/2018), "Appropriate Funds - From the 2018-2020 UNSAAC Allocations for a (2) year period from July 1, 2018 - June 30, 2020, in the amount of \$750,000. The Syracuse University Service Agreement will fund: Dunbar Association, Outer Comstock Neighborhood Association (homebuyers and youth services), University Neighborhood Preservation Association, Westcott Area Cultural Coalition, Westcott Community Center and Westcott Neighborhood Association, Home Headquarters Inc. on behalf of Southside TNT, and Thornden Park Association, in specific amounts as detailed in the ordinance." Amend to authorize the second year. Total amount not to exceed \$375,000.* **555**
- H** 34. *Authorize - The City of Syracuse to enter into an Agreement with the Greater Syracuse Property Development Corporation (Land Bank) for \$750,000 as identified in the 2019/2020 Budget of the City of Syracuse and as detailed in attached Exhibit A.* **H**
35. **9-0** *Special Permit - To approve a Light-Duty Motor Vehicle Repair on property located at 1417, 1421, and 1427-1431 Valley Drive. No one spoke in favor of or in opposition to the proposal. The Planning Commission granted one (1) waiver in regard to signage regulations. PHI-GI Inc. d/b/a J&J Auto, applicant. JRJP Properties, owner.* **Gen. #37**
36. **9-0** *Special Permit - To approve Transitional Parking on property located at 1608 West Genesee Street. No one spoke in favor of or in opposition to the proposal. The Planning Commission granted four (4) waivers in regard to driveway location, front setback, parking surface, and landscape buffer regulations. Kenneth Sniper, owner/applicant.* **Gen. #38**

Sent back to
planning
commission.

37. *Special Permit - To approve a Gasoline Station with a Restaurant within a Convenience Store located at 401, 407 and 415 East Brighton Avenue. No one spoke in favor. Four people spoke in opposition to the proposal. The Planning Commission granted four waivers in regard signage, driveway location, off-street parking, and landscape treatment regulations. Mirabito Holding Inc., applicant. GAT 7393, LLC, owner.*

Sent back to
planning
commission.

- 9-0** 38. *Sell – All right, title and interest of the City of Syracuse in and to the premises known as 152 Lynhurst Avenue West, a wood house & garage, to the Greater Syracuse Property Development Corporation for the total sum of \$151. (District 4)* **556**

- 9-0** 39. *Sell – All right, title and interest of the City of Syracuse in and to the premises known as 381 Cortland Avenue, a vacant lot, to the Greater Syracuse Property Development Corporation for the total sum of \$151. (District 4)* **557**

(SUPPLEMENTAL AGENDA – SEPTEMBER 9, 2019)
WAIVER OF THE RULES REQUIRED TO INTRODUCE:

BY COUNCILOR ALLEN:

- 9-0** 40. *Authorize - The Common Council to adopt a Positive Declaration to evaluate the potential environmental impact of the proposed ReZone Syracuse Zoning Ordinance and Map pursuant to the State Environmental Quality Review Act (SEQRA).* **558**

Syracuse Common Council
Adjourned at 1:16 P.M.

A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN THE CITY OF SYRACUSE

Be it enacted by the Common Council of the City of Syracuse (the "Municipality") as follows:

Section 1. This local law shall be known as the "Energize NY Open C-PACE Financing Program" and shall read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority

- A. It is the policy of both the Municipality and the State of New York (the "State") to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, "EIC"), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the "Municipal Agreement") to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the "Enabling Act").
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the "Energize NY Open C-PACE Local Law".

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.

B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC's Program administration fee, closing costs and fees, title and appraisal fees, professionals' fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the City of Syracuse, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a "charge" within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in

respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.

- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.



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DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

05 August 2019

David M. Clifford
Commissioner

Ann E. Gallagher
First Deputy
Commissioner

Mr. John P. Copanas
City Clerk
Room 231, City Hall
Syracuse, NY 13202

RE: Legislation Request – Local Law to adopt a sustainable energy loan program through a partnership with the Energy Improvement Corporation as authorized by New York State

Dear Mr. Copanas:

Please prepare a local law authorizing the City of Syracuse to establish a program that will allow the Energy Improvement Corporation (EIC), a local development corporation, acting on behalf of the City and the New York State Energy Research and Development Authority, to make funds available to qualified property owners to fund renewable energy systems and energy efficiency measures.

The City will assist the EIC with such loans by allowing a special benefits lien to be placed upon the property, subject to certain conditions, that will secure repayment of the loan.

The City is authorized to enact this program pursuant to Article 5-L of the New York State General Municipal Law.

Very truly yours,

David M. Clifford, Commissioner

**Department of
Assessment**
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

cc: Evan Helgesen, Special Assistant to the Mayor

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Ordinance No.

2019

ORDINANCE AMENDING ORDINANCE NO. 52-2017 AS AMENDED BY ORDINANCE NO. 801-2017 AND AMENDED BY ORDINANCE NO. 533-2018 AND AS LAST AMENDED BY ORDINANCE NO. 496-2019 AUTHORIZING CONTRACT WITH CEDAR PATH SOLUTIONS GROUP RELATIVE TO PROVIDING INTEGRATOR AND INSTALLATION SERVICES FOR A WIRELESS VIDEO SURVEILLANCE SYSTEM

BE IT ORDAINED, that Ordinance No. 52-2017 as amended by Ordinance No. 801-2017 and amended by Ordinance No. 533-2018 and as last amended by Ordinance No. 496-2019 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has approved the retention of Cedar Path Solutions Group, under the following terms:

- (1) Cedar Path Solutions Group shall provide all required integrator and installation services on the COPS platform Video Surveillance Project (the "Project") (RFP #17-063);
- (2) The duration of the contract will be for one year from the date of execution with the option for two (2) one-year renewal periods subject to Mayoral and Common Council approval; the Agreement is hereby extended for the two (2) one year renewal periods and is effective through March 3, 2020;
- (3) The City shall pay to Cedar Path Solutions Group a total amount not to exceed \$1,959,090.00 for all services under this agreement; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to the following accounts:

- 2015 SHSP Account #204566018;
- 2016 DASNY SAM Grant Account #599802.02.31225 Project #212240116 (Kirk Park Project);
- 2017 DASNY SAM Grant Account # to be designated by the Commissioner of Finance for Project #212240117 (Northside III Project);
- University Neighborhood Donation Account #427051 Fund 01 (Syracuse University Area Project);
- Syracuse Police Department Budget Account #520210.01.31220 (Syracuse University Area Project and Westside Replacement Project);
- 2017 DASNY SAM Surveillance Camera Funds Account # to be designated by the Commissioner of Finance for Project #212240217 (Milton at Willis Avenue Project);
- DASNY Account #599802.02.31225, Project # 212240419 (Hawley Green and James Street Area Project);
- Account # 599802.02.31225, Project #232970215 (Hiawatha Boulevard and Park Street Area Project);
- Syracuse Police Department Budget Account #520210.01.31220 (Midland Avenue, Skunk City, and South Avenue Areas Project); and
- DASNY Account #599802.02.31225, Project # 212240519 (Westside and South Avenue areas); and
- Syracuse Police Department Budget Account #501480.35.31220 (Cannon Street / Ostrander Avenue Project).

and

BE IT FURTHER ORDAINED, that the first installation project authorized herein involves the installation of wireless cameras and associated equipment to be located in Kirk Park which will connect to the Police Department's existing camera system at a cost not to exceed \$57,880.00; and

BE IT FURTHER ORDAINED, that the second installation project authorized herein involves the installation of wireless cameras and associated equipment for the Northside III Project, which includes Schiller Park, North Salina Street Corridor, Grant Boulevard, Butternut Circle, Highland Avenue and Park Street areas, Mary and Lilac Streets, Lodi Street and Union Place, and Lodi and Wayne Streets at a cost not to exceed \$633,470.00; and

BE IT FURTHER ORDAINED, that the third installation project authorized herein involves the installation of new COPS platform wireless cameras and associated equipment for the Syracuse University Neighborhood and the replacement of the existing antiquated cameras in place on the Westside of Syracuse that were installed during the PILOT program in 2011 at a total cost not to exceed \$244,000.00; and

BE IT FURTHER ORDAINED, that the fourth installation project authorized herein involves the installation of new COPS platform wireless cameras and associated equipment for the

Milton and Willis Avenue neighborhoods in connection with the Hazard Branch library at a total cost not to exceed \$205,000.00; and

BE IT FURTHER ORDAINED, that the fifth installation project authorized herein involves the Upstate and Crouse Hospital Project that will create a new COPS Platform Camera Wireless Meshes and Network Connections for Irving Avenue and E. Adams Street at a cost not to exceed \$99,000.00; and

BE IT FURTHER ORDAINED, that the sixth installation project authorized herein involves the installation of wireless cameras and associated equipment that will create a new COPS Platform Camera Wireless Meshes and Network Connections for the Hawley Green and James Street Area at a cost not to exceed \$225,000.00; and

BE IT FURTHER ORDAINED, that the seventh installation project authorized herein involves the installation of wireless cameras and associated equipment that will create a new COPS Platform Camera Wireless Meshes and Network Connections for the Hiawatha Boulevard and Park Street Area at a cost not to exceed \$87,000.00; and

BE IT FURTHER ORDAINED, that the eighth installation project authorized herein involves the installation of wireless cameras and associated equipment that will replace existing antiquated Platform Camera Wireless Meshes and Network Connections for the Midland Avenue, Skunk City, and South Avenue Areas at a cost not to exceed \$90,420.00; and

BE IT FURTHER ORDAINED, that the ninth installation project authorized herein involves the installation of wireless cameras and associated equipment that will create a new COPS Platform Camera Wireless Meshes and Network Connections for the Westside and South Avenue area at a cost not to exceed \$285,320.00; and

BE IT FURTHER ORDAINED, that the tenth installation project authorized herein involves the installation of wireless cameras and associated equipment that will create a new COPS Platform Camera Wireless Meshes and Network Connections for the Cannon Street/Ostrander Avenue area at a cost not to exceed \$32,000.00.

* _____ = new material

1st Deputy Chief
Joseph Cecile



10
Deputy Chiefs
Richard Trudell
Derek McGork
Richard Shoff

DEPARTMENT OF THE POLICE

Kenton T. Buckner, Chief

August 23, 2019

Mr. John Copanas
City Clerk
Syracuse City Hall
233 Washington Street, Suite 231
Syracuse, NY 13202

RE: Legislation: COPS Platform - Integrator and Installation Services for a Wireless Video Surveillance System Ordinance / Contract Amendment

Dear Mr. Copanas:

Please prepare legislation for the next Common Council meeting on behalf of the Police Department to amend Ordinance #52-2017, dated January 23, 2017 and City Contract #17-063B, signed by the Mayor on January 24, 2017 with Cedar Path Solutions Group for integrator and installation services on the COPS Platform Video Surveillance Project - RFP #17-063.

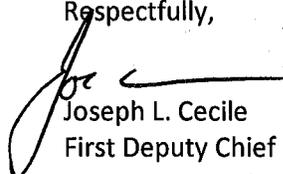
Ordinance #52-2017 / Contract #17-063B authorizes a contract with Cedar Path Solutions Group relative to providing installation services for a wireless video surveillance system, to include the installation of additional wireless cameras and associated equipment at various locations throughout the City which will connect to the Police Department's existing camera system. Since the award of the above mentioned contract, additional funding has been obtained for more cameras to be added to the existing system. As such, we would like to amend existing Ordinance #52-2017 / City Contract #17-063B to reflect the addition of the following:

Cedar Path Solutions Group will be contracted for integration and installation services for the **Cannon Street / Ostrander Avenue Area**.

This agreement will be the second and final extension of this contract which expires on March 3, 2020. The agreement will be in an additional amount not to exceed **\$32,000.00** and will be charged against:

Account # 501480.35.31220

Respectfully,



Joseph L. Cecile
First Deputy Chief



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management & Budget
DATE: August 27, 2019
SUBJECT: Amend Ordinance – Cedar Path Solutions Group

Handwritten initials

On behalf of the Department of Police, I am requesting to amend Ordinance #52-2017, dated January 23, 2017 and City Contract #17-063B, signed by the Mayor on January 24, 2017 with Cedar Path Solutions Group for integrator and installation services on the COPS Platform Video Surveillance Project – RFP #17-063.

Ordinance #52-2017 / Contract #17-063B authorizes a contract with Cedar Path Solutions Group relative to providing installation services for a wireless video surveillance system, to include the installation of additional wireless cameras and associated equipment at various locations throughout the City which will connect to the Police Department's existing camera system. Since the award of the above mentioned contract, additional funding has been obtained for more cameras to be added to the existing system. As such, we would like to amend existing Ordinance #52-2017 / City Contract #17-063B to reflect the addition of the following:

Cedar Path Solutions Group will be contracted for integration and installation services for the Canon Street / Ostrander Avenue Area.

This agreement will be the second and final extension of this contract which expires on March 3, 2020. The agreement will be in an additional amount not to exceed \$32,000.00 and will be charged against: Account #501480.35.31220.

Please indicate your concurrence by signing below and returning this memo to me so that I may then forward your approval to the Common Council along with the request for authorizing this legislation.

Thank you for your attention regarding this matter.

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Handwritten signature of Ben Walsh

Mayor Ben Walsh
City of Syracuse, New York

Handwritten date 08/28/19

Date

Office 315 448-8252
Fax 315 448-8116

cc: Frank L. Fowler, Chief of Police
Joseph Cecile, 1st Deputy Chief of Police
File

www.syr.gov.net

**ORDINANCE AUTHORIZING CONTRACT
WITH SEAN MORRISON RELATIVE TO
PROVIDING BUILDING AND LIFE SAFETY
SYSTEMS PLAN REVIEW SERVICES ON
BEHALF OF THE DEPARTMENT OF FIRE**

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has waived the Request for Proposal Process and approved the retention of Sean Morrison as a consultant to provide building and life safety systems plan review services on behalf of the Department of Fire, under the following terms:

(1) Sean Morrison shall provide building and life safety systems plan review services for the City of Syracuse on an as-needed basis, on behalf of the Department of Fire. Services shall also include attendance at meetings and advice relative to the plan review as requested by the Chief of Fire and/or his designee;

(2) The term of the contract shall be for a one (1) year period effective as of September 15, 2019 through September 14, 2020;

(3) Sean Morrison shall be paid an amount not to exceed \$20,000.00 to be paid on a time and expense method of payment for all services over the term of the contract; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this contract shall be charged to the Department of Fire Budget Account #541500.01.34101 or another appropriate account as designated by the Commissioner of Finance.



SYRACUSE FIRE DEPARTMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

8/26/2019

Michael J. Monds
Chief of Fire

Steven P. Evans
First Deputy Chief

Deputy Chiefs

Robert Cussen
Elton Davis
Barry Lasky
Jeffrey Kite
John Kane

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Mr. Copanas,

Please prepare legislation for the next regular meeting of the Common Council authorizing the City to enter into an agreement with Sean Morrison to provide plan review services. Mr. Morrison is a qualified professional who will provide us plan review support as we continue to make internal process improvements and hire permanent staff. This agreement will start September 15, 2019 and last for one year. The total amount of the agreement will not exceed \$20,000 and will be billed to account number 34101.01.541500.

Respectfully,

Micheal J. Monds
Chief of Fire

Chief's Office
Syracuse Fire Dept.
Public Safety Building
511 S. State St.
6th Floor, Rm. 607
Syracuse, N.Y. 13202

Office 315 473 5525
Fax 315 422 7766

www.syr.gov.net



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management and Budget
DATE: August 28, 2019
SUBJECT: Agreement with Sean Morrison

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On behalf of the Department of Fire, I am requesting that the City of Syracuse enter into an agreement with Sean Morrison to provide plan review services. This agreement will start September 15, 2019 and last for one year.

Mr. Morrison is a qualified professional who will provide plan review support as they continue to make internal process improvements and hire permanent staff.

Total expenditures will not exceed \$20,000 and will be billed to account number 34101.01.541500.

If you agree to enter into this agreement with Sean Morrison please indicate such by signing below and returning this memo to me so that I may forward a copy to the Common Council along with the legislation request for the next Common Council Meeting.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

08/28/19
Date

/tm
cc: Michael J. Monds, Chief of Fire

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

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Local Law No.
City of Syracuse

2019

**A LOCAL LAW OF THE CITY OF SYRACUSE
AMENDING LOCAL LAW NO. 9-2017
PROVIDING FOR THE ESTABLISHMENT OF A
BUREAU OF ADMINISTRATIVE ADJUDICATION
WITHIN THE CITY OF SYRACUSE
DEPARTMENT OF FINANCE TO ADJUDICATE
CODE AND ORDINANCE VIOLATIONS THAT
CONSTITUTE A THREAT OR DANGER TO
PUBLIC HEALTH, SAFETY OR WELFARE TO
TRANSFER THE BUREAU FROM THE
DEPARTMENT OF FINANCE TO THE
DEPARTMENT OF LAW AND TO MAKE OTHER
TECHNICAL CHANGES**

BE IT ENACTED, by the Common Council of the City of Syracuse, as follows:

Section One. Purpose.

To establish an administrative tribunal to be known as the “Bureau of Administrative Adjudication for the City of Syracuse” within the City of Syracuse Department of Law to adjudicate charges of municipal code violations, statutory violations and fee disputes relative to matters that constitute a danger or threat to the public health, safety or welfare as authorized by the recent amendment to Section 380 of the New York State General Municipal Law by the New York State Legislature. The Bureau shall not hear or determine charges of violations of the City of Syracuse Building Code.

Section Two. Establishment of a Bureau of Administrative Adjudication

There shall hereby be established, in accordance with Section 380 of Article 14-BB of the New York State General Municipal Law, as amended, a Bureau of Administrative Adjudication (hereinafter “the Bureau”) within the Department of Law for the City of Syracuse.

Section Three. Definitions.

(1) The term "Municipal Code Violation" or "Statutory Violation" for the purposes of this Local Law shall mean any infraction constituting a violation of the City of Syracuse Property Conservation Code, the International Property Maintenance Code and/or the City of Syracuse Zoning Rules and Regulations, as well as other applicable regulations governing matters that constitute a danger or threat to the public health, safety or welfare. This shall not mean any infraction of the City of Syracuse Building Code.

(2) The term "Notice of Violation Ticket" for the purposes of this Local Law shall mean the written instrument issued by the Bureau notifying the property owner of the violation for which they are being cited along with the time frame to either admit or deny the violation charged in the notice.

(3) The term "Director" for the purposes of this Local Law shall mean the head of the Bureau of Adjudication, who shall be the chief administrative law judge of the Bureau and shall have all the powers of an administrative law judge pursuant to Article 14-BB, Section 381 of the New York State General Municipal Law. Director will be more fully defined in later sections of this Local Law.

(4) The term "Respondent" for the purposes of this Local Law shall mean any person or entity charged with a municipal code or statutory violation within the City of Syracuse.

Section Four. Jurisdiction.

The Bureau of Administrative Adjudication shall have jurisdiction to hear and determine charges of municipal code violations that affect the quality of life of the citizens of the City of Syracuse, New York or may constitute a threat or danger to the public health, safety or welfare for which civil penalties may be imposed and to render decisions and orders and impose the civil

penalties provided under the law for such violations. The Bureau shall not hear or determine charges resulting from violations of the City of Syracuse Building Code or any violation which includes imprisonment as a penalty.

The Bureau of Administrative Adjudication shall not have the power to sentence a person to a term of imprisonment upon being found guilty of a municipal code violation, nor may an administrative law judge order the arrest or detention of any person, nor may an administrative law judge deprive any person of a right to counsel.

Section Five. Director

(a) The head of the Bureau shall be the director who shall be the chief administrative law judge of the Bureau and shall have all the powers of an administrative law judge pursuant to Section 381 of the New York State General Municipal Law. The director shall be appointed by the Mayor of the City of Syracuse for a term of five (5) years with the advice and consent of the Common Council. The director shall be removable only for neglect of duty or misfeasance in office after notice and an opportunity for a hearing. Once appointed and confirmed, the director shall serve until his or her term expires and until his or her successor has been appointed and confirmed. The director shall devote his or her entire work time to the duties of the office.

(b) The director shall be an attorney in good standing, admitted to practice for at least five (5) years in the State of New York and shall be knowledgeable on the subject of administrative law and procedures.

(c) The director shall be a resident of the City of the Syracuse for the entirety of his or her term.

(d) The director shall have the power to promulgate rules consistent with this article for the practice and procedure of the Bureau, the conduct of adjudications and the dismissal or settlement of proceedings.

(e) The director shall develop and implement a program of evaluation to aid in the performance of his or her duties, and to assist in the making of promotions, demotions or removals. This program of evaluation shall focus on three areas of performance: competence, productivity and demeanor. It shall include consideration of: industry and promptness in adhering to schedules, making rulings and rendering decisions; tolerance, courtesy, patience, attentiveness, and self-control in dealing with litigants, witnesses and representatives, and in presiding over adjudicatory proceedings; skills and knowledge of the subject of administrative law and procedures and new developments therein; analytical talents and writing abilities; settlement skills; quantity, nature and quality of case load disposition; impartiality and conscientiousness. The director shall develop standards and procedures for this program, which shall include taking comments from selected litigants and representatives who have appeared before an administrative judge. The methods used by an administrative judge but not the results arrived at by the administrative law judge in any case may be used in evaluating an administrative judge. Before implementing any action based upon the finding of the evaluation program, the director shall discuss the findings and proposed action with the administrative law judge; provided however that the director's authority pursuant to this subdivision is subject to the provisions of the civil service law and any applicable collective bargaining agreement.

(f) To the extent permitted by law, the director shall publish and make available to the public all significant decisions rendered by administrative law judges and all decisions rendered by the administrative appeals panels. The director may charge a reasonable fee for a

copy of such determination or decision. Whenever any law of confidentiality prevents the publication of the identity of any of the parties, an edited version of the decision shall be prepared which shall not disclose the identities of the protected parties.

(g) The director shall collect, compile, and publish statistics and other data with respect to the operations and duties of the Bureau and submit annually to the Mayor, the Common Council, and the public a report on such operations including but not limited to, the number of hearings initiated, the number of decisions rendered, the number of partial or total reversals by the appeals panel, the number of proceedings pending, and on any recommendations of the Bureau of statutory or regulatory amendments. The report should also be posted on the Bureau of Administrative Adjudication's page on the City of Syracuse website.

(h) The director shall study the subject of administrative adjudication in all its aspects, and develop programs including alternate dispute resolution and including preliminary or prehearing conferences or mediation which would promote the goals of fairness, uniformity and cost-effectiveness.

(i) The director shall adopt, promulgate, amend and rescind rules and regulations to carry out the provisions of this article and the policies of the Bureau in connection therewith. Such rules and regulations shall substantially comply with article three of the state administrative procedure act, shall supersede any inconsistent agency rules, and shall include, but not be limited to, uniform standards and procedures, rules of practice, standards for determining when an expedited hearing will be conducted, standards for uncontested proceedings, standards for the assignment of administrative law judges and their removal from cases, and for the maintenance of records.

(j) The director shall secure, compile and maintain all reports of administrative law judges issued pursuant to this article, and such reference materials and supporting information as may be appropriate and to establish appropriate management information systems.

(k) The director shall develop and maintain a program for the continuing training and education of administrative law judges and ancillary personnel.

Section Six. Administrative Law Judges

(a) The director shall appoint up to seven (7) administrative law judges who shall be attorneys in good standing, admitted to practice in the state of New York for at least three years and shall have such other qualifications as may be prescribed by the director. The director may prescribe qualifications for administrative law judges which may vary based on the type or kind of adjudicatory hearing to which such administrative law judge may be assigned.

(b) All administrative law judges appointed by the director to serve in the Bureau of Administrative Adjudication are required to live in the City of Syracuse throughout their term.

(c) The director may pursuant to rule establish such special units within the Bureau as are appropriate to the matters before the Bureau for adjudication.

(d) An administrative law judge shall not participate in any proceeding to which he or she is a party, in which he or she has been attorney, counsel or representative, if he or she is related by consanguinity or affinity to any party to the controversy within the sixth degree or where such participation is otherwise prohibited by law. Administrative law judges shall ensure that all hearings are conducted in a fair and impartial manner.

(e) Except as otherwise provided by law, in the conduct of adjudication, an administrative law judge may:

(1) hold conferences for the settlement or simplification of the issues, provided that the settlement and dismissal of proceedings shall be in accordance with the rules of the director;

(2) administer oaths and affirmations, examine witnesses, rule upon offers of proof, receive evidence, and oversee, regulate, order and enforce such discovery as is appropriate under the circumstances;

(3) upon motion of any party including an agency, or upon the administrative law judge's own motion with consent of the respondent, subpoena the attendance of witnesses and the production of books, records, or other information;

(4) regulate the course of the hearing in accordance with the rules of the Bureau or other applicable law;

(5) rule on procedural requests or similar matters;

(6) make final findings of fact and final decisions, determinations or orders;

(7) where the Bureau is authorized to render a final decision, determination or order imposing civil penalties, impose such civil penalties. No such civil penalty shall exceed the maximum provided under law for the violation; and

(8) take any other action authorized by law.

(f) Unless inconsistent with this article, all hearings shall substantially comply with the requirements of article three of the state administrative procedure act.

(g) An administrative law judge shall render all findings of fact, decisions, determinations and orders in an expeditious manner.

(h) Unless otherwise authorized by law and except as provided in subdivision (i) of this section, an administrative law judge shall not communicate in connection with any issue that

relates in any way to the merits of a proceeding pending before the administrative law judge with any person except upon notice and opportunity for all parties to participate.

(i) An administrative law judge may consult on questions of law and ministerial matters with his or her supervisor, other administrative law judges, and support staff of the Bureau, provided that such supervisors, administrative law judges or support staff have not been engaged in functions in connection with the adjudicatory proceeding under consideration or a factually related proceeding.

Section Seven. Powers and Duties of the Bureau

The Bureau of Administrative Adjudication shall have the following functions, powers and duties:

(a) To accept pleas and to hear and determine charges of code and statutory violations that impact the quality of life of the residents of the City of Syracuse or constitute a threat or danger to the public health, safety or welfare.

(b) To provide for penalties other than imprisonment for code or statutory violations in accordance with the City of Syracuse Property Conservation Code; provided, however, that monetary penalties shall not exceed the maximum amount allowed by Syracuse City Court or any other court that would have jurisdiction over the matter.

(c) To adopt rules and regulations, not inconsistent with any applicable provision of law, to carry out the purposes of Article 14-BB of the General Municipal Law, including but not limited to rules and regulations prescribing the internal procedures and organization of the Bureau, the manner and time of entering pleas, the conduct of hearings and the amount and manner of payment of fines.

(d) To issue subpoenas to compel the attendance of persons to give testimony at hearings and to compel the production of relevant records, books, papers and other materials.

(e) To enter judgments of the Bureau.

(f) To answer within a reasonable period of time all relevant and reasonable inquiries made by either a person charged with a municipal code or statutory violation or his or her attorney concerning the notice of violation ticket served on that person. The Bureau must also furnish the person charged, upon his or her request, a copy of the original notice of violation ticket. Failure to comply with the provisions of this subsection within thirty (30) days of such request, forwarded to the Bureau by certified or registered mail, return receipt requested, shall result in an automatic dismissal of all charges relating to that particular notice of violation upon the request of the respondent.

(g) To have at least one administrative appeals panel consisting of three administrative law judges that will hear appeals from a determination made by any administrative law judge.

Section Eight. Commencement of Proceedings; Default Judgments

(a) The Bureau shall conduct the proceedings authorized by this local law in accordance with Section 384 of the New York State General Municipal Law and with the rules promulgated by the director.

(b) Such proceedings shall be commenced by the service of a notice of violation ticket. The notice of violation ticket or copy thereof when filled in and served shall constitute notice of the violation charged, and if sworn to or affirmed, shall be prima facie evidence of the facts contained therein. The notice of violation ticket when sworn to or affirmed shall constitute the testimony of the signator and, when filed with the Bureau shall be admitted into evidence as such testimony at any hearing on the violation charged. If the respondent disputes the facts

stated in the notice of violation, the Administrative Law Judge, where appropriate may reject the signator's facts, accept facts the respondent offers, or direct the signator's appearance. Every such notice of violation ticket shall state whether the facts set forth therein are known personally to the signator and if the facts are not so known the notice of violation ticket shall specifically identify the source of knowledge of such facts. If the respondent disputes the facts stated in the notice of violation ticket, the administrative law judge, where appropriate may reject the signator's facts, accept facts the respondent offers, or direct the signator's appearance.

(c) **Content of the Notice of Violation**

(1) The form and wording of the notice of violation ticket shall be prescribed by the director. The notice of violation ticket shall contain information advising the person charged of the manner and the time in which such person may either admit or deny the violation charged in the notice. Such notice of violation ticket shall also contain a warning to advise the person charged that failure to plead in the manner and time stated in the notice may result in a default decision and order being entered against such person. The original or a copy of the notice of violation ticket shall be filed and retained by the Bureau and shall be deemed a record kept in the ordinary course of business.

(2) Every notice of violation ticket shall identify the provision of law charged and shall set forth the factual basis for the violation. Where a notice of violation ticket does not contain this information, it shall be dismissed at the request of the respondent or the administrative law judge may dismiss the notice of violation upon his or her own motion.

(d) **Service of the Notice of Violation Ticket**

A notice of violation ticket shall be served personally upon the owner of the property or served upon "a person of suitable age and discretion" at the owner's actual place of business,

dwelling place or usual place of abode and then mailed to the owner's "last known residence". If service of the notice of violation ticket cannot be made after a showing of due diligence then the notice can be affixed to the door of one of the above named places and a copy of the notice of violation shall be mailed to the owner's last known residence except that:

(1) Service of the notice of violation ticket may be made by delivering such notice to a person employed by the person charged: (a) To work on the premises the occupancy of which caused such violation; (b) At the premises at which the person charged actually conducts the business the operation of which gave rise to the violation; (c) At the site of the work with respect to which the violation occurred; or (d) at the place where the violation occurred.

(2) Service of a notice of violation ticket may be made by certified mail, return receipt requested.

(3) Service of a notice of violation ticket may be made by first class mail.

(4) Service of the notice of violation ticket upon a corporation shall be made by serving the secretary of state or by serving an officer of the corporation or any other agent authorized by appointment or by law to receive service or pursuant to subsection (d) (1) of this section, pursuant to the provisions of New York State Business Corporation Law and the New York State Limited Liability Company Law.

(e) **Failure to Plead**

Where a respondent has failed to plead within the time allowed by controlling law or, if there is no such controlling law, by the rules of the Bureau, or has failed to appear on a designated hearing date or a subsequent date following an adjournment, such failure to plead or appear shall be deemed, for all purposes, to be an admission of liability and shall be grounds for rendering a default decision and order imposing a penalty up to the maximum amount prescribed

under law for the violation charged. A default decision and order may be opened within one year of its entry upon written application showing excusable default and a defense to the charge; a default decision and order may thereafter be opened in the discretion of the director only upon written application showing excusable default, a defense to the charge, and good cause for the delay.

(f) **Final Order of the Bureau**

(1) Any final order of the Bureau imposing a civil penalty, whether the adjudication was had by hearing or upon default or otherwise, shall constitute a judgment rendered by the Bureau against the respondent which may be entered in the city court or other equivalent court of the municipality, or any other place provided for the entry of civil judgments within the state, and may be enforced against the respondent and his, her or its property without court proceedings in the same manner as the enforcement of money judgments entered in civil actions; provided however that no such judgment shall be entered which exceeds the jurisdiction of such city court or other court that would have jurisdiction over the matter .

(2) Notwithstanding the foregoing provision, before a judgment based upon a default may be so entered the Bureau must have notified the respondent by first class mail in such form as the director may require; (a) of the default decision and order and the penalty imposed; (b) that a judgment may be entered in the city court or other equivalent court of the municipality or any other place provided for the entry of civil judgments within the state of New York; and (c) that entry of such judgment may be avoided by requesting a stay of default for good cause shown and either requesting a hearing or entering a plea pursuant to the rules of the Bureau within thirty days of the mailing of such notice.

(3) The Bureau shall not enter any final decision or order unless the notice of violation ticket shall have been served in the same manner as is prescribed for service of process by article three of the New York Civil Practice Law and Rules or article three of the New York State Business Corporation Law or article three of the New York State Limited Liability Company Law, except that: (a) service of a notice of violation ticket may be made by delivering such notice to a person employed by the respondent (1) to work on the premises the occupancy of which caused such violation, or (2) at the premises at which the respondent actually conducts the business the operation of which gave rise to the violation, or (3) at the site of the work with respect to which the violation occurred, or (4) at the place at which the violation occurred; (b) service of a notice of violation ticket may be made by certified mail, return receipt requested.

(4) Where any final decision or order may not be entered and enforced as a judgment because the amount of civil penalty exceeds the jurisdictional amount of city court or other equivalent court of the municipality, with respect to actions and proceedings for the recovery of money, such decision or order may be enforced by the commencement of an action or proceeding for the recovery of such civil penalties in a court of competent jurisdiction by the municipality.

(g) **Proof of Service**

Proof of service shall be filed with the Bureau and, where service is made by certified mail pursuant to paragraph two of subdivision (f) of this section, shall include the return receipt evidencing receipt of notice served by mail. Service shall be complete ten (10) days after such filing.

(h) Dismissal for Lack of Proper Service

Where service of the notice of violation ticket is not made in a manner authorized by law for the violation charged, it shall be dismissed at the request of the respondent or the administrative law judge may dismiss the notice of violation upon his or her own motion.

Section Nine. Methods of Pleading; Payment of Fines

(a) A plea shall be entered within thirty (30) days of the date printed on the notice of violation ticket. A plea may be entered in person at the Bureau's Office, by the owner or an authorized representative, or by ordinary mail sent to the address that appears on the notice of violation ticket. The Bureau shall not reject any plea entered by mail if the postmarked date on the envelope is within thirty (30) days from the date on the notice of violation ticket. Failure of the respondent to answer within thirty (30) days will subject the respondent to additional penalties.

(b) Pleas by mail shall be made in the following manner:

(1) Entering the desired plea on the notice of violation ticket.

(2) Entering the requested information in the space provided in the plea portion of the notice of violation ticket.

(3) Signing the plea portion of the notice of violation ticket.

(4) Mailing the notice of violation ticket with the plea portion completed to the mailing address stated on the notice of violation ticket.

(c) A plea of guilty shall be accompanied by payment in full of the scheduled fine.

(d) The respondent pleading "not guilty" or "guilty with an explanation" may request a hearing. This shall be done at the time of pleading by completing the appropriate section of the

notice of violation ticket according to the instructions thereon or by completing the "request for hearing" form.

(e) If a plea of "not guilty" or "guilty with an explanation" is made in person, an immediate hearing may be conducted upon the request of the respondent if it is convenient to the Bureau.

(f) Upon receipt of the notice of violation ticket with a plea of "not guilty" or "guilty with an explanation" the Bureau shall advise the respondent, in person or by first class mail, of the date, time and place of the hearing. The Bureau reserves the right to set the date, time and place of the hearing.

(g) Where a respondent has failed to plead within the time allowed by the rules of the Bureau or has failed to appear on the designated hearing date or subsequent date following an adjournment or fails to comply with the determination of the administrative law judge, such failure to plead or appear or comply shall be deemed for all purposes to be an admission of liability and shall be grounds for rendering a default decision and order imposing a penalty up to the maximum amount prescribed under rules and regulations of the Bureau for the violation charged.

(h) Any final order of the Bureau imposing a civil penalty, whether the adjudication was had by hearing or upon default or otherwise, shall constitute a judgment rendered by the Bureau against the respondent which may be entered in Syracuse City Court or any other place provided for the entry of civil judgments within the state, and may be enforced against the respondent and his, her or its property without court proceedings in the same manner as the enforcement of money judgments entered in civil actions; provided however, that no such judgment shall be entered which exceeds the jurisdiction of such City court or other court that

would have jurisdiction over the matter.

(i) A default decision and order may be opened within one year of its entry upon written application by respondent showing excusable default and a defense to the charge. A default decision and order may thereafter be opened in the discretion of the director only upon written application showing excusable default, a defense to the charge and good cause for the delay.

(j) Before a judgment based upon a default may be so entered, the Bureau must have notified the respondent by first-class mail in such form as the director may require of the default decision and order and the penalty imposed, that a judgment may be entered in the Syracuse City court or any other place provided for the entry of civil judgments within the State of New York, that entry of such judgment may be avoided by requesting a stay of default for good cause shown and either requesting a hearing or entering a plea pursuant to the rules of the Bureau within thirty (30) days of the mailing of such notice.

Section Ten. Schedule of Fines and Penalties

(a) The schedule of fines and penalties shall be as provided for as civil penalties in the Property Conservation Code of the City of Syracuse for actions brought to the Bureau. No person may be sentenced by an Administrative Law Judge to a term of imprisonment upon being found guilty of any charge.

(b) Additional Penalties. Thirty (30) days after the date printed on the notice of violation ticket, the original fine will double, provided that such increase in the fine amount will never cause the penalty to exceed the maximum amount provided for such violation in the Property Conservation Code of the City of Syracuse.

Section Eleven. Hearings

(a) All hearings shall be held in the City of Syracuse at such place as the director shall designate from time to time. Hearings shall be held at least twice per month.

(b) All hearings shall be held from 9:00 a.m. to 5:00 p.m., except on Saturdays, Sundays and legal holidays, or at such other time as designated by the director.

(c) Every hearing for the adjudication of a charge of a violation shall be held before one of the Administrative Law Judges for the Bureau. The respondent may be represented by legal counsel. No charges may be sustained except upon proof by substantial evidence. All testimony shall be given under oath or affirmation.

(d) All hearings must be held in accordance with the New York State Administrative Procedure Act.

(e) A record shall be made of every hearing either by stenographic recordings or by mechanical or electronic methods as the director shall determine. A transcript of such record shall be supplied to the respondent upon application and upon the payment of a fee. The director may, in his or her discretion or at the request of the respondent, on a showing of good cause and need thereof, subpoena the attendance of witnesses, including the issuing officer, and the production of relevant books, records or other information.

(f) In the case of a refusal to obey a subpoena, the Bureau may make application to a court of competent jurisdiction for an order requiring such appearance, testimony, or production of evidence.

(g) The Bureau, may with or without the respondent's request or consent, consolidate for hearing or appeal one or more charges pending against such respondent. An adjournment may be requested by the respondent (up to twenty-four (24) hours) prior to the hearing, but not

more than two (2) adjournments shall be granted except under extraordinary circumstances which the director shall determine.

Section Twelve. Decisions and Judgments

(a) The director or any of the other administrative law judges for the Bureau shall make final findings of fact and a final determination or order. All findings of fact, decisions, determinations and orders shall be written and rendered in an expeditious manner.

(b) A final determination or order of the Bureau imposing a civil penalty shall constitute a judgment and a record showing payment or nonpayment of penalties. A copy of such judgment record or transcript thereof may be filed in the Office of the City Court Clerk and/or the Onondaga County Clerk's Office or in such other County wherein the respondent resides or is employed.

(c) Where any final decision or order may not be entered or enforced as a judgment because the amount of civil penalty exceeds the jurisdictional amount of the City Court or equivalent court of the municipality, with respect to actions and proceedings for the recovery of money, such decision or order may be enforced by the commencement of an action or proceeding for the recovery of such civil penalties in a court of competent jurisdiction by the municipality.

(d) Any unpaid judgment related to a violation on property in the City of Syracuse shall become a lien on said property.

Section Thirteen. Appeals

(a) There shall be one or more administrative appeals panels within the Bureau. Each panel shall consist of three (3) administrative law judges. In no event shall the administrative law judge from whom such appeal of a decision, determination or order is taken be included in the

panel determining such appeal. Administrative law judges serving on the administrative appeals panel shall not regularly conduct administrative hearings, but shall serve primarily as administrative appeals panel members.

(b) A respondent may appeal, on the facts and/or the law, a final decision, final determination or final order. An agency aggrieved by a final decision, final determination, or final order may appeal on the law, but only after the notice to the respondent and a finding by the appeals panel that the issue upon which the agency seeks to appeal is significant and affects the agency's legitimate enforcement functions.

(c) Upon rendering a decision, making a final determination or issuing a final order, the administrative law judge shall provide the non-agency party with a form notice of appeal and shall explain to such party on the record the (1) method of filing the notice of appeal and the applicable time limits; (2) the requirements of subdivision (g) of this section concerning the payment of penalties and posting of bonds pending appeal, including the right to request exemption therefrom; and (3) that no further court challenge is permitted by law unless an administrative appeal is taken.

(d) Notice of appeal shall be filed with the appeals panel within thirty (30) days of the entry of such decision, determination or order. If no such notice of appeal is filed within such thirty (30) day period, such decision, determination or order shall finally and irrevocably determine all issues in the proceeding before the administrative law judge.

(e) For good cause shown, the administrative appeals panel may permit the filing of a notice of appeal after the thirty (30) day period.

(f) The appeals panel shall have the power to review the record and the findings of the administrative law judge and may reverse, modify or remand any such decision,

determination or order appealed therefrom.

(g) Except as otherwise provided in this section, no appeal of a decision, determination or order of an administrative law judge imposing civil penalties shall be decided unless such civil penalties are paid or a cash or recognized surety bond shall have been posted in the full amount of such civil penalties. No such payment or posting of such bond shall be required where the respondent is the holder of a current license or permit for the operation of a business issued by an agency or officer of the City. Upon a showing of undue hardship or where justice may require, the administrative law judge who decided the case or the appellate panel to which the appeal is assigned may order that the appeal shall be decided without requiring such payment or posting of such bond.

(h) The Director of the Bureau shall promulgate rules governing the practice and procedure of appeals to the administrative appeals panel pursuant to Section 385 of the New York State General Municipal Law.

(i) The determination of the appeals panel shall be rendered within ninety (90) days after the submission of all relevant papers to the panel, or if oral argument is permitted, within ninety (90) days after such oral argument.

(j) The determination of the appeals panel shall be the final determination of the Bureau for the purposes of judicial review pursuant to Article 78 of the New York State Civil Practice Law and Rules.

(k) Where the respondent prevails in any proceeding pursuant to this section, civil penalties paid to the municipality shall be returned with interest at the New York State statutory rate of interest.

Section Fourteen. Annual Budget

The annual budget of the Bureau of Administrative Adjudication shall be prepared and presented in accordance with Article VI of the Syracuse City Charter, 1960, as amended.

Section Fifteen. Severability

The invalidity of any provision or provisions of this chapter shall not affect the validity of the remaining provisions thereof, but such remaining provisions shall continue in full force and effect.

Section Sixteen. Effective Date

This local law, as amended, shall take effect immediately subject to the provisions of the Municipal Home Rule Law of the State of New York.

12-19



DEPARTMENT OF LAW
OFFICE OF THE CORPORATION COUNSEL
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August 2, 2019

Mr. John P. Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

Re: Request for Legislation: Amend Local Law No. 9 of 2017

Dear Mr. Copanas:

I am requesting several amendments to Local Law No. 9 of 2017 which established the Bureau of Administrative Adjudication (BAA) for the City of Syracuse. The initial purpose of the amendments is to transfer the supervision of the BAA from the Department of Finance to the Department of Law. In addition, several technical amendments are being proposed to improve BAA operations.

The proposed amendments are set forth in more in detail in the attached appendix.

Sincerely,

Kristen E. Smith, Esq.
Corporation Counsel

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cc: Leah A. Witmer, Esq. , Director and Chief Administrative Law Judge, Bureau of Administrative Adjudication
David Delvecchio, Commissioner of Finance
Ken Towsley, Director of Code Enforcement

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9/9/

Council Request Letter 8-2-19

Proposed BAA and SPCC Amendments

City Department Location Amendment
Section "Purpose"

- Local Laws and SPCC house the BAA within the Department of Finance; want to amend to the Department of Law.
- Proposed changes to Local Law and SPCC
 - Local Law § 1-85: amend to "within the City of Syracuse Department of Law"
 - SPCC § 27-184: amend to "within the City of Syracuse Department of Law"

Existing Law

- Local Laws
 - § 1-85. - Purpose.
 - To establish an administrative tribunal to be known as the "bureau of administrative adjudication for the City of Syracuse" [REDACTED] [REDACTED] to adjudicate charges of municipal code violations, statutory violations and fee disputes relative to matters that constitute a danger or threat to the public health, safety or welfare as authorized by the recent amendment to Section 380 of the New York State General Municipal Law by the New York State Legislature. The bureau shall not hear or determine charges of violations of the City of Syracuse Building Code.
- SPCC
 - 27-184. - Purpose.
 - The purpose of this article is to establish pursuant to Local Law No. 9-2017 an administrative tribunal to be known as the "Bureau of Administrative Adjudication for the city of Syracuse" [REDACTED] [REDACTED] to adjudicate charges of municipal code violations, statutory violations and fee disputes relative to matters that constitute a danger or threat to the public health, safety or welfare as authorized by the recent amendment to Section 380 of the New York State

General Municipal Law by the New York State Legislature. The bureau shall not hear or determine charges of violations of the city of Syracuse Building Code.

City Department Location Amendment Section "Establishment of a bureau of administrative adjudication"

- Local Law houses the BAA within the Department of Finance; want to amend to the Department of Law.
- Proposed changes to Local Law (this section not in the SPCC)
 - Local Law § 1-86: amend to "within Department of Law for the City of Syracuse."

Existing Law

- Local Laws
 - § 1-86. – Establishment of a bureau of administrative adjudication.
 - The purpose of this article is to establish pursuant to Local Law No. 9-2017 an administrative tribunal to be known as the "Bureau of Administrative Adjudication for the city of Syracuse" [REDACTED] [REDACTED] to adjudicate charges of municipal code violations, statutory violations and fee disputes relative to matters that constitute a danger or threat to the public health, safety or welfare as authorized by the recent amendment to Section 380 of the New York State General Municipal Law by the New York State Legislature. The bureau shall not hear or determine charges of violations of the city of Syracuse Building Code.

Fines vs. Penalties Amendment Section "Penalties" – only in the SPCC

- Proposed changes to SPCC
 - SPCC § 27-191: amend the section heading from "Penalties" to "Schedule of fines and penalties"
 - SPCC § 27-191: amend the first sentence from "penalties" to "fines and penalties"
 - SPCC § 27-191:
 - (a)-(d): amend "penalties schedule" to "schedule of fines and penalties"

- (a)-(d) – within each chart: amend “initial penalty” to “initial fine”

Existing Law:

- SPCC

- § 27-191. - [REDACTED]

The following [REDACTED] shall apply for notice of violation tickets issued by the bureau pursuant to its authority under this article shall be as follows:

- (a) Tickets issued for violations in the category of general property maintenance shall be subject to the following [REDACTED]:

	Initial [REDACTED]	Penalty Upon Default
First ticket	\$150.00	\$300.00
Second ticket	\$300.00	\$600.00
Third and subsequent tickets	\$600.00	\$1,200.00

- (b) Tickets issued for violations in the category of constituting a blighting influence shall be subject to the following [REDACTED] schedule:

	Initial [REDACTED]	Penalty Upon Default
First ticket	\$75.00	\$150.00
Second ticket	\$150.00	\$300.00
Third and subsequent tickets	\$300.00	\$600.00

- (c) Tickets issued for violations in the category of failing to comply with periodic inspections required for a property shall be subject to the following [REDACTED] schedule:

	Initial [REDACTED]	Penalty Upon Default
First ticket	\$50.00	\$100.00

Second ticket	\$100.00	\$200.00
Third and subsequent tickets	\$200.00	\$400.00

- (d) Tickets issued for violations in the category of failing to comply with the applicable zoning rules and regulations for a property shall be subject to the following [REDACTED] schedule:

	Initial [REDACTED]	Penalty Upon Default
First ticket	\$300.00	\$600.00
Second ticket	\$600.00	\$1,200.00

Amendments to the Ticket/Plea Form

Section “Methods of pleading; payment of penalties”

- Amend sections of the Local Law and SPCC to align with our ticket/plea form. The GML affords the director discretion with the wording and form of notices.
- Proposed changes to Local Law and SPCC:
 - Local Law
 - § 1-94(a): amend to read “within thirty (30) days from the date of the notice of violation ticket.”
 - § 1-94(a): amend to read “or by ordinary mail sent to the address stated on the notice of violation ticket.”
 - § 1-94(b)(1): amend to read “entering the desired plea on the notice of violation ticket”
 - § 1-94(b)(2): amend to read “entering the requested information in the space provided on the plea form”
 - § 1-94(c): strike “(no cash shall be accepted)”
 - § 1-94(d): strike “the reverse side of”

- § 1-94(d): strike "provided by the clerk at the bureau"
- SPCC
 - § 27-192(b)(1): amend to read "entering the desired plea on the notice of violation ticket"
 - § 27-192(b)(2): amend to read "entering the requested information in the space provided on the plea form"
 - § 27-192(c): strike "(no cash shall be accepted)"
 - § 27-192(d): strike "the reverse side of"
 - § 27-192(d): strike "provided by the clerk at the bureau"

Existing Laws:

- NY GML
 - § 384. Commencement of proceedings; default judgments (enabling provision)
 - c. (1) The form and wording of notices of violation shall be prescribed by the director. The notice of violation shall contain information advising the person charged of the manner and the time in which such person may either admit or deny the violation charged in the notice. Such notice of violation shall also contain a warning to advise the person charged that failure to plead in the manner and time stated in the notice may result in a default decision and order being entered against such person. The original or a copy of the notice of violation shall be filed and retained by the bureau and shall be deemed a record kept in the ordinary course of business.
- Local Laws
 - § 1-94. - Methods of pleading; payment of fines
 - (a) A plea shall be [REDACTED] A plea may be entered in person at the bureau's Office, by the owner or an authorized representative, [REDACTED] The bureau shall not reject any plea entered by mail if the postmarked date on the envelope is within thirty (30) days from the date service of the notice of violation was

complete. Failure of the respondent to answer within thirty (30) days will subject the respondent to additional penalties.

- (b) Pleas by mail shall be made in the following manner: (1) Entering the desired plea [REDACTED] (2) Entering the [REDACTED] in the space provided on the plea form.
- (c) A plea of guilty shall be accompanied by a check or money order [REDACTED] for the payment in full of the scheduled fine.
- (d) The respondent pleading "not guilty" or "guilty with an explanation" may request a hearing. This shall be done at the time of pleading by completing [REDACTED] the notice of violation ticket according to the instructions thereon or by completing the "request for hearing" form [REDACTED].

- SPCC

- § 27-192. - Methods of pleading; payment of penalties

- (a) A plea shall be [REDACTED] [REDACTED] A plea may be entered in person at the bureau's Office, by the owner or an authorized representative, [REDACTED] [REDACTED] The bureau shall not reject any plea entered by mail if the postmarked date on the envelope is within thirty (30) days from the date service of the notice of violation was complete. Failure of the respondent to answer within thirty (30) days will subject the respondent to additional penalties.
- (b) Pleas by mail shall be made in the following manner: (1) Entering the desired plea [REDACTED] (2) Entering the [REDACTED] in the space provided on the plea form.
- (c) A plea of guilty shall be accompanied by a check or money order [REDACTED] for the payment in full of the scheduled fine.
- (d) The respondent pleading "not guilty" or "guilty with an explanation" may request a hearing. This shall be done at the time of pleading by completing [REDACTED] the notice of violation ticket according to the instructions thereon or by completing the "request for hearing" form [REDACTED].

Fines and Penalties

Section "Schedule of fines and penalties"

- Proposed changes to Local Law and SPCC:
 - Local Law § 1-95(b) amend "penalty" to "fine"
 - SPCC § 27-193(b): amend "penalty" to "fine"

Existing Laws:

- Local Laws
 - Local Law § 1-95(b) Additional penalties. Thirty (30) days after service of the notice of violation ticket is complete, the original [REDACTED] will double, provided that such increase in the penalty amount will never cause the penalty to exceed the maximum amount provided for such violation in the Property Conservation Code of the city of Syracuse.
 - SPCC § 27-193(b) Additional penalties. Thirty (30) days after service of the notice of violation ticket is complete, the original [REDACTED] will double, provided that such increase in the penalty amount will never cause the penalty to exceed the maximum amount provided for such violation in the Property Conservation Code of the city of Syracuse.

Director v. ALJ Amendment

Section "Decisions and judgments"

- Sections in the Local Law and SPCC refer to the "director" as rendering all decisions and determinations. Local Law Sec. 1-90(g) and SPCC Sec. 27-188(g) grant administrative law judges the authority. So, want to change from Director to administrative law judge.
- Proposed changes to Local Law and SPCC:
 - Local Law § 1-97(a): amend "The director" to "An administrative law judge"
 - SPCC § 27-195(a): amend "The director" to "An administrative law judge"

Existing Laws:

- Local Laws
 - § 1-97. - Decisions and judgments.

- (a) [REDACTED] shall make final findings of fact and a final determination or order. All findings of fact, decisions, determinations and orders shall be written and rendered in an expeditious manner.
- SPCC
 - § 27-195. - Decisions and judgments.
 - (a) [REDACTED] shall make final findings of fact and a final determination or order. All findings of fact, decisions, determinations and orders shall be written and rendered in an expeditious manner.

Board vs. Bureau

Section “Decisions and judgments”

- Sections in the Local Law and SPCC refer to a “board” making a final determination, when it should refer to the “bureau”.
- Proposed changes to Local Law and SPCC:
 - Local Law § 1-97(b): amend “board” to “bureau”
 - SPCC § 27-195(b): amend “board” to “bureau”

Existing Laws:

- NY GML
 - § 383. Jurisdiction to impose civil penalties
 - (a) Such local law may authorize such bureau to (1) conduct proceedings for the adjudication of those code or ordinance violations described in section three hundred eighty of this article for which civil penalties may be imposed, and (2) to render decisions and orders and impose the civil penalties provided under law for such violations.
- Local Laws
 - § 1-97. - Decisions and judgments
 - (b) A final determination or order of the [REDACTED] imposing a civil penalty shall constitute a judgment and a record showing payment or nonpayment of penalties. A copy of such judgment record or transcript thereof may be filed in the office of the city court clerk and/or the Onondaga County

Clerk's Office or in such other County wherein the respondent resides or is employed.

- SPCC
 - § 27-195. - Decisions and judgments
 - (b) A final determination or order of the [REDACTED] imposing a civil penalty shall constitute a judgment and a record showing payment or nonpayment of penalties. A copy of such judgment record or transcript thereof may be filed in the office of the city court clerk and/or the Onondaga County Clerk's Office or in such other county wherein the respondent resides or is employed

Appeals Amendment Section "Appeals"

- Sections in the Local Law and SPCC reference an incorrect subsection regarding the payment of penalties and posting of bonds pending appeal (also incorrect in the NY GML).
- Proposed changes to Local Law and SPCC:
 - Local Law § 1-98(c): amend (2) to read "the requirements of subdivision (g)"
 - SPCC § 27-196(c): amend (2) to read "the requirements of subdivision (g)"

Existing Laws:

- NY GML
 - § 385 Administrative Appeals Panel
 - (c) Upon rendering a decision, making a final determination or issuing a final order, the administrative law judge shall provide the non-agency party with a form notice of appeal and shall explain to such party on the record (1) the method of filing the notice and the applicable time limits; (2) [REDACTED] of this section concerning the payment of penalties and posting of bonds pending appeal, including the right to request exemption therefrom; and (3) that no further court challenge is permitted by law unless an administrative appeal is taken.

[REDACTED]

- (g.) Except as otherwise provided in this subdivision no appeal of a decision, determination or order of an administrative law judge imposing civil penalties shall be decided unless such civil penalties are paid or a cash or recognized surety company bond shall have been posted in the full amount of such civil penalties. No such payment or posting of such bond shall be required where the respondent is the holder of a current license or permit for the operation of a business issued by an agency or officer of such municipality. Upon a showing of undue hardship or where justice may require, the administrative law judge who decided the case or appellate panel to which the appeal is assigned may order that the appeal shall be decided without requiring such payment or posting of such bond.

- Local Laws

- § 1-98. - Appeals.

- (c) Upon rendering a decision, making a final determination or issuing a final order, the administrative law judge shall provide the non-agency party with a form notice of appeal and shall explain to such party on the record the (1) method of filing the notice of appeal and the applicable time limits; (2) [REDACTED] of this section concerning the payment of penalties and posting of bonds pending appeal, including the right to request exemption therefrom; and (3) that no further

[REDACTED]

- (g) Except as otherwise provided in this section, no appeal of a decision, determination or order of an administrative law judge imposing civil penalties shall be decided unless such civil penalties are paid or a cash or recognized surety bond shall have been posted in the full amount of such civil penalties. No such payment or posting of such bond shall be required where the respondent is the holder of a current license or permit for the operation of a business issued by an agency or officer of the city. Upon a showing of undue hardship or where justice may require, the administrative law judge who decided the case or the appellate panel to which the appeal is assigned may order that the appeal shall be decided without requiring such payment or posting of such bond.

• (L.L. No. 9-2017, § 13, 12-18-17)

• SPCC

○ § 27-196. – Appeals

- (c) Upon rendering a decision, making a final determination or issuing a final order, the administrative law judge shall provide the non-agency party with a form notice of appeal and shall explain to such party on the record the (1) method of filing the notice of appeal and the applicable time limits; (2) [REDACTED] of this section concerning the payment of penalties and posting of bonds pending appeal, including the right to request exemption therefrom; and (3) that no further court challenge is permitted by law unless an administrative appeal is taken.

- [REDACTED]
- (g) Except as otherwise provided in this section, no appeal of a decision, determination or order of an administrative law judge imposing civil penalties shall be decided unless such civil penalties are paid or a cash or recognized surety bond shall have been posted in the full amount of such civil penalties. No such payment or posting of such bond shall be required where the respondent is the holder of a current license or permit for the operation of a business issued by an agency or officer of the city. Upon a showing of undue hardship or where justice may require, the administrative law judge who decided the case or the appellate panel to which the appeal is assigned may order that the appeal shall be decided without requiring such payment or posting of such bond.

ORDINANCE AUTHORIZING A TAX EXEMPTION AGREEMENT BETWEEN THE CITY OF SYRACUSE AND ST. ANTHONY'S ASSOCIATES HOUSING DEVELOPMENT FUND CORPORATION (THE "COMPANY") FOR FIFTY-FOUR (54) AFFORDABLE HOUSING UNITS FOR SENIOR CITIZENS

WHEREAS, St. Anthony's Associates Housing Development Fund Corporation, a domestic not-for-profit corporation (the "*Company*"), formed pursuant to Section 573 and Section 577 of Article XI of the New York Private Housing Finance Law (the "*Act*") and Section 402 of the New York State Not-for-Profit Corporation Law; and

WHEREAS, the Company was formed for the purpose of the acquisition, construction and operation of fifty-four (54) affordable housing units for senior citizens at the property located at 411 West Colvin Street, Syracuse, New York (the "*Property*"); and

WHEREAS, the Company, to enable it to operate the Property, has requested that the City of Syracuse, pursuant to the Act, grant a real property tax exemption for the Property, and enter into a tax exemption agreement (the "*Agreement*") with the Company; NOW, THEREFORE,

BE IT ORDAINED, contingent upon there being no money due and owing to the City of Syracuse by St. Anthony's Associates Housing Development Fund Corporation that a real property tax exemption for the Property pursuant to the Act, is hereby authorized; and

BE IT FURTHER ORDAINED, that the Property shall be fully exempt upon the tax rolls of the City of Syracuse from all ad valorem real property taxes, but shall not be exempt from special assessments or other municipal and school district charges; and

BE IT FURTHER ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he is hereby authorized to enter into the Agreement with the Company, for the Property; and

BE IT FURTHER ORDAINED, that in consideration for the City granting the Company a real property tax exemption for the Property and entering into the Agreement, the Company shall make payments to be calculated each year based upon the difference of the gross rent minus utilities multiplied by 10% or \$27,000.00, whichever is greater; and

BE IT FURTHER ORDAINED, that the Company will be required to provide an annual accounting of the gross rents and utilities to the City of Syracuse Finance Department; and

BE IT FURTHER ORDAINED, that the Agreement shall take effect on the first taxable status date following the completion of the first unit, that the Agreement shall be for a term of fifteen (15) years and shall contain such other terms and conditions as shall be determined by the Corporation Counsel to be in the best interest of the City of Syracuse; and

BE IT FURTHER ORDAINED, that the Agreement authorized by the terms of this Ordinance must be fully executed within three (3) years from the date of its adoption. Failure to fully execute the Agreement within the three (3) years will result in this Ordinance being null and void, and any exemption agreement for the Property will require a new Ordinance authorized by the Mayor and Common Council.



13

DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

22 August 2019

David M. Clifford
Commissioner

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

Ann E. Gallagher
First Deputy
Commissioner

RE: Request for Legislation

Authorize an Exemption Agreement Pursuant to the New York Private Housing Finance Law with the St. Anthony's Associates Housing Development Fund Corporation

Dear Mr. Copanas:

Please prepare appropriate legislation for the next Common Council meeting authorizing the City of Syracuse to enter into a tax exemption agreement with the St. Anthony's Associates Housing Development Fund Corporation (the "Corporation") pursuant to Section 573 and to Section 577 of Article 11 of the New York Private Housing Finance Law and Section 402 of the New York State Not-For-Profit Corporation Law. This legislation will enable the Corporation to construct 54 affordable housing units for senior citizens. The project will be located at 411 West Colvin Street, the former St. Anthony's school.

This agreement with the Corporation would be for a term of fifteen (15) years and would not exempt it from special assessments on the property. The Corporation's payments under this exemption agreement would be calculated each year based on 10% of the difference between gross revenues minus utilities, or \$27,000.00, whichever is greater.

**Department of
Assessment**
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Very truly yours,



David M. Clifford, Commissioner

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

cc: Evan Helgesen, Special Assistant to the Mayor

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.



Ordinance No.

2019

**ORDINANCE AUTHORIZING CORRECTION OF
TAX ROLLS**

BE IT ORDAINED, that the Commissioner of Finance be and he is hereby directed to correct the tax rolls as shown on the attached Appendix "A".

REMOVE CLEAN UP CHARGES FROM 2019/20 TAX YEAR

IS --	SHOULD BE --
409 Edwards Avenue South Michael Cannavino #0525111500 027.-17-24.0 LAND VALUE: \$7,500 FULL VALUE: \$7,500 CITY TAXABLE: \$7,500 CLEAN UP CHARGE: \$211.00 ALL OTHER CHARGES AS IS	409 Edwards Avenue South Michael Cannavino #0525111500 027.-17-24.0 LAND VALUE: \$7,500 FULL VALUE: \$7,500 CITY TAXABLE: \$7,500 CLEAN UP CHARGE: \$0 ALL OTHER CHARGES AS IS

REMOVE CLEAN UP CHARGES FROM 2019/20 TAX YEAR

IS --	SHOULD BE --
413 Edwards Avenue South Michael Cannavino #0525111600 027.-17-23.0 LAND VALUE: \$7,500 FULL VALUE: \$7,500 CITY TAXABLE: \$7,500 CLEAN UP CHARGE: \$229.00 ALL OTHER CHARGES AS IS	413 Edwards Avenue South Michael Cannavino #0525111600 027.-17-23.0 LAND VALUE: \$7,500 FULL VALUE: \$7,500 CITY TAXABLE: \$7,500 CLEAN UP CHARGE: \$0 ALL OTHER CHARGES AS IS



DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

14

22 August 2019

David M. Clifford
Commissioner

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

Ann E. Gallagher
First Deputy
Commissioner

Dear City Clerk Copanas:

It is requested that an ordinance be drawn authorizing the Commissioner of Finance to correct his records according to the changes as outlined in the attached appendix.

The following properties improperly received a Board-Up/Clean-Up charge:

- 164 Seymour Street
- 106 Wilkie Place
- 409 South Edwards Avenue
- 411 South Edwards Avenue

These properties have been reviewed by the Department of Code Enforcement and the department has determined that the corrections are in order.

**Department of
Assessment**
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

Very truly yours,

David M. Clifford, Commissioner

cc: Evan Helgesen, Special Assistant to the Mayor

3

Ordinance No.

2019

**ORDINANCE AUTHORIZING PURCHASE,
WITHOUT ADVERTISING OR COMPETITIVE
BIDDING, OF TITLE SERVICES FOR THE CITY
OF SYRACUSE DURING THE FISCAL YEAR
2019/2020**

BE IT ORDAINED, subject to the approval of the Mayor, that the Common Council hereby authorizes the purchase of title services for the City of Syracuse during the fiscal year 2019/2020 without competitive bidding or formal advertising by reason of the fact it is impracticable to bid said item as the City must have a professional firm who will timely conduct title searches required as part of the foreclosure process as they notify all parties with a financial interest in each property prior to foreclosure; and

BE IT FURTHER ORDAINED, that the Director of the Office of Management and Budget is hereby authorized to purchase said title services from Salt City Abstract Corporation and Independent Title Agency LLC at a total cost not to exceed \$80,000.00, charging the cost thereof to the following accounts as needed Department of Finance, Bureau of Treasury Account #541500.01.13100 (\$65,000.00), Department of Law Account #541500.01.14200 (\$3,500.00), Division of Code Enforcement Account #596220.01.90000 (\$7,500.00) and Department of Engineering Account #599807.07.80405 (\$4,000.00); and

BE IT FURTHER ORDAINED, that this waiver is hereby authorized to be extended, where necessary, for a period not to exceed sixty (60) days after June 30, 2020 provided funding from the appropriation authorized by this Ordinance remains available.



15

Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

August 15, 2019

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

Re: Waiver Request for Title Services

Dear Mr. Copanas,

On behalf of the Departments of Finance, Law, Engineering, and Code Enforcement please prepare the following legislation to be introduced at the next scheduled Syracuse Common Council meeting:

- Ordinance authorizing title services without formal advertising or competitive bidding during the 2019/2020 fiscal year from the following vendors:
 - * Salt City Abstract Corporation
 - * Independent Title Agency LLC

The Finance department has been using both Salt City Abstract Corporation and Independent Title Agency LLC for title search services in the foreclosure process, as they notify all parties with a financial interest in each property prior to foreclosure. Finance, as well as the departments of Law, Code Enforcement, and Engineering, have longstanding relationships with both vendors and have been doing business using pricing models established many years ago.

The total expenditures will not exceed \$80,000 and will be charged as follows:

Finance / Treasury	541500.01.13100	\$65,000
Law	541500.01.14200	3,500
Code Enforcement	596220.01.90000	7,500
Engineering Projects	599807.07.80405	<u>4,000</u>
Total		\$80,000

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

Sincerely,

Mary E. Vossler
Director of Management & Budget



BUREAU OF TREASURY

A DIVISION OF THE DEPARTMENT OF FINANCE
CITY OF SYRACUSE, MAYOR BEN WALSH

August 15, 2019

David DelVecchio CPA
Commissioner of
Finance

Martha A. Maywalt
First Deputy
Commissioner

Mary E. Vossler CPA
Office of Management & Budget Director
City of Syracuse
233 E Washington Street Rm 213
Syracuse, NY 13202

Ms. Vossler,

I am writing to request that you introduce legislation at the next regular meeting of the Syracuse Common Council to authorize a waiver of competitive bid for the Departments of Finance, Law, Engineering, and Code Enforcement:

- Ordinance authorizing title services without formal advertising or competitive bidding during the 2019/2020 fiscal year from the following vendors:
 - Salt City Abstract Corporation
 - Independent Title Agency LLC

The Finance department has been using Independent Title Agency LLC for title search services in the foreclosure process, as we seek to notify all parties with a financial interest in each property prior to foreclosure. Finance, as well as the departments of Law, Code Enforcement and Engineering, have longstanding relationships with both vendors and have been doing business using pricing models established many years ago.

The total expenditure for this purpose shall not exceed \$80,000, and will be charged as follows:

Finance / Treasury	541500.01.13100	\$65,000
Law	541500.01.14200	3,500
Code Enforcement	596220.01.90000	7,500
Engineering Projects	599807.07.80405	4,000
Total		\$80,000

Bureau of Treasury
233 E. Washington St
City Hall, Room 122
Syracuse, N.Y. 13202

Office 315 448 8310
Fax 315 471 6024

www.syrgov.net

Sincerely,

Martha A. Maywalt
First Deputy Commissioner of Finance

Cc: David J. Del Vecchio, CPA
Commissioner of Finance

GENERAL ORDINANCE AMENDING CHAPTER 14, ARTICLE 2 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SYRACUSE, AS AMENDED, ENTITLED SOLID WASTE COLLECTION AND DISPOSAL TO UPDATE CERTAIN DEFINITIONS IN SECTION 14-14

BE IT ORDAINED, that the definition of "Commercial Waste" in Chapter 14, Article 2, Section 14-14 of the Revised General Ordinances of the City of Syracuse, as amended, entitled Definitions be and is hereby amended to read as follows:

Commercial waste shall mean solid waste generated by commercial waste generators, including properties on which are located more than four (4) residential units, stores, offices, institutions, churches, schools, restaurants, warehouses and non-manufacturing activities at industrial facilities.

; and

BE IT FURTHER ORDAINED, that the definition of "Household Waste Generator" in Chapter 14, Article 2, Section 14-14 of the Revised General Ordinances of the City of Syracuse, as amended, entitled Definitions be and is hereby amended to read as follows:

Household Waste Generator shall mean the owner, lessee, tenant or other person having the management or control or occupying any lot or plot of land on which are located from one (1) to four (4) residential units.

; and

BE IT FURTHER ORDAINED, that the definition of "Corrugated Paper" in Chapter 14, Article 2, Section 14-19 (f)(1) of the Revised General Ordinances of the City of Syracuse, as amended, be and is hereby amended to read as follows:

(f) (1) **Corrugated paper:** Except as generated by commercial waste generators consisting of more than four (4) residential units. Corrugated paper includes commercially generated cardboard containers; boxes and packaging which are cleaned of contamination by food wastes; adhesives; metals; wood; or plastics, and which have been flattened or bundled for transport, except by residential property owners. In general, corrugated paper must be flattened and bundled for transport and must be free of contaminants such as food waste, plastic, wood, and adhesives and must not be mixed with other materials. No waxed boxes shall be included.

; and

BE IT FURTHER ORDAINED, that the definition of "Office Paper" in Chapter 14, Article 2, Section 14-19 (f)(5) of the Revised General Ordinances of the City of Syracuse, as amended, be and is hereby amended to read as follows:

(f) (5) **Office paper:** Except as generated by commercial waste generators consisting of more than ten (10) residential units, office paper includes but is not limited to all bond paper including computer printout, stationery, photocopy, and ledger from commercial waste generators. Paper must be free of tape, adhesives, labels, rubber bands, paper clips, binders, and other contaminants. This term excludes carbon paper, chemical transfer paper, windowed envelopes, and glossy paper except by residential property owners.

: and

BE IT FURTHER ORDAINED, that Chapter 14, Article 2, Section 14-19 of the Revised General Ordinances of the City of Syracuse, as amended, be and is hereby amended to read as follows:

Section 14-19 Operating Rules and Regulations for Commercial Waste Generators Including Residential Properties containing more than four (4) units

; and

BE IT FURTHER ORDAINED, that all remaining sections of Chapter 14 of the Revised General Ordinances of the City of Syracuse, as amended, not amended by this Ordinance shall remain in full force and effect as previously adopted; and

BE IT FURTHER ORDAINED, that this General Ordinance shall be effective as of January 1, 2020.



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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

August 6, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Mr. Copanas,

Please prepare legislation for the next common council meeting to amend Chapter 14, Article 2, Section 14-19 of the Revised General Ordinances. The purpose of this amendment is that the City of Syracuse will no longer provide contracted commercial waste services to businesses effective December 31, 2019. These businesses will instead procure these services directly from private companies through the open market.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Robinson".

Jeremy Robinson
Commissioner

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

A handwritten mark or signature in the bottom right corner, possibly initials.

GENERAL ORDINANCE AMENDING CHAPTER 14, ARTICLE 2 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SYRACUSE, AS AMENDED, ENTITLED SOLID WASTE COLLECTION AND DISPOSAL TO UPDATE TO AMEND THE PROVISIONS OF SECTION 14-19 TO REFLECT THE ELIMINATION OF THE OPTION FOR CITY PROVIDED COLLECTION OF COMMERCIAL WASTE

BE IT ORDAINED, that Chapter 14, Article 2, Section 14-19 of the Revised General Ordinances of the City of Syracuse, as amended, be and is hereby amended to read as follows:

Section 14-19 Operating Rules and Regulations for Commercial Waste Generators Including Residential Properties containing more than four (4) units

- (a) Effective January 1, 2020 commercial waste generators will no longer have the option of City provided collection service. All commercial waste generators must obtain a private collection service.
- (b) No material shall be set out at the curb by commercial waste generators for private collection unless material is in a commercial cart. Use of regulation household containers is prohibited. Commercial generators unable to use dumpsters or commercial carts must arrange for private collection services which are able to provide specialized collection. No loose materials shall be set out curbside, placed in public view for private collection, or placed on or around dumpsters or other approved containers unless otherwise approved by the commissioner.

Where privately provided dumpsters (containers exceeding 1.5 cubic yards) are used, they must be clean, neat, freshly painted, have licensed hauler's name and city license affixed to the container, be screened from public view, and not placed in the public right-of-way unless otherwise agreed to in writing by the commissioner.

Commercial carts in the Central Business District shall not be set out curbside before 5:00 p.m. of the day before they are regularly scheduled for pickup. They shall not be set out curbside in such a fashion as to create a pedestrian hazard, traffic problem, or nuisance of any kind. They must be removed from the curblines before 9:00 a.m.

For areas outside of the Central Business District, carts shall not be set out curbside before 8:00 p.m. of the day before they are regularly scheduled for pickup and shall be removed as soon as practical following collection.

Commercial carts are prohibited in the public right-of-way except for the specific times set forth herein for curbside collection, unless otherwise approved by the City of Syracuse Common Council.

- (c) Only licensed waste haulers may be used for the collection of commercial waste unless provided directly by the commercial waste generator.
- (d) To facilitate traffic flow and public safety, no private collection shall be permitted in the Central Business District from 7:00 a.m. to 9:00 a.m., 11:30 a.m. to 2:00 p.m., and 4:00 p.m. to 6:00 p.m., Monday through Friday. In areas outside the Central Business District which are classified as residential by the commissioner, collection shall not be before 6:00 a.m. nor later than 9:00 P.M.
- (e) Containers which do not meet the above requirements shall be removed after twenty-four hour notice by the commissioner. Haulers may reclaim the containers upon payment of a fifty dollar (\$50.00) fine. Material not in commercial carts or dumpsters shall be removed by the D.P.W. after twenty-four-hour notice to the property owner and the reasonable cost of the removal and disposal in addition to other remedies shall be assessed to the property owner as provided in section 14-15(c).
- (f) Commercial waste generators shall source-separate city designated recyclables including:
 - (1) Corrugated paper: Except as generated by commercial waste generators consisting of more than four (4) residential units. Corrugated paper includes commercially generated cardboard containers; boxes and packaging which are cleaned of contamination by food wastes; adhesives; metals; wood; or plastics, and which have been flattened or bundled for transport, except by residential property owners. In general, corrugated paper must be flattened and bundled for transport and must be free of contaminants such as food waste, plastic, wood, and adhesives and must not be mixed with other materials. No waxed boxes shall be included.
 - (2) Glass: Including, but not limited to, empty, washed glass jars, bottles, and containers of clear, green, and amber (brown) glass, caps removed. Ceramics, window glass, auto glass, mirrors, or kitchenware shall not be placed in recycling containers and should be deposited in household waste containers or commercial containers as herein defined.
 - (3) Metal: Includes but is not limited to all ferrous and nonferrous metals, including steel, aluminum and composite cans, and containers which have been cleaned of food wastes.
 - (4) Newspapers: Includes but is not limited to common machine-finished paper made chiefly from wood pulp used for printing newspapers, including inserts found in newspapers. These must be bundled, dry, and free of contaminants. This term

excludes glossy finished papers and magazines unless otherwise determined by D.P.W.

(5) Office paper: Except as generated by commercial waste generators consisting of more than four (4) residential units, office paper includes but is not limited to all bond paper including computer printout, stationery, photocopy, and ledger from commercial waste generators. Paper must be free of tape, adhesives, labels, rubber bands, paper clips, binders, and other contaminants. This term excludes carbon paper, chemical transfer paper, windowed envelopes, and glossy paper except by residential property owners.

(6) Plastics: Which includes all HDPE and PET type plastic, including empty, washed, food, beverage, detergent, bleach, and hair product containers with lids removed. This term excludes all film vinyl, rigid, and foam plastic containers.

(g) Items banned from city collection as unacceptable waste are also banned from private collection as solid waste.

; and

BE IT FURTHER ORDAINED, that all remaining sections of Chapter 14 of the Revised General Ordinances of the City of Syracuse, as amended, not amended by this Ordinance shall remain in full force and effect as previously adopted; and

BE IT FURTHER ORDAINED, that this General Ordinance shall be effective as of January 1, 2020.



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

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August 7, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

Re: Request for Legislation

Dear Mr. Copanas:

Please prepare legislation for the next regularly scheduled meeting of the Common Council to amend Chapter 14- Health and Sanitations Article 2 –Solid Waste Collection and Disposal, of the Syracuse NY Code of Ordinances:

- Amend Section 14-14 Definitions: Commercial Waste: to read four (4) residential units.
- Amend Definitions: 14-14 Hazardous waste generator units to read four (4) residential units
- Amend Section 14-19 (f) #1 Corrugated paper to read as excepted by commercial waste generators consisting of more than four (4) residential units
- Amend Section 14-19 (f) #5 Office paper to read as excepted by commercial waste generators consisting of more than four (4) residential units

If you have any questions regarding this, please do not hesitate to call.

Sincerely,


Jeremy Robinson
Commissioner of DPW

Department of Public
Works
1200 Canal St.
Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

39

Ordinance No.

2019

**ORDINANCE AUTHORIZING THE
REALLOCATION OF \$198,428.00 IN CASH
CAPITAL FUNDS PREVIOUSLY AUTHORIZED
BY ORDINANCE NO. 864-2015 TO BE USED FOR
A CITY HALL ELEVATOR RECONSTRUCTION
PROJECT TO AN ACCOUNT TO BE
DESIGNATED BY THE COMMISSIONER OF
FINANCE TO BE USED BY THE DEPARTMENT
OF PUBLIC WORKS FOR THE PURCHASE OF
ONE (1) PAYLOADER**

BE IT ORDAINED, that this Common Council hereby authorizes the Commissioner of Finance to reallocate \$198,428.00 of the remaining funds previously authorized by Ordinance No. 864-2015 to be used for design services for and installation of new elevators in City Hall from Cash Capital Budget Account # 599807.07.701212015.1 to an account to be designated by the Commissioner of Finance to be used by the Department of Public Works to purchase one (1) Payloader; and

BE IT FURTHER ORDAINED, that the remaining \$1,572.00 in Cash Capital Budget Account #599807.07.701212015.1 shall remain allocated towards the new elevator for City Hall.



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

18

August 19, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

RE: Amend Ordinance #864-15 which Amended Ordinance # 625-2014 for the City Owned Buildings Improvement Program

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Common Council.

- Amend Ordinance # 864-15 which amended Ordinance # 625-2014 for the City Owned Building Program authorizing this project to be solely for City Hall Elevator Reconstruction, amend to reallocate funds to Department of Public Works for the purchase of equipment (1-Payloader) with the remaining funds of \$198,428. Amended "Schedule A" attached. Total cost not to exceed \$198,428.00.
- Amend Ordinance #864-15 authorizing the Department of Public Works to proceed with the purchase of DPW Equipment. Amended "Schedule A", total costs not to exceed \$198,428.00

These funds that were appropriated for the City Hall Elevator Reconstruction are not needed as the funds that are available in other accounts will be more than sufficient to cover the costs.

The Department of Public Works capital account # 701212015 07 14905 will be charged for all costs of this program.

Department of Public
Works
1200 Canal St.
Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

Very truly yours,
Jeremy Robinson
Jeremy Robinson
Commissioner of Public Works

Jr/li

Cc: Lori Iauco, Fiscal Officer
Tom Ely, Superintendent of St Cleaning

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7



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date: 08/29/19	Department: Public Works
Project Name: 2019/2020 DPW Equipment-St Cleaning	
Project Cost: \$197,000.00	
Contact Name: Jeremy Robinson, Commissioner	
Project Description: 1-624L Wheel Loader	

Projected Time Line & Funding Source(s)

Estimated Start Date: 9/1/2019 Estimated Completion Date: 6/30/2020

Funding Source:	Dollar Amount:
Local Share: Cash Capital	\$197,000.00
Local Share: Bonds (complete schedule below)	
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify)	
Other (identify)	
Total Project Funding (must equal cost): \$197,000.00	

Estimated Project Borrowing Timeline

<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>
1		
2		
3		
4		
5		

Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)
Sweeping and Flushing

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes: No: Reason("No"):

Director of Administration: _____ Date: _____

Director of Management & Budget: _____ Date: _____

Commissioner of Finance: _____ Date: _____

**ORDINANCE AUTHORIZING MAYOR TO
SUBMIT AN APPLICATION FOR A GRANT
FROM THE NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION
UNDER THE MUNICIPAL WASTE REDUCTION
AND RECYCLING PROGRAM AND EXECUTE A
CONTRACT OR WRITTEN INSTRUMENTS
ASSOCIATED WITH THE GRANT AS
NECESSARY**

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the New York State Department of Environmental Conservation under the Municipal Waste Reduction and Recycling Program for a grant in an amount not to exceed fifty percent (50%) of \$491,280.00; said funds will be used by the Department of Public Works to reimburse a portion of the cost of three Packer Trucks which were purchased by the City using funds from an account designated by the Commissioner of Finance for the Department of Public Works 2019/20 Capital Equipment and Vehicles account as previously authorized by the Mayor and Common Council by Ordinance No. 160-2019; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to deposit the same in an appropriate account to be determined by him.



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Bureau of Research

CITY OF SYRACUSE, MAYOR BEN WALSH

August 23, 2019

Janet L. Burke
Director, Bureau of
Research

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation

Dear Clerk Copanas:

Please prepare legislation to be introduced at the next meeting of the Common Council authorizing the City to apply for and enter into an agreement with the New York State Department of Environmental Conservation under the Municipal Waste Reduction and Recycling Program in an amount not to exceed \$491,280.

If awarded, this grant will reimburse the City \$245,640 which is 50% of the total purchase cost for three (3) Packer trucks that have been ordered for recycling. The purchase of the trucks was approved by the council through enclosed Ordinance No. 160-2019. The delivery of the trucks is anticipated by the years end.

The purchase of the three Packer trucks will be charged to Account No. 599807-07-14905-7017020.

Sincerely,

Janet L. Burke
Director

Bureau of Research
233 E Washington St.
Room 419
Syracuse, N.Y. 13202

Office 315 448-8020
Fax 315 448-8008

www.syr.gov.net

Ordinance No.

2019

**ORDINANCE APPROPRIATING FUNDS FOR
THE DEPARTMENT OF PUBLIC WORKS FOR
THE PURCHASE OF 2019/2020 SEWER CAPITAL
EQUIPMENT**

BE IT ORDAINED, that this Common Council hereby appropriates the sum of \$156,000.00 from the 2019/2020 Sewer Fund Unallocated Cash Capital Account #599007.06.99999 to an appropriate account as designated by the Commissioner of Finance for the Department of Public Works; said funds are to be utilized for the purchase of 2019/2020 Sewer Capital Equipment for the Department of Public Works as detailed in Schedule "A" attached hereto, in the manner provided by law.

SCHEDULE "A"

2019/2020 Sewer Capital Equipment

Truck with Camera Equipment	\$70,100.00
Installation Cost for Truck Camera Equipment	\$14,987.00
Crewcab Utility Truck	\$34,844.00
2019 T250 HR CR Van	\$30,069.00
TOTAL	\$156,000.00

The Crewcab Utility Truck replaces R58, a 2008 Truck with 94,647 miles.

The 2019 T250 HR CR Van replaces a 2012 Van with 72,519 miles.



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

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August 8, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: **2019/2020 DPW Sewer Capital Equipment**

Dear Mr. Copanas:

Please have the following legislation prepared and placed on the next Common Council meeting agenda:

- Ordinance authorizing the appropriations from the Sewer Fund Unallocated Cash Capital account, 599007 06 99999, for the purchase of Sewer Capital Equipment program not to exceed \$156,000.

The purchases will include equipment identified in the attached "Schedule A". Funds are not to exceed \$156,000 and should be deposited into a Sewer Capital Equipment fund capital account to be determined by the Commissioner of Finance

Very truly yours,
Jeremy Robinson
Jeremy Robinson
Commissioner of Public Works

Department of Public
Works
1200 Canal St.
Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

JR/li

Cc: Lori Iauco, Fiscal Officer
Dave DeSocia, Superintendent of Sewers - DPW
Robin Macri, Secretary to the Commissioner - DPW

6

Schedule A					
Sewer					
Camera Trcu equipment	70,100				Sewers
Crewcab Utility Truck	34,844	R58	2008	94,647	Sewers
Installation of camera equip	14,987				
2019 T250 HR CR VAN	36,069	R 82	2012	72,519	Sewers
	156,000				



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/08/19	Department:	Public Works
Project Name:	2019/2020 CIP Sewers Equipment and Vehicles		
Project Cost:	\$156,000.00		
Contact Name:	Jeremy Robinson		
Project Description:	(1) F250 Crew Cab 4X4 (1) 2019 T250 Hr Cr Van (1) Portable Pathfinder Video Inspection System		

Projected Time Line & Funding Source(s)

Estimated Start Date: 7/1/2018 Estimated Completion Date: 6/30/2019

<u>Funding Source:</u>	<u>Dollar Amount:</u>
Sewer Fund	\$156,000.00
Local Share: Bonds (complete schedule below)	
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify)	
Other (identify)	
Other (identify)	
Other (identify)	
Total Project Funding (must equal cost):	
	\$156,000.00

Estimated Project Borrowing Timeline

<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>
1		
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$0.00

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes: No: Reason("No"):

Director of Administration: *[Signature]* Date: 26 AUG 2019

Director of Management & Budget: *[Signature]* Date: 8.23.19

Commissioner of Finance: *[Signature]* Date: 8-23-19

**BOND ORDINANCE AMENDING BOND
ORDINANCE NO. 512-2019 OF THE CITY OF
SYRACUSE AUTHORIZING THE ISSUANCE
AND SALE OF BONDS IN THE AMOUNT OF
SEVENTY THOUSAND DOLLARS (\$70,000.00)
TO DEFRAY THE COST AND EXPENSE OF THE
SCOPING, PRELIMINARY, RIGHT-OF-WAY
AND DETAILED DESIGN PHASES OF THE LODI
STREET CONNECTOR, TAP 2018 PROJECT, PIN
3950.72 TO INCREASE THE AMOUNT TO
EIGHTY THOUSAND FIVE HUNDRED
DOLLARS (\$80,500.00)**

BE IT ORDAINED, that Bond Ordinance No. 512-2019 is hereby amended to read as follows:

BE IT ORDAINED, by the Common Council of the City of Syracuse as follows:

Section 1. For the class of objects or purposes of providing funds to defray the cost and expense of the scoping, preliminary, right-of-way and detailed design phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 (introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets), at an estimated maximum cost not to exceed Eighty Thousand Five Hundred Dollars (\$80,500.00) *, general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. Three Hundred Fifty Thousand Dollars (\$350,000.00) is estimated as the maximum cost of the class of objects or purposes for which such bonds are to be issued.

Section 3. The plan for financing such class of objects or purposes consists of the initial issuance and sale of bonds of the City of Syracuse in the principal sum of Eighty Thousand Five

Hundred Dollars (\$80,500.00) *, thereby providing such sum for the scoping, preliminary, right-of-way and detailed design phases of the Project with future bond issuances in an amount not to exceed Two Hundred Sixty-Nine Thousand Five Hundred Dollars (\$269,500.00)** which shall be the maximum cost of such class of objects or purposes.

Section 4. It is hereby determined that the class of objects or purposes for which bonds are to be issued falls within subdivision 35 of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such class of objects or purposes is five (5) years.

Section 5. The Commissioner of Finance, not more than fifteen (15) days and not less than three (3) days before the sale of said bonds, shall file with the Comptroller of the State of New York a supplemental debt statement and file a duplicate thereof with the City Clerk in compliance with Section 109.00 of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance who is the chief fiscal officer of the City under the Local Finance Law. The Commissioner of Finance may sell such bonds at public or private sale, with or without bond insurance or other credit enhancement, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Commissioner of Finance shall determine is most favorable to said City, and in compliance with any rules of the State Comptroller applicable thereto. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law. The Commissioner of Finance is hereby authorized to issue variable rate debt, acquire credit support,

and enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Sections 54.90 and 168.00 of the Local Finance Law. Said bonds shall be signed in the name of the City by the original or facsimile signature of the Mayor and countersigned by the original or facsimile signature of the Commissioner of Finance and sealed with the original or facsimile corporate seal of the City, provided, however, that if the signatures of the Mayor and the Commissioner of Finance are each by facsimile signatures on any bond, such bond shall be authenticated by the manual countersignature of a fiscal agent of the City. All other matters, except as provided herein, relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. The Commissioner of Finance may elect to become the fiscal agent for the bonds, or may contract on behalf of the City for this service pursuant to the Local Finance Law. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine. The Commissioner of Finance may also agree on behalf of the City to provide or disclose such information about the City as may be necessary to enable the purchasers of bonds or notes of the City to comply with Securities and Exchange Commission Rule 15c2-12.

Section 7. The temporary use of available funds of the City of Syracuse, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this ordinance. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's Capital Fund. It is intended that the City shall then reimburse expenditures from the Capital Fund with the proceeds of the bonds and bond anticipation notes authorized by this ordinance and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This ordinance is intended to constitute the declaration of the City's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this ordinance with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this ordinance, no monies are reasonably expected to be received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. When said bonds and notes shall have been duly sold, the same shall be delivered by the Commissioner of Finance to the purchaser upon payment to him of the purchase price, including accrued interest, and the receipt of the Commissioner of Finance shall be a full acquittance to such purchaser who shall not be obliged to see to the application of the purchase money.

Section 9. The faith and credit of the City of Syracuse are hereby pledged to the payment of the principal of said bonds and interest thereon when due. An amount sufficient to pay the principal

and interest on said bonds as the same becomes due each year shall be included in the annual budget of said City for the year.

Section 10. The validity of the bonds hereby authorized may be contested only if such obligations are authorized for an object or purpose for which the City of Syracuse is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.

_____ = new material

* previously read \$70,000.00

** previously read \$280,000.00



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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

August 21, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation to Amend Ordinance No. 512-2019 Authorizing the Issuance and Sale of Bonds to Provide Funds for the Scoping, Preliminary, Right of Way and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72

Dear Mr. Copanas:

Please prepare legislation for the next meeting of the Common Council to amend Ordinance No. 512-2019 authorizing the issuance and sale of bonds to provide funds for the Scoping, Preliminary, Right of Way, and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 which includes the introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets, at a cost not to exceed \$80,500.00. The estimated total Project cost is not to exceed \$350,000.00.

The City is expected to incur all initial costs for this project with subsequent 80% reimbursement from the Federal Government through the Transportation Improvement Program (TIP).

The funds shall be deposited in an appropriate account as designated by the Commissioner of Finance.

Sincerely,

Jeremy Robinson
Commissioner of DPW

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

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City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/22/19	Department:	Public Works
Project Name:	Lodi Street Connector	TIP PIN	3950.72
Project Cost:	\$80,500		
Contact Name:	Commissioner Jeremy Robinson		
Project Description:	Introduction of bike lanes and associated features from Butternut Street to Genesee Street East along Lodi Street and other public streets		

Projected Time Line & Funding Source(s)

Estimated Start Date:	Summer 2019	Estimated Completion Date:	Fall 2021
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<u>Funding Source:</u>	<u>Dollar Amount:</u>
Local Share: Cash Capital	
Local Share: Bonds (complete schedule below)	\$80,500
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify)	
Other (identify)	
Total Project Funding (must equal cost):\$	
	\$ 80,500

Estimated Project Borrowing Timeline

<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>
1	2019	\$80,500
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$ 80,500

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes NO

Director of Administration: [Signature] Date: 23 Aug 19

Director of Management & Budget: [Signature] Date: 8.22.19

Commissioner of Finance: [Signature] Date: 8-22-19

22

Ordinance No.

2019

**ORDINANCE AMENDING ORDINANCE NO.
513-2019 AUTHORIZING AN AGREEMENT WITH
THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION RELATIVE TO FUNDING
FOR THE SCOPING, PRELIMINARY, RIGHT-
OF-WAY AND DETAILED DESIGN PHASES OF
THE LODI STREET CONNECTOR, TAP 2018
PROJECT, PIN 3950.72 AT A COST NOT TO
EXCEED \$70,000.00**

BE IT ORDAINED, that Ordinance No. 513-2019 is hereby amended to read as follows:

WHEREAS, the City Engineer has requested legislation authorizing the Mayor to enter into an agreement with the New York State Department of Transportation (NYSDOT) relative to funding for the scoping, preliminary, right-of-way and detailed design phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 (introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets) (hereinafter referred to as the "Project") at a cost not to exceed \$80,500.00* to be initially funded with bond proceeds with repayment expected to be funded 80% from Federal funds (Transportation Improvement Program); NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor be and he is hereby authorized to enter into an agreement with the New York State Department of Transportation relative to funding for the scoping, preliminary, right-of-way and detailed design phases of the Project at a cost not to exceed \$80,500.00* with the Project having an estimated total cost not to exceed \$350,000.00 to be funded through future agreements with New York State; and

BE IT FURTHER ORDAINED, that said agreement shall contain such other terms and conditions as the Corporation Counsel shall deem in the best interest of the City of Syracuse; and

BE IT FURTHER ORDAINED, that the Common Council hereby authorizes the City of Syracuse to pay in the first instance the full Federal and non-federal share of the cost of the scoping, preliminary, right-of-way and detailed design phases for the Project or portions thereof, if necessary; and

BE IT FURTHER ORDAINED, that the Mayor of the City of Syracuse be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of the City of Syracuse with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, if necessary; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

_____ = new material

* previously read \$70,000.00



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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

August 21, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation to Amend Ordinance No. 513-2019 Authorizing an Agreement with the New York State Department of Transportation to Provide Funds for the Scoping, Preliminary, Right of Way and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72

Dear Mr. Copanas:

Please prepare legislation for the next meeting of the Common Council to amend Ordinance No. 513-2019 authorizing the City to enter into an Agreement with the New York State Department of Transportation to provide funds for the Scoping, Preliminary, Right of Way, and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 which includes the introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets, at a cost not to exceed \$80,500.00. The estimated total Project cost is not to exceed \$350,000.00.

The City is expected to incur all initial costs for this project with subsequent 80% reimbursement from the Federal Government through the Transportation Improvement Program (TIP).

The funds shall be deposited in an appropriate account as designated by the Commissioner of Finance.

Sincerely,

Jeremy Robinson
Commissioner of DPW

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

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Ordinance No.

2019

**ORDINANCE AMENDING ORDINANCE
NO. 514-2019 AUTHORIZING THE
ENGINEERING SERVICES AND
CONSTRUCTION NEEDED FOR THE SCOPING,
PRELIMINARY, RIGHT-OF-WAY AND
DETAILED DESIGN PHASES OF THE LODI
STREET CONNECTOR, TAP 2018 PROJECT, PIN
3950.72**

BE IT ORDAINED, that Ordinance No. 514-2019 is hereby amended to read as follows:

BE IT ORDAINED, that this Common Council hereby authorizes the engineering services and construction needed for the scoping, preliminary, right-of-way and detailed design phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 (introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets) at a total cost not to exceed \$80,500.00 *, with a total estimated Project cost not to exceed \$350,000.00, and the Director of Management & Budget is hereby authorized to enter into a contract or contracts therefor in the manner provided by law; professional services for the project shall be obtained in accordance with Section 5-205A (8) of the Syracuse City Charter; charging the cost thereof to proceeds of the sale of bonds in the amount of \$80,500.00* authorized contemporaneously herewith by ordinance of this Common Council.

_____ = new material

* previously read \$70,000.00



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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

August 21, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation to Amend Ordinance No. 514-2019 Authorizing the Scoping, Preliminary, Right of Way and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72

Dear Mr. Copanas:

Please prepare legislation for the next meeting of the Common Council to amend Ordinance No. 514-2019 authorizing the Scoping, Preliminary, Right of Way, and Detailed Design Phases of the Lodi Street Connector, TAP 2018 Project, PIN 3950.72 which includes the introduction of bike lanes and associated features from Butternut Street to Genesee Street East, along Lodi Street and other public streets, to increase the cost not to exceed \$80,500.00. The estimated total Project cost is not to exceed \$350,000.00.

The City is expected to incur all initial costs for this project with subsequent 80% reimbursement from the Federal Government through the Transportation Improvement Program (TIP).

The funds shall be expended from an appropriate account as designated by the Commissioner of Finance.

Sincerely,

Jeremy Robinson
Commissioner of DPW

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

10

BOND ORDINANCE OF THE CITY OF SYRACUSE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE AMOUNT OF SEVEN HUNDRED SIXTY-ONE THOUSAND FOUR HUNDRED THIRTY-NINE DOLLARS (\$761,439.00) TO DEFRAY THE COST AND EXPENSE OF THE GREEN INFRASTRUCTURE RECONSTRUCTION

BE IT ORDAINED, by the Common Council of the City of Syracuse as follows:

Section 1. For the class of objects or purposes of providing funds to defray the cost and expense of the Green Infrastructure reconstruction of Wolf Street and Grand Avenue at an estimated maximum cost not to exceed Seven Hundred Sixty One Thousand Four Hundred Thirty-Nine Dollars (\$761,439.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. Seven Hundred Sixty-One Thousand Four Hundred Thirty-Nine Dollars (\$761,439.00) is estimated as the maximum cost of the class of objects or purposes for which such bonds are to be issued.

Section 3. The plan for financing such class of objects or purposes consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of Seven Hundred Sixty-One Thousand Four Hundred Thirty-Nine Dollars (\$761,439.00), thereby providing such sum for all the maximum cost of such class of objects or purposes.

Section 4. It is hereby determined that the class of objects or purposes for which bonds are to be issued falls within subdivision 20(b) of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such class of objects or purposes is ten (10) years.

Section 5. The Commissioner of Finance, not more than fifteen (15) days and not less than three (3) days before the sale of said bonds, shall file with the Comptroller of the State of New York a supplemental debt statement and file a duplicate thereof with the City Clerk in compliance with Section 109.00 of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance who is the chief fiscal officer of the City under the Local Finance Law. The Commissioner of Finance may sell such bonds at public or private sale, with or without bond insurance or other credit enhancement, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Commissioner of Finance shall determine is most favorable to said City, and in compliance with any rules of the State Comptroller applicable thereto. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law. The Commissioner of Finance is hereby authorized to issue variable rate debt, acquire credit support, and enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Sections 54.90 and 168.00 of the Local Finance Law. Said bonds shall be signed in the name of the City by the original or facsimile signature of the Mayor and countersigned by the original or facsimile signature of the Commissioner of Finance and sealed with the original or facsimile corporate seal of the City, provided, however, that if the signatures of the Mayor and the Commissioner of Finance are each by facsimile signatures on any bond, such bond shall be authenticated by the manual countersignature of a fiscal agent of the City.

All other matters, except as provided herein, relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. The Commissioner of Finance may elect to become the fiscal agent for the bonds, or may contract on behalf of the City for this service pursuant to the Local Finance Law. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine. The Commissioner of Finance may also agree on behalf of the City to provide or disclose such information about the City as may be necessary to enable the purchasers of bonds or notes of the City to comply with Securities and Exchange Commission Rule 15c2-12.

Section 7. The temporary use of available funds of the City of Syracuse, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this ordinance. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's Capital Fund. It is intended that the City shall then reimburse expenditures from the Capital Fund with the proceeds of the bonds and bond anticipation notes authorized by this

ordinance and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This ordinance is intended to constitute the declaration of the City's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this ordinance with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this ordinance, no monies are reasonably expected to be received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. When said bonds and notes shall have been duly sold, the same shall be delivered by the Commissioner of Finance to the purchaser upon payment to him of the purchase price, including accrued interest, and the receipt of the Commissioner of Finance shall be a full acquittance to such purchaser who shall not be obliged to see to the application of the purchase money.

Section 9. The faith and credit of the City of Syracuse are hereby pledged to the payment of the principal of said bonds and interest thereon when due. An amount sufficient to pay the principal and interest on said bonds as the same becomes due each year shall be included in the annual budget of said City for the year.

Section 10. The validity of the bonds hereby authorized may be contested only if such obligations are authorized for an object or purpose for which the City of Syracuse is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.

ORDINANCE AMENDING ORDINANCE NO. 268-2011 AS PREVIOUSLY AMENDED BY ORDINANCE NO. 595-2017 AND LAST AMENDED BY ORDINANCE NO. 194-2018 AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH ONONDAGA COUNTY RELATIVE TO RECEIPT OF GREEN INFRASTRUCTURE FUNDS FOR THE RECONSTRUCTION OF CONCORD PLACE AND ADDITIONAL STREETS AS AUTHORIZED

BE IT ORDAINED, that Ordinance No. 268-2011 as amended by Ordinance No. 595-2017 and as last amended by Ordinance No. 194-2018 is hereby amended to read as follows:

BE IT ORDAINED, that the Mayor be and he hereby is authorized to enter an intermunicipal agreement with Onondaga County relative to receipt by the City of green infrastructure funds in an amount not to exceed \$3,700,272.39**; said funds will be used to reimburse DPW for the Green Construction work on Concord Place (between Westcott Street and Allen Street, Gifford Street, Sumner Avenue, South State Street, East Oneida Street, Richmond Avenue, South Clinton Street, East Colvin Street (Jamesville Avenue to Comstock Avenue), Hastings Place (James Street to Dead End), Prospect Avenue (Butternut Street to Laurel), Wellesley Road (Charmouth Drive to Glenwood), South Geddes Street (Delaware to Shonnard), Ostrom Place (Euclid to dead end), Berkeley Drive (Broad to Stratford), and Wolf Street and Grand Avenue) and any other streets approved by the Commissioner of Public Works); and

BE IT FURTHER ORDAINED, that the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said agreement authorized herein, the Commissioner of Finance is authorized and directed to

deposit the same into an appropriate Department of Public Works account designated by the Commissioner of Finance; and

BE IT FURTHER ORDAINED, that the DPW is hereby authorized to expend the additional funds to be received from Onondaga County in the 2019/2020 Road Reconstruction Account #07.01029 or such other account as designated by the Commissioner of Finance pursuant to this Agreement by \$761,439.00 for a new total authorization of \$3,700,272.39* for Road Reconstruction purposes in the manner provided by law; and

BE IT FURTHER ORDAINED, that the additional funds of \$761,439.00 authorized herein shall be initially funded by a bond ordinance adopted contemporaneously by this Common Council to be reimbursed from funds received from Onondaga County.

* _____ = new material

** previously read \$2,938,833.39



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

24-25

August 9, 2019

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request to Amend Ordinance #194-2018 which amended # 595-2017 "City of Syracuse Department of Public Works to enter into an Inter-Municipal agreement (IMA) with Onondaga County to include the Green Construction on Wolf Street and Grand Ave for an amount not to exceed \$761,439.

Dear Mr. Copanas,

Please prepare the following legislation for the next Common Council agenda:

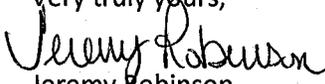
- Bond Ordinance authorizing the sales of bonds to cover the additional cost of the Green Infrastructure entered in the IMA not to exceed \$761,439
- Amend Ordinance #194-18 which amended #595-17 to include Wolf Street and Grand Ave In an amount not to exceed \$ 761,439.
- Amend Ordinance #194-18 to increase the IMA by \$761,439 and increase appropriations to \$ 3,700,272.39

Onondaga County has agreed to reimburse all costs for these projects for an amount not to exceed \$ 761,439, which will be deposited into a City account, to be determined by the Commissioner of Finance.

Department of Public Works
1200 Canal St.
Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

Very truly yours,

Jeremy Robinson
Commissioner of Public Works

JR/li



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/23/19	Department:	Public Works
Project Name:	Green Infrastructure Project IMA with Onondaga County		
Project Cost:	\$761,439		
Contact Name:	Commissioner Jeremy Robinson		
Project Description:	This project is a continuation of the IMA with Onondaga County relative to receipt of Green Infrastructure Funds for the reconstruction of Wolf St. & Grand Avenue.		

Projected Time Line & Funding Source(s)

Estimated Start Date: Fall 2019 Estimated Completion Date: Fall 2020

<u>Funding Source:</u>	<u>Dollar Amount:</u>
Local Share: Cash Capital	
Local Share: Bonds (complete schedule below)	\$0
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify) Reimbursed By Onondaga County	\$761,439
Other (identify)	
Total Project Funding (must equal cost):\$	
	\$ 761,439

Estimated Project Borrowing Timeline

<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>
1	2019	\$761,439
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$ 761,439

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes _____ N-x _____ Paid by Onondaga County

Director of Administration: _____

Director of Management & Budget: Mary E. Vossler

Commissioner of Finance: _____

Date: 28 AUG 2019

Date: 8/23/19

Date: 8-28-19

**ORDINANCE AUTHORIZING PARTICIPATION
IN THE CENTRAL NEW YORK REGIONAL
PLANNING & DEVELOPMENT BOARD’S YEAR-
TWELVE MUNICIPAL SEPARATE STORM
SEWER SYSTEM (MS4) STORMWATER
COMPLIANCE ASSISTANCE PROGRAM**

WHEREAS, the City of Syracuse participates in the Central New York Regional Planning Board’s CNY Stormwater Coalition to cooperate with other area Municipalities to meet the requirements of the New York State Pollutant Discharge Elimination System Phase II Stormwater requirement; and

WHEREAS, the Central New York Regional Planning and Development Board, herein called the “Board,” has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002; and

WHEREAS, the Board has proposed to conduct a regional public education, outreach and training compliance program and annual reporting (Year-Twelve) to “reduce municipal staff burdens, ensure message consistency, provide widespread priority audience targeting, and provide the most efficient use of limited municipal funds by distributing total program costs over a number of entities”; and

WHEREAS, the Common Council previously approved the City’s participation in the Year-One Program by Ordinance No. 581-2007 and the agreement under that Ordinance expired in May 2009; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Two Program by Ordinance No. 136-2009 and that agreement expired in August 2010; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Three Program by Ordinance No. 579-2010 and that agreement expired in December 2011; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Four Program by Ordinance No. 618-2011 and that agreement expired in December 2012; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Five Program by Ordinance No. 499-2012 and that agreement expires in December 2013; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Six Program by Ordinance No. 589-2013 and that agreement expires in December 2014; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Seven Program by Ordinance No. 817-2014 and that agreement expires in December 2015; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Eight Program by Ordinance No. 755-2015 and that agreement expires in December 2016; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Nine Program by Ordinance No. 859-2016 and that agreement expires in December 2017; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Ten Program by Ordinance No. 709-2017 and that agreement expires in December 2018; and

WHEREAS, the Common Council previously approved the City's participation in the Year-Eleven Program by Ordinance No. 604-2018 and that agreement expires in December 2019; and

WHEREAS, the City Engineer is requesting approval of the City's participation in the Year-Twelve Program at a cost not to exceed \$3,600.00; NOW, THEREFORE,

BE IT ORDAINED, by the Common Council that the Mayor is hereby authorized to act on behalf of the City in all matters relative to the Year-Twelve Municipal Separate Storm Sewer System (MS4) Stormwater Compliance Assistance Program and to execute any agreements or documents necessary to effectuate the City's participation in this program; and

BE IT FURTHER ORDAINED, that any agreements or documents shall be subject to the approval of the Corporation Counsel; and

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance will be transmitted to the Board by the City Engineer no later than December 31, 2019; and

BE IT FURTHER ORDAINED, that the City's local share of the cost of the program shall be in an amount not to exceed \$3,600.00 with such amount to be funded from Sewer Fund Operating Account #541500.06.81100.



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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

23 August 2019

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation Approving Participation in the Central New York Regional Planning and Development Board's Proposal for the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program for 2020 (Year Twelve)

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Syracuse Common Council:

- Approve the City's participation in the Central New York Regional Planning and Development Board's (CNY RPDB) Proposal for the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program for 2020 (Year – Twelve). The City's local share will be an amount not to exceed \$3,600 and will be funded from the Sewer Fund Operating account #541500.06.81100.

The Common Council previously approved the participation in the Year – One Program on October 9, 2007 Ordinance #581 of 2007, the Year- Two Program on April 13, 2009 Ordinance #136 of 2009, the Year –Three Program on December 6, 2010 Ordinance #579 of 2010, the Year-Four Program on November 21, 2012 Ordinance #618 of 2011, the Year-Five Program on September 10, 2012 Ordinance #499 of 2012, the Year-Six Program (2014) on September 9, 2013 Ordinance #589 of 2013, the Year-Seven Program (2015) on August 25, 2014 Ordinance #817 of 2014, the Year-Eight Program (2016) on September 28, 2015 Ordinance #755 of 2015, the Year-Nine Program (2017) Ordinance #859 of 2016, the Year-Ten Program (2018) Ordinance #709 of 2017 and the Year – Eleven Program (2019) Ordinance # 604 of 2018. The current agreement expires December 31, 2019 and we would like to enter into a new agreement with the Central New York Regional Planning and Development Board for 2020 because it will allow us to maintain our membership in the CNY Stormwater Coalition which provides a unified approach to stormwater compliance and provides an efficient way to effectively address Stormwater Phase II requirements. This program will also assist the City in meeting the New York State Pollutant Discharge Elimination System Stormwater Phase II Permit requirements with regard to regional public education, outreach, training compliance programs and annual reporting in an efficient manner. The U.S. Environmental Protection Agency (EPA) and NYS Department of Environmental Conservation (NYS DEC) have long promoted such programs as the most efficient way to address Stormwater Phase II requirements. Increasingly, NYS DEC and EPA view intermunicipal support and participation in regionally coordinated coalitions as a criteria for funding decisions and a prerequisite for

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syr.gov.net

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5

engaging in joint compliance opportunities.

Please let me know if you have any questions relative to this request.

Very truly yours,

A handwritten signature in black ink that reads "Mary E. Robison". The signature is written in a cursive style with a prominent "M" and "R".

Mary E. Robison, P.E.
City Engineer

**Resolution Supporting Participation in the
CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, _____
(Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the "Board", has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY _____
(Governing Body of Municipality)

1. That _____
(Name and Title of Chief Elected Official)

or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project;

2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.

3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.

4. That this Resolution take effect immediately.

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the _____
(Name of Governing Body of Applicant)

duly held on the _____ day of _____, 2019; and further that such Resolution has been fully recorded in the _____ in my office.
(Title of Record Book)

In witness thereof, I have hereunto set my hand this _____ day of _____, 2019.

Signature of Recording Officer

Title of Recording Officer

Impress Official Seal here.

ATTACHMENT A
SCOPE OF SERVICES AND PROJECT APPROACH

SECTION 2
SCOPE OF SERVICES AND PROJECT APPROACH

Program tasks are proposed under three project components: CNY Stormwater Coalition Staff Support; Public Education and Outreach; and Direct Municipal Assistance.

I: CNY STORMWATER COALITION STAFF SUPPORT

Tasks proposed under this project component are designed to advance and sustain the CNY Stormwater Coalition (the Coalition), currently consisting of 29 regulated Municipal Separate Storm Sewer System (MS4) owner/operators identified in Attachment A of this proposal. The Coalition was formally established on January 1, 2011.

Task I.1. Staffing Support for the CNY Stormwater Coalition, Executive Committee and Working Committees Deemed Necessary to Advance the Coalition's Objectives – CNY RPDB will provide direct staff support needed to plan and conduct four (4) scheduled meetings of the full Coalition membership, four (4) scheduled meetings of the Executive Committee, and working committees of the Coalition as necessary to advance and sustain a fully functioning Coalition. Staff support for all scheduled meetings includes meeting preparation and agenda development, speaker recruitment, training programs, venue selection, preparation and distribution of meeting minutes and completion of all identified meeting follow up tasks. CNY RPDB will monitor grant opportunities, respond to appropriate Requests for Proposals, and oversee implementation of any grant funded projects and/or programs.

Task I.2. Communications – CNY RPDB will coordinate all internal and external communications and serve as the primary liaison between the Coalition and various regulatory agencies including the NYS DEC and the U.S. EPA. To help ensure Coalition members understand the implications of any modifications or additional requirements that may impact their ability to comply with the NYS Stormwater General Permits (MS4 and Construction), CNY RPDB will monitor and report proposed and enacted changes to the stormwater general permits, including associated compliance, reporting, and inspection requirements. CNY RPDB will compile feedback and inquiries from Coalition members, and coordinate and prepare unified responses to new and evolving regulatory requirements on behalf of the Coalition to appropriate regulatory agencies as warranted. CNY RPDB will prepare training and informational updates for Coalition members to support regulatory compliance with the next version of the MS4 General Stormwater Permit (draft anticipated in 2019). CNY RPDB will engage other statewide stormwater coalitions, as well as non-regulatory partners involved in all aspects of stormwater management, to identify and initiate compliance opportunities that support the objectives of the Coalition.

Task I.3. Annual and Semi-Annual Reporting - CNY RPDB will document all education, training and outreach compliance activities conducted on behalf of the Coalition and complete the Minimum Control Measure 1. Public Education and Outreach section of the MS4 annual report in compliance with MS4 annual reporting requirements, and semi-annual reporting requirements for MS4s in the Onondaga Lake watershed, as specified in the most current NY SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). CNY RPDB will deliver the MCM 1 section to participating MS4s for inclusion in their individual annual and semi-annual reports. CNY RPDB will respond to any public comments received relative to the documented education and outreach services. In the event that NYS DEC enacts a new MS4 Annual Report format during the 2020 program year, CNY RPDB will provide training and information as needed to transition into the new format.

Task I.4. Financial Administration and Reporting – CNY RPDB will coordinate and administer all contracted activities funded as part of this Scope of Services through December 31, 2020, including quarterly financial reporting, bookkeeping and accounting, documentation of local match (if necessary to support Coalition approved grant funded programs), subcontracting (if deemed necessary and approved by the Coalition), and solicitations (if deemed necessary and approved by the Coalition). Progress reports and financial reporting will be made available to the Executive Committee of the Coalition on a quarterly basis.

II: PUBLIC EDUCATION AND OUTREACH

Tasks proposed under this program component comply with the public education and outreach requirements defined in the current New York SPDES General Permit for Stormwater Discharges from MS4s and are targeted primarily toward the general public with a secondary focus on construction contractors and municipal officials.

Task II.1 Stormwater Public Survey – CNY RPDB will develop and administer an online public survey to assess the effectiveness of ongoing public education efforts and to identify additional education targets. This survey will be conducted as the third in a series. Survey results will be assessed and reported back to the membership in report form including recommendations for improving the reach and effectiveness of public education efforts.

Task II.2 Maintain Regional Stormwater Website – CNY RPDB will maintain and promote the CNY Stormwater website. CNY RPDB will compile new and existing information, guidance materials and permit updates for reference and use by regulated MS4s in the SUA. When available, online training opportunities will be made accessible and promoted to appropriate municipal staff. CNY RPDB will provide informational items developed as part of the year-12 education program directly to participating MS4s for inclusion on municipal websites at their discretion.

Task II.3 Syracuse Post Standard Stormwater Pullout – CNY RPDB will publish a stormwater informational insert in the Syracuse Post Standard daily edition (1-edition). The pullout will focus on stormwater processes, impacts, issues of concerns, SUA primary pollutants of concern, and citizen generated solutions. The pullout will be published in the spring of 2020 and will reach approximately 144,000 individuals across the CNY region.

Task I.4 Electronic Stormwater Newsletters - CNY RPDB will distribute a quarterly stormwater newsletter for the general public. The seasonally themed electronic newsletter maintains a focus on primary pollutants of concern in the SUA, stormwater processes, and offers advice for reducing negative water quality impacts through simple actions. The newsletter will encourage participation in locally sponsored events that support stormwater management and protection efforts. CNY RPDB will conduct direct outreach in support of building the distribution list with existing organizations, groups and users of social media.

Task II.5 Staff CNY Stormwater Coalition Booth at 2 Public Events – CNY RPDB will secure booth space, reproduce/develop/acquire appropriate stormwater informational materials, and provide staff coverage for a minimum of two public events during 2019 program year. Efforts will be made to identify public events with reliably high attendance and complimentary objectives. CNY RPDB will ensure that informational materials are updated and appropriate to the target audiences. CNY RPDB will maintain, and upon request, make the stormwater display, interactive watershed model, and appropriate materials available to participating MS4s and other community groups for use at their events.

Task II.6 Direct Outreach to Targeted Stakeholder Groups – CNY RPDB will provide direct information on topics of interest to a minimum of 3 targeted stakeholder groups. Information will be designed to

address the specific functions and stormwater concerns relative to each group. Materials will be delivered electronically and/or in hard copy as most appropriate.

III. DIRECT MUNICIPAL ASSISTANCE

This program component addresses the education and training requirements and planning needs for municipal officials and staff.

Task III.1. Municipal Training - CNY RPDB will organize MS4 training opportunities including webinars, videos and in-person presentations for MS4 staff representatives. Topics will be selected to address current training and informational needs as determined through discussions with NYS Department of Environmental Conservation and the CNY Stormwater Coalition. Workshops will be designed to improve compliance with the MS4 Stormwater General Permit. Group trainings may be held as stand-alone events or as part of regularly scheduled Coalition meetings. All recorded training sessions will be available for use by individual MS4 members.

Task III.2. Online System Map – CNY RPDB will secure the annual license agreement in support of continued operation of the online storm sewer system map. CNY RPDB will compile new and existing data and information needed to expand the storm sewer system mapping effort following an established and agreed upon schedule. This may include additional field data collection and data post-processing, digitizing existing paper maps, and/or other tasks as needed to advance efforts to build a full, regional system map. CNY RPDB will perform ongoing maintenance of the online map platform as needed.

**ATTACHMENT B
PROGRAM FEE**

The services described in this proposal will be conducted for a total fee not to exceed \$108,000 (\$3,600 per Coalition member). This fee will remain constant for each participating Coalition member regardless of the number of municipal members participating in the Coalition.

To participate in the proposed program, MS4s are required to adopt and return a municipal resolution (sample provided) no later than October 1, 2019 to CNY RPDB. CNY RPDB will issue a single invoice for the full program year on December 1, 2019. Full payment will be due to CNY RPDB no later than January 31, 2020.

CENTRAL NEW YORK REGIONAL PLANNING & DEVELOPMENT BOARD

CNY Stormwater Coalition Staff Services and Education Compliance Assistance Proposal for 2020

May 2019

This proposal for staff services and education assistance responds to the need for staff and administrative services necessary to sustain the CNY Stormwater Coalition, and to comply with the Minimum Control Measure 1 requirements of NYS General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003).



Central New York Regional Planning & Development Board

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SECTION 1 INTRODUCTION

This proposal for staff and education assistance services in support of sustaining the CNY Stormwater Coalition is submitted to the Chief Elected Officials from the Automatically Designated MS4 Communities in the Syracuse Urban Area (SUA). The proposed tasks address staffing and financial administrative services, as well as education and outreach requirements of Minimum Control Measure 1 of the NYS General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) (GP-0-15-003). The timeline for the proposed program is January 1, 2020 – December 31, 2020.

In support of the CNY Stormwater Coalition, the following services are proposed:

- Staffing support services for meetings of the full CNY Stormwater Coalition, the Coalition Executive Committee and any working committees established by the Executive Committee
- Internal and external communications
- Financial administration
- Minimum Control Measure 1 Annual reporting
- Quarterly progress and financial reporting

In support of MS4 education and outreach requirements, the following services are proposed:

- Public education and outreach
- Staff support services
- Direct municipal assistance

Project Objective and Benefits

The CNY RPDB's primary objective is to provide regulated communities with an efficient and cost-effective means for meeting the requirements of the SPDES Phase II MS4 Stormwater General Permit by ensuring that the CNY Stormwater Coalition continues to function as a unified body, has access to information and responds appropriately to changes in the NYS Stormwater regulatory program including revisions to both the Stormwater MS4 and Construction General Permits. Given the regional nature of the Syracuse Urbanized Area (SUA), a unified approach to stormwater compliance is extremely valuable. Regionally implemented programs reduce municipal staff burdens, ensure consistency, and provide the most efficient use of limited municipal funds by distributing total program cost over a number of entities.

The U.S. Environmental Protection Agency (EPA) and NYS DEC recognize the economic and environmental benefits of regional compliance efforts and have long promoted such programs as the most efficient and effective way address Stormwater Phase II requirements. Both NYS DEC and EPA view intermunicipal support and participation in regionally coordinated coalitions as a criteria for funding and a prerequisite for engaging in joint compliance opportunities.

SECTION 2 SCOPE OF SERVICES AND PROJECT APPROACH

Program tasks are proposed under three project components: CNY Stormwater Coalition Staff Support; Public Education and Outreach; and Direct Municipal Assistance.

I: CNY STORMWATER COALITION STAFF SUPPORT

Tasks proposed under this project component are designed to advance and sustain the CNY Stormwater Coalition (the Coalition), currently consisting of 29 regulated Municipal Separate Storm Sewer System (MS4) owner/operators identified in Attachment A of this proposal. The Coalition was formally established on January 1, 2011.

Task I.1. Staffing Support for the CNY Stormwater Coalition, Executive Committee and Working Committees Deemed Necessary to Advance the Coalition's Objectives – CNY RPDB will provide direct staff support needed to plan and conduct four (4) scheduled meetings of the full Coalition membership, four (4) scheduled meetings of the Executive Committee, and working committees of the Coalition as necessary to advance and sustain a fully functioning Coalition. Staff support for all scheduled meetings includes meeting preparation and agenda development, speaker recruitment, training programs, venue selection, preparation and distribution of meeting minutes and completion of all identified meeting follow up tasks. CNY RPDB will monitor grant opportunities, respond to appropriate Requests for Proposals, and oversee implementation of any grant funded projects and/or programs.

Task I.2. Communications – CNY RPDB will coordinate all internal and external communications and serve as the primary liaison between the Coalition and various regulatory agencies including the NYS DEC and the U.S. EPA. To help ensure Coalition members understand the implications of any modifications or additional requirements that may impact their ability to comply with the NYS Stormwater General Permits (MS4 and Construction), CNY RPDB will monitor and report proposed and enacted changes to the stormwater general permits, including associated compliance, reporting, and inspection requirements. CNY RPDB will compile feedback and inquiries from Coalition members, and coordinate and prepare unified responses to new and evolving regulatory requirements on behalf of the Coalition to appropriate regulatory agencies as warranted. CNY RPDB will prepare training and informational updates for Coalition members to support regulatory compliance with the next version of the MS4 General Stormwater Permit (draft anticipated in 2019). CNY RPDB will engage other statewide stormwater coalitions, as well as non-regulatory partners involved in all aspects of stormwater management, to identify and initiate compliance opportunities that support the objectives of the Coalition.

Task I.3. Annual and Semi-Annual Reporting - CNY RPDB will document all education, training and outreach compliance activities conducted on behalf of the Coalition and complete the Minimum Control Measure 1. Public Education and Outreach section of the MS4 annual report in compliance with MS4 annual reporting requirements, and semi-annual reporting requirements for MS4s in the Onondaga Lake watershed, as specified in the most current NY SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). CNY RPDB will deliver the MCM 1 section to participating MS4s for inclusion in their individual annual and semi-annual reports. CNY RPDB will respond to any public comments received relative to the documented education and outreach services. In the event that NYS DEC enacts a new MS4 Annual Report format during the 2020 program year, CNY RPDB will provide training and information as needed to transition into the new format.

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**SECTION 3
PROGRAM FEE**

The services described in this proposal will be conducted for a total fee not to exceed \$108,000 (\$3,600 per Coalition member). This fee will remain constant for each participating Coalition member regardless of the number of municipal members participating in the Coalition.

To participate in the proposed program, MS4s are required to adopt and return a municipal resolution (sample provided) no later than October 1, 2019 to CNY RPDB. CNY RPDB will issue a single invoice for the full program year on December 1, 2019. Full payment will be due to CNY RPDB no later than January 31, 2020.

**SECTION 4
TIMELINE**

All proposed tasks will be completed between January 1, 2020 and December 31, 2020 as outlined below.

I.1 Staff Support Services	X	X	X	X	X	X	X	X	X	X	X	X	X
I.2 Communications	X	X	X	X	X	X	X	X	X	X	X	X	X
I.3 Annual reporting		X	X	X	X				X	X			
I.4 Financial Administration and Reporting	X	X	X	X	X	X	X	X	X	X	X	X	X
II. Public Education and Outreach													
II.1 Stormwater Public Survey	X	X	X	X	X	X	X	X	X	X	X	X	X
II.2 Maintain Regional Stormwater Website & Library	X	X	X	X	X	X	X	X	X	X	X	X	X
II.3 Syracuse Post Standard Pullout			X	X									
II.4 Electronic Stormwater Newsletter - Public				X	X	X	X	X	X	X	X		
II.5 Stormwater Public Events (2)				TBD									
II.6 Direct Outreach to Targeted Stakeholder Groups				X	X	X	X	X	X	X	X		
III. Direct Municipal Training													
III.1. Municipal Training Workshops	TBD												
III.2. Online System Map	X	X	X	X	X	X	X	X	X	X	X	X	X

SECTION 5 STATEMENT OF QUALIFICATIONS AND PROGRAM STAFF

The CNY RPDB has been active in water resources management since the 1970s and has worked in coordination with the NYS DEC for over 40 years to address state, regional, county, and local water quality management planning priorities. Activities have included: groundwater and wellhead protection; nonpoint source pollution control; outreach/education/ training; public participation assistance; partnership building; watershed planning; support of county water quality coordinating committees; and, SPDES Phase II Stormwater Permit assistance.

The CNY RPDB has taken a leading role in providing MS4s with municipal, public and contractor education and training, stormwater mapping assistance, and technical support related to developing required local laws. CNY RPDB has been responsible for securing and administrating grants on behalf of regulated MS4s and led the development of the CNY Stormwater Coalition in 2011. Since then, CNY RPDB has leveraged CNY Stormwater Coalition membership fees to secure over \$900,000 in state funding to support MS4 compliance efforts including mapping and modeling projects. CNY RPDB maintains strong working relationships with the regulated MS4s and is recognized as a valuable and trusted partner in the stormwater management arena.

CNY RPDB works in partnership with NYS DEC to accomplish and blend state, regional, county, and local priorities. CNY RPDB serves as the Statewide Water Quality Management Planning Coordinator on behalf the NYS Association of Regional Councils (NYSARC). In this capacity, CNY RPDB serves as an administrative liaison to NYS DEC for various priority water quality initiatives and serves at DEC's invitation on several water quality advisory councils and working groups.

Through its long standing involvement in local, state, and federal water quality programs, CNY RPDB is able to leverage additional support and funding through Section 604(b) of the Federal Clean Water Act that directly supports the work and success of the CNY Stormwater Coalition.

CNY RPDB's professional staff will work with its established network of local and regional water quality partners to efficiently and effectively achieve the goals of this project. CNY RPDB's client organization, the Syracuse Metropolitan Transportation Council, will provide professional GIS analysis and mapping assistance as needed to fully support the CNY Stormwater Coalition.

Key members of the CNY RPDB staff that will be directly involved in this project include:

KATHLEEN BERTUCH, PROGRAM MANAGER, (5/97 to present). Manages all aspects of the CNY RPDB's regional and statewide water resources program and serves as primary staff for all aspects of the CNY RPDB's Environmental Management Program. Provides day-to-day oversight and guidance on all aspects of the proposed project, works directly with municipal representatives and subcontractors, responsible for ensuring all project reporting and administrative requirements are met, serves as primary staff for all public education functions, annual report preparation tasks and serves as the CNY RPDB's representative on the CNY Stormwater Coalition Executive Committee.

BRUCE KEPLINGER, COMMUNICATIONS MANAGER, (7/01 to present). Provides graphics, web design and communications support to all CNY RPDB program areas and is responsible for website development and maintenance, graphic design and print layout for all publication materials.

JANET NEUMANN, BUSINESS MANAGER, (4/16 to present). Responsible for all aspects of CNY RPDB's financial administration and human resource management and serves as primary staff for all CNY Stormwater Coalition financial administration and reporting tasks.

DAVID BOTTAR, EXECUTIVE DIRECTOR. Provides general administrative and financial oversight.

ATTACHMENT A

Syracuse Urban Area MS4s		2019 CNY Stormwater Coalition Member Status
1	Baldwinsville Village	Member
2	Camillus Town	Member
3	Camillus Village	Member
4	Central Square	Member
5	Cicero Town	Member
6	Clay Town	Member
7	DeWitt Town	Member
8	East Syracuse Village	Member
9	Fayetteville Village	Member
10	Geddes Town	Member
11	Hastings Town	Member
12	LaFayette Town	Member
13	Liverpool Village	Member
14	Lysander Town	Member
15	Manlius Town	Member
16	Manlius Village	Member
17	Marcellus Town	Member
18	Marcellus Village	Member
19	Minoa Village	Member
20	North Syracuse Village	Member
21	Onondaga County	Member
22	Onondaga Town	Member
23	Phoenix Vil	Member
24	Pompey Town	Member
25	Salina Town	Member
26	Solvay Village	Member
27	Sullivan Town	Member
28	Syracuse City	Member
29	Van Buren Town	Member
30	NYS Fairgrounds	Member

ORDINANCE AUTHORIZING AGREEMENT WITH THE FOOD BANK OF CENTRAL NEW YORK FOR A FREE DAILY MEAL PROGRAM KNOWN AS "THE KIDS CAFÉ" AT VARIOUS LOCATIONS AS PART OF THE DEPARTMENT OF PARKS, RECREATION AND YOUTH PROGRAMS AFTER SCHOOL RECREATION PROGRAMS

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor be and he is hereby authorized to enter into an agreement with The Food Bank of Central New York, for a free daily meal program known as "The Kids Café" to support access to free, nutritious meals for youths as part of the Department of Parks, Recreation and Youth Programs After School Recreation Program; and

BE IT FURTHER ORDAINED, that under this agreement The Food Bank of Central New York will provide for a free daily meal program at the following locations in the City of Syracuse: Seals Community Center (Kirk Park), Wilson Park Community Center, Bova Community Center (Schiller Park), the Magnarelli Community Center (McChesney Park) and the Westmoreland Community Center; and

BE IT FURTHER ORDAINED, that said agreement shall be at no cost to the City and shall be considered effective from the date signatures are affixed to the Agreement through June 30, 2020; and

BE IT FURTHER ORDAINED, that said agreement shall contain such other terms and conditions as the Corporation Counsel shall deem in the best interest of the City of Syracuse.



27

DEPARTMENT OF PARKS, RECREATION & YOUTH PROGRAMS

CITY OF SYRACUSE, MAYOR BEN WALSH

August 21, 2019

Julie LaFave
Commissioner

Jimmy Oliver
Deputy Commissioner

John Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

RE: Partnership Agreement with Food Bank of CNY for Kids Cafe

Mr. Copanas,

John P. Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

Dear City Clerk Copanas:

Please place on the agenda for the next meeting of the Common Council the necessary legislation to authorize the Mayor, on behalf of the City of Syracuse, to enter into an agreement with The Food Bank of Central New York to support access to free, nutritious meals for youth as part of after school recreation programs.

As part of this agreement, the Food Bank of Central New York will provide for a free, daily meal program, known as the Kids Café, at the following locations in the City of Syracuse: Seals Community Center (Kirk Park), Wilson Park Community Center, Bova Community Center (Schiller Park), the Magnarelli Community Center (McChesney Park) and the Westmoreland Community Center.

The Agreement shall be considered effective from the date signatures are affixed to the Letter of Agreement, through June 30, 2020. There is no cost for the services under this agreement.

Syracuse Department
of Parks, Recreation
& Youth Programs
412 Spencer Street
Syracuse, N.Y. 13204

Office 315 473 4330
Fax 315 428 8513

www.syr.gov

Sincerely,

Jimmy Oliver
Deputy Commissioner of Parks, Recreation & Youth Programs



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management and Budget 
DATE: August 29, 2019
SUBJECT: Agreement with Food Bank of CNY for Kids Cafe

On behalf of the Department of Parks, Recreation & Youth Programs, I am requesting that the City of Syracuse enter into an agreement with The Food Bank of Central New York to support access to free, nutritious meals for youths as part of the after school recreation programs.

As part of this agreement, the Food Bank of Central New York will provide for a free, daily meal program, known as the Kids Café, at the following locations in the City of Syracuse: Seals Community Center (Kirk Park), Wilson Park Community Center, Bova Community Center (Schiller Park), the Magnarelli Community Center (McChesney Park) and the Westmoreland Community Center.

The Agreement shall be considered effective from the date signatures are affixed to the Letter of Agreement, through June 30, 2020. There is no cost for the services under this agreement.

If you agree to enter into this agreement with The Food Bank of Central New York, please indicate so by signing below and returning this memo to me so that I may forward a copy to the Common Council along with the legislation request for the next Common Council Meeting.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

08/29/19
Date

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

/im

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

Ordinance No.

2019

ORDINANCE AUTHORIZING THE REALLOCATION OF \$110,000.00 IN REMAINING FUNDS PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 191-2019 TO BE USED FOR THE SAFETY SURFACING PROJECT AT THORNDEN PARK TO AN ACCOUNT TO BE DESIGNATED BY THE COMMISSIONER OF FINANCE TO BE USED BY THE DEPARTMENT OF PARKS, RECREATION AND YOUTH PROGRAMS FOR LANDSCAPE RESTORATION PROJECTS AT KIRK PARK, SCHILLER PARK, ELMWOOD PARK, PASS ARBORETUM, AND THORNDEN PARK AND AUTHORIZING THE ENGINEERING SERVICES AND CONSTRUCTION NEEDED FOR THE LANDSCAPE RESTORATION PROJECTS

BE IT ORDAINED, that this Common Council hereby authorizes the Commissioner of Finance to reallocate \$110,000 of the remaining funds previously authorized by Ordinance No. 191-2019 to be used for the Safety Surfacing Project at Thornden Park from Budget Account # 07.599807.700402000.70205 to an account to be designated by the Commissioner of Finance to be used by the Department of Parks, Recreation and Youth Programs for Landscape Restoration Projects at Kirk Park, Schiller Park, Elmwood Park, Pass Arboretum, and Thornden Park; and

BE IT FURTHER ORDAINED, that this Common Council hereby authorizes the engineering services and construction needed for the Department of Parks, Recreation and Youth Programs' Landscape Restoration Projects at Kirk Park, Schiller Park, Elmwood Park, Pass Arboretum, and Thornden Park at a total cost not to exceed \$110,000.00 and the Director of Management & Budget is hereby authorized to enter into a contract or contracts therefor in the manner provided by law; professional services for the project shall be obtained in accordance with

Section 5-205A (8) of the Syracuse City Charter; charging the cost thereof to the account designated by the Commissioner of Finance for the remaining funds described above.



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

September 4, 2019
Mr. John Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

Re: Request for Legislation: Amend Ordinance No. 191-19

Dear Mr. Copanas:

On behalf of the Department of Parks Recreation and Youth Programs we are requesting an amendment to Ordinance No. 191 of 2019 which amended Ordinance #191 of 2018 authorizing the engineering and construction needed for the Sunnycrest Ballfield Project to reallocate the funding to upgrade lighting at the Sunnycrest Ice Rink (\$23,000) and provide safety surfacing at Thornden Park (\$112,489).

Amend to transfer funds not to exceed \$110,000 from the safety surfacing at Thornden Park # 599807.07.700402000.70205 to the Landscape Restoration Project at Elmwood Park, Kirk Park, Lincoln Park, Pass Arboretum, Schiller Park, and Thornden Park.

If you have any questions please do not hesitate to contact me.

Sincerely,

Mary E. Vossler
Director of Management & Budget

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/26/19	Department:	Park's Department
Project Name:	Landscape Restoration		
Project Cost:	\$110,00		
Contact Name:	Commissioner	Julie LaFave	
Project Description:	\$110,000 will be reallocated to Lanscape Retoration Project at: Kirk Park, Schiller Park, Elmwood Park, Pass Arboretum, Thonden Park		

Projected Time Line & Funding Source(s)

Estimated Start Date: Sept. 1, 2019 Estimated Completion Date: June 30, 2020

Funding Source:	Cash Capital	599007.01.99999	Dollar Amount:
Local Share: Cash Capital	Remaining balance in project #700402000		\$ 110,000
Local Share: Bonds (complete schedule below)			
State Aid/Grant (identify)			
Federal Aid/Grant (identify)			
Other (identify)			
Other (identify)			
Total Project Funding (must equal cost):			\$ 110,000

Estimated Project Borrowing Timeline

Year	Fiscal Year	Estimated Amount to Borrow
1		
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes Yes X NO

Director of Administration: _____

Director of Management & Budget: Julie LaFave

Commissioner of Finance: _____

Date: 28 Aug 2019

Date: 8/28/19

Date: 8-28-19

Ordinance No.

2019

**ORDINANCE APPROPRIATING FUNDS FOR
THE DEPARTMENT OF PARKS, RECREATION
AND YOUTH PROGRAMS FOR THE PURCHASE
OF 2019/2020 CAPITAL EQUIPMENT**

BE IT ORDAINED, that this Common Council hereby appropriates the sum of \$99,000.00 from the 2019/2020 Department of Parks, Recreation and Youth Programs Unallocated Cash Capital Account #599007.01.99999 to an appropriate account as designated by the Commissioner of Finance for the Department of Public Works; said funds are to be utilized for the purchase of 2019/2020 Capital Equipment for the Department of Parks, Recreation and Youth Programs as detailed in Schedule "A" attached hereto, in the manner provided by law.

SCHEDULE "A"

**2019/2020 Unallocated Cash Capital
Department of Parks, Recreation & Youth Programs
Equipment**

Ford F150 Super Cab 4x4	\$33,000.00
Ford Transit Van	\$30,000.00
Chevy Tahoe SSV	\$36,000.00
TOTAL	\$99,000.00

All of the above are replacement vehicles.



**DEPARTMENT OF PARKS,
RECREATION & YOUTH PROGRAMS**
CITY OF SYRACUSE, MAYOR BEN WALSH

August 26, 2019

Julie LaFave
Commissioner

Jimmy Oliver
Deputy Commissioner

John Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

RE: REQUEST FOR LEGISLATION

Mr. Copanas,

Please prepare legislation for the next meeting of the Common Council to authorize funding appropriations for the 2019-2020 Capital Improvement Program, Parks Equipment Cash Capital on behalf of the Departments of Parks, Recreation and Youth Programs.

Funds, not to exceed \$99,000, will be appropriated for cash capital account and will be distributed to an account to be established by the Commissioner of Finance. Please see the attached Schedule A for breakdown.

If you have any questions or comments regarding this, please contact our office.

Sincerely,

Julie LaFave
Commissioner

Syracuse Department
of Parks, Recreation
& Youth Programs
412 Spencer Street
Syracuse, N.Y. 13204

Office 315 473 4330
Fax 315 428 8513

www.syr.gov.net



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/26/19	Department:	PARKS
Project Name:	2019/2020 Parks Equipment		
Project Cost:	\$99,000		
Contact Name:	Julie LaFave		
Project Description:	Replacement of parks vehilces.		

Projected Time Line & Funding Source(s)

Estimated Start Date: 10/1/2019 Estimated Completion Date: 1/1/2020

Funding Source:	Dollar Amount:
Local Share: Cash Capital	99,000
Local Share: Bonds (complete schedule below)	0
State Aid/Grant	0
Federal Aid/Grant	0
Other (identify)	0
Other (identify)	0
Total Project Funding (must equal cost):\$	
	\$99,000

Estimated Project Borrowing Timeline

Year	Fiscal Year	Estimated Amount to Borrow
1		
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes No Reason("No"):

Director of Administration: _____

Date: 28 AUG 2019

Director of Management & Budget: _____

Date: 8/28/19

Commissioner of Finance: _____

Date: 8-28-19

BOND ORDINANCE OF THE CITY OF SYRACUSE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE AMOUNT OF ONE HUNDRED THIRTY-SIX THOUSAND DOLLARS (\$136,000.00) TO DEFRAY THE COST AND EXPENSE OF THE DEPARTMENT OF PARKS, RECREATION AND YOUTH PROGRAMS 2019/2020 CAPITAL EQUIPMENT PURCHASE OF A PACKER TRUCK

BE IT ORDAINED, by the Common Council of the City of Syracuse as follows:

Section 1. For the class of objects or purposes of providing funds to defray the cost and expense of the 2019/2020 Capital Equipment for the Department of Parks, Recreation and Youth Programs, as detailed in the attached Schedule "A" at an estimated maximum cost not to exceed One Hundred Thirty-Six Thousand Dollars (\$136,000.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. One Hundred Thirty-Six Thousand Dollars (\$136,000.00) is estimated as the maximum cost of the class of objects or purposes for which such bonds are to be issued.

Section 3. The plan for financing such class of objects or purposes consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of One Hundred Thirty-Six Thousand Dollars (\$136,000.00), thereby providing such sum for all the maximum cost of such class of objects or purposes.

Section 4. It is hereby determined that the class of objects or purposes for which bonds are to be issued falls within subdivision 28 of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such class of objects or purposes is fifteen (15) years.

Section 5. The Commissioner of Finance, not more than fifteen (15) days and not less than three (3) days before the sale of said bonds, shall file with the Comptroller of the State of New York a supplemental debt statement and file a duplicate thereof with the City Clerk in compliance with Section 109.00 of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance who is the chief fiscal officer of the City under the Local Finance Law. The Commissioner of Finance may sell such bonds at public or private sale, with or without bond insurance or other credit enhancement, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Commissioner of Finance shall determine is most favorable to said City, and in compliance with any rules of the State Comptroller applicable thereto. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law. The Commissioner of Finance is hereby authorized to issue variable rate debt, acquire credit support, and enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Sections 54.90 and 168.00 of the Local Finance Law. Said bonds shall be signed in the name of the City by the original or facsimile signature of the Mayor and countersigned by the original or facsimile signature of the Commissioner of Finance and sealed with the original or facsimile corporate seal of the City, provided, however, that if the signatures of the Mayor and the Commissioner of Finance are each by facsimile signatures on any bond, such bond shall be authenticated by the manual countersignature of a fiscal agent of the City.

All other matters, except as provided herein, relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. The Commissioner of Finance may elect to become the fiscal agent for the bonds, or may contract on behalf of the City for this service pursuant to the Local Finance Law. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine. The Commissioner of Finance may also agree on behalf of the City to provide or disclose such information about the City as may be necessary to enable the purchasers of bonds or notes of the City to comply with Securities and Exchange Commission Rule 15c2-12.

Section 7. The temporary use of available funds of the City of Syracuse, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this ordinance. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's Capital Fund. It is intended that the City shall then reimburse expenditures from the Capital Fund with the proceeds of the bonds and bond anticipation notes authorized by this

ordinance and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This ordinance is intended to constitute the declaration of the City's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this ordinance with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this ordinance, no monies are reasonably expected to be received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. When said bonds and notes shall have been duly sold, the same shall be delivered by the Commissioner of Finance to the purchaser upon payment to him of the purchase price, including accrued interest, and the receipt of the Commissioner of Finance shall be a full acquittance to such purchaser who shall not be obliged to see to the application of the purchase money.

Section 9. The faith and credit of the City of Syracuse are hereby pledged to the payment of the principal of said bonds and interest thereon when due. An amount sufficient to pay the principal and interest on said bonds as the same becomes due each year shall be included in the annual budget of said City for the year.

Section 10. The validity of the bonds hereby authorized may be contested only if such obligations are authorized for an object or purpose for which the City of Syracuse is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.

Ordinance No.

2019

**ORDINANCE AUTHORIZING PURCHASE OF A
PACKER TRUCK ON BEHALF OF THE
DEPARTMENT OF PARKS, RECREATION AND
YOUTH PROGRAMS AS PART OF THE
2019/2020 CAPITAL IMPROVEMENT PARKS
EQUIPMENT PROGRAM**

BE IT ORDAINED, that this Common Council hereby authorizes the purchase of a Packer Truck at an estimated cost of \$136,000.00; and the Director of the Office of Management and Budget is hereby authorized to enter into a contract or contracts therefor, after advertising and public bidding, in accordance with the plans and specifications of the Commissioner of the Department of Parks, Recreation and Youth Programs; at a total cost not to exceed \$136,000.00, charging the cost thereof to proceeds of the sale of bonds in the amount of \$136,000.00 authorized contemporaneously herewith by ordinance of this Common Council.

30-31



**DEPARTMENT OF PARKS,
RECREATION & YOUTH PROGRAMS**
CITY OF SYRACUSE, MAYOR BEN WALSH

August 26, 2019

Julie LaFave
Commissioner

Jimmy Oliver
Deputy Commissioner

John Copanas
City Clerk
231 City Hall
Syracuse, NY 13202

RE: REQUEST FOR LEGISLATION

Mr. Copanas,

Please prepare legislation for the next meeting of the Common Council to authorize funding appropriations for the 2019-2020 Capital Improvement Program, in the amount of \$136,000 for the purchase of a Packer (replacement) on behalf of the Departments of Parks, Recreation and Youth Programs.

Additionally, authorize the sale and issuance of bonds for the City of Syracuse for the 2019/2020 Parks Equipment Program in the amount not to exceed \$136,000 from the 2019/2020 Capital Improvement Program.

Funds, not to exceed \$136,000, from the 2019/2020 Capital Improvement Program will be established in an account to be determined by the Commissioner of Finance..

If you have any questions or comments regarding this, please contact our office.

Sincerely,

Julie LaFave
Commissioner

Syracuse Department
of Parks, Recreation
& Youth Programs
412 Spencer Street
Syracuse, N.Y. 13204

Office 315 473 4330
Fax 315 428 8513

www.syr.gov.net



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	08/26/19	Department:	PARKS
Project Name:	2019/2020 Parks Equipment		
Project Cost:	\$136,000		
Contact Name:	Julie LaFave		
Project Description:	Replacement of parks packer		

Projected Time Line & Funding Source(s)

Estimated Start Date: 10/1/2019 Estimated Completion Date: 1/1/2020

Funding Source:	Dollar Amount:
Local Share: Cash Capital	0
Local Share: Bonds (complete schedule below)	136,000
State Aid/Grant	0
Federal Aid/Grant	0
Other (identify)	0
Other (identify)	0
Total Project Funding (must equal cost):\$	\$136,000

Estimated Project Borrowing Timeline

<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>
1		
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes No Reason("No"):

Director of Administration: _____

Date: 28 Aug 2019

Director of Management & Budget: _____

Date: 8/28/19

Commissioner of Finance: _____

Date: 8-28-19

SALES ORDER



Date 7/29/19
 Purchaser CITY OF SYRACUSE DPW
 Address 1200 CANAL STREET EXT
 City SYRACUSE State NY Zip Code 13210
 County ONONDGA Phone 448-4710
 Contact Name LUKE MIELNICKI Cust No. _____

6803 Manlius Center Rd., East Syracuse NY 13057

- Tracey Road Equipment Facility Numbers:**
- East Syracuse: 4340816 (315) 437-1471
 - Kirkwood: 7079332 (607) 775-5010
 - Watertown: 7083886 (315) 788-0200
 - Albany: 7076202 (518) 438-1100
 - Rochester: 7101647 (585) 334-5120
 - Batavia: 7122000 (585) 343-2860
 - Queensbury: 7122340 (518) 793-9688

THE PURCHASER OFFERS TO PURCHASE FROM THE DEALER/SELLER FOR THE STATED PRICE THE VEHICLE AND/OR EQUIPMENT AS DESCRIBED BELOW

PO #	TERMS OF SALE: NET 30	FOB EAST SYRACUSE TRE	STANDARD WARRANTY: STD. FACTORY WARRANTY	SALESMAN # 624
------	--------------------------	--------------------------	---	-------------------

INVENTORY #	DESCRIPTION	PRICE
NEW	2020 FREIGHTLINER M2 106 CAB AND CHASSIS PER SPEC CUMMINS L9 350HP @1150 LB/FT / ALLISON 3000RDS TRANY 12,000 LBS FRONT AXLE / 21,000 LBS REAR AXLE	\$79,981.00
1 NEW	LADMASTER 13 YARD LEGACY-3 REAL LOAD PACKER SEE SPEC SHEET FOR MORE INFO	\$55,300.00
PER ONONDAGA COUNTY CONTRACT 7823		

THE MILEAGE ON THE ODOMETER IS _____ AND / IS NOT ACCURATE, REFER TO THE FEDERAL MILEAGE STATEMENT FOR DISCLOSURE

IF THIS MOTOR VEHICLE IS CLASSIFIED AS A USED MOTOR VEHICLE, THE DEALER NAMED ABOVE CERTIFIES THAT THE ENTIRE VEHICLE IS IN CONDITION AND REPAIR TO RENDER, UNDER NORMAL USE, SATISFACTORY AND ADEQUATE SERVICE UPON THE PUBLIC HIGHWAY AT TIME OF DELIVERY.

Purchaser Accepts Optional EQUIPMENT SERVICE CONTRACT
 PowerTrain \$ _____
 PowerTrain Plus Hydraulics \$ _____
 Full Machine \$ _____
 Terms and Conditions per the attached contract.
 PURCHASER'S INITIALS _____

Purchaser Declines Optional EQUIPMENT SERVICE CONTRACT
 PURCHASER'S INITIALS _____

TRADE-IN ALLOWANCE:		SUBTOTAL	\$135,281.00
BALANCE OWED TO:		NET TRADE-IN ALLOWANCE	
NET TRADE ALLOWANCE (EQUITY)		(EXEMPT) SALES TAX	
TRADE:	TRADE INV. # 678768766	FEDERAL EXCISE TAX	
YEAR _____ MAKE _____ MODEL _____		WASTE MANAGEMENT TIRE TAX	
ENG. _____ SERIAL # _____		TOTAL PRICE	
SERVICE METER READING (if applicable) _____		RECEIPT NO. _____ DEPOSIT _____	
THE MILEAGE ON THE ODOMETER IS _____ AND IS/IS NOT ACCURATE. REFER TO THE FEDERAL MILEAGE STATEMENT FOR FULL DISCLOSURE.		BALANCE DUE	\$135,281.00
CONDITION OF TRADE _____			
PURCHASER'S SIGNATURE _____			

ONLY THE MANUFACTURER OR SUPPLIER AND NOT TRACEY ROAD EQUIPMENT, INC. (DEALER/SELLER) SHALL BE LIABLE FOR PERFORMANCE UNDER ANY AND ALL WARRANTIES MADE BY SUCH MANUFACTURER OR SUPPLIER. UNLESS DEALER/SELLER, ON ITS OWN BEHALF, FURNISHES PURCHASER WITH A SEPARATE WRITTEN WARRANTY, OR ENTERS INTO A SERVICE CONTRACT WITH PURCHASER, DEALER/SELLER HEREBY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE ON ALL GOODS AND SERVICES, AND ALL USED CONSTRUCTION EQUIPMENT SOLD BY DEALER/SELLER, WHICH PURCHASER UNDERSTANDS AND AGREES IS BEING SOLD BY DEALER/SELLER AS IS - NOT EXPRESSLY WARRANTED OR GUARANTEED.

IF THIS ORDER IS FOR A USED VEHICLE THAT BY LAW REQUIRES A FEDERAL TRADE COMMISSION WINDOW FORM, THE INFORMATION YOU SEE ON THE WINDOW FORM IS PART OF THIS ORDER. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISION IN THE CONTRACT OF SALE.

The front and back of this Order, the attached Written Warranty/Coverage Acknowledgement (the "Acknowledgement"), if signed by Purchaser and Dealer or Seller, and/or any financing and security agreement (a "Financing Agreement") entered into by Purchaser in connection with this Order comprise the entire agreement affecting this purchase and no other agreement or understanding of any nature concerning Financing Agreement and any other agreement specified in this Order shall be referred to herein as the "Order". Purchaser hereby certifies that no credit has been extended to him/her for the purchase of the motor vehicle(s) or construction equipment described in this Order except as is stated in this Order. Purchaser hereby acknowledges that he/she has read the Terms and Conditions that are printed on the back of this Order and agrees that said Terms and Conditions are part of this Order the same as if they were printed on the front hereof above Purchaser's signature. Purchaser or, if purchaser is not an individual, Purchaser's representative, hereby certifies that he/she is of legal age and acknowledges that he/she has received a copy of this Order and all other documents referred to in this Order.

PURCHASER _____

SALESMAN 624

BY _____

ACCEPTED BY SALES MANAGER _____

**ORDINANCE AUTHORIZING MAYOR TO
SUBMIT AN APPLICATION FOR A GRANT
FROM THE NEW YORK COMMUNITY TRUST
CENSUS EQUITY FUND TO FUND "GET OUT
THE COUNT" CENSUS OUTREACH EFFORTS
AND EXECUTE A CONTRACT OR WRITTEN
INSTRUMENTS ASSOCIATED WITH THE
GRANT AS NECESSARY**

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the New York Community Trust Equity Fund for a grant in an amount not to exceed \$20,000.00; said funds will be used by the City of Syracuse to fund "Get Out the Count" census outreach efforts aimed at increasing census participation of residents in hard-to-count areas or constituencies that have been consistently undercounted; no local match is required, however, the City will be dedicating time of existing staff to manage the grant expenditures; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to deposit the same in an appropriate account to be determined by him.



Bureau of Research

CITY OF SYRACUSE, MAYOR BEN WALSH

Janet L. Burke
Director, Bureau of
Research

August 28, 2019

Mr. John Copanas
City Clerk
213 City Hall
Syracuse, New York 13202

Dear Clerk Copanas:

Please prepare legislation for the next meeting of the Common Council to authorize the City to apply for and enter into a grant agreement with the New York Community Trust Census Equity Fund. The grant would provide \$20,000 to fund census outreach efforts. The funds must be used for "Get Out the Count" projects aimed at increasing census participation of residents in hard-to-count areas or constituencies that have been consistently undercounted.

This grant does not have a local match; however, the City would dedicate existing staff time to managing the grant expenditures.

Sincerely,

Janet L. Burke
Janet L. Burke
Director

Bureau of Research
233 E Washington St.
Room 419
Syracuse, N.Y. 13202

Office 315 448-8020
Fax 315 448-8008

www.syr.gov.net

Ordinance No.

2019

**ORDINANCE AMENDING ORDINANCE
NO. 436-2018 APPROPRIATING FUNDS FOR THE
DEPARTMENT OF NEIGHBORHOOD AND
BUSINESS DEVELOPMENT FOR THE 2018/2019
FISCAL YEAR AND AUTHORIZING THE
ANNUAL CONTRACTS WITH VARIOUS
AGENCIES RELATIVE TO THE ANNUAL
FUNDING PROVIDED FOR IN THE 2016
SERVICES AND NEIGHBORHOOD SUPPORT
AGREEMENT BETWEEN THE CITY OF
SYRACUSE AND SYRACUSE UNIVERSITY TO
APPROPRIATE THE FUNDS AND AUTHORIZE
THE CONTRACTS FOR THE 2019/2020 FISCAL
YEAR**

BE IT ORDAINED, that Ordinance No. 436-2018 is hereby amended to read as follows:

WHEREAS, the University Neighborhood Service Agreement was established to address the unique impact Syracuse University has on the surrounding neighborhoods by enhancing governmental services and maintaining the health, safety, and welfare through police and fire protection, preservation and improvement of housing, community support, and park and public space improvements; and

WHEREAS, in 2016 the City and Syracuse University entered into a new five (5) year Services and Neighborhood Support Agreement which replaced the previous Service Agreement and the University Street Closure Agreement which had been the source of funding for the UNSAAC program; and

WHEREAS, under the terms of the 2016 Services and Neighborhood Support Agreement, Syracuse University will pay the City of Syracuse \$500,000 annually until August 31, 2020. Pursuant to the Agreement, \$125,000 of the funds will be allocated each year to the City of Syracuse

Police Department and applied to the cost of maintaining safety and security in the University neighborhood. The remaining \$375,000 will be used annually for neighborhood projects and services that are in the mutual interest of the neighborhoods, their residents (including students), and the University, with the specific projects and services for which these funds will be used to be decided pursuant to the University Neighborhood Services Agreement Advisory process as outlined in Ordinance No. 422-2016 ; and

WHEREAS, the UNSAAC Advisory Committee determined that the 2018 application for funding should cover the first two allocations of funding (2018/2019 and 2019/2020), thereby resulting in a one year agreement with each agency with a one (1) year renewal subject to the approval of the Mayor and Common Council, as the 2019 funding will not be received until August 2019 during the new Fiscal Year 2019/2020;

WHEREAS, the Commissioner of the Department of Neighborhood and Business Development has requested legislation authorizing the one year renewal for the 2019/2020 funding;
NOW, THEREFORE,

BE IT ORDAINED, that this Common Council hereby appropriates the sum of \$375,000.00 from University Services and Neighborhood Support Agreement funds to an account or accounts to be determined by the Commissioner of Finance for the Department of Neighborhood and Business Development; said funds are to be utilized for contracts with various agencies for fiscal year 2019/2020, as follows:

Dunbar Association

- \$46,000.00 for Dunbar Educational Series "Project Invincible"

University Neighborhood Preservation Association (UNPA) as the fiscal sponsor for the Outer Comstock Neighborhood Association

- \$27,250.00 for Homebuyer Assistance Grants and 1% Home Improvement Loans for the Outer Comstock Neighborhood

University Neighborhood Preservation Association (UNPA)

- \$149,000.00 for Financial Incentive Programs for Owner Occupants in the Special Neighborhood District

Westcott Area Cultural Coalition

- \$5,000.00 for the Westcott Street Cultural Fair

Westcott Community Center

- \$105,000.00 for Community Center Programming

Westcott Neighborhood Association

- \$13,500.00 for Quality of Life Enhancements for the Westcott Neighborhood

Home Headquarters, Inc. as fiscal Sponsor for South Side TNT

- \$21,500.00 for South Side's Clean and Green Initiative

Thornden Park Association

- \$7,750.00 for Park Column Restoration & Lighting

; and

BE IT FURTHER ORDAINED, that the Mayor be and he hereby is authorized to enter into agreements with the agencies listed above for the sum indicated above; and

BE IT FURTHER ORDAINED, that the Agreements shall be for a term of one (1) year with a one (1) year renewal period for Fiscal Year 2019/2020 subject to the approval of the Mayor and the Common Council and receipt of funds from Syracuse University; this Agreement is hereby extended for the one year renewal period for Fiscal Year 2019/2020; and

BE IT FURTHER ORDAINED, that such agreements shall be subject to the approval of the Corporation Counsel as to terms, form and content; and

BE IT FURTHER ORDAINED, that such renewals shall be for the remainder of the funding approved by the UNSAAC Advisory Committee during the 2018 Application and shall be for the amounts not to exceed the amounts listed below and such funds shall be used for the same purposes as outlined for Fiscal Year 2018/2019 above:

Dunbar Association	\$ 46,000.00
UNPA on behalf of Outer Comstock Neighborhood Association	\$ 27,250.00
UNPA	\$ 149,000.00
Westcott Area Cultural Coalition	\$ 5,000.00
Westcott Community Center	\$ 105,000.00
Westcott Neighborhood Association	\$ 13,500.00
HHQ on behalf of South Side TNT	\$ 21,500.00
Thornden Park Association	\$ 7,750.00

TOTAL **\$375,000.00**

* _____ = new material



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

August 15, 2019

Mr. John P. Copanas
City Clerk
Room 231, City Hall
Syracuse, NY 13202

Commissioner
Stephanie R. Pasquale

Deputy Commissioner
Jennifer Tift

Re: Legislation Request - UNSAAC 2019 - 2020 Allocations

Dear Mr. Copanas:

Please prepare legislation for the next Common Council agenda on behalf of the Department of Neighborhood and Business Development approving the second year of UNSAAC (University Neighborhood Service Area Advisory Committee) funding for the following entities for the fiscal year July 1, 2019 - June 30, 2020 and allowing the City to enter into contracts with:

Applicant	Program/Project name	2019-20 Allocation
Dunbar Association	Dunbar Educational Series	\$46,000
Outer Comstock Neighborhood Association (OCNA)	Homebuyer Assistance Grants and 1% Home Improvement Loans	\$27,250
University Neighborhood Preservation Association (UNPA)	Financial Incentive Programs For Owner Occupants	\$149,000
Westcott Area Cultural Coalition	Westcott Street Cultural Fair	\$5,000
Westcott Community Center	Westcott Community Center Programming	\$105,000
Westcott Neighborhood Association (WNA)	Westcott Neighborhood Quality of Life Enhancements	\$13,500
Southside TNT	Southside's Clean and Green Initiative	\$21,500
Thornden Park Association	Park Column Restoration + Lighting	\$7,750
Total		\$375,000

**Department of
Neighborhood &
Business Development**
201 E Washington Street
Suite 600
Syracuse, NY 13202

Office 315 448 8100
Fax 315 448 8036

www.syr.gov.net

I am happy to answer any questions at x8109 or via email at spasquale@syr.gov.net.

Sincerely,

Stephanie R. Pasquale
Commissioner

Cc: Sharon Owens, Deputy Mayor; Mary Vossler, Director of Budget

S:\Locally Funded Programs\UNSAAC\UNSAAC 2018-2020\2018-2020 UNSAAC Legislation\UNSAAC 2019-20 Request to Allocate Funding and Enter into Contract 08152019.docx



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management and Budget *JC*
DATE: August 27, 2019
SUBJECT: Agreement with UNSAAC

On behalf of the Department of Neighborhood and Business Development, I am requesting that the City of Syracuse amend ordinance #436-2018 to authorize the second year of UNSAAC (University Neighborhood Service Area Advisory Committee) funding for the following entities for the fiscal year July 1, 2019 – June 30, 2020 and allowing the City to enter into contracts with:

Applicant	Program/Project Name	2019-20 Allocation
Dunbar Association	Dunbar Educational Series	\$46,000
Outer Comstock Neighborhood Association (UCNA)	Homebuyer Assistance Grants and 1% Home Improvement Loans	\$27,250
University Neighborhood Preservation Association (UNPA)	Financial Incentive Programs For Owner Occupants	\$149,000
Westcott Area Cultural Coalition	Westcott Street Cultural Fair	\$5,000
Westcott Community Center	Westcott Community Center Programming	\$105,000
Westcott Neighborhood Association (WNA)	Westcott Neighborhood Quality of Life Enhancements	\$13,500
Southside TNT	Southside's Clean and Green Initiative	\$21,500
Thornden Park Association	Park Column Restoration & Lighting	\$7,750
Total		\$375,000

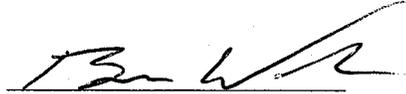
Office of Management and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

Please indicate your concurrence by signing below and returning this memo to me so that I may then forward your approval to the Common Council along with the request for authorizing this legislation.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

09/28/19
Date

/tm

Ordinance No.

2019

ORDINANCE AUTHORIZING A FUNDING AGREEMENT BETWEEN THE CITY OF SYRACUSE AND THE GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION (“LAND BANK”)

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor be and he is hereby authorized to enter into a funding agreement with the Greater Syracuse Property Development Corporation (“Land Bank”) relative to the operations of the Land Bank for an amount not to exceed \$750,000.00 as approved in the City’s 2019/2020 Budget; and

BE IT FURTHER ORDAINED, that such agreement shall be in substantially the same form as the Agreement attached hereto as Exhibit “A” and shall be subject to the approval of the Corporation Counsel as to terms, form and content.

EXHIBIT "A"

FUNDING AGREEMENT BETWEEN THE

CITY OF SYRACUSE

AND THE

GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION

THIS AGREEMENT, entered this _____ day of _____, 2019 by and between the City of Syracuse (herein called the "City") and the Greater Syracuse Property Development Corporation, a not-for-profit corporation with offices at 431 East Fayette Street, Suite 300, Syracuse, New York (herein called the "GSPDC").

WHEREAS, the City desires to assist in the funding of the operations of GSPDC pursuant to Not-For Profit Corporation Law § 1610 (a) for City fiscal year 2019-20 and the Charter of the City of Syracuse 1960, as amended; and

WHEREAS, the GSPDC wishes to accept and utilize the funds from the City pursuant to the terms of this Agreement; and

WHEREAS, this Agreement has been authorized by, and is subject to the requirements of Ordinance No. ____ of 2019, which was adopted by the City of Syracuse Common Council on June ___, 2019 and approved by Mayor Ben Walsh on June ___, 2019; and

WHEREAS, this Agreement has been authorized by GSPDC Resolution No ____ of 2019, adopted by the Board of GSPDC on June ___, 2019;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

ARTICLE I. FUNDING

The City agrees to provide up to seven hundred and fifty thousand dollars (\$750,000.00) (hereinafter the "Funding") to GSPDC.

A. Disbursements – the City will provide the Funding to GSPDC in two disbursements. Disbursements shall be made upon receipt of the required quarterly reports described in Article II, Section 5 as follows:

1. Three-Hundred Seventy-Five Thousand and 00/100 dollars (\$375,000.00) on August 1, 2019; and
2. Three-Hundred Seventy-Five and 00/100 dollars (\$375,000.00) on March 1, 2020.

ARTICLE II. PERFORMANCE BY GSPDC

As consideration for this Agreement and the Funding to be provided thereto, the GSPDC agrees to perform as follows:

Acceptance of Property – GSPDC acknowledges that the City will offer to sell numerous parcels of real property to GSPDC for an amount equal to one dollar (\$1.00) per property during the 2019-20 City fiscal year. GSPDC will reimburse the City for title fee expenses and legal expenses incurred for each property and other closing costs. The GSPDC shall be responsible for the payment of all recording fees to the Onondaga County Clerk.

1. GSPDC agrees to accept as many of said parcels not otherwise excluded under the provisions of II (2) as the Board of GSPDC determines as being fiscally prudent for GSPDC to accept. In addition, GSPDC agrees to accept no fewer than 250 properties throughout the 2019-20 City fiscal year as long as the City authorizes the sale of at least that number of properties to the GSPDC during said fiscal year.
2. GSPDC will accept a mix of properties, including vacant land, vacant structures, and occupied structures, subject to what is made available by the City of Syracuse.
3. GSPDC may reject any Property, upon a provision of sufficient documentation evidencing the basis for rejection to the City of Syracuse, for one or more of the following reasons:
 - a. The property has uncured defects in title; or
 - b. The property constitutes an immediate danger or public hazard; or
 - c. The property contains environmental hazards which would require the GSPDC to – perform environmental remediation prior to re-sale (this subsection shall not be read as to apply to lead based paint or to soil that may be contaminated as a result of lead based paint, or to asbestos located in one or two family residential structures); or
 - d. Other parcels that the GSPDC deems inappropriate for acquisition for documented reasons agreed upon by the City and the GSPDC.

In the event GSPDC rejects a property for one or more of the foregoing reasons, GSPDC shall transmit a notice to the Department of Neighborhood and Business Development and the Syracuse-Onondaga County Planning Agency outlining the reason the property has been rejected within ten (10) days of the determination to reject.

4. Use of Funding - GSPDC agrees to use the Funding only for those purposes permitted by law and in furtherance of the GSPDC's mission statement and in accordance with its adopted policies and procedures.

Further, the GSPDC agrees to place a priority on leveraging City funds to advance the following objectives:

- a. Create a mix of (owner-occupied) home ownership and rental housing opportunities;
- b. Support rehabilitation financing for investor-owners purchasing GSPDC properties through loan guarantees and other innovative programs;
- c. Perform property demolition and/or deconstruction, where warranted, using no less than \$500,000 of funding activity, to be matched by \$500,000 in match funds from GSPDC general fund, resulting in the removal of a minimum of forty-five (45) blighted structures selected in concert with City staff; and

- d. The remaining \$250,000 of funding to be used for ongoing property maintenance and keeping buildings secure.
 - e. Ensure that all existing occupants of property acquired by the GSPDC from the city of Syracuse in which properties are deemed necessary to vacate, be availed the services of professional relocation agents and allotted a reasonable time frame from the determination date to vacate the property to facilitate successful relocation into suitable alternate housing.
 - f. Make reasonable efforts to recover architectural salvageable components during the deconstruction process and to apply funds received from the sale of any salvageable components to the cost of future demolition and/or deconstruction projects.
5. GSPDC shall provide the Department of Neighborhood and Business Development with quarterly reports within 10 days of the end of each fiscal quarter containing lists of all properties transferred to GSPDC and indicates the following: those properties slated for demolition/deconstruction; those demolished/deconstructed; those sold to new owners and the disposition strategy for each; those under an enforcement mortgage and the deadline for completion; those where work has been completed and enforcement mortgage has been discharged. The City reserves the right to request additional information evidencing the status of any Property transferred to GSPDC.
 6. GSPDC shall provide the Common Council with an annual written report in the form of a business and fiscal plan that details the organization's short- and long-term goals and year-to-date progress on reaching these goals within 30 days of this contract years' end. This document should be made available to all Common Councilors two weeks in advance of the Committee meeting when the annual written report is discussed publicly.
 7. GSPDC shall establish a goal to transfer title of at least 200 properties with a majority to qualified owner-occupied buyers and shall establish a policy and procedure for conveying properties to qualified not-for-profit affordable housing developers for owner-occupied buyers to ensure the creation of sustainable affordable housing that meets specified quality standards. In addition, GSPDC shall endeavor to place all properties in their inventory online as soon as practicable and to accept inquiries about the availability of non-MLS properties. Further GSPDC will increase the number of MLS listed properties by 20% over the listings posted as of June 30, 2019 by December 31, 2019. Furthermore, GSPDC will endeavor, during the term of this Agreement, to transfer title of at least 75 properties to qualified owners-occupiers with such properties being in close proximity to City Parks, Schools, or such other amenities that improve neighborhoods.
 8. GSPDC will work to develop innovative vacant lot acquisition strategies for long-range neighborhood and community benefits, such as assembling vacant land for the purpose of encouraging new housing and commercial development, in collaboration with the City and neighborhood stakeholders.
 9. The GSPDC Board of Directors and the Citizens Advisory Board will review the criteria used in reviewing and approving property sales to ensure that the criteria will encourage the sale of properties in inventory.
 10. GSPDC will aggressively market and offer ten (10) properties utilizing an established incentive program for qualified owner occupied buyers to City, fire, police, school district employees, other city residents who work in the city.

ARTICLE III. NOTICES

All written communications or notices required to be sent pursuant to this Agreement shall be sent by certified or registered first class mail, or by overnight courier, to the parties as follows:

To the City at:

City of Syracuse
Office of the Mayor
Attn: Mayor
233 E. Washington Street
Syracuse, NY 13202

With Copy to:

City of Syracuse
Department of Law
Attn: Corporation Counsel
233 E. Washington Street
Syracuse, NY 13202

To the GSPDC at:

Greater Syracuse Property Development Corporation
Attn: Chair
431 East Fayette Street, Suite 300
Syracuse, NY 13202

With Copy to:

Menter, Rudin & Trivelpiece, P.C.
308 Maltbie Street, Suite 200
Syracuse, NY 13204-1498

ARTICLE IV. GENERAL CONDITIONS

A. General Compliance

The GSPDC will comply with all applicable federal, state and local laws and regulations governing the receipt or use of the Funding provided under this Agreement.

B. Laws and Ordinances Relating to Real Property

The GSPDC shall comply with all applicable Federal and State Laws, Local Laws, Rules, Regulations, Ordinances, and Resolutions related to or regarding the obligations of owners of real property or sellers of real property including, but not limited to, those relating to renovation, rehabilitation, demolition, property maintenance, environmental laws, lead paint abatement, flood plain and lead paint disclosures, and historic preservation.

C. New York State Law

The parties agree that by signing this Agreement they knowingly and willingly waive the presumption under New York State Law that this Agreement be construed against the drafter.

D. Prior Agreements

This Agreement shall supersede any previous agreement between the parties regarding these matters insofar as there are any conflicting terms or provisions.

E. Survivability of Certain Provisions

Any provisions related to, or regarding, the expenditure of the Funding shall survive the termination of this Agreement until such time as all of the Funding disbursed pursuant to this Agreement has been expended.

F. Independent Contractor

Nothing contained in this agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The GSPDC shall at all times remain an independent contractor with respect to any terms, conditions or performances required under this Agreement.

G. Hold Harmless

The GSPDC shall hold harmless and defend and indemnify the City from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the GSPDC's actions, inaction, performance or failure to perform as related to this Agreement, and to any activities of GSPDC funded in whole or in part by the Funding.

H. Workers' Compensation

The GSPDC shall provide Workers' Compensation Insurance coverage as may be required by law for all employees employed by GSPDC during the term of this agreement.

I. Insurance

The GSPDC shall carry general liability insurance coverage in an amount of not less than one million dollars per claim during the term of this Agreement. A copy of the insurance binder shall be forwarded to the City.

J. Amendments

GSPDC and City may amend this Agreement at any time provided that such amendments make specific reference to this Agreement and are executed in writing, signed by a duly authorized representative of both organizations and approved by the City's governing body.

K. Prohibited Activities

The GSPDC is prohibited from using the Funding provided herein or personnel employed in whole or in part with the use of the Funding for political activities; sectarian or religious activities; lobbying, political patronage, and nepotism activities.

L. Assignability

The GSPDC shall not pledge, assign or transfer any interest in this Agreement or the Funding without the prior written consent of the Mayor of the City.

M. Conflicts of Interest

1. No officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the Funding, or any other person who exercises any functions or responsibilities in connection with the Funding shall have any personal financial interest, direct or indirect in this Agreement; and the City shall take appropriate steps to assure compliance.
1. The City and the GSPDC agree and stipulate that no member of the Common Council of the City of Syracuse or any other City officer or employee forbidden by law, is interested in, or will derive income from, or is a party to, this Agreement.

N. Displaced Persons

1. GSPDC shall develop an internal policy with regards to the handling of displaced tenants, former owner occupants and others with tenancy rights in a parcel of property acquired by the GSPDC (hereinafter collectively "Displaced Persons"). Such policy shall assure that Displaced Persons are dealt with in accordance with State Law and in a consistent, fair, and equitable manner.

2. GSPDC agrees to comply with all applicable State Laws, and City Ordinances, Resolutions and Policies concerning displacement of individuals from their residences.

O. Governing Law and Proper Venue of Claims

This Agreement shall be governed by, and construed in accordance with, the laws of the State of New York without regard to any conflict of laws provision. The City and GSPDC agree and consent that any claim between the parties arising from or out of this Agreement shall be brought in a court of competent jurisdiction in the County of Onondaga and State of New York.

P. Effect of Waiver of Breach

The waiver of breach of any provision of this Agreement shall not constitute or operate as a waiver of any other provision, nor shall the failure to enforce a provision operate as a waiver of that provision or any other provision.

ARTICLE V. TERM

The term of this Agreement shall begin as of the date that it is fully executed by the City and the GSPDC, and if not earlier terminated pursuant to the provisions of this Agreement, shall terminate naturally upon June 30, 2020.

ARTICLE VI. DEFAULT AND TERMINATION

In the event that GSPDC fails to comply with any term of this agreement, GSPDC shall have thirty (30) days following receipt of a written notice of the default from the City to cure said default. If the GSPDC fails to cure the default within the 30 day cure period, or any extension thereof granted by the City, the City may terminate this Agreement and the Agreement shall have no further force or effect, except for those provisions that survive termination pursuant to the terms of this Agreement. The City may suspend disbursements during the period of time given between a notice of default and the opportunity to cure.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

City of Syracuse

Greater Syracuse Property Development Corporation

By: _____
Benjamin R. Walsh, Mayor

By: _____
Vito Sciscioli, Chair

ATTEST:

John P. Copanas
City Clerk

STATE OF NEW YORK)
COUNTY OF ONONDAGA)
CITY OF SYRACUSE) SS.:

On this ____ day of _____ 2019, before me personally came BENJAMIN R. WALSH, Mayor of the City of Syracuse, with whom I am personally acquainted, who, being by me duly sworn, did depose and say: that she resides in the City of Syracuse, New York; that she is Mayor of the City of Syracuse, the corporation described in and which executed the within instrument; that she knows the corporate seal of said City and it was so affixed pursuant to the Charter of the City; that she signed said instrument as Mayor of said City of Syracuse by like authority; that said BENJAMIN R. WALSH further says that she is acquainted with John P. Copanas and knows him to be the City Clerk of said City of Syracuse; that the signature of John P. Copanas was thereto subscribed pursuant to said Charter.

Notary Public

STATE OF NEW YORK)
COUNTY OF ONONDAGA)
) SS.:

On this ____ day of _____ 2019, before me personally came VITO SCISCIOLI to me known, who, being by me duly sworn, did depose and say that he is the Chair of the Greater Syracuse Property Development Corporation and which executed the above instrument; that he is authorized by the Board of Directors of said corporation to execute the above instrument, and that he signed his name thereto by like order.

Notary Public



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DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

August 19, 2019

Commissioner
Stephanie R. Pasquale

Deputy Commissioner
Jennifer Tiff

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Dear Mr. Copanas:

Please prepare legislation for consideration of the Common Council at its September 9, 2019 meeting approving a contract between the City of Syracuse and the Greater Syracuse Property Development Corporation (aka "The Land Bank") for \$750,000. A copy of the draft agreement is attached to this letter, in addition to the Land Bank Board Resolution accepting as proposed.

The \$750,000 will support a variety of activities by the Land Bank to address vacant and substandard properties, including the removal of a minimum of forty-five (45) blighted residential structures. The allocation of \$750,000 was approved as part of the City's 2019-20 Budget.

If you have any questions or require additional information, please feel free to contact me at (315) 448-8109 or via email at spasquale@syrgov.net. Thank you for your cooperation.

Sincerely,

Stephanie Pasquale
Commissioner

**Department of
Neighborhood &
Business Development**
201 E Washington Street
Suite 600
Syracuse, NY 13202

Office 315 448 8100
Fax 315 448 8036

www.syrgov.net

Cc: Sharon Owens, Deputy Mayor
Kristin Smith, Corporation Counsel

S:\Sister Organizations\Land Bank\City-LB Funding Agreement and Contract\LB Funding Agreement Legislative Request 2019-20.docx

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

11



Office of Management & Budget

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Vossler
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh cc
FROM: Julie Castellitto, Assistant Director of Management and Budget
DATE: August 27, 2019
SUBJECT: Agreement with the Greater Syracuse Property Development Corporation
(aka "The Land Bank")

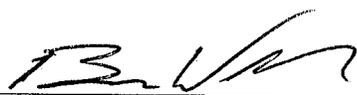
On behalf of the Department of Neighborhood and Business Development, I am requesting an agreement with the Greater Syracuse Property Development Corporation (aka "The Land Bank") for \$750,000.

The \$750,000 will support a variety of activities by the Land Bank to address vacant and substandard properties, including the removal of a minimum of forty-five (45) blighted residential structures. The allocation of \$750,000 was approved as part of the City's 2019-20 Budget.

A copy of the draft agreement is attached to this letter, in addition to the Land Bank Board Resolution accepting as proposed.

Please indicate your concurrence by signing below and returning this memo to me so that I may then forward your approval to the Common Council along with the request for authorizing this legislation.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

08/28/19
Date

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

/tm

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

General Ordinance No.

2019

ORDINANCE APPROVING A SPECIAL PERMIT FOR LIGHT-DUTY MOTOR VEHICLE REPAIR ON PROPERTY SITUATED AT 1417, 1421 AND 1427-1431 VALLEY DRIVE

BE IT ORDAINED, that the following resolution adopted by the City Planning Commission of the City of Syracuse on August 26, 2019, pursuant to Article V, Chapter 13, of the Charter of the City of Syracuse-1960, as amended, approving the application of JRJP Properties, owner, and PHI-GI, Inc. d/b/a J&J Auto, applicant, for a special permit for light-duty motor vehicle repair on property situated at 1417, 1421 and 1427-1431 Valley Drive, Syracuse, New York, pursuant to Part B, Section III, Article 2, and Part C, Section IV, Articles 1 and 2 of the Zoning Rules and Regulations of the City of Syracuse, as amended, in the manner and upon the conditions stated, be and the same hereby is consented to and approved, namely:

A RESOLUTION APPROVING A SPECIAL PERMIT FOR LIGHT-DUTY MOTOR VEHICLE REPAIR ON PROPERTY SITUATED AT 1417, 1421, AND 1427-1431 VALLEY DRIVE

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, adopt the following resolution:

WHEREAS, the applicant, PHI-GI, Inc. d/b/a J&J Automotive, is requesting a Special Permit for Light-Duty Motor Vehicle Repair on property situated at 1417, 1421, and 1427-1431 Valley Drive pursuant to Part B, Section III, Article 2 and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended; and

WHEREAS, the City Planning Commission held a Public Hearing on the request on August 26, 2019, at 6:00 p.m. in the Common Council Chambers, City Hall, Syracuse, New York, heard all those desiring to be heard, and duly recorded their testimony; and

WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and

WHEREAS, the subject property is irregular in shape with 200 feet of frontage on Valley Drive; and

WHEREAS, the property lies within a Business, Class A zoning district, as do the adjacent and neighboring properties to the south and west; adjacent and neighboring properties to the north, east, and west lie within a Residential, Class A-1 zoning district; and

WHEREAS, land use in the area consists primarily of residential uses, with some commercial uses along Valley Drive; and

WHEREAS, the "Syracuse Land Use and Development Plan" designates the character of this site, which lies within the Valley neighborhood, as Neighborhood Center; and

WHEREAS, there are no additional uses on the site; and

WHEREAS, the hours of operation will be Monday through Friday from 8:00 a.m. until 6:00 p.m., to include Saturdays (seasonal), with a maximum of six employees on premises at one time; and

WHEREAS, the applicant is proposing to install a 50-square foot wall sign; and

WHEREAS, the application included a property survey of Lots 3, 4, 5 & 6 of the Howard Tract, known as 1417-1431 Valley Drive, dated March 1, 2019, which illustrates Lots 3 and 4 as separate lots with 50 feet of frontage on Valley Drive and lot depths of 132 feet, and Lots 5 and 6 as one lot with 100 feet of frontage on Valley Drive and a lot depth ranging from 132 feet to 182 feet; and

WHEREAS, the property survey illustrates an existing two-story masonry building (1427-1431) on Lots 5 and 6, which encroaches onto Lot 4, a fuel tank, and a fence on Lot 4, and a fence with a gate on Lot 3. Staff has no record of a resubdivision to combine Lot 4 with Lots 5 and 6; and

- WHEREAS, the application included a site plan (Sheet SP) dated August 5, 2019, which illustrates the existing two-story building, an existing six-foot high, chain link fence, and eight off-street parking spaces located in front of the building with three curb-cuts; and
- WHEREAS, the application included an undated existing building floor plan for an unidentified building (presumably for the building known as 1427-1431) which illustrates an existing first floor shop area, an existing first floor office/customer area, and an existing second floor office/storage area; and
- WHEREAS, the proposal deviates from Part C, Section VI, Article 14 of the City of Syracuse Zoning Rules and Regulations, as amended, in that Special Permit Uses are allowed one wall sign and one ground sign, neither to exceed 40 square feet; the applicant is proposing to install a 50-square foot wall sign; and
- WHEREAS, the proposal necessitates one waiver from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the sign requirements; and
- WHEREAS, the proposal was submitted to the City of Syracuse Departments of Engineering and Public Works for review; and
- WHEREAS, pursuant to the New York State Environmental Quality Review Act, the City Planning Commission has reviewed the subject proposal, which is an Unlisted Action and has determined that it will have no significant environmental impact based on the limited magnitude of the proposal, and therefore has issued a negative declaration; and
- WHEREAS, due consideration was given to the necessity, adequacy, and character of the proposed development, and vehicular and pedestrian circulation within the immediate vicinity; and
- WHEREAS, the proposed use is so located as not to be detrimental to adjoining zoning districts and permitted uses; and
- WHEREAS, the proposed use will not create hazardous or obnoxious conditions, and the public health, welfare, and safety will be protected; and
- WHEREAS, the proposal was found to be in character with the adjoining land use;

NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, APPROVE the application of PHI-GI, Inc. d/b/a J&J Automotive for a Special Permit for Light-Duty Motor Vehicle Repair on property situated at 1417, 1421, and 1427-1431 Valley Drive pursuant to Part B, Section III, Article 2 and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waiver from Part C, Section VI, Article 14 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the sign regulations as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that said application be approved subject to compliance with the following conditions:

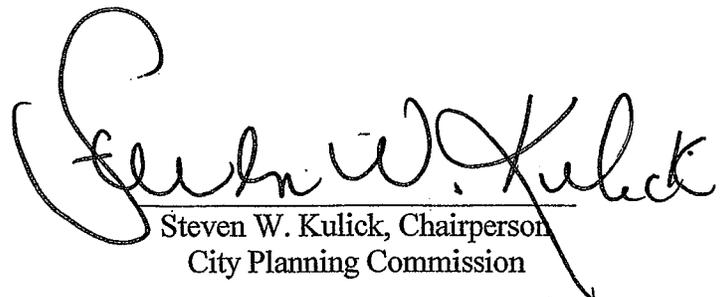
1. The subject premises shall be used, operated and maintained in a neat and orderly condition at all times; all outside storage of junk, bottles, cartons, boxes, debris and the like shall be restricted to appropriately screened enclosures not visible to the general public;
2. All construction, improvements and additions relating to this proposal, including those activities required in order to comply with the conditions of this approval, shall be completed by the applicant or its agents within twelve (12) months of the date of approval of this resolution by the City of Syracuse or this approval will be considered null and void;
3. Improvements to the subject property and its use shall be substantially in accordance with the submitted plans on file in the City of Syracuse Office of Zoning Administration entitled:
 - Building Location Survey; "Leo & Margaret Charette"; Lots 3, 4, 5 & 6 "Howard Tract"; Filed: 7/2/1912, Map #1400; City of Syracuse, County of Onondaga, State of New York; Known as: #1417-1431 Valley Drive; prepared by: Hans B. Christopherson, Licensed Land Surveyor; dated: 3/1/2019; scaled: 1"=30';
 - Site Plan (Sheet SP); Proposed Auto Repair, 1427 Valley Drive; J&J Automotive, 766 W. Genesee St; prepared by: CHA; dated: 8/5/19; scaled: as shown;
 - Existing Floor Plan; undated; scaled: 1/16"=1'-0";
4. Signage for the proposal is limited to a 50-square foot wall sign;
5. Any exterior lighting of the subject proposal shall be designed, located and maintained so as to prevent any direct rays of light from shining beyond the boundaries of the subject property;

BE IT FURTHER RESOLVED that the applicant shall abide by the hours of operation as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that approval of this resolution does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities to include, but not limited to the City of Syracuse Departments of Engineering and Public Works, and the Code Enforcement Office;

BE IT FURTHER RESOLVED that if the conditions enumerated above are not complied with, this Special Permit shall be subject to revocation;

BE IT FURTHER RESOLVED that this resolution is subject to the consent and approval of the Common Council of the City of Syracuse.

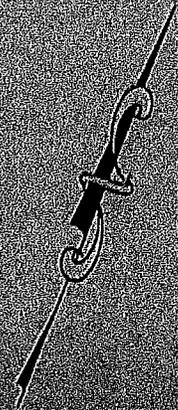

Steven W. Kulick, Chairperson
City Planning Commission

Wilburn Drive

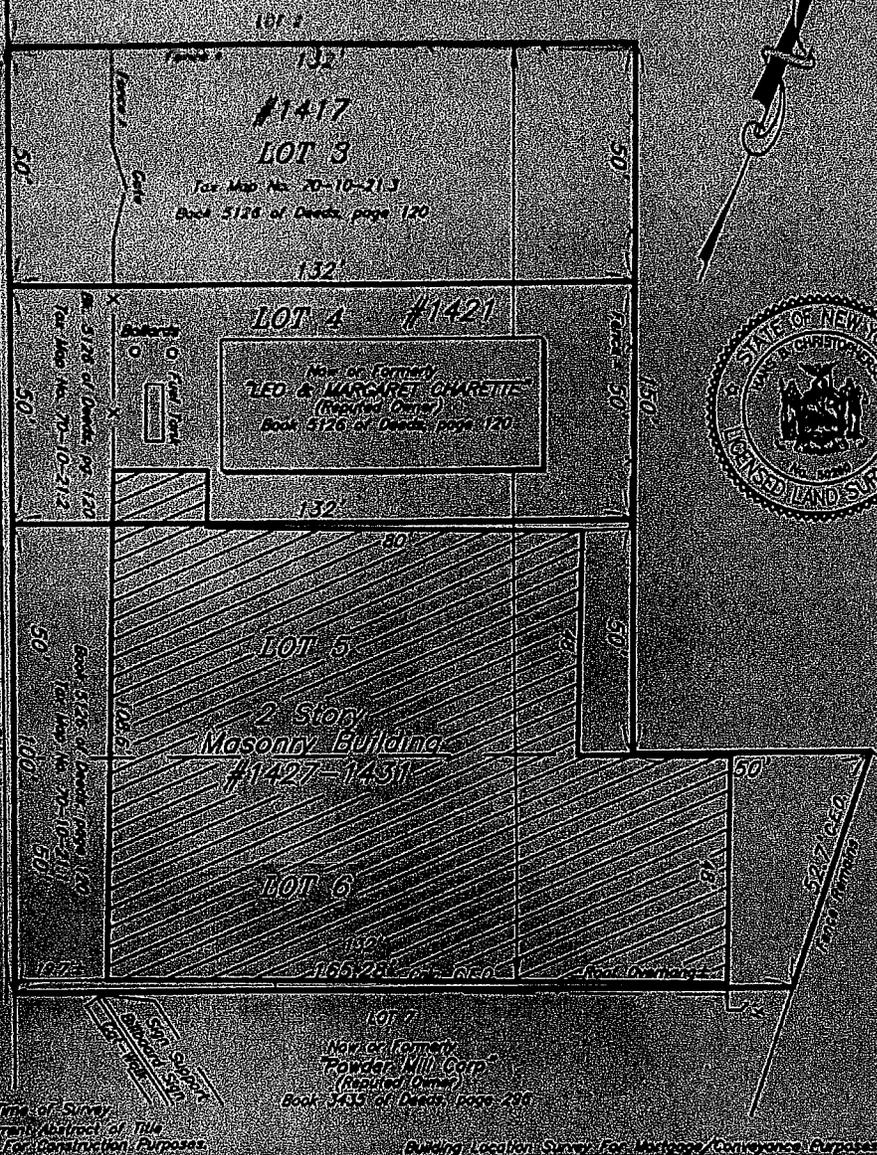
Graphic Scale



(1" = 30')
1 inch = 30 feet



Valley Drive



Show Cover At Time of Survey
Subject to a Current Abstract of Title
Not To Be Used For Construction Purposes

Building Location Survey For Mortgage/Conveyance Purposes

'LEO & MARGARET CHARETTE'
Lots 3, 4, 5 & 6 "Howard Tract"
Filed 7/2/1912, Map #1400
City of Syracuse
County of Onondaga
State of New York
Known As #1417-1431 Valley Drive

CHRISTOPHERSON
LAND SURVEYING
Syracuse & Tully, New York
Phone: (315) 437-9849

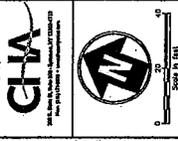
Made By: RJR
Date: 3/1/2019
Scale: 1"=30'
File: 1716AC
Disk: 60-1637

Certifications are not transferable to additional institutions for subsequent surveys.
This Certification shall apply only to the person for whom the survey was prepared and shall be for the benefit of the title company, governmental agency and lending institution listed herein, and to the assignees of the interests therein.
The Certification shall be null and void if a false survey/updates of survey is prepared and used to the detriment of the underlined surveyor or the institution. Underground structures not certified, property corner stakes, if any (found or set) are noted above.
It is a violation of Article 145 of the N.Y.S. Education Law to alter this map without the direct consent of the undersigned surveyor or his successor.
The undersigned surveyor hereby certifies that this map is made from an actual survey of the property shown herein.

(VOID UNLESS SIGNED WITH RED INK)

Christopherson
Professional Land Surveyor

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CHRISTOPHERSON Unauthorized duplication is a violation of applicable laws.
Not Certified



J & J AUTOMOTIVE
 766 W. GENESEE ST.
 SYRACUSE, NY 13204

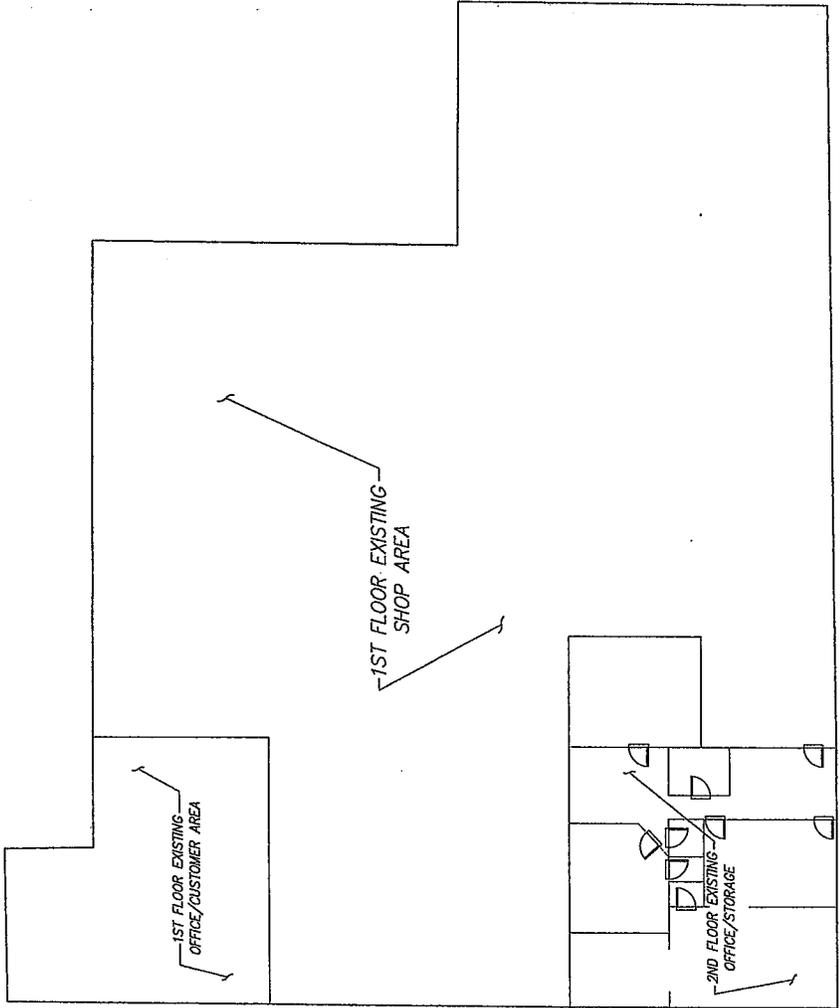
PROPOSED AUTO REPAIR
 1427 VALLEY DRIVE
 SYRACUSE, NY 13207

SITE PLAN

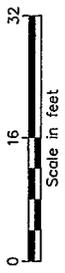
DATE	BY	REVISION

SP





EXISTING BUILDING
FLOOR PLAN



Project:	SP-19-20
Date:	8/26/2019

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

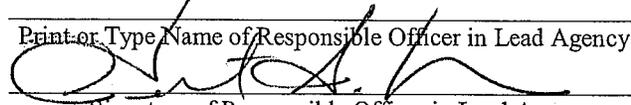
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Syracuse Planning Commission

Name of Lead Agency

Heather A. Lamendola

Print or Type Name of Responsible Officer in Lead Agency


Signature of Responsible Officer in Lead Agency

8-26-2019

Date

Zoning Administrator

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)



Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

35

Heather Lamendola
Zoning Administrator

August 27, 2019

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: SP-19-20 Special Permit for Light-Duty Motor Vehicle Repair on property situated at 1417, 1421, and 1427-1431 Valley Drive

Dear Mr. Copanas;

On August 26, 2019, the City Planning Commission adopted the above noted resolution. Copies of the resolution are attached.

No one spoke in favor of, or in opposition to the proposal.

The City Planning Commission granted one waiver from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the sign regulations.

The City Planning Commission requests that the resolution be forwarded to the entire Common Council for consideration.

Sincerely,


Heather A. Lamendola
Zoning Administrator

Ends: (6)

Owner: JRJP Properties
766 West Genesee Street
Syracuse, New York 13204

Applicant: PHI-GI Inc. d/b/a J&J Auto
766 West Genesee Street
Syracuse, New York 13204

Office of Zoning
Administration
201 E. Washington St.
Room 101
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syrgov.net

www.syrgov.net

**ORDINANCE APPROVING A SPECIAL PERMIT
FOR A TRANSITIONAL PARKING AREA ON
PROPERTY SITUATED AT 1608 WEST
GENESEE STREET**

BE IT ORDAINED, that the following resolution adopted by the City Planning Commission of the City of Syracuse on August 26, 2019, pursuant to Article V, Chapter 13, of the Charter of the City of Syracuse-1960, as amended, approving the application of Kenneth Sniper, owner and applicant, for a special permit for a transitional parking area on property situated at 1608 West Genesee Street, Syracuse, New York, pursuant to Part B, Section I, Article 9, and Part C, Section IV, Articles 1 and 2 of the Zoning Rules and Regulations of the City of Syracuse, as amended, in the manner and upon the conditions stated, be and the same hereby is consented to and approved, namely:

A RESOLUTION APPROVING A SPECIAL PERMIT FOR A TRANSITIONAL PARKING
AREA ON PROPERTY SITUATED AT 1608 WEST GENESEE STREET

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, adopt the following resolution:

WHEREAS, the applicant, Kenneth Sniper, is requesting a Special Permit for a Transitional Parking Area on property situated at 1608 West Genesee Street pursuant to Part B, Section I, Article 9 and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended; and

WHEREAS, the City Planning Commission held a Public Hearing on the request on August 26, 2019, at 6:00 p.m. in the Common Council Chambers, City Hall, Syracuse, New York, heard all those desiring to be heard, and duly recorded their testimony; and

WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and

WHEREAS, pursuant to Part C, Section IV, Article 2-3 of the City of Syracuse Zoning Rules and Regulations, as amended, all transitional parking areas shall be accessory to one or more principal uses not situated or permitted in the district in which such parking area is proposed; and

WHEREAS, per the applicant, the proposed transitional parking area is to be accessory to a principal restaurant use (Brooklyn Pickle) situated on the adjacent property to the east located at 1602 (aka 1600) West Genesee Street, which lies within a Business, Class A zoning district; and

WHEREAS, the subject property is regular in shape with approximately 50 feet of frontage on West Genesee Street; and

WHEREAS, the property lies within a Residential, Class C zoning district, as do the adjacent and neighboring properties to the west and south; adjacent and neighboring properties to the east and north lie within a Business, Class A zoning district; neighboring properties to the northwest lie within a Residential, Class B zoning district; neighboring properties to the southwest lie within a Residential, Class B1T zoning district; and

WHEREAS, land use in the area consists primarily of residential uses to the west and south and commercial, office, and retail uses to the east of Lowell Avenue; and

WHEREAS, the "Syracuse Land Use and Development Plan" designates the character of this site, which lies within the Westside neighborhood, as Adapted Mansion Corridor; and

WHEREAS, the application included a site plan (Sheet C-1) dated April 28, 2019, which illustrates a 41-foot by 101-foot, blacktop drive parking lot with 11 off-street parking spaces, a 24-foot wide driveway on West Genesee Street, and landscaping; and

WHEREAS, the proposal deviates from Part B, Section I, Article 9, paragraph 5.a of the City of Syracuse Zoning Rules and Regulations, as amended, in that the minimum front setback shall be 30 feet; the site plan illustrates the proposed parking area with a front setback of approximately 9.5 feet; and

- WHEREAS, the proposal deviates from Part B, Section I, Article 9, paragraph 6.b of the City of Syracuse Zoning Rules and Regulations, as amended, in that the maximum parking surface coverage shall be 40%; the site plan illustrates a parking surface coverage of approximately 71.5%; and
- WHEREAS, the proposal deviates from Part C, Section IV, Article 2, paragraph 3.b(5) of the City of Syracuse Zoning Rules and Regulations, as amended, in that no driveways or curb cuts shall be situated within 25 feet of the boundary of the parking area; the site plan illustrates a 24-foot wide driveway adjacent to the eastern lot boundary; and
- WHEREAS, the proposal deviates from Part C, Section IV, Article 2, paragraph 3.b(6) of the City of Syracuse Zoning Rules and Regulations, as amended, in that the portion of the required landscape area which abuts West Genesee Street shall have a width of 30 feet, but in no case to be less than 10 feet; the site plan illustrates a landscape buffer abutting West Genesee Street with a width (depth) of approximately 9.5 feet; and
- WHEREAS, the proposal necessitates four waivers from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the driveway location, front setback, parking surface, and land scape buffer regulations; and
- WHEREAS, the proposal was submitted to the City of Syracuse Departments of Engineering and Public Works for review; and
- WHEREAS, pursuant to the New York State Environmental Quality Review Act, the City Planning Commission has reviewed the subject proposal, which is an Unlisted Action and has determined that it will have no significant environmental impact based on the limited magnitude of the proposal, and therefore has issued a negative declaration; and
- WHEREAS, due consideration was given to the necessity, adequacy, and character of the proposed development, and vehicular and pedestrian circulation within the immediate vicinity; and
- WHEREAS, the proposed use is so located as not to be detrimental to adjoining zoning districts and permitted uses; and
- WHEREAS, the proposed use will not create hazardous or obnoxious conditions, and the public health, welfare, and safety will be protected; and
- WHEREAS, the proposal was found to be in character with the adjoining land use;

NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, APPROVE the application of Kenneth Sniper for a Special Permit for a Transitional Parking Area on property situated at 1608 West Genesee Street pursuant to Part B, Section I, Article 9 and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waivers from Part B, Section I, Article 9 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the front setback and parking surface coverage regulations as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waivers from Part C, Section IV, Article 2 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the driveway location and landscape buffer regulations as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that said application be approved subject to compliance with the following conditions:

1. The subject premises shall be used, operated and maintained in a neat and orderly condition at all times; all outside storage of junk, bottles, cartons, boxes, debris and the like shall be restricted to appropriately screened enclosures not visible to the general public;
2. All construction, improvements and additions relating to this proposal, including those activities required in order to comply with the conditions of this approval, shall be completed by the applicant or its agents within twelve (12) months of the date of approval of this resolution by the City of Syracuse or this approval will be considered null and void;
3. Improvements to the subject property and its use shall be substantially in accordance with the submitted plans on file in the City of Syracuse Office of Zoning Administration entitled:
 - Site Plan (Sheet C-1); Brooklyn Pickle Parking Lot; prepared by: KET; Natural Systems Engineering; dated: 4-28-19; scaled: 1"=20'-0";
4. No signage was approved as part of this application; proposed signage must be submitted to the City of Syracuse Office of Zoning Administration for review and approval;
5. Any exterior lighting of the subject proposal shall be designed, located and maintained so as to prevent any direct rays of light from shining beyond the boundaries of the subject property;

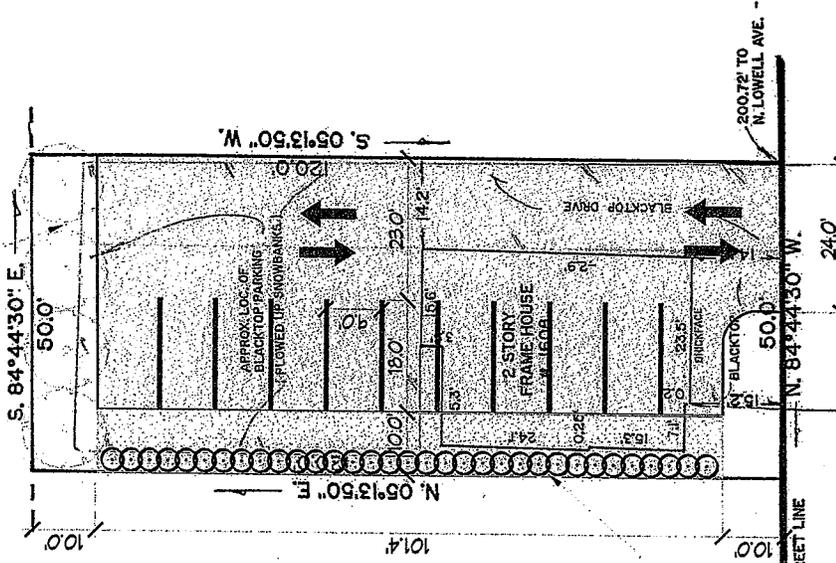
BE IT FURTHER RESOLVED that approval of this resolution does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities to include, but not limited to the City of Syracuse Departments of Engineering and Public Works, and the Code Enforcement Office;

BE IT FURTHER RESOLVED that if the conditions enumerated above are not complied with, this Special Permit shall be subject to revocation;

BE IT FURTHER RESOLVED that this resolution is subject to the consent and approval of the Common Council of the City of Syracuse.


Steven W. Kulick, Chairperson
City Planning Commission

MAINTAIN EX. TREES



SITE PLAN
SCALE: 1"=20'-0"

WEST GENESEE STREET

ONLY COPIES OF THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S RAISED SEAL AND SIGNATURE IN RED INK, SHALL BE CONSIDERED VALID COPIES.
 UNLICENSED PERSONS IN ADDITION TO A SURVEYOR BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
 CERTIFICATIONS INDICATED HEREON SHALL APPLY ONLY TO THE PERSONS FOR WHICH THIS SURVEY WAS PERFORMED AND ON THEIR BEHALF TO THE TITLE INSURANCE COMPANY, COVERING AGENCY AND LENDING INSTITUTION AND TO THE ASSIGNEE OF THE LENDING INSTITUTION, AND/OR SUBSEQUENT OWNERS.
 THIS MAP MAY NOT BE USED IN CONNECTION WITH A SURVEY AFFIDAVIT OR ANY SUBSEQUENT OR FUTURE GRANTEES.
 SMALL DOCUMENT, STATEMENT OR REQUEST TO OBTAIN TITLE RESUME FOR THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

GREEN SCREENING STRIP

NO.	BY	DATE	DESCRIPTION

WARNING: (PER SECTION 7209 SUBDIVISION 2, N.Y.S. EDUCATION LAW) IT IS A VIOLATION OF SAID LAW TO ALTER ANY PORTION OF THIS

STAMP:

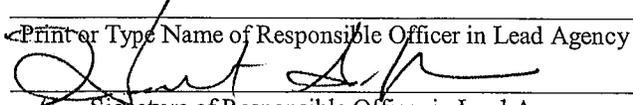
NATURAL SYSTEMS ENGINEERING

SCALE:	AS NOTED
CLIENT:	Brooklyn Pickle W. Genesee Street Syracuse, New York
DATE:	4-28-19
PROJECT:	Parking Lot W. Genesee Street Syracuse, New York
PREPARED BY:	KET
TITLE:	SITE PLAN

Project: SP-19-21
 Date: 8-26-2019

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
City of Syracuse Planning Commission	<u>8-26-2019</u>
_____ Name of Lead Agency	_____ Date
Heather A. Lamendola	Zoning Administrator
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
 Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT FORM



Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

Heather Lamendola
Zoning Administrator

August 27, 2019

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: SP-19-21 Special Permit for a Transitional Parking Area on property situated at 1608 West Genesee Street

Dear Mr. Copanas;

On August 26, 2019, the City Planning Commission adopted the above noted resolution. Copies of the resolution are attached.

No one spoke in favor of, or in opposition to the proposal.

The City Planning Commission granted four waivers from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the driveway location, front setback, parking surface, and landscape buffer regulations.

The City Planning Commission requests that the resolution be forwarded to the entire Common Council for consideration.

Sincerely,

Heather A. Lamendola
Zoning Administrator

Ends: (6)

Owner/Applicant: Kenneth Sniper
536 Hickok Avenue
Syracuse, New York 13206

Office of Zoning
Administration
201 E. Washington St.
Room 101
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syr.gov.net

www.syr.gov.net

ORDINANCE APPROVING IN PART A SPECIAL PERMIT FOR A GASOLINE STATION WITH A RESTAURANT WITHIN A CONVENIENCE STORE ON PROPERTY SITUATED AT 401, 407 AND 415 EAST BRIGHTON AVENUE

BE IT ORDAINED, that the following resolution adopted by the City Planning Commission of the City of Syracuse on August 26, 2019, pursuant to Article V, Chapter 13, of the Charter of the City of Syracuse-1960, as amended, approving in part the application of GAT 7393, LLC, owner, and Mirabito Holdings, Inc., applicant, for a special permit for a gasoline station with a restaurant within a convenience store on property situated at 401, 407 and 415 East Brighton Avenue, Syracuse, New York, pursuant to Part B, Section III, Article 2, Part B, Section V, Article 2, and Part C, Section IV, Articles 1 and 2 of the Zoning Rules and Regulations of the City of Syracuse, as amended, in the manner and upon the conditions stated, be and the same hereby is consented to and approved, namely:

A RESOLUTION APPROVING IN PART A SPECIAL PERMIT
FOR A GASOLINE STATION WITH A RESTAURANT WITHIN A CONVENIENCE STORE
ON PROPERTY SITUATED AT 401, 407, AND 415 EAST BRIGHTON AVENUE

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, adopt the following resolution:

- WHEREAS, the applicant, Mirabito Holdings, Inc, is requesting a Special Permit to establish a Gasoline Station with a Restaurant within a Convenience Store on property situated at 401, 407, and 415 East Brighton Avenue pursuant to Part B, Section III, Article 2, Part B, Section V, Article 2, and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended; and
- WHEREAS, the City Planning Commission held a Public Hearing on the request on August 5 and August 26, 2019, at 6:00 p.m. in the Common Council Chambers, City Hall, Syracuse, New York, heard all those desiring to be heard, and duly recorded their testimony; and
- WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and
- WHEREAS, the subject properties are irregular in shape with approximately 381 feet of frontage on East Brighton Avenue and 144.91 feet of frontage on Thurber Street; and
- WHEREAS, the properties lie within Business, Class A and Commercial, Class B zoning districts, as do the adjacent and neighboring properties to the south and west; adjacent and neighboring properties to the east lie within a Residential, Class B zoning district; adjacent and neighboring properties to the north lie within Residential, Class A-1 and Residential, Class C zoning districts; and
- WHEREAS, land use in the area consists primarily of residential uses to the east and commercial, retail, and office uses along East Brighton Avenue; and
- WHEREAS, the "Syracuse Land Use and Development Plan" designates the character of this site, which lies within the Eastside neighborhood, as Suburban Commercial; and
- WHEREAS, the City Planning Commission approved a Change of Zone (Z-2781) on April 15, 2015, to change the zoning designation for 401 East Brighton Avenue from Residential, Class C to Business, Class A; and
- WHEREAS, during the Public Hearing, the applicant stated that the hours of operation for the gasoline station and convenience store will be from 6:00 a.m. until 11:00 p.m., Sunday through Saturday; per the application, there will be a maximum of five employees on premises at one time; and
- WHEREAS, the applicant is proposing to install 14 signs totaling 408.65 square feet; and

- WHEREAS, the application included a layout plan (Sheet C-101) which illustrates a proposed, 4,800-square foot building with approximately 175 square feet of outdoor customer seating, four proposed fuel islands, a proposed fuel canopy, a dumpster enclosure, two snow storage areas, a proposed, six-foot high, solid vinyl fence, a proposed stormwater management basin, a proposed pylon sign, 23 off-street parking spaces, and three 24-foot wide driveways, one on Thurber Street and two on East Brighton Avenue; and
- WHEREAS, the application included a landscape plan (Sheet C-401) which illustrates 150 Dark American Arborvitae parallel to the six-foot high vinyl fence in addition to other site landscaping; and
- WHEREAS, the application included a proposed floor plan for the convenience store (Sheet A-110) which illustrates approximately 4,621 square feet of floor area with approximately 552 square feet (46'x12") with a seating area available for the restaurant operation; and
- WHEREAS, the proposal requires 44 off-street parking spaces consisting of 6 spaces for the gasoline station (C-IV-2-1), 14 spaces for 4,069 square feet of retail floor space (C-III-1) and 24 spaces for 727 square feet of restaurant interior and exterior floor space (C-IV-2-8.1); the applicant is proposing 23 spaces; and
- WHEREAS, the application included proposed exterior elevations (Sheets A-200 and A-201) which illustrate finishing materials and colors, and two of the three proposed wall signs; and
- WHEREAS, the proposal deviates from Part C, Section VI, Article 14 of the City of Syracuse Zoning Rules and Regulations, as amended, in that Special Permit Uses are allowed one wall and one ground sign, neither to exceed 40 square feet; the applicant is proposing to install 14 signs totaling 408.65 square feet; and
- WHEREAS, the proposal deviates from Part C, Section IV, Article 2-1, paragraph h(2) of the City of Syracuse Zoning Rules and Regulations, as amended, in that driveways located next to a residential district shall provide not less than ten feet spacing between such property line and the nearest boundary of the driveway; the site plan illustrates an access driveway behind the proposed building that abuts the adjacent property which lies within a Residential, Class B zoning district; and
- WHEREAS, the proposal deviates from Part C, Section IV, Article 2-8.1, paragraph d.(1) of the City of Syracuse Zoning Rules and Regulations, as amended, in that the proposal requires 44 off-street parking spaces and the site plan illustrates 23 off-street parking spaces; and
- WHEREAS, the proposal deviates from Part C, Section IV, Article 2-8.1, paragraph d.(9) of the City of Syracuse Zoning Rules and Regulations, as amended, in that a minimum of eight feet in width, measured inward from the street line for the entire length of the sidewalk, exclusive of approach drives, shall be reserved for landscape treatment; the site plan illustrates five feet in width measured inward from the street line for the length of the sidewalk between the two driveways on East Brighton Avenue; and

WHEREAS, the proposal necessitates four waivers from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the sign, driveway location, off-street parking, and landscape treatment regulations; and

WHEREAS, the proposal was submitted to multiple City departments and agencies for review; received comments include, but are not limited to:

- one curb-cut per parcel;
- locate sidewalks at property line;
- deconflict proposed interior pedestrian circulation/crossings with stop bar locations;
- incorporate additional plant materials along East Brighton Avenue;
- incorporate a three-foot snow shelf between the street curbs and the sidewalks at the corner of Thurber and E Brighton;
- prevent sheet draining to adjoining properties and city right-of-way;
- right-in, right-out driveway on Thurber Street would be safer; and

WHEREAS, the proposal was reviewed by the Onondaga County Planning Board pursuant to GML §239-1, m and n, which determined that the proposal will have no significant adverse inter-community or county-wide implications, and offered two comments regarding community appearance and the ReZone Syracuse project; and

WHEREAS, pursuant to Part C, Section IV, Article 2-1 of the City of Syracuse Zoning Rules and Regulations, as amended, the City Planning Commission determined that the location:

- is not detrimental to adjoining zoning districts and permitted uses;
- is not detrimental to the orderly flow of pedestrian and vehicular traffic on-site and off-site;
- will not create hazardous or obnoxious conditions;
- is approvable by any other municipal department having jurisdiction over the proposed use or its appurtenant facilities; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, the City Planning Commission has reviewed the subject proposal, which is an Unlisted Action and has determined that it will have no significant environmental impact based on the limited magnitude of the proposal, and therefore has issued a negative declaration; and

WHEREAS, due consideration was given to the necessity, adequacy, and character of the proposed development, and vehicular and pedestrian circulation within the immediate vicinity; and

WHEREAS, the proposed use is so located as not to be detrimental to adjoining zoning districts and permitted uses; and

WHEREAS, the proposed use will not create hazardous or obnoxious conditions, and the public health, welfare, and safety will be protected; and

WHEREAS, the proposal was found to be in character with the adjoining land use;

NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 26th day of August, 2019, APPROVE IN PART the application of Mirabito Holdings, Inc for a Special Permit to establish a Gasoline Station with a Restaurant within a Convenience Store on property situated at 401, 407, and 415 East Brighton Avenue pursuant to Part B, Section III, Article 2, Part B, Section V, Article 2, and Part C, Section IV, Articles 1 and 2 of the City of Syracuse Zoning Rules and Regulations, as amended;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waivers from Part C, Section IV, Article 2-8.1 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the access driveway location, off-street parking, and landscape treatment regulations as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that this Commission GRANTS the requested waivers from Part C, Section VI, Article 14 of the City of Syracuse Zoning Rules and Regulations, as amended, as they pertain to the sign regulations as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that said application be APPROVED IN PART so as not to include any driveway access from or onto Thurber Street;

BE IT FURTHER RESOLVED that said application be approved subject to compliance with the following conditions:

1. The subject premises shall be used, operated and maintained in a neat and orderly condition at all times; all outside storage of junk, bottles, cartons, boxes, debris and the like shall be restricted to appropriately screened enclosures not visible to the general public;
2. All construction, improvements and additions relating to this proposal, including those activities required in order to comply with the conditions of this approval, shall be completed by the applicant or its agents within twelve (12) months of the date of approval of this resolution by the City of Syracuse or this approval will be considered null and void;
3. Improvements to the subject property and its use shall be substantially in accordance with the submitted plans on file in the City of Syracuse Office of Zoning Administration entitled:
 - Boundary & Topographic Survey; 415 East Brighton Avenue; Lot 45.1 & 46.1/Block 2; City of Syracuse, Onondaga County, State of New York; prepared by: John E. Quinn, Jr. New York Professional Land Surveyor #50269; dated: 03.26.2019; scaled: 1"=20'
 - Layout Plan (Sheet C-101); Proposed Mirabito Development; 415 E. Brighton Avenue; prepared by: James Francis Trasher, Licensed Professional Engineer; dated: 06/10/2019; last revised: 08/28/19; scaled: 1"=20';
 - Landscape Plan (Sheet C-401); Proposed Mirabito Development; 415 E. Brighton Avenue; prepared by: James Francis Trasher, Licensed Professional Engineer; dated: 06/10/2019; last revised: 08/28/19; scaled: 1"=20';
 - Proposed Floor Plan (Sheet A-110); Mirabito Energy Products; 415 East Brighton Avenue; prepared by: RAV Architect P.C.; dated: 07-18-18; scaled: ¼"=1'-0";
 - Proposed Exterior Elevations (Sheets A-200 and A-201); Mirabito Energy Products; 415 East Brighton Avenue; prepared by: RAV Architect P.C.; dated: 07-18-18; last revised: 12-07-18; scaled: ¼"=1'-0";
 - Sign Details (5 pages); Mirabito, 415 East Brighton Ave; prepared by: Matzo electric Signs; dated: August 12, 2019; scaled: as noted;

4. Signage for the proposal is limited to 15 signs totaling 688 square feet, as noted in condition number three above;

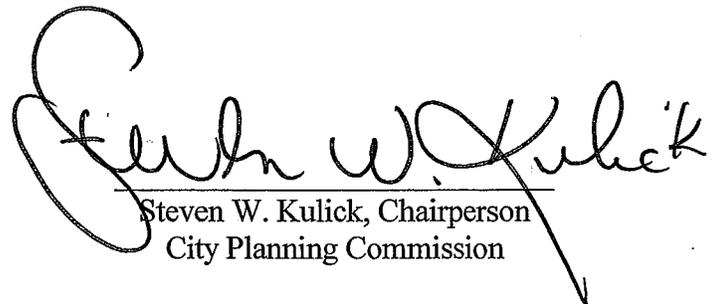
5. Any exterior lighting of the subject proposal shall be designed, located and maintained so as to prevent any direct rays of light from shining beyond the boundaries of the subject property;

BE IT FURTHER RESOLVED that the applicant shall abide by the hours of operation as identified in the preamble to this resolution;

BE IT FURTHER RESOLVED that approval of this resolution does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities to include, but not limited to the City of Syracuse Departments of Engineering and Public Works, and the Code Enforcement Office;

BE IT FURTHER RESOLVED that if the conditions enumerated above are not complied with, this Special Permit shall be subject to revocation;

BE IT FURTHER RESOLVED that this resolution is subject to the consent and approval of the Common Council of the City of Syracuse.



Steven W. Kulick, Chairperson
City Planning Commission



ISSUED FOR APPROVALS

No.	Description	Date
1	Initial Design	10/15/18
2	Site Plan	11/15/18
3	Site Plan	12/15/18
4	Site Plan	01/15/19
5	Site Plan	02/15/19
6	Site Plan	03/15/19
7	Site Plan	04/15/19
8	Site Plan	05/15/19
9	Site Plan	06/15/19
10	Site Plan	07/15/19
11	Site Plan	08/15/19
12	Site Plan	09/15/19
13	Site Plan	10/15/19
14	Site Plan	11/15/19
15	Site Plan	12/15/19

TOPSOIL NOTES

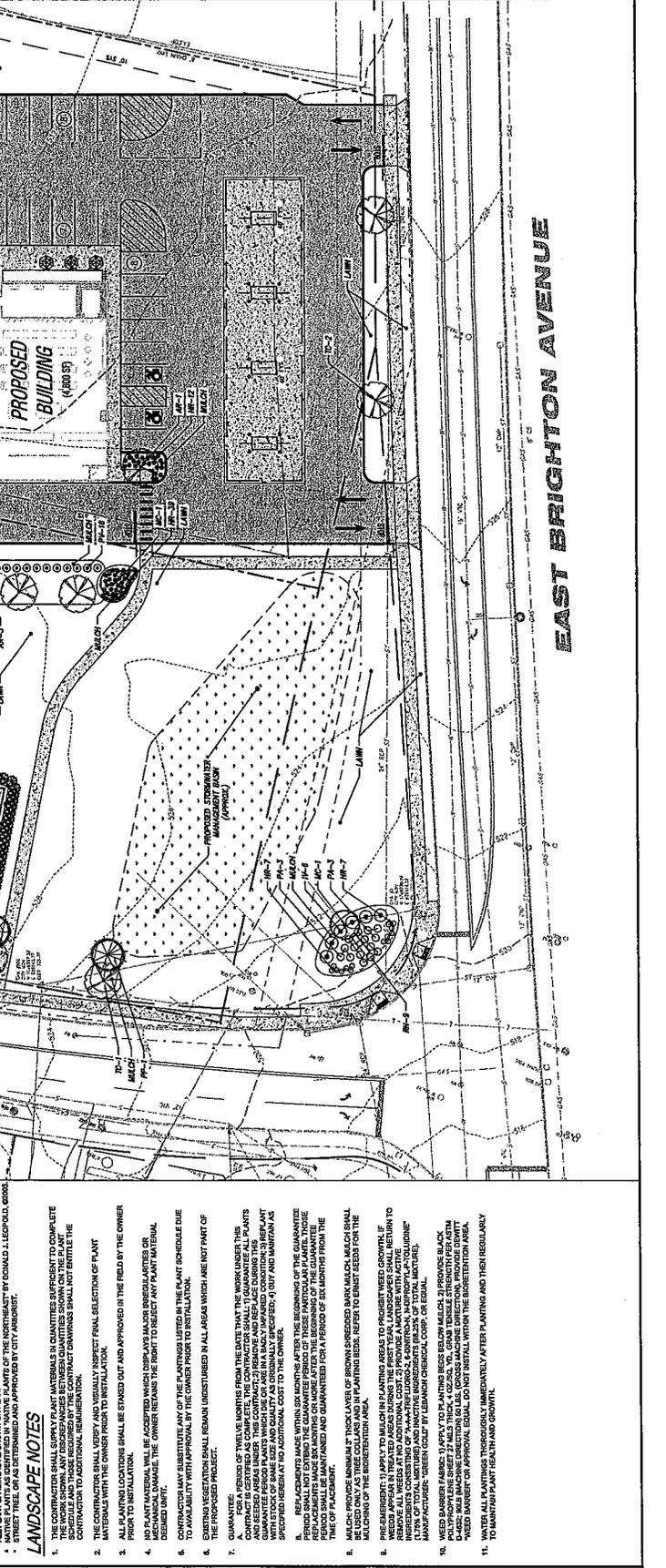
- ALL AREAS TO BE SEED OR SOIL SHALL BE SOWN WITH THE FOLLOWING SEEDING MIX:
50% MEDIUM TEXTURE BULMGRASS
20% BENTGRASS
20% PERENNIAL RYEGRASS
10% KYRSTON BLEGRASS
- SEEDING MIX SHALL NOT EXCEED 100%.
- THE SEED MIXTURE SHALL BE DISTRIBUTED BY MEANS OF HYDRO-SEEDING.
- THE FERTILIZER SHALL BE 5-10-5 COMMERCIAL GRADE FERTILIZER APPLIED AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE.
- SEEDING APPLICATION RATE SHALL BE 1.000 SQ. FT.
- WATER THOROUGHLY IMMEDIATELY AFTER SEEDING AND THEN REGULARLY TO MAINTAIN PLANT HEALTH AND GROWTH.
- NATURAL TOPSOIL MAY BE AMENDED WITH APPROVED AMENDMENTS, BY APPROVED METHODS, TO MEET THE ABOVE SPECIFICATIONS.

SEEDING NOTES

- ALL AREAS TO BE SEED OR SOIL SHALL BE SOWN WITH THE FOLLOWING SEEDING MIX:
50% MEDIUM TEXTURE BULMGRASS
20% BENTGRASS
20% PERENNIAL RYEGRASS
10% KYRSTON BLEGRASS
- SEEDING MIX SHALL NOT EXCEED 100%.
- THE SEED MIXTURE SHALL BE DISTRIBUTED BY MEANS OF HYDRO-SEEDING.
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- WATER THOROUGHLY IMMEDIATELY AFTER SEEDING AND THEN REGULARLY TO MAINTAIN PLANT HEALTH AND GROWTH.
- NATURAL TOPSOIL MAY BE AMENDED WITH APPROVED AMENDMENTS, BY APPROVED METHODS, TO MEET THE ABOVE SPECIFICATIONS.

PLANTING SCHEDULE 1

SYMBOL	QTY	GENUS & SPECIES	COMMON NAME	PLANTING SIZE (AS NOTED)	ROOT	NATURE SIZE (HEIGHT x WIDTH)	NOTES
TREES							
AR	4	Acor rubrum 'Frank-A-L'	Red Maple	2.5-3" CAL	B&B	40' x 30'	Red In Fall
MC	2	Malva 'Crimson'	Crimson Cheesecake	2.5-3" CAL	B&B	10' x 12'	Red-Pink Flowers
PP	5	Picea pungens	Colorado Blue Spruce	7-8' HT.	B&B	50' x 20'	Evergreen
TO	150	Thuja occidentalis 'Nigra'	Dark American Arborvitae	7-8' HT.	B&B	20' x 6'	Evergreen
TC	7	Tilia cordata 'Greenlight'	Greenspire Linden	2.5-3" CAL	B&B	50' x 30'	Yellow In Fall
SHRUBS							
HR	67	Hydrangea x Riley	Ruby Spider Dogwood	2 GAL.	CONT.	3' x 2'	Red Flowers In Summer
IV	8	Ironwood 'Blue Chip'	Ironwood	3 GAL.	CONT.	4' x 4'	Red Berries In Winter
PV	16	Prunella 'Majestic'	Majestic Spitch Grass	3 GAL.	CONT.	3' x 3'	Ornamental Grass
PA	6	Panicum 'Indigo'	Blue Nest Spurge	2 GAL.	CONT.	3' x 3'	Evergreen
RN	9	Rosa x 'Nora'	Rose 'Crimson'	2 GAL.	CONT.	2' x 3'	Red Flowers In Summer
VO	66	Viburnum dentatum 'Blue'	Blue Multiflora Viburnum	8 GAL.	CONT.	4' x 4'	Yellow-Red In Fall



1. ALL PLANTING SPECIES AS SHOWN ON THIS PLAN SHALL BE QUANTITIES AS SHOWN IN THE PLANTING SCHEDULE AND THE NOTES TO THE SCHEDULE. THE NOTES TO THE SCHEDULE SHALL BE QUANTITIES AS SHOWN ON THIS PLAN. THE NOTES TO THE SCHEDULE SHALL BE QUANTITIES AS SHOWN ON THIS PLAN. THE NOTES TO THE SCHEDULE SHALL BE QUANTITIES AS SHOWN ON THIS PLAN.

LANDSCAPE NOTES

- ALL PLANTING SPECIES AS SHOWN ON THIS PLAN SHALL BE QUANTITIES AS SHOWN IN THE PLANTING SCHEDULE AND THE NOTES TO THE SCHEDULE. THE NOTES TO THE SCHEDULE SHALL BE QUANTITIES AS SHOWN ON THIS PLAN. THE NOTES TO THE SCHEDULE SHALL BE QUANTITIES AS SHOWN ON THIS PLAN.
- STREET TREES OR AS DETERMINED AND APPROVED BY CITY ENGINEER.
- ALL PLANTING LOCATIONS SHALL BE STAKED OUT AND APPROVED IN THE FIELD BY THE OWNER PRIOR TO INSTALLATION.
- NO PLANT MATERIAL WILL BE ACCEPTED WHEN DISPLAYS MAJOR DEFECTS OR DEFECTS ARE OBSERVED. THE OWNER REMAINS THE RIGHT TO REJECT ANY PLANT MATERIAL THAT DOES NOT MEET THE ABOVE SPECIFICATIONS.
- CONTRACTOR MAY SUBSTITUTE ANY OF THE PLANTINGS LISTED IN THE PLANT SCHEDULE DUE TO AVAILABILITY WITH APPROVAL BY THE OWNER PRIOR TO INSTALLATION.
- EXISTING VEGETATION SHALL REMAIN UNDISTURBED IN ALL AREAS WHICH ARE NOT PART OF THE PROPOSED PROJECT.
- QUANTITIES OF PLANTS FROM THE DATE THAT THE WORK UNDER THIS CONTRACT BEGINS TO THE DATE THAT THE CONTRACTOR SHALL GUARANTEE ALL PLANTS TO BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT. THE CONTRACTOR SHALL GUARANTEE ALL PLANTS TO BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT. THE CONTRACTOR SHALL GUARANTEE ALL PLANTS TO BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT.
- REPLACEMENTS SHALL BE MADE WITHIN 60 DAYS AFTER THE BEGINNING OF THE GUARANTEE PERIOD SHALL NOT EXCEED THE GUARANTEE PERIOD OF THESE PARTICULAR PLANTS. THESE REPLACEMENTS SHALL BE MADE WITHIN 60 DAYS AFTER THE BEGINNING OF THE GUARANTEE PERIOD SHALL NOT EXCEED THE GUARANTEE PERIOD OF THESE PARTICULAR PLANTS. THESE REPLACEMENTS SHALL BE MADE WITHIN 60 DAYS AFTER THE BEGINNING OF THE GUARANTEE PERIOD SHALL NOT EXCEED THE GUARANTEE PERIOD OF THESE PARTICULAR PLANTS.
- MULCH: PROVIDE MINIMUM 2" THICK LAYER OF BROWN SHEDDED BARK MULCH. MULCH SHALL BE APPLIED TO ALL PLANTING AREAS. MULCH SHALL BE APPLIED TO ALL PLANTING AREAS. MULCH SHALL BE APPLIED TO ALL PLANTING AREAS.
- WATER: PROVIDE IRRIGATION SYSTEM TO ALL PLANTING AREAS. IRRIGATION SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT. IRRIGATION SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT. IRRIGATION SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE TERM OF THE CONTRACT.
- WEEDS: PROVIDE WEED CONTROL THROUGHOUT THE TERM OF THE CONTRACT. WEEDS SHALL BE CONTROLLED THROUGHOUT THE TERM OF THE CONTRACT. WEEDS SHALL BE CONTROLLED THROUGHOUT THE TERM OF THE CONTRACT.
- SOIL: PROVIDE SOIL TESTS FOR ALL PLANTING AREAS. SOIL TESTS SHALL BE CONDUCTED AND APPROVED BY THE OWNER PRIOR TO INSTALLATION. SOIL TESTS SHALL BE CONDUCTED AND APPROVED BY THE OWNER PRIOR TO INSTALLATION. SOIL TESTS SHALL BE CONDUCTED AND APPROVED BY THE OWNER PRIOR TO INSTALLATION.
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Project: SP-19-17

Date: 8-26-2019

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

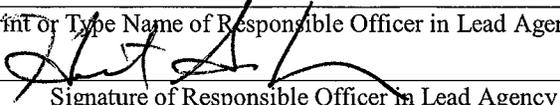
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	JP-19-17
Date:	8-26-2019

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
City of Syracuse Planning Commission	8-26-2019
_____ Name of Lead Agency	_____ Date
Heather A. Lamendola	Zoning Administrator
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
 Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)



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Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

Heather Lamendola
Zoning Administrator

August 27, 2019

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: SP-19-17 Special Permit for a Gasoline Station with a Restaurant within a Convenience Store on property situated at 401, 407, and 415 East Brighton Avenue

Dear Mr. Copanas;

On August 26, 2019, the City Planning Commission adopted the above noted resolution, which was approved IN PART. Copies of the resolution are attached.

No one spoke in favor of the proposal. Four people spoke in opposition to the proposal.

The City Planning Commission granted four waivers from the City of Syracuse Zoning Rules and Regulations, as amended, with respect to the sign, driveway location, off-street parking, and landscape treatment regulations.

The City Planning Commission requests that the resolution be forwarded to the entire Common Council for consideration.

Sincerely,

Heather A. Lamendola
Zoning Administrator

Ends: (6)

Owner: GAT 7393, LLC
614 James Street
Syracuse, New York 13203

Applicant: Mirabito Holdings, Inc.
The Metro Center, 49 Court Street
P.O. Box 5306
Binghamton, New York 13901

Office of Zoning
Administration
201 E. Washington St.
Room 101
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syrgov.net

www.syrgov.net

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3850

Ordinance No.

2019

**ORDINANCE AUTHORIZING SALE OF ALL
THE RIGHT, TITLE AND INTEREST OF THE
CITY OF SYRACUSE IN AND TO 152
LYNHURST AVENUE WEST FOR A TOTAL OF
\$151.00**

WHEREAS, the Commissioner of Assessment hereby requests an ordinance authorizing the sale of all the right, title and interest of the City of Syracuse in and to the premises known as 152 Lynhurst Avenue West, being Lot 28, Tract Lynhurst, Section 076, Block -10, Lot -40.0 (076.-10-40.0), Property No. 1454103500, 40 x 138 Wood House & Garage to Greater Syracuse Property Development Corporation for a total of \$151.00; NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that upon payment to the Commissioner of Finance of the sum of \$1.00 plus \$150.00 for title work for a total of \$151.00 by Greater Syracuse Property Development Corporation, the said Commissioner of Finance be and he hereby is authorized to apply the sum of \$1.00 toward the payment of delinquent taxes, exclusive of fees and penalties, to cancel and discharge said delinquency, and to issue his receipts and discharges thereof, charging the uncollected taxes to account #269404.01 and the cost of title fee of \$150.00 deposited to account #426620.01; the City of Syracuse to pay all quarters due at the date of closing, for the current year's tax, said share of pro-rated tax to be determined by the Commissioner of Finance; this bid is contingent upon the City of Syracuse discharging any miscellaneous charges not presently a lien against the said premises; and the Mayor is hereby authorized and empowered to make, execute and deliver a deed of the City's right, title and interest in and to said premises to Greater Syracuse Property Development Corporation, said deed to be approved as to manner, form and execution by the Corporation Counsel.



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DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

10 July 2019

David M. Clifford
Commissioner

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

Ann E. Gallagher
First Deputy
Commissioner

Attn: Members of the Common Council

Dear City Clerk Copanas:

REQUEST FOR ORDINANCE TO AUTHORIZE SALE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF SYRACUSE IN AND TO THE PREMISES KNOWN AS: 152 LYNHURST AVENUE WEST TO GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION FOR A TOTAL OF \$151

This Department requests an ordinance to authorize sale of all the right, title and interest of the City of Syracuse in and to the premises known as:

152 Lynhurst Avenue West
Lot 28 Tract Lynhurst
076.-10-40.0
Property # 1454103500
40 x 138 WH x GAR F

The Commissioner of Finance shall apply \$1.00 of the purchase price by the proposed purchaser towards the payment of the delinquent taxes, excluding fees and penalties. Said Commissioner shall determine the amount, issue his warrant, cancel and discharges. The allowance for uncollected taxes shall be charged to 269404 01. A fee of \$150 for title work will be collected and deposited into account 426620 01.

The City of Syracuse shall discharge all quarters due at the time of closing for the current year's tax. The pro-ration shall be determined by the Commissioner of Finance. This bid is contingent upon the City discharging miscellaneous and any other charges not presently a lien against the said premises.

**Department of
Assessment**

233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

Very truly yours,

David M. Clifford
Commissioner

5

Ordinance No.

2019

**ORDINANCE AUTHORIZING SALE OF ALL
THE RIGHT, TITLE AND INTEREST OF THE
CITY OF SYRACUSE IN AND TO 381
CORTLAND AVENUE FOR A TOTAL OF \$151.00**

WHEREAS, the Commissioner of Assessment hereby requests an ordinance authorizing the sale of all the right, title and interest of the City of Syracuse in and to the premises known as 381 Cortland Avenue, being Lot 3 P 13, Block 1005, Tract Furman, Section 085, Block -13, Lot -02.0 (085.-13-02.0), Property No. 1819003800, 76.05 x 187 Angular Vacant Lot to Greater Syracuse Property Development Corporation for a total of \$151.00; NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that upon payment to the Commissioner of Finance of the sum of \$1.00 plus \$150.00 for title work for a total of \$151.00 by Greater Syracuse Property Development Corporation, the said Commissioner of Finance be and he hereby is authorized to apply the sum of \$1.00 toward the payment of delinquent taxes, exclusive of fees and penalties, to cancel and discharge said delinquency, and to issue his receipts and discharges thereof, charging the uncollected taxes to account #269404.01 and the cost of title fee of \$150.00 deposited to account #426620.01; the City of Syracuse to pay all quarters due at the date of closing, for the current year's tax, said share of pro-rated tax to be determined by the Commissioner of Finance; this bid is contingent upon the City of Syracuse discharging any miscellaneous charges not presently a lien against the said premises; and the Mayor is hereby authorized and empowered to make, execute and deliver a deed of the City's right, title and interest in and to said premises to Greater Syracuse Property Development Corporation, said deed to be approved as to manner, form and execution by the Corporation Counsel.



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DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

02 August 2019

David M. Clifford
Commissioner

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

Ann E. Gallagher
First Deputy
Commissioner

Attn: Members of the Common Council

Dear City Clerk Copanas:

REQUEST FOR ORDINANCE TO AUTHORIZE SALE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF SYRACUSE IN AND TO THE PREMISES KNOWN AS: 381 CORTLAND AVENUE TO GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION FOR A TOTAL OF \$151

This Department requests an ordinance to authorize sale of all the right, title and interest of the City of Syracuse in and to the premises known as:

381 Cortland Avenue
Lot 3 P 13 BL1005 Tract Furman
085.-13-02.0
Property # 1819003800
76.05x187 ANG VAC

The Commissioner of Finance shall apply \$1.00 of the purchase price by the proposed purchaser towards the payment of the delinquent taxes, excluding fees and penalties. Said Commissioner shall determine the amount, issue his warrant, cancel and discharges. The allowance for uncollected taxes shall be charged to 269404 01. A fee of \$150 for title work will be collected and deposited into account 426620 01.

The City of Syracuse shall discharge all quarters due at the time of closing for the current year's tax. The pro-ration shall be determined by the Commissioner of Finance. This bid is contingent upon the City discharging miscellaneous and any other charges not presently a lien against the said premises.

**Department of
Assessment**
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

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Very truly yours,

David M. Clifford
Commissioner

JA

ORDINANCE DETERMINING THAT AN ACTION TO ADOPT A PROPOSED REZONE SYRACUSE ZONING ORDINANCE AND MAP IS A TYPE I ACTION AND MAY HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT WHICH THEREFORE REQUIRES A POSITIVE DECLARATION UNDER SEQRA

WHEREAS, adoption of a ReZone Syracuse Zoning Ordinance and Map (the ‘Project’) is an Action by the Common Council, subject to the approval of the Mayor; and

WHEREAS, the Common Council on July 29, 2019, by Ordinance No. 478-2019, designated the Common Council of the City of Syracuse to act as Lead Agency relative to the proposed Project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), the City of Syracuse (the “City”), acting through its Common Council, intends to comply with the SEQR Act and the Regulations with respect to the Project; and

WHEREAS, in furtherance of this objective, the Syracuse-Onondaga County Planning Agency (“SOCPA”), acting on behalf of the Common Council as Lead Agency, prepared a Full Environmental Assessment Form (“FEAF”) for the Project (a copy of the FEAF is attached hereto as Exhibit “A”); and

WHEREAS, pursuant to the Regulations, the Common Council, acting on behalf of the City, has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the FEAF for

the Project, together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of relevant environmental concern;

NOW, THEREFORE,

BE IT ORDAINED, that, subject to the approval of the Mayor, this Common Council authorizes the following findings and determinations:

Based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Common Council's knowledge of the area surrounding the Project and such further investigation of the Project and its potential environmental impact as the Common Council has deemed appropriate, the Common Council makes the following findings and determinations:

1. The Project is described as set forth in Exhibit "A"; and
2. The Project constitutes a "Type I Action" (as the quoted term is defined in the Regulations); and
3. A potential environmental impact is noted in the FEAF for the Project. Therefore, the Common Council, as Lead Agency, hereby determines that the Project may have a significant adverse environmental impact, and therefore the Common Council will require the preparation of a Generic Environmental Impact Statement ("GEIS") with respect to the Project and the issuance of a positive declaration pursuant to SEQRA; and

BE IT FURTHER ORDAINED, that as a consequence of such determination and in compliance with the requirements of the SEQR Act and the Regulations, the Common Council directs the Corporation Counsel and the Zoning Administrator, along with such support staff as

necessary, including SOCPA, to prepare a Positive Declaration and a GEIS; and

BE IT FURTHER ORDAINED, that the Positive Declaration and GEIS for the Project be filed in accordance with the Regulations; and

BE IT FURTHER ORDAINED, that the Corporation Counsel, the Zoning Administrator and SOCPA are hereby authorized to take whatever steps are necessary to carry out this Ordinance and to comply with applicable SEQRA regulations and requirements for this Project; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Re Zone Syracuse		
Project Location (describe, and attach a general location map): The City of Syracuse.		
Brief Description of Proposed Action (include purpose or need): The ReZone project is a complete redrafting of the City of Syracuse Zoning Ordinance. This effort includes significant renaming of zones and their requirements and applies to every parcel in the city. The law also includes design standards which are meant to codify good practice as well as ameliorate development within the city. The process includes mapping and zoning sensitive to environmental features and hazards within the city. The intent is to prepare a Generic Environmental Impact Statement to discuss any associated impacts associated with the zoning project.		
Name of Applicant/Sponsor: Mayor Ben Walsh		Telephone: 315 448-8040
		E-Mail: mayor@syrgov.net
Address: 233 East Washington Street		
City/PO: Syracuse	State: NY	Zip Code: 13202-1473
Project Contact (if not same as sponsor; give name and title/role): Dan Kwasnowski, AICP		Telephone: 3154488110
		E-Mail: dankwasnowski@ongov.net
Address: 421 Montgomery Street		
City/PO: Syracuse	State: NY	Zip Code: 13202
Property Owner (if not same as sponsor): NA		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Syracuse Common Council adoption.	NA
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Charter Required Review	NA
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): Lakefront LWRP, South Salina Street BOA, and Erie Boulevard BOA.	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

NA _____

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Syracuse City School District

b. What police or other public protection forces serve the project site?
All City services and Syracuse University, SUNY ESF police, NYS Troopers, Homeland Security, Onondaga County Sheriff.

c. Which fire protection and emergency medical services serve the project site?
All City services.

d. What parks serve the project site?
All City Parks.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? _____ acres
- b. Total acreage to be physically disturbed? _____ acres
- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p>	
<p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

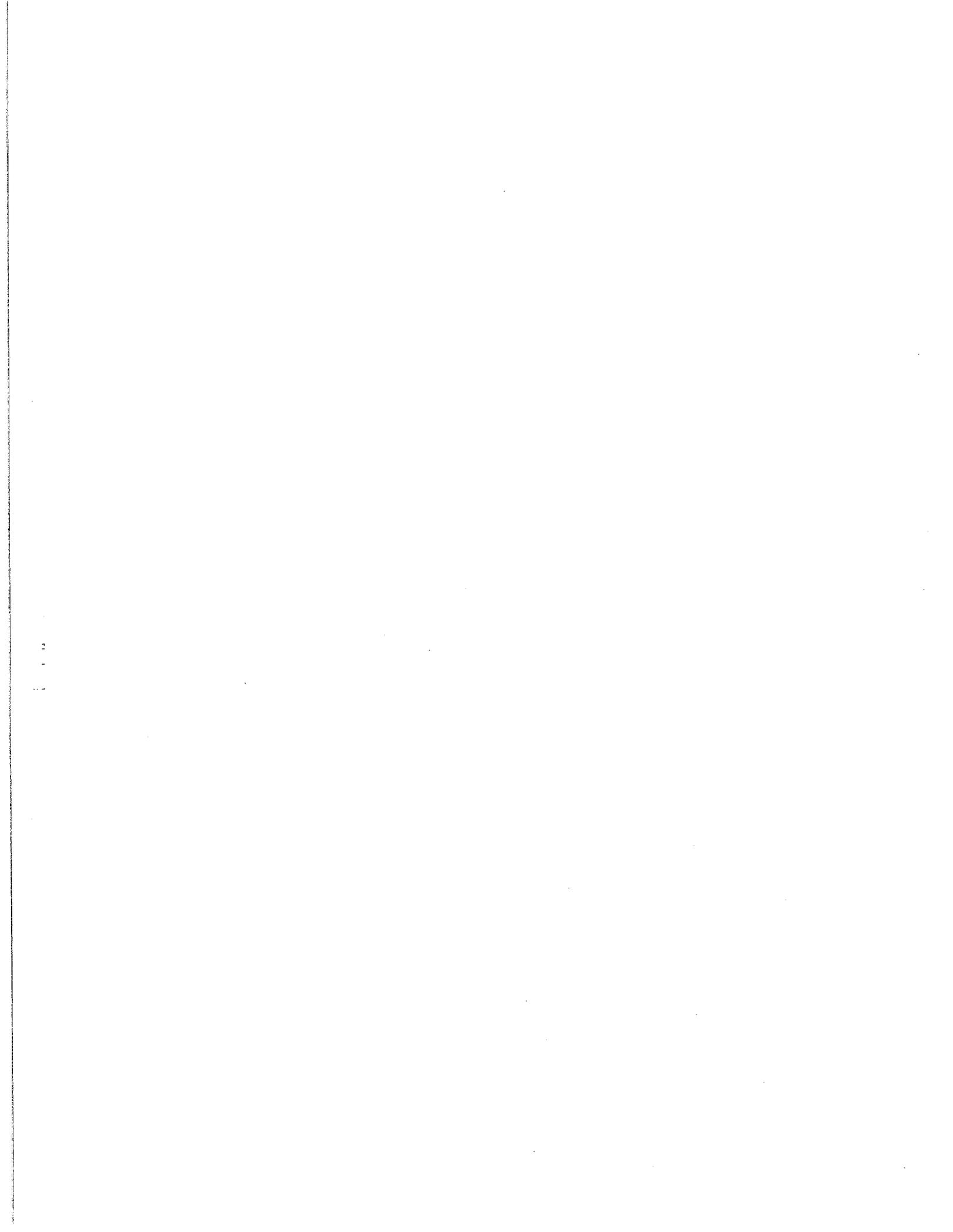
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Daniel Kwasnowski, AICP Date July 16, 2019

Signature  Title Planning Director, SOCPA



Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project : _____
 Date : _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated by a GEIS		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

NO

YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

NO

YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated by a GEIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

NO

YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated by a GEIS.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: <u>Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated by a GEIS.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: <u>Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated by a GEIS.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

This Part 2 SEQRA determination is for the adoption of a new zoning law (ReZone) and map for the City of Syracuse and the creation of a Generic Environmental Impact Statement. Although adoption of a law in and of itself does not immediately result in environmental impacts typically associated with development or modification of property the adoption of a zoning law is intended to guide the development and modification of property in order to protect property values, character and the health, safety and public welfare by creating places safe for human occupation.

The proposed zoning law includes many new approaches to guide the development, improvement and modification of land to create places of specific character and performance. Most actions requiring review under the proposed zoning law will undergo detailed State Environmental Quality Review Act review relative to the direct impacts of development and modification. This is why the associated Part 2 form does not reflect any physical adverse environmental impacts.

Adoption of the proposed zoning law will have long term impacts to the form and character of the built environment and thereby will be evaluated through the Generic Environmental Impact Statement process to examine the environmental impacts of the law.

The Common Council of the City of Syracuse hereby makes a Positive Declaration in accordance with SEQRA to enable that evaluation.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Proposed Draft Zoning Map and Draft Zoning Document

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Syracuse Common Council _____ as lead agency that:

- A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.
- B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

- C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: ReZone Syracuse Project: adoption of a new zoning ordinance and map.

Name of Lead Agency: Syracuse Common Council

Name of Responsible Officer in Lead Agency: Kristen E. Smith, Esq.

Title of Responsible Officer: Corporation Counsel

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date: 8/28/2019

For Further Information:

Contact Person: Daniel J. Kwasnowski, AICP

Address: 421 Montgomery Street

Telephone Number: 315 435 2913

E-mail: dankwasnowski@ongov.net

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Common Council Office
314 City Hall
Syracuse, N.Y. 13202



410
Council Office: (315) 448-8466
Fax: (315) 448-8423

CITY OF SYRACUSE COMMON COUNCIL

LATOYA ALLEN
Councilor - 4th District

September 6, 2019

John P. Copanas
City Clerk
City Hall, Room 231
Syracuse, New York 13202

Dear Mr. Copanas,

Please prepare legislation for the September 9, 2019 Common Council Meeting Waiver Agenda authorizing a determination that a positive declaration requiring the completion of a Generic Environment Impact Statement (GEIS) is necessary to evaluate any potential environmental impact of the ReZone Syracuse project. This is the next step pursuant to the State Environment Quality Review Act (SEQRA).

Attached you will find the Full Environmental Assessment Form containing the supporting documentation that this declaration is necessary.

Thank you for your assistance in this regard.

Sincerely,

Latoya Allen
4th District Common Councilor



DEPARTMENT OF LAW
OFFICE OF THE CORPORATION COUNSEL
CITY OF SYRACUSE, MAYOR BEN WALSH

Kristen E. Smith
Corporation Counsel

September 6, 2019

Joseph W. Barry III
First Assistant
Corporation Counsel

Mr. John P. Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

Christina F. DeJoseph
Senior Assistant
Corporation Counsel

Re: Request for Legislation for a Determination of a Positive Declaration to Evaluate the Impact of the Proposed ReZone Ordinance Pursuant to SEQRA

Catherine E. Carnrike
Meghan E. Ryan
Amanda R. Harrington
John C. Black Jr.
Kathryn M. Ryan
Ramona L. Rabeler
Todd M. Long
Lee R. Terry
Sarah A. Lafen
Daniel C. Bollana
Leigh A. Leiberman
Mary L. D'Agostino

Dear Mr. Copanas:

Please prepare legislation for the Common Council agenda authorizing a determination by the Common Council that a positive declaration requiring the completion of a Generic Environment Impact Statement (GEIS) is required to evaluate the potential environmental impact of the proposed ReZone Syracuse Zoning Ordinance and Map pursuant to the State Environment Quality Review Act (SEQRA). This is the next step in the SEQRA process for the ReZone Syracuse Project following the declaration of Lead Agency by the Common Council at the July 29, 2019 Meeting (Ordinance No. 478-2019).

Attached please find the Full Environmental Assessment Form (FEAF) setting forth the information supporting this determination that a Generic Environmental Impact Statement (GEIS) is required to evaluate the long term impact of the proposed ReZone Syracuse Ordinance.

Sincerely,

Joseph W. Barry, III
First Assistant Corporation Counsel

Department of Law
Office of Corp. Counsel
233 E. Washington St.
City Hall, Room 300
Syracuse, N.Y. 13202

Encs.

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