AGENDA
COMMON COUNCIL MEETING
JULY 11, 2016

PUBLIC SESSION **7:15 p.m.**

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL FOR REGULAR MEETING **7:30 p.m.**

MAYOR'S REPORT TO THE COMMON COUNCIL

RESOLUTION NO. 234 – Approve Minutes Common Council Meeting Held June 27, 2016
235 – Appoint Commissioner of Deeds
236 – Approve Use of Franklin Square Park by the Oswego Colony of The Theta Chi Fraternity in Order to Host a Fundraising Event on Saturday, October 1, 2016
237 – Approve Use of Breitbeck Park by the Oswego YMCA for Fitness Classes
238 – Approve Use of the Veterans' Park for an Outdoor Festival to be Held on Sunday, September 11, 2016
239 – Grant Variance of the Noise Ordinance to Gerri Millar, Event Volunteer for the Second Annual Oswego Porchfest to be Held Sunday, September 25, 2016
239a- Motion to Amend Resolution No. 239
239 – AS AMENDED – Grant Variance of the Noise Ordinance to Gerri Millar, Event Volunteer for the Second Annual Oswego Porchfest to be Held Sunday, September 25, 2016
240 – Accept Monetary Donation From Wal-Mart for Use by the Youth Bureau
241 – Accept Monetary Donation From the Oswego Lion's Club for Use by the Youth Bureau
242 – Approve the Execution and Installation of the Springboard Mural Project at the Fort Tunnel
243 – Approve Marketing Proposal Initiative to Promote the City of Oswego
244 – Approve Standard Work Day for Certain Positions Within the City of Oswego Work Force
245 – Approve Standard Work Day for Appointed and Elected Officials
246 – Approve New Fee Schedule for Ice and Paddleboat and Kayak Rentals at Wright's Landing Marina
247 – Confirm 2016 Assessment Roll for the City of Oswego
248 – Authorize Properties Located at 151 East Second Street, 147 ½ West Bridge Street and 2660 and 2664 Johnson Road to be Listed With Fitzgibbons Real Estate and Sold at Fair Market Value
249 – Approve Proposal Submitted by Housing Visions Consultants, Inc., For the Development of the Flexo Wire Site
250 – Authorize Mayor to Enter Into an Agreement With Barton and Loguidice, D.P.C., for the Design of the Emergency Slope Stabilization Highway Reconstruction of Route 48 Project
251 – Authorize Mayor to Enter Into an Amended Lease Agreement With Oswego County Opportunities for the Maintenance of the Head Start Building No. 31 at Fort Ontario
252 – Authorize Planning and Zoning Director to Submit a Grant Application for the Downtown Area of the Route 104 Complete Streets Project
253 – Authorize Planning and Zoning Director to Submit a Grant Application for the Western Gateway of the Route 104 Complete Streets Project
254 – Authorize Planning and Zoning Director to Submit a Grant Application to Develop a Master Plan of the Fort Ontario Complex
255 – Authorize Planning and Zoning Director to Submit a Grant Application to Develop a Public Art Master Plan for Downtown Oswego

RESOLUTION NO.

256 – Authorize Planning and Zoning Director to Submit a Grant Application for the Hamilton Park Playground Project

257 – Authorize Planning and Zoning Director to Submit a Grant Application for the Fitzhugh Park Playground Project

258 – Authorize Community Development Director to Apply for and Submit an Application for Funding the Waterfront Revitalization Project at Wright's Landing Marina

259 – Authorize Community Development Director to Apply for and Submit an Application for Funding of the Restoration and Development of the Cahill Building

260 – Waive Rules of the Common Council to Present Resolution No. 261 From the Floor Without Committee Consideration

261 – Express Support of the Common Council Regarding the Preservation of the Environmental Values and Attributes of Zero-Emissions Nuclear Powered Electric Generating Facilities

262 – Adjournment

Common Council Proceedings

IN COMMON COUNCIL

Monday Evening July 11 2016

Meeting Called to Order at 7:30 P.M.

Regular Meeting

ROLL CALL

	PRESENT	ABSENT
His Honor the Mayor	✓	
Councilor Reynolds	✓	
Councilor McLaughlin, Jr.	✓	
Councilor Emmons	✓	
Councilor Walker	✓	
Councilor Gosek	✓	
Councilor VanBuren	✓	
Councilor Corradino	✓	

Resolution No 234 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

RESOLVED, that the minutes of the Regular Common Council Meeting held Monday evening, June 27, 2016, be and they hereby are approved and accepted.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Approved July 12 2016

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

Page No. _____

July 11, 2016

To the Honorable, the Common Council
The City of Oswego, New York

Councilors:

I, the undersigned, hereby petition your Honorable body for Appointment as Commissioner of Deeds in and for the City of Oswego, New York for a term of two years next following:

Respectfully submitted,

Mercedes Neiss 128 Erie Street Oswego, New York 13126

Desktop/Comm of Deeds/Comm List

Resolution No 235 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Bossels

RESOLVED, that the foregoing named person be and hereby is appointed Commissioner of Deeds in and for the City of Oswego, New York for a term of two years next following.

	AYES AND NAYS CALLED		ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaPond City Clerk
DEANA ASCENZI LAPOND

Approved July 12 2016

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

Agenda Item 236

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/29/2016

- ☐ Planning & Development
- ☒ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☒ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☒ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Physical Services Committee
City of Oswego
City Hall
Oswego, New York 13126

Dear Chairman Eric Van Buren and Committee Members:

I, Thomas Kells, Commissioner of Public Works and Parks and Recreation, have received a request from Corey Fay on behalf of the Oswego Colony of the Theta Chi Fraternity to utilize Franklin Square Park on October 1, 2016 for their national philanthropic event, with a rain date of October 8, 2016. The event, GI Theta Chi is used to bring together organizations in an effort to raise money for the United Service Organizations (USO). All monies raised on October 1, 2016 will be donated to the USO.

The fundraising events to be held are: a tug-of-war, push up contest, obstacle course, relay races, Pie-a-Theta Chi, and an endurance test. The Fraternity is currently working to secure a local volunteer ambulance corps to be on stand-by for the event.

Respectfully submitted,

Thomas Kells, Commissioner
City of Oswego Department of Public Works, Parks and Recreation

TK/mlf
Attachment

Ordered filed and printed with the proceedings.

Fundraiser Event Request at Franklin Square/Breitbeck Park

Requested Date: **October 1st**

Rain Date: **October 8th**

Organization: The International Fraternity of Theta Chi, Colony at SUNY Oswego

Event: GI Theta Chi; Fundraiser where all proceeds are donated to the USO (United Service Organization).

About the Event: The Oswego Colony of the Theta Chi Fraternity is requesting to utilize Franklin Square Park in Oswego, New York on **October 1st**, for our national philanthropic event. Each year chapters and colonies of Theta Chi from across the nation hold an event called GI Theta Chi; where organizations come together in an effort to raise money for the United Service Organizations (USO). The USO is a wonderful organization which provides all types of services to military personal. This includes things such as concerts, free lodging during travel, support for families of those deployed oversees, and support for the wounded and the families of the fallen, and sending care packages and letters to soldiers. This event will be the ulminating day in a month long blitz to raise at least $1,000 and hopefully an excess of $2,500. All proceeds to the event on **October 1st**, will be donated to the USO. We anticipate anywhere between 100-150 people at the event, all funneling in at various times throughout the three-hour event.

The fundraising events include: A tug-of-war, push up contest, obstacle course, relay races, Pie-a-Theta Chi, and an endurance test. All events have been thoroughly planned out and we are in the process of having a local volunteer ambulance corps be on standby for our event.

Any questions or concerns can be forwarded to the following:

Corey Fay – President Theta Chi Fraternity at SUNY Oswego

P: 607-765-9785 E: cfay@oswego.edu

David Cuevas – Philanthropy Chairman of Theta Chi

P: 845-863-5940 E: dcuevas@oswego.edu

Resolution No 236 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, Thomas Kells, Commissioner of the Department of Public Works and Parks and Recreation has received a request from Corey Fay on behalf of the Oswego Colony of the Theta Chi Fraternity for use of public space at Franklin Square Park on Saturday, October 1, 2016 (rain date Saturday, October 8, 2016) in order to host a national philanthropic event in an effort to raise money for the United Service Organization (USO), and

WHEREAS, Theta Chi Fraternity shall provide the City Clerk's Office with a Certificate of Liability Insurance in the amount of $1,000,000, minimum, listing the City of Oswego as named additional insured prior to the use of public space, and

WHEREAS, the Fraternity is currently working to secure a local volunteer ambulance corps to be on stand-by for the event, now, therefore, be it

RESOLVED, that permission is granted to Corey Fay on behalf of the Theta Chi Fraternity for use of public space at Franklin Square Park on Saturday, October 1, 2016 in order to host a national philanthropic event in an effort to raise money for the United Service Organization (USO), and be it further

RESOLVED, that the Theta Chi Fraternity shall provide the City Clerk's Office with a Certificate of Liability Insurance in the amount of $1,000,000, minimum, listing the City of Oswego as named additional insured prior to the use of public space, and be it further

RESOLVED, that the Fraternity is currently working to secure a local volunteer ambulance corps to be on stand-by for the event.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Recommended by Physical Services Committee

Chairman Eric I. VanBuren

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Department of Public Works

Agenda Item 237

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: July 5, 2016

- ☐ Planning & Development
- ☒ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☒ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Dear Councilors:

The City Clerk's Office has received a request from Trish Levine, Director of Health and Wellness for the Oswego YMCA, for use of Breitbeck Park on Tuesdays from 9:30 a.m. until 10:30 a.m. through August 30, 2016 in order to host "Stroller Strong" fitness classes.

Thank you for your time and consideration.

Ordered filed and printed with the proceedings.

231

Tress McDaid

From: "Trish Levine" <plevine@oswegoymca.org>
Date: Friday, June 17, 2016 7:28 AM
To: "Tress McDaid" <tressm@oswegony.org>
Cc: "Caitlin Reynolds" <cereynolds1@gmail.com>
Subject: YMCA

Tress,

I wanted to reach out regarding YMCA classes in Breitbeck Park. Earlier this year, the City of Oswego Common Council passed resolution 141 allowing use of public space for three classes Tuesday & Thursday at 7am, 8am & 9am. The Y offers a stroller strong class on Tuesdays at 9:30am. This class previously met at the Y then took a walk to the park to do some exercises while kids remain in the stroller. However, we have found that participants would rather meet at the park to save time. This class time was not included in the resolution.
Please advise on how to revise our resolution for use of park space to include this class Tuesdays 9:30am-10:30am.

I would also like to inquire if all other businesses that utilize Breitbeck and Franklin Square parks for fitness classes are held to the same requirements as the YMCA and must provide an insurance certificate, hold harmless agreement, participant waivers and be approved by the council?

I look forward to your reply.
Thank you,

Trish Levine
Director, Health & Wellness
Oswego YMCA
(315) 342-6082
www.oswegoymca.org
The Y: We're for youth development, healthy living and social responsibility.

Resolution No 237 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Walsh

WHEREAS, the City Clerk's Office has received a request from Trish Levine, Director of Health and Wellness for the Oswego YMCA, for use of public space at Breitbeck Park on Tuesdays from 9:30 a.m. until 10:30 a.m. through August 30, 2016 in order to host "Stroller Strong" fitness classes, and

WHEREAS, the YMCA shall provide the City Clerk's Office with a Certificate of Liability Insurance in the amount of $1,000,000, minimum, listing the City of Oswego as named additional insured prior to the use of public space, now, therefore, be it

RESOLVED, that permission is granted to Trish Levine, Director of Health and Wellness for the Oswego YMCA, use of public space at Breitbeck Park on Tuesdays from 9:30 a.m. until 10:30 a.m. through August 30, 2016 in order to host "Stroller Strong" fitness classes, and be it further

RESOLVED, that the Oswego YMCA shall provide the City Clerk's Office with a Certificate of Liability Insurance in the amount of $1,000,000, minimum, listing the City of Oswego as named additional insured prior to the use of public space.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds			✓
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren NP	✓		
Councilor Corradino	✓		
TOTAL	6	0	1

(ADOPTED) LOST

Recommended by Physical Services Committee

Chairman Eric I. VanBuren

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

Page No. ———

Agenda Item 238

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/29/2016

- ☐ Planning & Development
- ☒ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☒ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☒ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Physical Services Committee
City of Oswego
City Hall
Oswego, New York 13126

Dear Chairman Eric Van Buren and Committee Members:

I, Thomas Kells, Commissioner of Public Works and Parks and Recreation, have received a request from Gary Smith, President of the Gay Pride Committee to host its 3rd annual Oswego Gay Pride Parade and outdoor festival on Sunday, September 11, 2016.

The parade will start at Breitbeck Park, continue down Lake Street and end at West Linear Park where the outdoor festival will be set up. (see attached map for route detail and barricades)

There will be a variety of food and craft vendors as well as non-profit groups and agencies geared toward the gay community. Since this is a family event, games and activities for children are also planned.

Use of the Veteran's Stage at Linear Park is requested to showcase local talent such as bands, choruses and music groups. A family friendly drag show/theatrical production will also take place at the Stage.

Respectfully submitted,

Thomas Kells, Commissioner
City of Oswego Department of Public Works, Parks and Recreation

TK/mlf

Ordered filed and printed with the proceedings.

C: Councilors 238
sent to DPW 6-13-16

To: William J. Barlow and the City of Oswego Common Council
Oswego City Hall
13 west Oneida street
Oswego, ny 13126

From: Oswego Pride Committee
c/o Gary Smith, President
791 state route 104B
Mexico, ny 13114

The Oswego Pride Committee is looking forward to hosting the 3rd annual Oswego gay pride parade and outdoor festival on Sunday, September 11th. We are interested in having a parade going from Breitbeck Park, continue down lake street and end at West Linear Park where we would have an outdoor festival set up. (there is copy of the parade map with barricades marked). This would be a family friendly event. no alcohol would be served at this event. The festival would draw in people from all over Oswego County and surrounding areas.

We will also have food and craft vendors along with non-profit groups and agencies that are geared towards the gay, lesbian, bisexual and transgender community. Since there will be so many people attending who have children, there will be games and activities for the kids. We would also like to use the veterans stage at the Linear Park to showcase local talent such as bands, choruses and music groups.

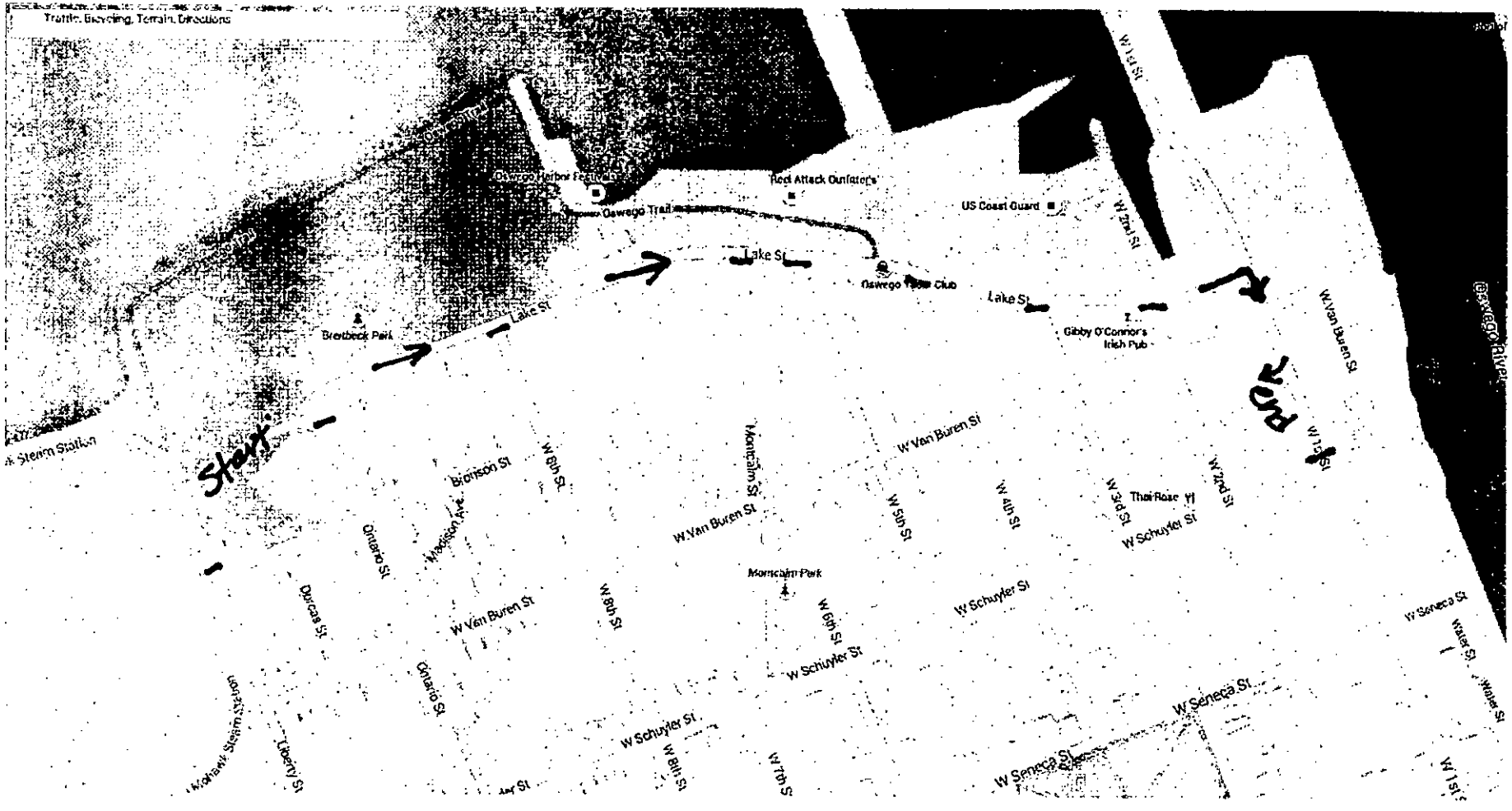
We will also have a family friendly drag show featuring music that is appropriate for all ages. All costumes and music choices would be appropriate for all ages. This drag show will be approached as a theatrical experience. All music and costumes will be approved by the committee prior tho the event.

We feel that our first two festivals where a huge success and very well received by the community. There was great attendance for the parade and festival each year. It has been great to see the LGBT community from the City of Oswego , SUNY Oswego and other groups and individuals from all over the county come together to make this festival possible.

We look forward to hosting the event for the third year and also many more in the future. Please let me know when we will need to attend any Common Council meetings. Please feel free to contact me at 315-532-8349 with any questions.

Thank You,

Gary L. Smith
Oswego Pride Committee President


Traffic, Bicycling, Terrain, Directions
Start
End
Lake St
Bretbeck Park
Steam Station
Bronson St
Madison Ave
Ontario St
Montcalm St
W Van Buren St
W 6th St
W 5th St
W 4th St
W 3rd St
W 2nd St
W 1st St
Thai Rose
W Schuyler St
Montcalm Park
Douglas St
Liberty St
W Seneca St
Water St
Red Attack Outfitters
US Coast Guard
Oswego Yacht Club
Gibby O'Connor's Irish Pub
Oswego River

Google

Resolution No 238 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, Gary L. Smith, Jr., President of the Oswego Pride Committee is requesting permission to host the Third Annual Oswego Gay Pride Parade and Outdoor Festival on Sunday, September 11, 2016 from 10:00 a.m. until approximately 4:30 p.m., and

WHEREAS, Mr. Smith is requesting use of West Linear Park, Veterans' Park, and Veterans' Stage for the Outdoor Festival which will include food and craft vendors, children's games and a family friendly drag show, and

WHEREAS, Mr. Smith will provide the City Clerk's Office a Certificate of Liability Insurance in the amount of $1,000,000 minimum, listing the City of Oswego as named additional insured, prior to the event, and

WHEREAS, Mr. Smith will submit the fee of $150.00 for the road closures for the parade and will also obtain an Amusement License for the show, now, therefore, be it

RESOLVED, that permission is granted to Gary L. Smith Jr., President of the Oswego Pride Committee, to host the Third Annual Oswego Gay Pride Parade and Outdoor Festival on Sunday, September 11, 2016 from 10:00 a.m. until approximately 4:30 p.m., and be it further

RESOLVED, that Mr. Smith is granted use of West Linear Park, Veterans' Park and Veterans' Stage for the Outdoor Festival which will include food and craft vendors, children's games and a family friendly drag show, and be it further

RESOLVED, that Mr. Smith will provide the City Clerk's Office with a Certificate of Liability Insurance in the amount of $1,000,000 minimum, listing the City of Oswego as named additional insured, and be it further

RESOLVED, that Mr. Smith will submit the fee of $150.00 for the road closures for the parade and will also obtain an Amusement License for the show.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Recommended by Physical Services Committee

Chairman Eric I. VanBuren

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Department of Public Works

Agenda Item 239

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: July 5, 2016

- ☒ Planning & Development
- ☐ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☒ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Dear Councilors:

The City Clerk's Office has received a request from Gerri Millar, of 80 West Fifth Street, for a variance of the Noise Ordinance in order to host the Second Annual Oswego Porchfest on Sunday, September 25, 2016 from 1:00 p.m. until 7:00 p.m., in the Franklin Square and Montcalm Park historic neighborhoods.

Ms. Millar is also requesting closure of West Sixth Street from West Schuyler to West VanBuren Streets.

Thank you for your time and consideration.

Ordered filed and printed with the proceedings.

239

Deana Ascenzi Lafond

City Clerk

RECEIVED
JUN - 9 2016
CITY CLERK'S OFFICE
OSWEGO, NY

CITY OF OSWEGO NOISE ORDINANCE WAIVER APPLICATION

Name Gerri Millar

Home Address 80 West Fifth Street, Oswego, NY 13126

Name of Business PORCHFEST

Business Address Same

Phone No. 315-529 3926

Date of Event(s) Sunday, September 25, 2016

Location of Event Historic Westside Franklin & Montcalm neighborhoods

Type of Event Performers, Musicians on porches, lawns, driveways

Type of Music (Amplified, Electric or Acoustical) all

Start Time of Event 1pm End Time of Event 7pm

Anticipated Decibels 75

Sound Control Method volunteer monitors throughout neighborhood

Describe Hardship Incurred (If Applicable) None - we plan to have a jam session from 5pm to about 7 pm on West 6th Street between W. Schyler and W Van Buren streets. We are requesting street closure

Signature Gerri Millar Date June 9, 2016

1st Ward Alderwoman Caitlyn Reynolds will be presenting street closure to council meeting on 6/20/16

239

Tory L. DeCaire
Chief of Police

RECEIVED
JUN 20 2016
CITY CLERK'S OFFICE
OSWEGO, NY

Traffic Division

Request for Street Closings / Barricades

Applicant Information

Applicant's Name: Gerri Millar

Address: 80 West Fifth Street

Oswego, NY

Phone Number: 529 3926

Name of Business: PORCHFEST

Address:

Phone Number:

Type of Event: Block Party ☐ Run / Walk / Bike Race ☐ Other ☒ Community event

Location(s)

Location of Event(s) Historic Westside Neighborhood West Sixth Street between Scuyler & VanBuren for a jam session at the end of event.

Kingsford Park Elementary School

Date(s) Requested

Starts			Ends		
Day	Date	Time	Day	Date	Time

$150.00 Fee Received: ☐

Date:

Received by:

Make Checks Payable to: City of Oswego, City Hall, Oswego, N.Y. 13126

Resolution No 239 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

WHEREAS, Section 165-7 of the City of Oswego Noise Ordinance provides that the Common Council of the City of Oswego shall have the authority to grant special variances, issue temporary permits and suspend any of the provisions of the Chapter on such conditions and for such time as said Council shall deem fit to best serve the public health and welfare and quality of life in the City of Oswego, and

WHEREAS, Gerri Millar, of 80 West Fifth Street, is requesting a waiver of the Noise Ordinance in order to host the Second Annual Oswego Porchfest on Sunday, September 25, 2016, from 1:00 p.m. until 7:00 p.m., in the Franklin Square Park and Montcalm Park historic neighborhoods, and

WHEREAS, Ms. Millar is also requesting closure of West Sixth Street from West Schuyler to West VanBuren Street, with the fee waived, in order to have a jam session, and

WHEREAS, the Oswego Porchfest will bring together local musicians and performers to celebrate and create a sense of community, and

WHEREAS, the musicians and performers will take to the "stage" on porches, lawns, and driveways at designated times to perform for the public, now, therefore, be it

RESOLVED, that Gerri Millar, of 80 West Fifth Street, is hereby granted a variance for the decibel limits set forth in the City of Oswego Noise Ordinance in order to host the Second Annual Oswego Porchfest on Sunday, September 25, 2016, from 1:00 p.m. until 7:00 p.m., in the Franklin Square and Montcalm Park historic neighborhoods, and be it further

RESOLVED, that permission is also granted to Ms. Millar for the closure of West Sixth Street from West Schuyler to West VanBuren Street, with the fee waived, in order to have a jam session, and be it further

RESOLVED, that the Oswego Porchfest will bring together local musicians and performers to celebrate and create a sense of community, and be it further

RESOLVED, that the musicians and performers will take to the "stage" on porches, lawns and driveways at designated times to perform for the public.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	10		
Councilor McLaughlin, Jr.			
Councilor Emmons			
Councilor Walker			
Councilor Gosek			
Councilor VanBuren			
Councilor Corradino			
TOTAL			

ADOPTED LOST

Approved July 12 2016

Recommended by Planning and Development Committee

Chairman Shawn P. Walker

I certify that the foregoing resolution was duly ~~passed~~ Amended by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

Page No. ———

Resolution No 239a 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Walker

RESOLVED, that Resolution No. 239, dated July 11, 2016, granting permission to Ms. Millar for the closure of West Sixth Street from West Schuyler to West VanBuren Street, with the fee waived, in order to have a jam session, be and it hereby is amended to remove "with the fee waived."

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds		✓	
Councilor McLaughlin, Jr.		✓	
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren		✓	
Councilor Corradino	✓		
TOTAL	4	3	
	ADOPTED	LOST	

Approved July 12 2016

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by From the Council Floor

Page No. _____

Resolution No 239 2016

AS AMENDED

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

WHEREAS, Section 165-7 of the City of Oswego Noise Ordinance provides that the Common Council of the City of Oswego shall have the authority to grant special variances, issue temporary permits and suspend any of the provisions of the Chapter on such conditions and for such time as said Council shall deem fit to best serve the public health and welfare and quality of life in the City of Oswego, and

WHEREAS, Gerri Millar, of 80 West Fifth Street, is requesting a waiver of the Noise Ordinance in order to host the Second Annual Oswego Porchfest on Sunday, September 25, 2016, from 1:00 p.m. until 7:00 p.m., in the Franklin Square Park and Montcalm Park historic neighborhoods, and

WHEREAS, Ms. Millar is also requesting closure of West Sixth Street from West Schuyler to West VanBuren Street in order to have a jam session, and

WHEREAS, the Oswego Porchfest will bring together local musicians and performers to celebrate and create a sense of community, and

WHEREAS, the musicians and performers will take to the "stage" on porches, lawns, and driveways at designated times to perform for the public, now, therefore, be it

RESOLVED, that Gerri Millar, of 80 West Fifth Street, is hereby granted a variance for the decibel limits set forth in the City of Oswego Noise Ordinance in order to host the Second Annual Oswego Porchfest on Sunday, September 25, 2016, from 1:00 p.m. until 7:00 p.m., in the Franklin Square and Montcalm Park historic neighborhoods, and be it further

RESOLVED, that permission is also granted to Ms. Millar for the closure of West Sixth Street from West Schuyler to West VanBuren Street in order to have a jam session, and be it further

RESOLVED, that the Oswego Porchfest will bring together local musicians and performers to celebrate and create a sense of community, and be it further

RESOLVED, that the musicians and performers will take to the "stage" on porches, lawns and driveways at designated times to perform for the public.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.		✓	
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren		✓	
Councilor Corradino	✓		
TOTAL	5	2	

ADOPTED LOST

Approved July 12 2016

Recommended by Planning and Development Committee

Chairman Shawn P. Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

240

Agenda Item Wal-Mart Grant

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: July 5, 2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

From: Office of : Youth Bureau

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☒ Other

Ordered filed and printed with the proceedings

Brian Chetney, Youth Bureau Executive Director is requesting the City Chamberlain be authorized to accept the donation of $1,000 from the Wal-Mart Foundation.

Resolution No 240 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor VanBuren

WHEREAS, the City of Oswego and the County of Oswego operate a joint municipal bureau, one whose purpose is "devising programs and projects at prevention, controlling and treating delinquency and neglect among youth", and

WHEREAS, the Youth Bureau operates a summer parks program from June 27 through August 19 in Oakhill Park, Breitbeck Park, East Park and West Park, and

WHEREAS, the Youth Bureau has been awarded a $1,000.00 Wal-Mart Foundation and Facility Community Grant, and

WHEREAS, the donation will be used for youth activities and sports equipment, now, therefore, be it

RESOLVED, that the City of Oswego gratefully accepts the donation of $1,000.00 from the Wal-Mart Foundation and Facility Community Grant program.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Administrative Services Committee

Chairman Robert A. Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Oswego City/County Youth Bureau

Agenda Item 241

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: July 5, 2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☒ Other - Youth Bureau

Dear Councilors:

Brian Chetney, Executive Director of the Oswego City-County Youth Bureau is requesting permission to accept a donation in the amount of $250.00 from the Oswego Lion's Club. This donation will be used to purchase "goody bags" which will be distributed to the children at this year's Tree Lighting event to be held on Saturday, November 26, 2016.

Thank you for your time and consideration.

Ordered filed and printed with the proceedings.

Resolution No 241 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Corradino

WHEREAS, Brian Chetney, Executive Director of the Oswego City-County Youth Bureau, is requesting permission to gratefully accept a donation in the amount of $250.00 from the Oswego Lion's Club, and

WHEREAS, this donation will be used to purchase "goody bags" which will be distributed to the children at this year's Tree Lighting event to be held on Saturday, November 26, 2016, now, therefore, be it

RESOLVED, that permission is granted to Brian Chetney, Executive Director of the Oswego City-County Youth Bureau, to gratefully accept a donation in the amount of $250.00 from the Oswego Lion's Club, and be it further

RESOLVED, that this donation will be used to purchase "goody bags" which will be distributed to the children at this year's Tree Lighting event to be held on November 26, 2016.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Administrative Services Committee

Chairman Robert A. Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Youth Bureau

Page No. ____

Agenda Item Springboard Murals Tunnel

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: July 5, 2016

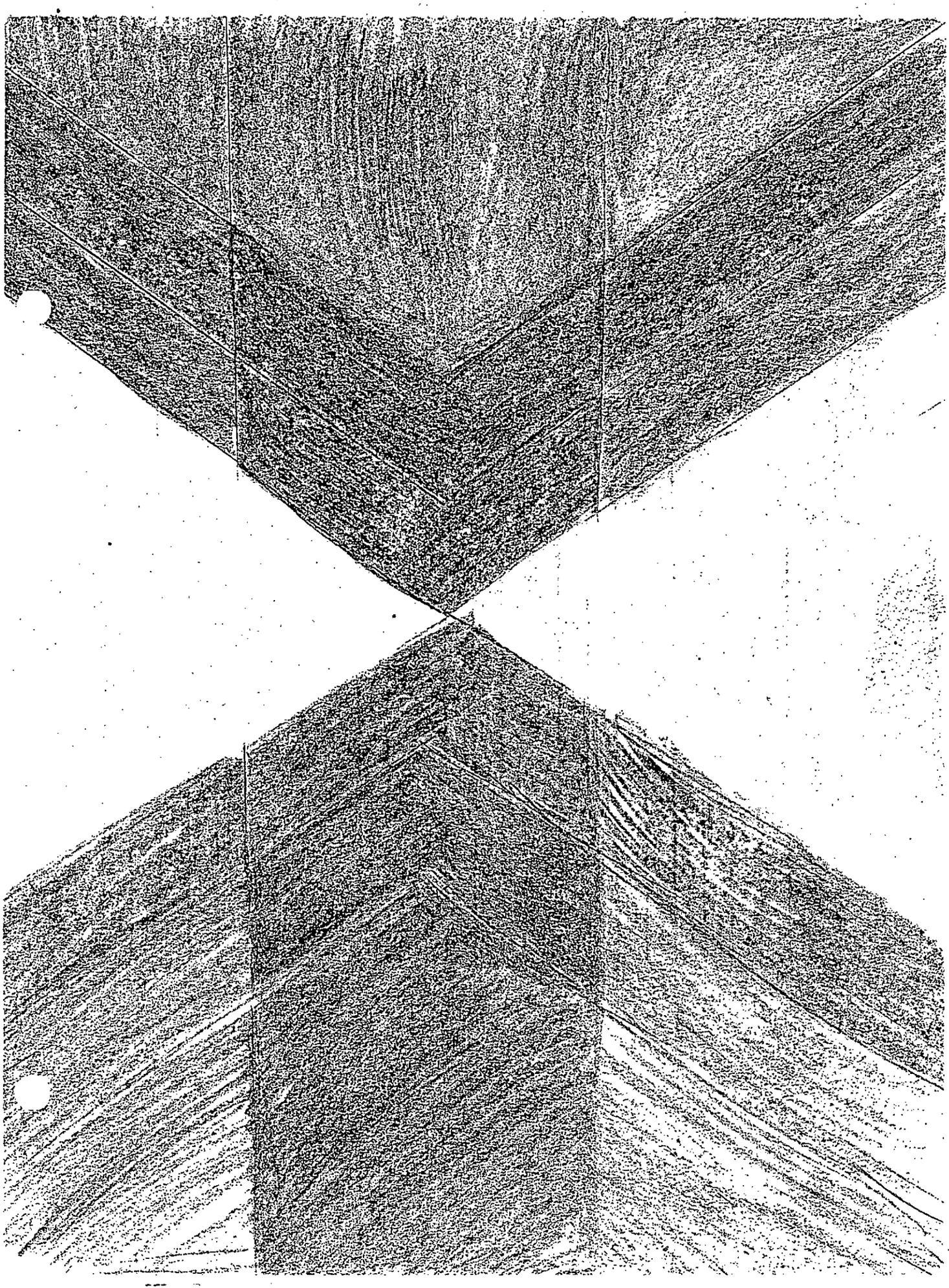
- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

From: Office of : Youth Bureau

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☒ Other

Ordered filed and printed with the proceedings

Brian Chetney, Youth Bureau Executive Director is requesting approval of the execution and installation of the artwork for the East Seventh Street tunnel. Artwork is available for review in the Mayor's office.



Presley Slimmer - 15

Image will be painted landscape oriented, starting with Red. Image would then be repeated as a mirror image on the 2nd half of the tunnel wall (mural would start and end with the Red - purple creating almost a diamond shape in center of wall.
would be done on both sides of tunnel on both walls.

Resolution No 242 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

WHEREAS, the Springboard Mural Committee/Oswego City-County Youth Bureau wishes to continue to collaborate with the City of Oswego, and

WHEREAS, a Springboard Mural Committee Youth Artist has submitted acceptable artwork for the "Springboard Mural Project Seventh Street Tunnel" to the Springboard Mural Committee and the Oswego Common Council, and

WHEREAS, all the students, parents and committee members participating in the project are required to sign Hold Harmless agreements, and

WHEREAS, the Oswego Springboard Mural Committee/Oswego City-County Youth Bureau will provide guidance and assistance for installation of approved mural painting on the East Seventh Street Tunnel and will work with the City Department of Public Works to ensure careful creation of the mural on the East Seventh Street Tunnel,

NOW THEREFORE BE IT,

RESOLVED, that the Common Council approves the execution and installation of the Oswego Springboard Mural Committee artwork submitted on this 5th day of July, 2016 on the East Seventh Street Tunnel, and

BE IT FURTHER,

RESOLVED, that the City Chamberlain is authorized to transfer $300 from A.6475-0460 Tourism Miscellaneous to A .7310.0410 Youth Bureau Materials & Supplies for the mural supplies

AYES AND NAYS CALLED	AYE S	NAY S	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren NO	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Recommended by Administrative Services Committee

Chairman Robert A. Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12, 2016

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Oswego City/ County Youth Bureau

Resolution No 243 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Corradino

WHEREAS, the Promotion and Tourism Advisory Board was created to develop and design a strategic and tactical action plan to promote city activities that will showcase our rich educational, historical and recreational heritage, and

WHEREAS, the Board is requesting permission to set up an event at Harborfest in order distribute promotional materials to encourage visitors to return to the City of Oswego for other events, and

WHEREAS, the Board is also requesting permission to distribute table tents to area restaurants in order to promote future events in the city, and

WHEREAS, all volunteers participating in the distribution shall file with the City Clerk's Office an Indemnification and Hold Harmless Agreement prior to the distribution, and

WHEREAS, funding for the project is available in the Tourism Budget, now, therefore, be it

RESOLVED, that permission is granted to the Promotion and Tourism Advisory Board to set up a tent at Harborfest in order to distribute promotional materials in order to encourage visitors to return to the City of Oswego for other events, and be it further

RESOLVED, that permission is also granted to the Board to distribute table tents to area restaurants in order to promote future events in the city, and be it further

RESOLVED, that all volunteers participating in the distribution shall file with the City Clerk's Office an Indemnification and Hold Harmless Agreement prior to the distribution, and be it further

RESOLVED, that funding is available in the Tourism Budget.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Administrative Services Committee

Chairman Robert A. Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Office of the Common Council

Agenda Item 244

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: June 29, 2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☒ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks, Recreation & Waterways
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Rita Tickle, Personnel Director requests approval to establish the standard work day for certain positions for New York State and Local Retirement System reporting purposes.

Ordered filed and printed with the proceedings.

Resolution No. 244 2016

CITY OF OSWEGO, NEW YORK

Motions, Resolutions and Notices

By Councilor Walsh

WHEREAS, the New York State and Local Retirement System requires municipalities to establish the number of hours which constitute a standard work day for retirement reporting purposes, now therefore be it

RESOLVED, that the Common Council of the City of Oswego hereby establishes a seven (7) hour per day as a standard work day for the following positions:

Animal Control Officer
Assessor
Assistant City Attorney
Building Inspector
City Attorney
City Chamberlain
City Clerk
City Engineer
Clerk of the Works
Code Enforcement Complaint Investigator
Code Enforcement Director
Code Enforcement Officer
Community Development Director
Confidential Secretary to Personnel Director
Councilor
Crossing Guard Supervisor
Deputy City Chamberlain
Deputy City Clerk
Deputy Community Development Director
Director of Code Enforcement/Assessor
Engineering Technician
Finance Administrator
Housing Code Inspector
Housing Rehabilitation Specialist/Rental Housing Inspector
Mayor
Permit Coordinator
Personnel Aide
Personnel Director
Planning and Zoning Director
Plumbing Inspector
Purchasing Agent
School Crossing Guard
Secretary to City Attorney
Secretary to Mayor
Superintendent of Parks and Recreation
Zoning Enforcement Officer

and be it further

Resolution No 244 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Bosch

RESOLVED, that the Common Council of the City of Oswego hereby establishes an eight (8) hour per day as a standard work day for the following positions:

Assistant Lifeguard Supervisor
Building & Street Maintenance Supervisor
Cashier
Commissioner of Public Works
Dockhand
Dockmaster
Fire Chief
Garage Superintendent
Laboratory Supervisor
Lifeguard
Lifeguard Supervisor
Police Chief
Recreation Maintenance Supervisor
Rink Attendant
Senior Laboratory Technician
Senior Sign Maintenance Worker
Sewer Maintenance Supervisor
Street Maintenance Supervisor
Superintendent of Wastewater Treatment
Supervisor of Tree Care and Parks
Volleyball Supervisor
Wastewater Treatment Plant Maintenance Supervisor
Water Maintenance Supervisor
Water Superintendent
Water Treatment Plant Manager
Waterfront Caretaker
Waterfront Cashier
Waterfront Director
Waterfront Security Guard

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved JULY 12, 2016

Recommended by ADMINISTRATIVE SERVICES Committee

Chairman ROBERT A. CORRADINO

I certify that the foregoing resolution was duly passed by the Common Council on the 11TH day of JULY 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by PERSONNEL DIRECTOR

Agenda Item 245

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: June 29, 2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☒ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks, Recreation & Waterways
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

245

Rita Tickle, Personnel Director requests approval of the standard work days for appointed and elected officials for reporting to the New York State and Local Employees' Retirement System.

Ordered filed and printed with the proceedings.

Resolution No 245 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

BE IT RESOLVED, that the City of Oswego hereby establishes the following standard work days for appointed and elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

City of Oswego
Elected and Appointed Officials
New York State & Local Retirement System
Record of Activities

Employer Location Code: 20042

Title	Standard Work Day	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Current Term Begins & Ends Date	Record of Activities Result
Elected Officials						
Mayor	7	William J. Barlow, Jr			01/01/2016 – 12/31/2019	9.6
Councilor	7	Eric I. Van Buren			01/01/2016 – 13/21/2017	3.68
Councilor	7	Shawn P. Walker			01/01/2016 – 12/31/2017	4.9
Appointed Officials						
Assistant City Attorney	7	Thomas A. Reynolds			01/01/2016 – 12/31/2019	3.96

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker (N)	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Recommended by ADMINISTRATIVE SERVICES Committee

Chairman ROBERT A. CORRADINO

I certify that the foregoing resolution was duly passed by the Common Council on the 11TH day of JULY, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved JULY 12, 2016

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by PERSONNEL DIRECTOR

Page No. _____

Resolution No. 245 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

BE IT RESOLVED, that the City of Oswego hereby establishes the following standard work days for appointed and elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

City of Oswego
Elected and Appointed Officials
New York State & Local Retirement System
Record of Activities

Employer Location Code: 20042

Title	Standard Work Day	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Current Term Begins & Ends Date	Record of Activities Result
Elected Officials						
Mayor	7	William J. Barlow, Jr	7238	60542529	01/01/2016 – 12/31/2019	9.6
Councilor	7	Eric I. Van Buren	5075	50569110	01/01/2016 – 13/21/2017	3.68
Councilor	7	Shawn P. Walker	1342	35076900	01/01/2016 – 12/31/2017	4.9
Appointed Officials						
Assistant City Attorney	7	Thomas A. Reynolds	9745	40317877	01/01/2016 – 12/31/2019	3.96

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Recommended by ADMINISTRATIVE SERVICES Committee

Chairman ROBERT A. CORRADINO

I certify that the foregoing resolution was duly passed by the Common Council on the 11TH day of JULY, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Approved JULY 12, 2016

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by PERSONNEL DIRECTOR

Page No. _____

Agenda Item 246

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/30/2016

- ☐ Planning & Development
- ☒ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☒ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☒ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Physical Services Committee
City of Oswego
City Hall
Oswego, New York 13126

Dear Chairman Eric Van Buren and Committee Members:

I, Thomas Kells, Commissioner of Public Works and Parks and Recreation, am requesting we change the fee structure for paddleboat and kayak rental at the Wright's Landing Marina to be in full hour increments (currently, 1/2 hour and full hour) and change the fee to $8.00 per hour.

I am also requesting that the charge for bags of ice at the Marina be changed to $1.75 per bag and the charge for blocks of ice be changed to $2.25 per block to help cover labor costs in handling the products.

Respectfully submitted,

Thomas Kells, Commissioner
City of Oswego Department of Public Works, Parks and Recreation

TK/mlf
Attachment

Ordered filed and printed with the proceedings.

Resolution No 246 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, Thomas Kells, Commissioner of Public Works and Parks and Recreation, requested a change to the fee structure for paddleboat and kayak rental at the Wright's Landing Marina to be in full hour increments (currently, 1/2 hour and full hour) and change the fee to $8.00 per hour, and

WHEREAS, Commissioner Kells is also requesting the amount charged for bags of ice be changed to $1.75 per bag and the charge for blocks of ice be changed to $2.25 per block, therefore be it now

RESOLVED, That the Common Council approves the request to change the fee structure for paddleboat and kayak rental at the Wright's Landing Marina to be in full hour increments (currently, 1/2 hour and full hour) and change the fee to $8.00 per hour, and be it further

RESOLVED, That the request to change the amount charged for bags of ice be changed to $1.75 per bag and the amount charged for blocks of ice be changed to $2.25 per block is approved.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corrading	✓		
TOTAL	7	0	

(ADOPTED) LOST

Approved July 12th 2016

Recommended by Physical Services Committee

Chairman Eric Van Buren

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Department of Public Works

Agenda Item 24/7

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: June 29 , 2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☒ City Assessor
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Attached is a Resolution to be presented to the full Common Council for the confirmation of the 2016 Assessment Roll for the City of Oswego.

Ordered filed and printed with the proceedings.

*** EXEMPTION SUMMARY ***

CODE	DESCRIPTION	TOTAL PARCELS	COUNTY	CITY	SCHOOL
47612	BUS NEW C	8	2812,550		
47900	Air Pol. C	1	12000,000	12000,000	12000,000
	T O T A L	4,563	447720,239	444589,269	551734,843

*** GRAND TOTALS ***

ROLL SEC	DESCRIPTION	TOTAL PARCELS	ASSESSED LAND	ASSESSED TOTAL	TAXABLE COUNTY	TAXABLE CITY	TAXABLE SCHOOL	STAR TAXABLE
1	TAXABLE	6,762	142762,974	648209,480	617499,742	620630,712	635739,108	513485,138
5	SPECIAL FRANCHISE	3		25748,529	25748,529	25748,529	25748,529	25748,529
6	UTILITIES & N.C.	61	8600,120	153714,918	141714,918	141714,918	141714,918	141714,918
7	CEILING RAILROADS	19	46,662	3117,402	3117,402	3117,402	3117,402	3117,402
8	WHOLLY EXEMPT	255	60496,705	405080,501				
*	SUB TOTAL	7,100	211906,461	1235870,830	788080,591	791211,561	806319,957	684065,987
**	GRAND TOTAL	7,100	211906,461	1235870,830	788080,591	791211,561	806319,957	684065,987

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NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES

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Resolution No 247 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS the City Charter of the City of Oswego, Article XVII, Section 18.16 calls for the Common Council to confirm the Assessment Roll of the City of Oswego, and

WHEREAS the City Assessor of the City of Oswego prepared an Assessment Roll for the year 2016 (July 1, 2016 to June 30, 2017) showing a total taxable assessed value amounting to $791,211,561.00 now and therefore be it

RESOLVED that the 2016 Assessment Roll showing a total taxable value totaling $791,211,561.00 be and it hereby is confirmed, and be it

RESOLVED that the Assessment Roll be delivered to the City Chamberlain with a Warrant signed by the Mayor attached thereto directing the City Chamberlain to prepare a correct tax bill for each taxpayer and collect said levy after the first of April 2017.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Approved July, 12 2016

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR

Resolution prepared by Department of Assessment

Page No. ____

Meeting Date: July 5, 2016

By: Thomas A. Reynolds, Assistant City Attorney

Call for Executive Session of Administrative Services Committee to discuss the following topic:

___ 1. Matters which will imperil the public safety if disclosed;

___ 2. Any matter which may disclose the identity of a law enforcement agent or informer;

___ 3. Information relating to current or future investigations or prosecution of a criminal offense, which would imperil effective law enforcement if disclosed;

___ 4. Discussions regarding proposed, pending or current litigation - specifically _____.

___ 5. Collective negotiations pursuant to Article 14 (Taylor Law) of the Civil Service Law;

___ 6. The medical, financial or credit, or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;

___ 7. The preparation, grading or administration of examinations; and

X 8. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof, specifically regarding tax foreclosed properties located at 151 East Second Street, 2660 Johnson Road, 2664 Johnson Road, and 147 ½ West Bridge Street.

The Committee then entered into Executive Session at _____ (time).

The Committee came out of Executive Session at _____ (time).

[redacted]

Comparative Market Analysis

Prepared for
City of Oswego

For property at
147 W Bridge St

BRENDAN BENSON
FITZGIBBONS REAL ESTATE
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OSWEGO, NY
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www.askfitzre.com

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January 11, 2016

City of Oswego

Dear City of,

I appreciate the opportunity to provide you with a Comparative Market Analysis for your property. Prepared exclusively for you, this analysis contains a summary of the recent real estate transactions in your area for properties that are similar to yours. While none of the properties included in this analysis is exactly like yours, they do provide a good basis by which to compare your property with the 'competition'.

The following pages contain descriptions of each property whether it is currently available for sale, recently sold, or was listed but did not sell. A short description of each property is provided, followed by a summary table of each property's key features, which allows you to easily compare the features of your property with others in your area.

Your property may have special features or improvements that could substantially affect the price range in which it should be listed. We will discuss pricing in more detail after you have had a chance to review the enclosed information.

Please give me a call if you have any questions or would like any additional information. I look forward to working with you and selling your property quickly.

Sincerely,

BRENDAN BENSON
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OSWEGO, NY
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Fax: 315-282-2500
brendan@askfitzre.com
Web Site: www.askfitzre.com

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Office Profile

FITZGIBBONS REAL ESTATE

Our company has been offering highly respected professional services in your community for years. You can feel confident that the sale of your property will be handled by competent professionals with many years of experience.

Our services include:

* **Real Estate Sales**
* **Free Market Evaluations**
* **Property Rentals and Leases**
* **Property Management Services**
* **Relocation Services**

BRENDAN BENSON
NY Licensed R.E. Salesperson
FITZGIBBONS REAL ESTATE

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Marketing Plan

Prepared for City of Oswego

To assure you that your property is marketed to its fullest potential and to obtain the highest possible market value, I have a detailed and effective marketing strategy.

- Carefully evaluate your home and its competition and current market conditions
- Prepare a Comparative Market Analysis to establish fair market value
- Prepare listing contract
- Supply copies of seller disclosure statement
- Enter listing in the MLS system
- Take photos of property
- Place For Sale Sign on property
- Place lock box on property, if needed
- Inform each agent in my brokerage of this new listing
- Schedule property for Office and MLS tours
- Prepare and submit advertisement to newspaper
- Make listing available to internet web sites
- Hold open houses
- Arrange showings for other agents
- Pre-qualify potential buyers
- Review list price based on agent feedback and market condition
- Provide a weekly market activity report
- Present and review all offers with you
- Negotiate the transaction on your behalf
- Finalize the closing
- Provide references for qualified moving and relocation services

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Subject Property

Prepared for City of Oswego

147 W Bridge St

No Photo Available

Number of Bedrooms:

Number of Full Baths:

Number of Half Baths:

Approximate SqFt: 35960

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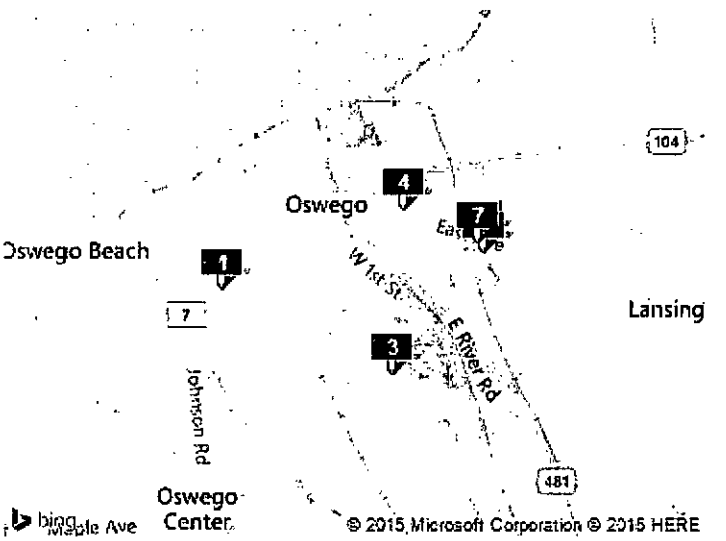
Comparable Property Location

Prepared for City of Oswego



Comparable Addres	St	# Beds	SqFt	Days on Mkt	List Price	Sale Price
69 Third Ave	A			597	$27,900	
125 ARCADIA	A			1971	$20,000	
5 Elizabeth St	S			320	$21,900	$19,000
224 Duer	S			23	$15,000	$12,000
2 Talisman	S			44	$13,000	$8,000
136-138 Arcadia Ave	S			91	$10,900	$4,833
134 Arcadia	S			91	$10,900	$4,833

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Lots and Land Comparative Market Summary

All Properties / All Statuses

Address ML#	Status	Area	Acres	Rd Frontage	List Price Contract Date	Sale Price Closed Date	SP/AC DOM
147 W Bridge St		Oswego-City	0.080	STATE			
69 Third Ave **S309889**	A	Oswego-City	0.460	CITY	$ 27,900		597
125 ARCADIA **S238829**	A	Oswego-City	0.000	CITY	$ 20,000		1,971
5 Elizabeth St **S280639**	S	Oswego-City	0.490	CITY	$ 21,900 08/19/2013	$ 19,000 09/11/13	$38,776 320
224 Duer **S216271**	S	Oswego-City	0.000	CITY	$ 15,000 09/18/2009	$ 12,000 10/20/09	23
2 Talisman **S169477**	S	Oswego-City	0.000	PRIVATE	$ 13,000 05/16/2007	$ 8,000 07/26/07	44
136-138 Arcadia Ave **S269020**	S	Oswego-City	0.190	CITY	$ 10,900 06/26/2012	$ 4,833 09/04/12	$25,437 91
134 Arcadia **S269024**	S	Oswego-City	0.180	CITY	$ 10,900 06/26/2012	$ 4,833 09/04/12	$26,850 91

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Total Listings:

	Acres	List Price	Selling Price	DOM
Average:	**0.175**	**$ 17,086**	**$ 9,733.20**	**448**
Minimum:	**0.000**	**$ 10,900**	**$ 4,833.00**	**23**
Maximum:	**0.490**	**$ 27,900**	**$ 19,000.00**	**1971**
Median:	**0.130**	**$ 15,000**	**$ 8,000.00**	**91**

BRENDAN BENSON
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44 E Bridge St, Suite 1, OSWEGO, NY

Comparative Market Summary (Active)

MLS#	Address	Area	Type	Zoning	Lot Size	Tota Taxe
	147 W Bridge St	Oswego-City			50 X 70	
S309889	69 Third Ave	Oswego-City	BLDG-LOT, RESIDENT	MULT	100 X 200	1,144
S238829	125 ARCADIA	Oswego-City	APPROVED, BLDG-LOT	RMRK	125 X 126	223

Averages: 35,960

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Comparative Market Summary (Pending)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	147 W Bridge St	Oswego-City			50 X 70	

Averages:	35,960	$0

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Comparative Market Summary (Sold)

MLS#	Address	Area	Type	Zoning	Lot Size	Total Taxes	Ac
	147 W Bridge St	Oswego-City			50 X 70		(
S280639	5 Elizabeth St	Oswego-City	APPROVED, BLDG-LOT	R2	100 X 212	$634	(
S216271	224 Duer	Oswego-City	APPROVED		38 X 125	$300	(
⌣169477	2 Talisman	Oswego-City	APPROVED, BLDG-LOT		136 X 149	$0	(
S269020	136-138 Arcadia Ave	Oswego-City	APPROVED, BLDG-LOT	PUD	48 X 170	$682	(
S269024	134 Arcadia	Oswego-City	BLDG-LOT, APPROVED	PUD	46 X 170	$682	(
Averages:					35,960	$460	

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Comparative Market Summary (Off Market)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	147 W Bridge St	Oswego-City			50 X 70	

Averages:	35,960	$

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Price Adjustments

Prepared for City of Oswego

	No Photo Available			No Photo Available
Address:	**147 W Bridge St**	**69 Third Ave**	**125 ARCADIA**	**5 Elizabeth St**
Status:		A	A	S
List Price:		$27,900	$20,000	$21,900
Sale Price:				$19,000
Bedrooms:				
Square Ft:	35960			
LP/SqFt:				
SP/SqFt:				
SP/Acre	0.08	0.46	0.00	0.49
Adjustment 1:				
+/- Amount:				
Adjustment 2:				
+/- Amount:				
Adjustment 3:				
+/- Amount:				
Adjustment 4:				
+/- Amount:				
Adjustment 5:				
+/- Amount:				
Adjustment 6:				
+/- Amount:				
Adjustment 7:				
+/- Amount:				
Adjustment 8:				
+/- Amount:				
Total:	**$0**	**$0**	**$0**	**$0**
Adjusted List Pr:		**$27,900**	**$20,000**	**$21,900**
Adjusted Sale Pr:				**$19,000**
Notes:				

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Price Adjustments

Prepared for City of Oswego

		No Photo Available		
Address:	**224 Duer**	**2 Talisman**	**136-138 Arcadia Ave**	**134 Arcadia**
Status:	S	S	S	S
List Price:	$15,000	$13,000	$10,900	$10,900
Sale Price:	$12,000	$8,000	$4,833	$4,833
Bedrooms:				
Square Ft:				
LP/SqFt:				
SP/SqFt:				
SP/Acre	0.00	0.00	0.19	0.18
Adjustment 1:				
+/- Amount:				
Adjustment 2:				
+/- Amount:				
Adjustment 3:				
+/- Amount:				
Adjustment 4:				
+/- Amount:				
Adjustment 5:				
+/- Amount:				
Adjustment 6:				
+/- Amount:				
Adjustment 7:				
+/- Amount:				
Adjustment 8:				
+/- Amount:				
Total:	**$0**	**$0**	**$0**	**$0**
Adjusted List Pr:	**$15,000**	**$13,000**	**$10,900**	**$10,900**
Adjusted Sale Pr:	**$12,000**	**$8,000**	**$4,833**	**$4,833**
Notes:				

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Prepared for City of Oswego

General Facts About Pricing...

There are certain factors that are within our control and some factors beyond our control when it comes to setting the price. Those factors within our control are: the appearance of the property, how aggressively we market the property and the price. Factors outside our control are: location of property, size and local amenities. It's important to accept those factors that are beyond our control and focus on the pricing and preparation.

A property priced at market value will attract more buyers than a home priced above market value. Consider that a competitively priced property will also attract a greater number of potential buyers and increase your opportunity for a quick sale.

Market Statistics...

Sell Price Statistics		Sell Price Per Sq. Ft. Statistics	
Average Price:	$9,700	**Average Price/Sq Ft:**	
High Price:	$19,000	**High Price/Sq Ft:**	
Median Price:	$8,000	**Median Price/Sq Ft:**	
Low Price:	$4,800	**Low Price/Sq Ft:**	

Figures are based on selling price after adjustments, and rounded to the nearest $100.

Summary...

Analysis of the selected comparable properties suggest similar properties are selling in the price range of: **$4,800 to $19,000**

Recommend Price: $9,700

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Estimated Seller's Net Proceeds

Prepared for City of Oswego

Address:	147 W Bridge St		January 11, 2016
Estimated Sale Price:	$9,700		
1st Mortgage Balance:	at 5.75%		
2nd Mortgage Balance:		**Buyer's Downpayment:**	
Total Seller's Mortgage:		**Buyer's Total Mortgage:**	

Seller's Expenses Figures are estimates only, not a guarantee, and are subject to change.

Settlement Charges: 0.00% of Sell Price + $0	$0

Total Estimated Seller Expenses:	**$0**
Estimated Sale Price:	**$9,700**
Less Estimated Seller Expenses:	**$0**
Less Sellers Mortgage:	
Estimated Net Proceeds:	**$9,700**

$- 10,500.00$

Seller: _____ Date: _____ Seller: _____ Date: _____

Agent: _____ Date: _____

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[redacted]

Comparative Market Analysis

Prepared for
City of Oswego

For property at
2664 Johnson Rd

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January 11, 2016

City of Oswego

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Sincerely,

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Personal Profile

BRENDAN BENSON

Experience:

Professional Affiliations:

Education:

Personal Interest:

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Marketing Plan

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Subject Property

Prepared for City of Oswego

2664 Johnson Rd

No Photo Available

Number of Bedrooms:

Number of Full Baths:

Number of Half Baths:

Approximate SqFt:

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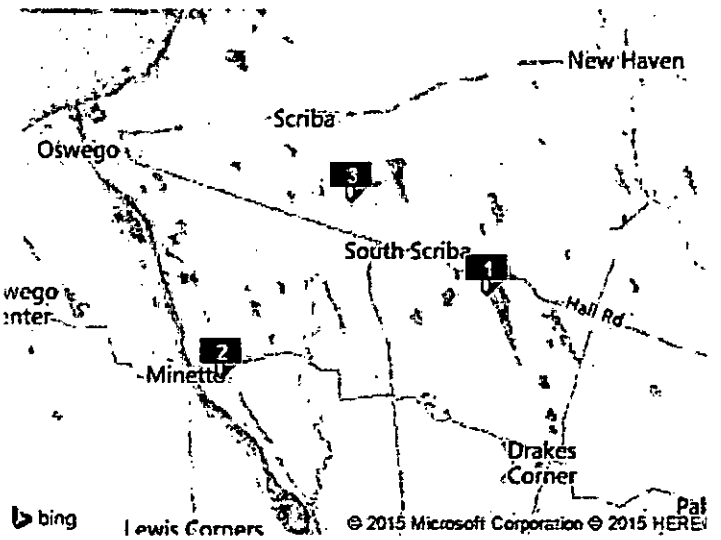
Comparable Property Location

Prepared for City of Oswego



Comparable Addres	St	# Beds	SqFt	Days on Mkt	List Price	Sale Price
. COUNTY ROUTE 4	S			1011	$15,000	$11,000
0 Lane Drive	S			145	$11,000	$8,000
0 Maiden Lane	S			447	$9,900	$8,000

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Lots and Land Comparative Market Summary

All Properties / All Statuses

Address ML#	Status	Area	Acres	Rd Frontage	List Price Contract Date	Sale Price Closed Date	SP/AC DOM
2664 Johnson Rd	S	Oswego-City	5.100				
. COUNTY ROUTE 4 **S116651**	S	Scriba	5.000	COUNTY	$ 15,000 03/15/2007	$ 11,000 04/27/07	$2,200 1,011
0 Lane Drive **S147035**	S	Volney	5.000	TOWN	$ 11,000 07/10/2006	$ 8,000 09/26/06	$1,600 145
0 Maiden Lane **S258698**	S	Scriba	4.120	RURAL	$ 9,900 11/03/2012	$ 8,000 12/19/12	$1,942 447

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Total Listings:

	Acres	List Price	Selling Price	DOM
Average:	**4.805**	**$ 11,967**	**$ 9,000.00**	**534**
Minimum:	**4.120**	**$ 9,900**	**$ 8,000.00**	**145**
Maximum:	**5.100**	**$ 15,000**	**$ 11,000.00**	**1011**
Median:	**5.000**	**$ 11,000**	**$ 8,000.00**	**447**

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY

Comparative Market Summary (Active)

MLS#	Address	Area	Type	Zoning	Lot Size	Tota Taxe
	2664 Johnson Rd	Oswego-City				

Averages: 0

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NY Licensed R.E. Salesperson

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Comparative Market Summary (Pending)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	2664 Johnson Rd	Oswego-City				

Averages: 0 $C

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NY Licensed R.E. Salesperson

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Comparative Market Summary (Sold)

MLS#	Address	Area	Type	Zoning	Lot Size	Total Taxes	Ac
	2664 Johnson Rd	Oswego-City					
S116651	. COUNTY ROUTE 4	Scriba	BLDG-LOT, RESIDENT		302 X 643	$463	
S147035	0 Lane Drive	Volney	BLDG-LOT, APPROVED, RESIDENT		0 X 0	$400	
258698	0 Maiden Lane	Scriba	BLDG-LOT, RESIDENT	R1	208 X 822	$860	

Averages: 0 $574

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Comparative Market Summary (Off Market)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	2664 Johnson Rd	Oswego-City				

Averages: 0

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Price Adjustments

Prepared for City of Oswego

	No Photo Available	No Photo Available		
Address:	**2664 Johnson Rd**	**. COUNTY ROUTE 4**	**0 Lane Drive**	**0 Maiden Lane**
Status:	S	S	S	S
List Price:		$15,000	$11,000	$9,900
Sale Price:		$11,000	$8,000	$8,000
Bedrooms:				
Square Ft:				
LP/SqFt:				
SP/SqFt:				
SP/Acre	5.10	5.00	5.00	4.12
Adjustment 1:				
+/- Amount:				
Adjustment 2:				
+/- Amount:				
Adjustment 3:				
+/- Amount:				
Adjustment 4:				
+/- Amount:				
Adjustment 5:				
+/- Amount:				
Adjustment 6:				
+/- Amount:				
Adjustment 7:				
+/- Amount:				
Adjustment 8:				
+/- Amount:				
Total:	**$0**	**$0**	**$0**	**$0**
Adjusted List Pr:		**$15,000**	**$11,000**	**$9,900**
Adjusted Sale Pr:		**$11,000**	**$8,000**	**$8,000**
Notes:				

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Pricing Your Property

Prepared for City of Oswego

General Facts About Pricing...

There are certain factors that are within our control and some factors beyond our control when it comes to setting the price. Those factors within our control are: the appearance of the property, how aggressively we market the property and the price. Factors outside our control are: location of property, size and local amenities. It's important to accept those factors that are beyond our control and focus on the pricing and preparation.

A property priced at market value will attract more buyers than a home priced above market value. Consider that a competitively priced property will also attract a greater number of potential buyers and increase your opportunity for a quick sale.

Market Statistics...

Sell Price Statistics		Sell Price Per Sq. Ft. Statistics	
Average Price:	$9,000	**Average Price/Sq Ft:**	
High Price:	$11,000	**High Price/Sq Ft:**	
Median Price:	$8,000	**Median Price/Sq Ft:**	
Low Price:	$8,000	**Low Price/Sq Ft:**	

Figures are based on selling price after adjustments, and rounded to the nearest $100.

Summary...

Analysis of the selected comparable properties suggest similar properties are selling in the price range of: **$8,000 to $11,000**

Recommend Price: $10,000

BRENDAN BENSON, FITZGIBBONS REAL ESTATE
44 E Bridge St Suite 1 OSWEGO NY
Office: 315-342-5000 | Cell: 315-256-4066 | Fax: 315-282-2500
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Prepared for City of Oswego

Address:	2664 Johnson Rd		January 11, 2016
Estimated Sale Price:	$10,000		
1st Mortgage Balance:	at 5.75%		
2nd Mortgage Balance:		**Buyer's Downpayment:**	
Total Seller's Mortgage:		**Buyer's Total Mortgage:**	

Seller's Expenses Figures are estimates only, not a guarantee, and are subject to change.

Settlement Charges: 0.00% of Sell Price + $0	$0

Total Estimated Seller Expenses:	**$0**
Estimated Sale Price:	**$10,000**
Less Estimated Seller Expenses:	**$0**
Less Sellers Mortgage:	
Estimated Net Proceeds:	**$10,000**

Seller: _____ Date: _____ Seller: _____ Date: _____

Agent: _____ Date: _____

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[redacted]

Comparative Market Analysis

Prepared for

Oswego City

For property at

2660 Johnson rd

BRENDAN BENSON
FITZGIBBONS REAL ESTATE
44 E Bridge St
OSWEGO, NY
Phone: 315-342-5000
Cell: 315-256-4066
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www.askfitzre.com

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January 11, 2016

Oswego City
2660 Johnson rd
Oswego, N.Y 13126

Dear Oswego,

I appreciate the opportunity to provide you with a Comparative Market Analysis for your property. Prepared exclusively for you, this analysis contains a summary of the recent real estate transactions in your area for properties that are similar to yours. While none of the properties included in this analysis is exactly like yours, they do provide a good basis by which to compare your property with the 'competition'.

The following pages contain descriptions of each property whether it is currently available for sale, recently sold, or was listed but did not sell. A short description of each property is provided, followed by a summary table of each property's key features, which allows you to easily compare the features of your property with others in your area.

Your property may have special features or improvements that could substantially affect the price range in which it should be listed. We will discuss pricing in more detail after you have had a chance to review the enclosed information.

Please give me a call if you have any questions or would like any additional information. I look forward to working with you and selling your property quickly.

Sincerely,

BRENDAN BENSON
FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1
OSWEGO, NY
Office: 315-342-5000 Cell: 315-256-4066
Fax: 315-282-2500
brendan@askfitzre.com
Web Site: www.askfitzre.com

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FITZGIBBONS REAL ESTATE

Our company has been offering highly respected professional services in your community for years. You can feel confident that the sale of your property will be handled by competent professionals with many years of experience.

Our services include:

* **Real Estate Sales**
* **Free Market Evaluations**
* **Property Rentals and Leases**
* **Property Management Services**
* **Relocation Services**

BRENDAN BENSON
NY Licensed R.E. Salesperson
FITZGIBBONS REAL ESTATE

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Marketing Plan

Prepared for Oswego City

To assure you that your property is marketed to its fullest potential and to obtain the highest possible market value, I have a detailed and effective marketing strategy.

- Carefully evaluate your home and its competition and current market conditions
- Prepare a Comparative Market Analysis to establish fair market value
- Prepare listing contract
- Supply copies of seller disclosure statement
- Enter listing in the MLS system
- Take photos of property
- Place For Sale Sign on property
- Place lock box on property, if needed
- Inform each agent in my brokerage of this new listing
- Schedule property for Office and MLS tours
- Prepare and submit advertisement to newspaper
- Make listing available to internet web sites
- Hold open houses
- Arrange showings for other agents
- Pre-qualify potential buyers
- Review list price based on agent feedback and market condition
- Provide a weekly market activity report
- Present and review all offers with you
- Negotiate the transaction on your behalf
- Finalize the closing
- Provide references for qualified moving and relocation services

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Subject Property

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2660 Johnson rd

No Photo Available

Number of Bedrooms:

Number of Full Baths:

Number of Half Baths:

Approximate SqFt:

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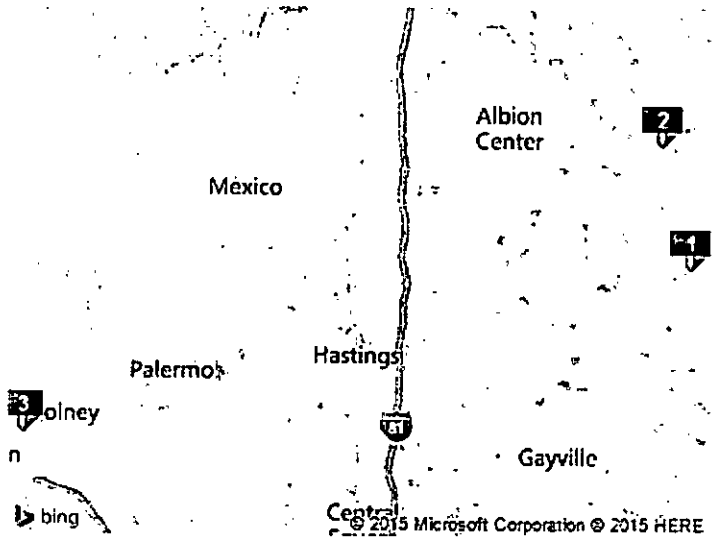
Comparable Property Location

Prepared for Oswego City



Comparable Addres	St	# Beds	SqFt	Days on Mkt	List Price	Sale Price
000 CO RT17	S			236	$14,900	$10,000
46 Brownell Dr	S			142	$13,900	$14,500
0 Flood Dr	S			98	$12,500	$10,500

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Lots and Land Comparative Market Summary

All Properties / All Statuses

Address ML#	Status	Area	Acres	Rd Frontage	List Price Contract Date	Sale Price Closed Date	SP/AC DOM
2660 Johnson rd			5.100				
000 CO RT17 **S177908**	S	Amboy	10.000	COUNTY	$ 14,900 03/26/2008	$ 10,000 09/19/08	$1,000 236
46 Brownell Dr **S244359**	S	Williamstown	6.530	RURAL	$ 13,900 03/30/2011	$ 14,500 04/28/11	 142
0 Flood Dr **S336921**	S	Volney	5.290	TOWN	$ 12,500 10/16/2015	$ 10,500 12/08/15	$1,985 98

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Total Listings:

	Acres	List Price	Selling Price	DOM
Average:	**6.730**	**$ 13,767**	**$ 11,666.67**	**159**
Minimum:	**5.100**	**$ 12,500**	**$ 10,000.00**	**98**
Maximum:	**10.000**	**$ 14,900**	**$ 14,500.00**	**236**
Median:	**5.910**	**$ 13,900**	**$ 10,500.00**	**142**

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY

Comparative Market Summary (Active)

MLS#	Address	Area	Type	Zoning	Lot Size	Tota Taxe
	2660 Johnson rd					

Averages: 0

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Comparative Market Summary (Pending)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	2660 Johnson rd					

Averages:		0	$0

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Comparative Market Summary (Sold)

MLS#	Address	Area	Type	Zoning	Lot Size	Total Taxes	A
	2660 Johnson rd						
S177908	000 CO RT17	Amboy	BLDG-LOT, RESIDENT		477 X 1100	$115	1
S244359	46 Brownell Dr	Williamstown	BLDG-LOT, RECREATN, RESIDENT	RMRK	0 X 0		
S336921	0 Flood Dr	Volney	RESIDENT	R1	188 X 1225	$627	

Averages: 0 $371

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Comparative Market Summary (Off Market)

MLS#	Address	Area	Type	Zoning	Lot Size	Tot Tax
	2660 Johnson rd					

Averages: 0 $

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Price Adjustments

Prepared for Oswego City

	No Photo Available			
Address:	**2660 Johnson rd**	**000 CO RT17**	**46 Brownell Dr**	**0 Flood Dr**
Status:		S	S	S
List Price:		$14,900	$13,900	$12,500
Sale Price:		$10,000	$14,500	$10,500
Bedrooms:				
Square Ft:				
LP/SqFt:				
SP/SqFt:				
SP/Acre	5.10	10.00	6.53	5.29
Adjustment 1:				
+/- Amount:				
Adjustment 2:				
+/- Amount:				
Adjustment 3:				
+/- Amount:				
Adjustment 4:				
+/- Amount:				
Adjustment 5:				
+/- Amount:				
Adjustment 6:				
+/- Amount:				
Adjustment 7:				
+/- Amount:				
Adjustment 8:				
+/- Amount:				
Total:	**$0**	**$0**	**$0**	**$0**
Adjusted List Pr:		**$14,900**	**$13,900**	**$12,500**
Adjusted Sale Pr:		**$10,000**	**$14,500**	**$10,500**
Notes:				

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Pricing Your Property

Prepared for Oswego City

General Facts About Pricing...

There are certain factors that are within our control and some factors beyond our control when it comes to setting the price. Those factors within our control are: the appearance of the property, how aggressively we market the property and the price. Factors outside our control are: location of property, size and local amenities. It's important to accept those factors that are beyond our control and focus on the pricing and preparation.

A property priced at market value will attract more buyers than a home priced above market value. Consider that a competitively priced property will also attract a greater number of potential buyers and increase your opportunity for a quick sale.

Market Statistics...

Sell Price Statistics		Sell Price Per Sq. Ft. Statistics	
Average Price:	$11,700	**Average Price/Sq Ft:**	
High Price:	$14,500	**High Price/Sq Ft:**	
Median Price:	$10,500	**Median Price/Sq Ft:**	
Low Price:	$10,000	**Low Price/Sq Ft:**	

Figures are based on selling price after adjustments, and rounded to the nearest $100.

Summary...

Analysis of the selected comparable properties suggest similar properties are selling in the price range of: **$10,000 to $14,500**

10,500 –

Recommend Price: $11,700

BRENDAN BENSON, FITZGIBBONS REAL ESTATE
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Office: 315-342-5000 | Cell: 315-256-4066 | Fax: 315-282-2500
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Prepared for Oswego City

Address:	2660 Johnson rd		January 11, 2016
Estimated Sale Price:	$11,700		
1st Mortgage Balance:	at 5.75%		
2nd Mortgage Balance:		**Buyer's Downpayment:**	
Total Seller's Mortgage:		**Buyer's Total Mortgage:**	

Seller's Expenses Figures are estimates only, not a guarantee, and are subject to change.

Settlement Charges: 0.00% of Sell Price + $0	$0

Total Estimated Seller Expenses:	**$0**
Estimated Sale Price:	**$11,700**
Less Estimated Seller Expenses:	**$0**
Less Sellers Mortgage:	
Estimated Net Proceeds:	**$11,700**

Seller: _____ Date: _____ Seller: _____ Date: _____

Agent: _____ Date: _____

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FITZGIBBONS REAL ESTATE
www.askfitzre.com

EXCLUSIVE RIGHT TO SELL CONTRACT

Approved as to form by the Multiple Listing Service
OSWEGO COUNTY BOARD OF REALTORS®

Listing No. _____

COMMISSIONS OR FEES FOR REAL ESTATE SERVICES TO BE PROVIDED ARE NEGOTIABLE BETWEEN BROKER AND CLIENT

THIS IS A LEGALLY BINDING CONTRACT. IF YOU HAVE QUESTIONS CONCERNING THIS CONTRACT, YOU SHOULD CONSULT AN ATTORNEY BEFORE SIGNING IT.

June, 2016

TERMS OF LISTING

TO Fitzgibbons Real Estate I hereby give you the exclusive right to sell my property located at 151 E 2nd Street Oswego N.Y 13126 City of Os for $ 19,900.00 until 12:00 o'clock midnight on 12/16/16. It is understood and agreed that you will submit this listing within 48 hours to the MULTIPLE LISTING SERVICE of the OSWEGO COUNTY BOARD OF REALTORS® (MLS) for circulation to all members of the service, and that you will use your best efforts to find a purchaser. I also agree to show the property at any reasonable hour.

COMPENSATION

I agree that if you procure a ready, willing and able purchaser at my price and terms, I will pay you a commission of 5 percent (%) of the selling price. **"AT THE TIME OF CLOSING, YOU MAY BE REQUIRED TO DEPOSIT THE BROKER'S COMMISSION WITH THE COUNTY CLERK IN THE EVENT THAT YOU DO NOT PAY THE BROKER HIS OR HER COMMISSION AS SET FORTH HEREIN. YOUR OBLIGATION TO DEPOSIT THE BROKER'S COMMISSION WITH THE COUNTY CLERK MAY BE WAIVED BY THE BROKER."**

If within 90 days after the expiration of the terms of this listing, my property shall be sold to or exchanged with any person to whom the property has been shown during the term of the listing, I will pay the commission stated in this agreement as if you had made the sale. The preceding sentence shall not apply if during this 90 day period I list my property with another licensed real estate broker.

PROPERTY INFORMATION

I will complete and deliver to you a signed profile sheet, a Property Condition Disclosure Statement and I certify that the information furnished is accurate to the best of my knowledge. Further I direct you to furnish copies of these documents to the MLS.

COMPLETE THIS SECTION ONLY IF THER RESIDENTIAL DWELLING WAS CONSTRUCTED PRIOR TO 1978

Sellers Initial	
	1) Known lead-based paint and/or lead-based paint hazards [ ] are [ ] **are not** present, or [ ] **the presence thereof is unknown** in the residential dwelling.
	2) Lead based paint risk assessment tests [ ] have [ ] **have not** been conducted in the residential dwelling; and
	3) There [ ] are [ ] **are not** reports or records pertaining to lead-based paint and/or lead-based paint hazards in the residential dwelling.

Since the above residential dwelling was constructed prior to 1978 I instruct you as my agent, in compliance with joint EPA and HUD Regulations, to provide the purchasers of my property with an approved lead hazard information pamphlet and to inform them that:

NON-DISCRIMINATION

It is agreed that my property is listed in full compliance with local, state and federal fair housing laws against discrimination on the basis of race, creed, color, religion, national origin, sex, familial status, martial status, age, or disabilities.

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AGENCY

SUBAGENCY

I am aware that this MLS listing is a unilateral offer of subagency made by me through you to the participants in the MLS. I am further aware that I could be liable for the misrepresentations, if any, of subagents: If I incur a loss as a result of misrepresentations of subagents, I may be entitled to bring legal action against the responsible subagents for reimbursement of such loss.

I agree that the compensation to the selling subagent in a transaction shall be 2.5 percent (%) of the selling price prior or $_____ dollars.

BROKER AGENT

I also authorize you to engage a broker agent who, as a general rule, will work under a seller's broker or buyer's broker without liability to me or the buyer.

I agree that the compensation to the broker agent in a transaction shall be 2.5 percent (%) of the selling price prior or $_____ dollars.

BUYER BROKERAGE

I also authorize you to cooperate with brokers who represent buyers with the understanding that such buyers' brokers will be representing only the interest of the prospective buyers, unless I agree otherwise in writing.

I agree that the compensation to the buyer broker in a transaction shall be 2.5 percent (%) of the selling price prior or $_____ dollars.

DUAL AGENCY (*Please initial if you agree with the terms of this paragraph*) _____

I acknowledge that you may represent buyer clients during the term of this Exclusive Right to Sell contract and that one or more of your buyer clients may be interested in purchasing my property. I hereby authorize you to show my property to your buyer clients. You will inform me, however, if one of your buyer clients wishes to purchase my property. In this case, you and I may (but do not have to) agree to enter into a dual agency arrangement so that you can represent me and the buyer client at the same time with respect to the negotiation of the purchase of my property.

ONE COMMISSION

I agree that I will not be liable for more than one (1) commission totaling 5 percent (%) of the selling price.

NEGOTIATIONS

You and I authorize all negotiations of contracts by (a) Listing Broker Only [ ] (b) All MLS Members [X]

SUBSEQUENT PURCHASE OFFERS

YOU SHOULD CONSULT WITH YOUR ATTORNEY BEFORE ACCEPTING ANY SUBSEQUENT PURCHASE OFFER AS YOU MAY HAVE ADDITIONAL LIABILITY TO BUYERS ON BOTH PURCHASE OFFERS.

TERMINATION

I understand that if I terminate the Listing Broker's authority prior to the expiration if its term, the Listing Broker shall retain its contract rights (including but not limited to recovery of its commission, any other charges, or damages) by reason of my early termination of this agreement.

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ASSIGNMENT

Unless Owner delivers to Broker a written certification, in a form acceptable to Broker, that Owner does not desire the Listing Content to be disseminated by a Multiple Listing Service, Owner acknowledges and agrees that all photographs, images, graphics, video recordings, virtual tours, drawings, written descriptions, remarks, narratives, pricing information, and other copyrightable elements relating to the Property provided by Owner to Broker or Broker's Agent, or otherwise obtained or produced by Broker or Broker's Agent in connection with this Agreement, and any changes to such information (the "Listing Content"), may be filed with one or more Multiple Listing Services, including in compilations of listings, and otherwise distributed, publicly displayed and reproduced. Owner hereby irrevocably assigns and transfers to Broker any and all copyright rights and other intellectual property rights, and all actions and causes of action related to the foregoing, and all damages, profits, and other recoveries related thereto, which Owner may have or acquire in and to any and all Listing Content. Owner represents and warrants to Broker that the Listing Content and this assignment of rights to Broker does not violate or infringe upon the rights, including any copyright rights, or any person or entity. Owner shall indemnify Broker against all damages, costs, and liabilities, including reasonable attorney fees, arising from any claim that the Listing Content or any portion of the Listing Content infringes the rights of any third party.

HOME EQUITY THEFT PREVENTION ACT *(Please Initial if Applicable)*

☐ The owner represents that there is no mortgage on the property that is in foreclosure (lis pendens filed or property is on active tax lien sale list) and that owner is not in default for two or more months on any mortgage secured by the premises.

LOCKBOXES, PHOTOGRAPHS, FOR SALE SIGNS *(Please Initial All That Apply)*

☐ I authorize the photographing of my property and the use of such photographs in promoting its sale.

☐ I authorize the placement of a for sale sign on my property.

☐ I hereby authorize the use of a lockbox, and accept any responsibility for any damage or loss arising from the use of the lockbox.

ACCEPTANCE

By signing this contract, each party agrees to be bound by all the terms of this contract and each party further acknowledges that he or she received a fully executed duplicate of this contract.

		Fitzgibbons Real Estate	
Owner City of Oswego	Date	Broker	
Owner	Date	By Brendan Benson	Date

NOTICE TO OWNERS

The following are explanations by the Department of State of New York of two types of exclusive listings.

The Department of State requires all owners of real property to sign an acknowledgement that these explanations have been presented to them.

EXCLUSIVE RIGHT TO SELL

An "exclusive right to sell" listing means that if you the owner of the property, find a buyer for your house, or if another broker finds a buyer, you must pay the agreed commission to the present broker.

EXCLUSIVE AGENCY

An "exclusive agency" listing means that if you, the owner of the property, find a buyer, you will not have to pay a commission to the broker. However, if another brokers finds a buyer, you will owe a commission to both the selling broker and your present broker

Date	Owner	Owner

MLS Form # 1 (Rev.07/10)

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REAL ESTATE
www.askfitzre.com

CONTINGENCY ADDENDUM AND DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS FOR TARGET HOUSING SALES

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Property Address:

151 E 2nd Street
Street Address — Unit

Oswego — N.Y — 13126
City — State — Zip

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

☐ (i)Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

_____

☐ (ii)Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the purchaser (Check (i) or (ii) below):

☐ (i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

_____

☐ (ii) Seller has no reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser' Acknowledgment (Initial)

(c) ____ Purchaser has received copies of all information listed above.

(d) ____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*

(e) ____ Purchaser has [check (i) or (ii) below]:

(i) ☐ If this line is checked and by signatures of purchasers and sellers below, purchasers will receive a 10 day opportunity, beginning at 12:01 a.m. on the date of the execution of the purchase and sale agreement by all parties, to conduct a risk assessment or inspection, at purchasers expense, for the presence of lead-based paint and/or lead-based paint hazards. If lead based paint hazards are found by a qualified inspector and written notice to terminate the contract is not given by the purchasers to the sellers by 11:59 p.m. of the 10th day of the inspection period, then this contract is binding and enforceable.

(ii) ☐ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(e) ____ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Buyer	Date	Seller City of Oswego	Date
Buyer	Date	Seller	Date
Agent	Date	Agent Brendan Benson	Date

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Rev. 01/01

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ADDENDUM TO PURCHASE CONTRACT

Prior to closing, the Buyer must be in compliance with all City Codes and current in payment of all City and School taxes and any and all fees owed to the City of Oswego, including but not limited to sewer and water fees, for any and all properties owned by the Buyer in the City of Oswego. In the event that the Buyer is in default in payment of any City or School Taxes or City fees as of the transfer date set forth herein, Seller may cancel this Contract and retain the Buyer's Deposit.

Dated: _____

CITY OF OSWEGO, SELLER

BY: _____

Dated: _____

BUYER: _____

BUYER: _____

Addendum to Purchase Contract

This addendum is to be attached to and made part of the Purchase Contract dated

_____ between the City of Oswego (Seller) and _____,

_____ (Buyer) for the sale of the property located at

_____, Oswego, New York 13126 (Property).

By signing below both parties agree to the following:

1. Seller will not pay for nor provide an abstract of title, survey, or title insurance for the sale of the Property.

2. Seller will only provide a Quit Claim Deed, TP-584 and RP-5217 for the sale of the Property.

3. Buyer is responsible for the cost of recording the deed and related documents with the Oswego County Clerk's Office.

4. It is understood that the property is being sold in "As Is" condition, without any warranty from the Seller to the Buyer.

5. Prior to closing, the Buyer must be in compliance with all City Codes and be current in payment of all City and School taxes and any and all fees owed to the City of Oswego, including but not limited to sewer and water fees, for any and all properties owned by the Buyer in the City of Oswego. In the event that the Buyer is in default in payment of any City or School Taxes or City fees as of the transfer date set forth herein, Seller may cancel this Contract and retain the Buyer's Deposit.

Dated: _____ City of Oswego, SELLER

BY: _____

Dated: _____ Buyer: _____

Buyer: _____

New York State
DEPARTMENT OF STATE
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001

FITZGIBBONS
REAL ESTATE
www.askfitzre.com

Customer Service: (518) 474-4429
www.dos.state.ny.us

New York State Disclosure Form for Buyer and Seller

THIS IS NOT A CONTRACT

New York State law requires real estate licensees who are acting as agents of buyers or sellers of property to advise the potential buyers or sellers with whom they work of the nature of their agency relationship and the rights and obligations it creates. This disclosure will help you to make informed choices about your relationship with the real estate broker and its sales agents.

Throughout the transaction you may receive more than one disclosure form. The law may require each agent assisting in the transaction to present you with this disclosure form. A real estate agent is a person qualified to advise about real estate.

If you need legal, tax or other advice, consult with a professional in that field.

Disclosure Regarding Real Estate Agency Relationships

Seller's Agent

A seller's agent is an agent who is engaged by a seller to represent the seller's interests. The seller's agent does this by securing a buyer for the seller's home at a price and on terms acceptable to the seller. A seller's agent has, without limitation, the following fiduciary duties to the seller: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A seller's agent does not represent the interests of the buyer. The obligations of a seller's agent are also subject to any specific provisions set forth in an agreement between the agent and the seller. In dealings with the buyer, a seller's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly in good faith; and (c) disclose all facts known to the agent materially affecting the value or desirability of property, except as otherwise provided by law.

Buyer's Agent

A buyer's agent is an agent who is engaged by a buyer to represent the buyer's interests. The buyer's agent does this by negotiating the purchase of a home at a price and on terms acceptable to the buyer. A buyer's agent has, without limitation, the following fiduciary duties to the buyer: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A buyer's agent does not represent the interest of the seller. The obligations of a buyer's agent are also subject to any specific provisions set forth in an agreement between the agent and the buyer. In dealings with the seller, a buyer's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the buyer's ability and/or willingness to perform a contract to acquire seller's property that are not inconsistent with the agent's fiduciary duties to the buyer.

Broker's Agents

A broker's agent is an agent that cooperates or is engaged by a listing agent or a buyer's agent (but does not work for the same firm as the listing agent or buyer's agent) to assist the listing agent or buyer's agent in locating a property to sell or buy, respectively, for the listing agent's seller or the buyer agent's buyer. The broker's agent does not have a direct relationship with the buyer or seller and the buyer or seller can not provide instructions or direction directly to the broker's agent. The buyer and the seller therefore do not have vicarious liability for the acts of the broker's agent. The listing agent or buyer's agent do provide direction and instruction to the broker's agent and therefore the listing agent or buyer's agent will have liability for the acts of the broker's agent.

Dual Agent

A real estate broker may represent both the buyer and seller if both the buyer and seller give their informed consent in writing. In such a dual agency situation, the agent will not be able to provide the full range of fiduciary duties to the buyer and seller. The obligations of an agent are also subject to any specific provisions set forth in an agreement between the agent, and the buyer and seller. An agent acting as a dual agent must explain carefully to

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both the buyer and seller that the agent is acting for the other party as well. The agent should also explain the possible effects of dual representation, including that by consenting to the dual agency relationship the buyer and seller are giving up their right to undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship before agreeing to such representation. A seller or buyer may provide advance informed consent to dual agency by indicating the same on this form.

Dual Agent with Designated Sales Agents

If the buyer and seller provide their informed consent in writing, the principals and the real estate broker who represents both parties as a dual agent may designate a sales agent to represent the buyer and another sales agent to represent the seller to negotiate the purchase and sale of real estate. A sales agent works under the supervision of the real estate broker. With the informed consent of the buyer and the seller in writing, the designated sales agent for the buyer will function as the buyer's agent representing the interests of and advocating on behalf of the buyer and the designated sales agent for the seller will function as the seller's agent representing the interests of and advocating on behalf of the seller in the negotiations between the buyer and seller. A designated sales agent cannot provide the full range of fiduciary duties to the buyer or seller. The designated sales agent must explain that like the dual agent under whose supervision they function, they cannot provide undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship with designated sales agents before agreeing to such representation. A seller or buyer may provide advance informed consent to dual agency with designated sales agents by indicating the same on this form.

This form was provided to me by BRENDAN BENSON (print name of licensee) of FITZGIBBONS REAL ESTATE (print name of company, firm or brokerage), a licensed real estate broker acting in the interest of the:

(X) Seller as a (check relationship below)

(X) Seller's agent

( ) Broker's agent

( ) Buyer as a (check relationship below)

( ) Buyer's agent

( ) Broker's agent

( ) Dual agent

( ) Dual agent with designated sales agent

For advance informed consent to either dual agency or dual agency with designated sales agents complete section below:

( ) Advance informed consent dual agency

( ) Advance informed consent to dual agency with designated sales agents

If dual agent with designated sales agents is indicated above: _____ is appointed to represent the buyer; and _____ is appointed to represent the seller in this transaction.

(I) (We) City of Oswego acknowledge receipt of a copy of this disclosure form: signature of { } Buyer(s) and/or {X} Seller(s):

(X) _____ _____

_____ _____

Date: _____ Date: _____

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[redacted]

Comparative Market Analysis

Prepared for
Oswego City

For property at
151 E 2nd St

BRENDAN BENSON
FITZGIBBONS REAL ESTATE
44 E Bridge St
OSWEGO, NY
Phone: 315-342-5000
Cell: 315-256-4066
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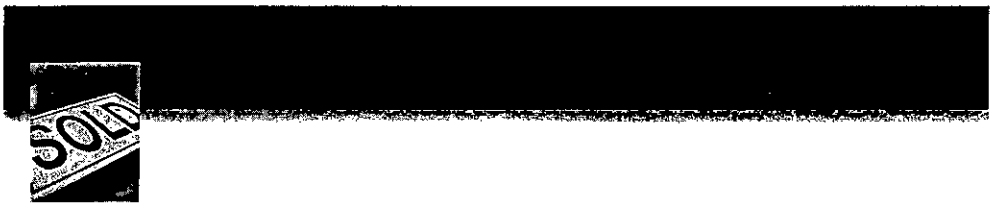

June 14, 2016

Oswego City
151 East 2nd Street
Oswego, N.Y

Dear Oswego,

I appreciate the opportunity to provide you with a Comparative Market Analysis for your property. Prepared exclusively for you, this analysis contains a summary of the recent real estate transactions in your area for properties that are similar to yours. While none of the properties included in this analysis is exactly like yours, they do provide a good basis by which to compare your property with the 'competition'.

The following pages contain descriptions of each property whether it is currently available for sale, recently sold, or was listed but did not sell. A short description of each property is provided, followed by a summary table of each property's key features, which allows you to easily compare the features of your property with others in your area.

Your property may have special features or improvements that could substantially affect the price range in which it should be listed. We will discuss pricing in more detail after you have had a chance to review the enclosed information.

Please give me a call if you have any questions or would like any additional information. I look forward to working with you and selling your property quickly.

Sincerely,

BRENDAN BENSON
FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1
OSWEGO, NY
Office: 315-342-5000 Cell: 315-256-4066
Fax: 315-282-2500
brendan@askfitzre.com
Web Site: www.askfitzre.com

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Personal Profile

BRENDAN BENSON

Experience:

Professional Affiliations:

Education:

Personal Interest:

BRENDAN BENSON, FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY
315-342-5000 | Cell: 315-256-4066 | Fax: 315-282-2500

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Office Profile

FITZGIBBONS REAL ESTATE

Our company has been offering highly respected professional services in your community for years. You can feel confident that the sale of your property will be handled by competent professionals with many years of experience.

Our services include:

* **Real Estate Sales**
* **Free Market Evaluations**
* **Property Rentals and Leases**
* **Property Management Services**
* **Relocation Services**

BRENDAN BENSON
NY Licensed R.E. Salesperson
FITZGIBBONS REAL ESTATE

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Subject Property

Prepared for Oswego City

151 E 2nd St

No Photo Available

Number of Bedrooms:	2
Number of Full Baths:	1
Number of Half Baths:	
Approximate SqFt:	882

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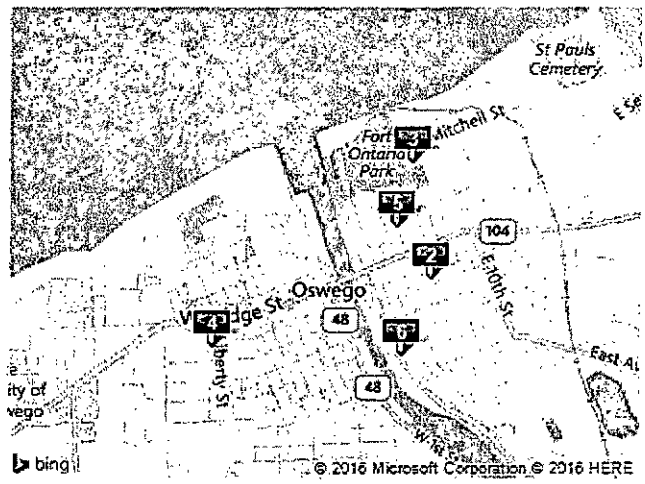
Comparable Property Location

Prepared for Oswego City



Comparable Address	St	# Beds	SqFt	Days on Mkt	List Price	Sale Price
14 E 6th St	S	2	850	47	$29,900	$30,000
79 E Oneida St	S	2	853	74	$29,900	$25,000
39 E Ninth Street	S	3	889	400	$24,900	$18,200
114 Liberty St	S	2	978	34	$19,900	$15,000
18 E Sixth Street	S	3	990	192	$19,900	$18,000
194 E Second	S	3	855	28	$19,900	$7,500

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Single Family Residential Comparative Market Summary

All Properties / All Statuses

Address ML#	Status	Area	Beds	Baths	SqFt	List Price Contract Date	Sale Price Closed Date	SP/SqFt DOM
151 E 2nd St		Oswego-City	2	1	882			
14 E 6th St **S284645**	S	Oswego-City	2	1 /0	850	$ 29,900 03/13/2013	$ 30,000 05/03/13	$35.29 47
79 E Oneida St **S345255**	S	Oswego-City	2	1 /0	853	$ 29,900 02/12/2016	$ 25,000 06/13/16	$29.31 74
39 E Ninth Street **S236798**	S	Oswego-City	3	1 /0	889	$ 24,900 08/02/2011	$ 18,200 09/16/11	$20.47 400
114 Liberty St **S312774**	S	Oswego-City	2	1 /0	978	$ 19,900 07/11/2014	$ 15,000 09/05/14	$15.34 34
18 E Sixth Street **S236847**	S	Oswego-City	3	1 /0	990	$ 19,900 01/06/2011	$ 18,000 02/03/11	$18.18 192
194 E Second **S233962**	S	Oswego-City	3	1 /0	855	$ 19,900 06/14/2010	$ 7,500 11/01/10	$8.77 28

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Total Listings: 7

	Square Feet	List Price	Selling Price	DOM
Average:	**900**	**$ 24,066.67**	**$ 18,950.00**	**129**
Minimum:	**850**	**$ 19,900.00**	**$ 7,500.00**	**28**
Maximum:	**990**	**$ 29,900.00**	**$ 30,000.00**	**400**
Median:	**882**	**$ 22,400.00**	**$ 18,100.00**	**61**

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO

Single Family Residential Comparative Market Summary (Active)

MLS#	Address Area	Total Beds	Total Baths	SqFt	# Garage Spaces	Year Built	Lot Size Acres	Total Taxes	List Price	DOM
	151 E 2nd St Oswego-City	2		882		1890	29 X 58 0.04			

 # Properties: 0

Averages	Total Beds	Total Baths	Square Feet	# Garage Spaces	Total Taxes	List Price	DOM
	2	0.000	882	0.000	$0	$0	0

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY

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Single Family Residential Comparative Market Summary (Sold)

MLS#	Address Area	# Garage Spaces	Total Beds	Total Baths	SqFt	Year Built	Lot Size Acres	Total Taxes	List Price Sale Price	DOM Closed Date
	151 E 2nd St Oswego-City		2		882	1890	29 X 58 0.04			
S284645	14 E 6th St Oswego-City	0.0	2	1.0	850	1900	33 X 100 0.08	$1,931	$29,900 $30,000	47 05/03/13
S345255	79 E Oneida St Oswego-City	2.0	2	1.0	853	1902	50 X 44 0.05	$2,093	$29,900 $25,000	74 06/13/16
S236798	39 E Ninth Street Oswego-City	0.0	3	1.0	889	1890	32 X 118 0.09	$1,098	$24,900 $18,200	400 09/16/11
S312774	114 Liberty St Oswego-City	0.0	2	1.0	978	1890	25 X 75 0.04	$1,953	$19,900 $15,000	34 09/05/14
S236847	18 E Sixth Street Oswego-City	0.0	3	1.0	990	1880	28 X 100 0.01	$1,424	$19,900 $18,000	192 02/03/11
S233962	194 E Second Oswego-City	0.0	3	1.0	855	1890	27 X 90	$1,666	$19,900 $7,500	28 11/01/10

 # Properties: 0

	# Gar Spaces	# Bedrooms	Total Bathrooms	Square Footage	Total Taxes	List Price	Sale Price	DOM
Average:	0.333	2	1	900	$1,694	$24,067	$18,950	129
Maximum:	2.000	3	1.0	990	$2,093	$29,900	$30,000	400
Minimum:	0.000	2	1.0	850	$1,098	$19,900	$7,500	28
Median:	0.000	2	1	882	$1,799	$22,400	$18,100	61

BRENDAN BENSON
NY Licensed R.E. Salesperson

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44 E Bridge St, Suite 1, OSWEGO, NY

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Some Properties For Your Consideration . . .

Presented by: BRENDAN BENSON
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BRENDAN@ASKFITZ.COM
Phone: 315-342-5000
Fax: 315-342-5200

	No Photo Available		
	151 E 2nd St	14 E 6th St	79 E Oneida St
MLS #		S284645	S345255
Status		Closed Sale or Rented	Closed Sale or Rented
Area	Oswego-City	Oswego-City	Oswego-City
Subdivision			
School District		Oswego	Oswego
Style		Colonial, 2 Story	2 Story
Year Built/Desc	1890	1900 / Existing	1902 / Existing
Approx SqFt	882	850	853
# of Stories	2	1	2
# Bedrooms	2	2	2
# Full Bathrooms	1	1	1
# Half Bathrooms		0	0
# Fireplace		0	0
Floors		Laminate-Some, Vinyl-Some	Wall To Wall Carpet-Some, Vi
Kitchen/Dining		Country Kitchen, Formal Dinin	Formal Dining Room, Living/D
Kitchen Appliances		Refrigerator, Washer	Oven/Range-Freestanding, Re
Interior Feat		Circuit Breakers - Some	Other - See Remarks
Construction		Composition	Other - See Remarks
Attic		Crawl Space	Partial
Basement		Partial	Partial
Exterior Feat		Cable TV Available, High Spee	Other - See Remarks
# Garages		0.0	2.0
Garage Desc			Detached
Driveway		Stone/Gravel	Blacktop
Handicap Access			
# Acres +/-	0.04	0.08	0.05
Frontage X Depth	29x 58	33x 100	50x 44
Water Frontage			
Lot Information		Secondary Road	Corner Lot
Waterfront Desc			
HVAC Type		Forced Air	Baseboard, Hot Water
Heat Fuel		Gas	Gas
Water		Public Connected	Public Connected
Sewer		Sewer Connected	Sewer Connected
List Price		$ 29,900	$ 29,900
List Price/SqFt	$ 0.00	$ 35.18	$ 35.05
Total Taxes		$1,931.00	$2,093.00
Sale Price		$ 30,000	$ 25,000
Sale Price/SqFt		$35	$29
DOM		47	74

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RES SidexSide 3 up (NYA) FITZGIBBONS REAL ESTATE, 44 E Bridge St, Suite 1, OSWEGO NY 06/14/16 1:36 PM

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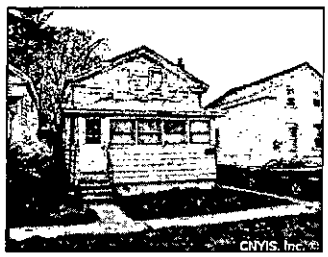
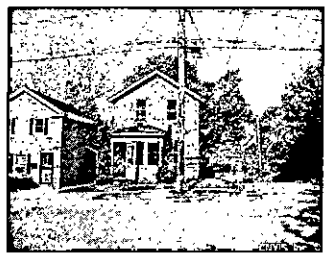


39 E Ninth Street



114 Liberty St

18 E Sixth Street

	39 E Ninth Street	114 Liberty St	18 E Sixth Street
MLS #	S236798	S312774	S236847
Status	Closed Sale or Rented	Closed Sale or Rented	Closed Sale or Rented
Area	Oswego-City	Oswego-City	Oswego-City
Subdivision			
School District	Oswego	Oswego	Oswego
Style	2 Story, Colonial	2 Story	2 Story, Colonial
Year Built/Desc	1890 / Existing	1890 / Existing	1880 / Existing
Approx SqFt	889	978	990
# of Stories	0	2	2
# Bedrooms	3	2	3
# Full Bathrooms	1	1	1
# Half Bathrooms	0	0	0
# Fireplace	0	0	0
Floors	Other - See Remarks	Hardwood-Some, Laminate-Sc	Other - See Remarks
Kitchen/Dining	Eat-In	Eat-In	Eat-In
Kitchen Appliances	Other - See Remarks	None	Other - See Remarks
Interior Feat	Other - See Remarks	Circuit Breakers - Some	Other - See Remarks
Construction	Frame, Vinyl	Shake Shingle	Frame, Other - See Remarks
Attic	Crawl Space	Crawl Space	None
Basement	Full	Full	Full
Exterior Feat	Other - See Remarks	Cable TV Available	Other - See Remarks
# Garages	0.0	0.0	0.0
Garage Desc			
Driveway	Stone/Gravel	None	Stone/Gravel
Handicap Access			
# Acres +/-	0.09	0.04	0.01
Frontage X Depth	32x 118	25x 75	28x 100
Water Frontage			
Lot Information	Neighborhood Street	Neighborhood Street	Neighborhood Street
Waterfront Desc			
HVAC Type	Forced Air	Forced Air	Other - See Remarks
Heat Fuel	Gas	Gas	Gas
Water	Public Connected	Public Connected	Public Connected
Sewer	Sewer Connected	Sewer Connected	Sewer Connected
List Price	$ 24,900	$ 19,900	$ 19,900
List Price/SqFt	$ 28.01	$ 20.35	$ 20.10
Total Taxes	$1,098.00	$1,953.00	$1,424.00
Sale Price	$ 18,200	$ 15,000	$ 18,000
Sale Price/SqFt	$20	$15	$18
DOM	400	34	192

BRENDAN BENSON, NY Licensed R.E. Salesperson

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Phone: 315-342-5000
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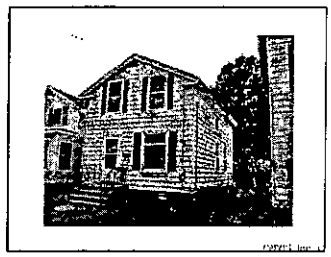

194 E Second

MLS #	S233962
Status	Closed Sale or Rented
Area	Oswego-City
Subdivision	
School District	Oswego
Style	2 Story
Year Built/Desc	1890 / Existing
Approx SqFt	855
# of Stories	0
# Bedrooms	3
# Full Bathrooms	1
# Half Bathrooms	0
# Fireplace	0
Floors	Wall To Wall Carpet-Some
Kitchen/Dining	Eat-In
Kitchen Appliances	Other - See Remarks
Interior Feat	Other - See Remarks
Construction	Vinyl
Attic	Crawl Space
Basement	Full
Exterior Feat	Other - See Remarks
# Garages	0.0
Garage Desc	
Driveway	Dirt
Handicap Access	
# Acres +/-	
Frontage X Depth	27x 90
Water Frontage	
Lot Information	Other - See Remarks
Waterfront Desc	
HVAC Type	Other - See Remarks
Heat Fuel	Gas
Water	Public Connected
Sewer	Sewer Connected
List Price	$ 19,900
List Price/SqFt	$ 23.27
Total Taxes	$1,666.00
Sale Price	$ 7,500
Sale Price/SqFt	$9
DOM	28

BRENDAN BENSON, NY Licensed R.E. Salesperson

RES SidexSide 3 up (NYA) FITZGIBBONS REAL ESTATE, 44 E Bridge St, Suite 1, OSWEGO NY 06/14/16 1:36 PM

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Price Adjustments

Prepared for Oswego City

		No Photo Available			
Address:		151 E 2nd St	14 E 6th St	79 E Oneida St	39 E Ninth Street
Status:			S	S	S
List Price:			$29,900	$29,900	$24,900
Sale Price:			$30,000	$25,000	$18,200
Bedrooms:	2		2	2	3
Square Ft:	882		850	853	889
LP/SqFt:			35.18	35.05	28.01
SP/SqFt:			35.29	29.31	20.47
SP/Acre	0.04		0.08	0.05	0.09
Adjustment 1:					
+/- Amount:					
Adjustment 2:					
+/- Amount:					
Adjustment 3:					
+/- Amount:					
Adjustment 4:					
+/- Amount:					
Adjustment 5:					
+/- Amount:					
Adjustment 6:					
+/- Amount:					
Adjustment 7:					
+/- Amount:					
Adjustment 8:					
+/- Amount:					
Total:	**$0**		**$0**	**$0**	**$0**
Adjusted List Pr:			**$29,900**	**$29,900**	**$24,900**
Adjusted Sale Pr:			**$30,000**	**$25,000**	**$18,200**
Notes:					

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY

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Price Adjustments

Prepared for Oswego City

Address:	114 Liberty St	18 E Sixth Street	194 E Second
Status:	S	S	S
List Price:	$19,900	$19,900	$19,900
Sale Price:	$15,000	$18,000	$7,500
Bedrooms:	2	3	3
Square Ft:	978	990	855
LP/SqFt:	20.35	20.10	23.27
SP/SqFt:	15.34	18.18	8.77
SP/Acre	0.04	0.01	
Adjustment 1:			
+/- Amount:			
Adjustment 2:			
+/- Amount:			
Adjustment 3:			
+/- Amount:			
Adjustment 4:			
+/- Amount:			
Adjustment 5:			
+/- Amount:			
Adjustment 6:			
+/- Amount:			
Adjustment 7:			
+/- Amount:			
Adjustment 8:			
+/- Amount:			
Total:	**$0**	**$0**	**$0**
Adjusted List Pr:	**$19,900**	**$19,900**	**$19,900**
Adjusted Sale Pr:	**$15,000**	**$18,000**	**$7,500**
Notes:			

BRENDAN BENSON
NY Licensed R.E. Salesperson

FITZGIBBONS REAL ESTATE
44 E Bridge St, Suite 1, OSWEGO, NY

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Pricing Your Property

Prepared for Oswego City

General Facts About Pricing...

There are certain factors that are within our control and some factors beyond our control when it comes to setting the price. Those factors within our control are: the appearance of the property, how aggressively we market the property and the price. Factors outside our control are: location of property, size and local amenities. It's important to accept those factors that are beyond our control and focus on the pricing and preparation.

A property priced at market value will attract more buyers than a home priced above market value. Consider that a competitively priced property will also attract a greater number of potential buyers and increase your opportunity for a quick sale.

Market Statistics...

Sell Price Statistics		Sell Price Per Sq. Ft. Statistics		
Average Price:	$19,000	**Average Price/Sq Ft:**	$21.23 x 882	$18,700
High Price:	$30,000	**High Price/Sq Ft:**	$35.29 x 882	$31,100
Median Price:	$18,100	**Median Price/Sq Ft:**	$19.33 x 882	$17,000
Low Price:	$7,500	**Low Price/Sq Ft:**	$8.77 x 882	$7,700

Figures are based on selling price after adjustments, and rounded to the nearest $100.

Summary...

Analysis of the selected comparable properties suggest similar properties are selling in the price range of: **$7,500 to $30,000**

Recommend Price: $19,900

BRENDAN BENSON, FITZGIBBONS REAL ESTATE
44 E Bridge St Suite 1 OSWEGO NY
Office: 315-342-5000 | Cell: 315-256-4066 | Fax: 315-282-2500
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Estimated Seller's Net Proceeds

Prepared for Oswego City

Address:	151 E 2nd St		June 14, 2016
Estimated Sale Price:	$19,900		
1st Mortgage Balance:	at 5.75%		
2nd Mortgage Balance:		**Buyer's Downpayment:**	
Total Seller's Mortgage:		**Buyer's Total Mortgage:**	

Seller's Expenses Figures are estimates only, not a guarantee, and are subject to change.

Settlement Charges: 0.00% of Sell Price + $0	$0

Total Estimated Seller Expenses:	**$0**
Estimated Sale Price:	**$19,900**
Less Estimated Seller Expenses:	**$0**
Less Sellers Mortgage:	
Estimated Net Proceeds:	**$19,900**

Seller: Date: Seller: Date:

Agent: Date:

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Prepared for Oswego City

Exterior

The condition of your home's exterior is most important when it comes to buyer appeal.

- House number should be easy to read
- Lights on timers to ensure house is lit up after sunset
- Eaves troughs, and down spouts in good repair
- Garage/car port clean and tidy
- Litter picked up
- Cracked or broken window panes replaced
- Doorbell and door hardware in good repair
- Touch up trim paint on doors, window frames, fascia, etc.
- Mow, edge and weed the lawn frequently until the home is sold.
- Overgrown shrubbery should be cut back to show as much of the exterior as possible.
- A low-cost investment in seasonal flowers or ground cover will add a personal touch.
- Inspect the roof for necessary repairs and any visible broken shingles or tiles.
- Stucco water stains can be repaired using a mild bleaching agent.
- Fences should be mended and painted.
- Wash all windows inside and outside.

Interior

Warm and welcoming!

- Lights should be on and drapes should be left open during daylight
- Heat set at a comfortable temperature
- Fresh flowers/plants in various rooms
- Chipped plaster and paint touched up and repaired
- Doors and cupboards properly closed
- Leaky taps and toilets repaired
- Burned out light bulbs replaced
- Squeaky doors oiled
- Mirrors, fixtures, and taps cleaned and polished
- Seals around tubs and basins in good repair
- Floors cleaned, garbage containers emptied
- Inside of closets and cupboards neat and tidy
- Valuable property, out of reach, out of sight, or locked away
- Pets absent, where possible, or contained during showings
- All torn screens should be repaired or replaced.
- Avoid repainting the entire house unless current colors are very loud or offbeat.
- White or light pastels are the easiest to work with and they make your rooms look larger.
- Fireplace lit in cooler weather
- Air conditioner turned on in warm weather
- Countertops neat and polished
- Appliances cleaned
- Inside of closets and cupboards neat and tidy

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Resolution No 248 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor VanBuren

WHEREAS, by Resolution No. 38 of 2014, the Common Council adopted a set of policies and procedures for the disposition of foreclosed property owned by the City of Oswego and located within the boundaries of the City of Oswego, and

WHEREAS, the City of Oswego currently holds title to tax foreclosed properties located at 151 East Second Street, 2660 Johnson Road, 2664 Johnson Road, and 147 1/2 West Bridge Street, and

WHEREAS, the City of Oswego has entered into a contract with Fitzgibbons Real Estate to list such tax foreclosed properties for sale and Fitzgibbons Real Estate has prepared a Comparative Market Analysis for each property and has determined the recommended listing price for said properties, and

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the City of Oswego shall enter into an Exclusive Right to Sell Contract with Fitzgibbons Real Estate for the tax foreclosed properties known as 151 East Second Street, 2660 Johnson, 2664 Johnson Road, and 147 1/2 West Bridge Street, and

BE IT FURTHER

RESOLVED, that the said properties shall be listed for sale for a sale price as recommended in the Comparative Market Analysis prepared by Fitzgibbons Real Estate for each subject parcel, and

BE IT FURTHER

RESOLVED, that Mayor William J. Barlow, Jr. is hereby authorized to execute any and all documents necessary to list the said properties for sale with Fitzgibbons Real Estate.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Recommended by Administrative Services Committee

Chairman Robert A. Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Attorney

Page No. _____

Agenda Item 249

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/30/2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☒ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

RE: Selection of Qualified Developer of Flexo Wire Site

Dear Councilors:

The Community Development Office recently prepared and issued a Request for Proposal for Qualified Developers for the Development of the Flexo Wire Site. The deadline for submitting proposals was Wednesday, June 29, 2016 at 3:00 p.m.

In reviewing and evaluating the proposals received, it is the recommendation of the Community Development Office to select Housing Visions Consultants, Inc. as the qualified developer to redevelop the Flexo Wire Site. Housing Visions is a not-for-profit 501(C)(3) organization that offers a talented team of developers, green building experts, construction managers, property managers, and human service experts that specialize in neighborhood revitalization. Housing Visions has a successful track record of revitalizing neighborhoods in 14 cities across New York State with a total community investment of over $303 million and a portfolio of 341 properties with nearly 1,500 units of quality rental housing. The City of Oswego has a dire need for quality housing across the entire socioeconomic spectrum from low to moderate income to upscale market rate housing, and the submitted redevelopment proposal by Housing Visions will positively transform and revitalize the waterfront area and continue to efforts of the City of Oswego to create an enhanced waterfront area corridor linking the Oswego Marina and Downtown Oswego.

A representative from Housing Visions will provide an overview of the redevelopment proposal.

Snapshot of Proposal -

Housing Visions proposes to demolish the existing building and construct a five story mixed-use building containing approximately 40 one-bedroom quality rental units, 11-two bedroom quality rental units and approximately 10,000 sq.ft. of retail/commercial space on the north end of the site facing Lake Street. Residential tenants will have a sun terrace, laundry facility, fitness center, bike storage and other amenities including off-street parking. Commercial tenants likely could include a small coffee shop or café, some retail establishments as well as business offices. Along the south and west side of the property, Housing Visions proposes to construct approximately 18 three-bedroom townhouses facing West Second Street and West Schuyler Street. Each of the townhomes will have washer and dryer hook ups, patio, greenspace and off-street parking. The rental unit will target a variety of income ranging from workforce to market rate.

Sincerely,

Justin Rudgick
Community Development Director

Ordered filed and printed with the proceedings.

Resolution No 249 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, the City of Oswego prepared a Request for Proposal to solicit qualified developers to submit a proposal for the development of the Flexo Wire Site, and

WHEREAS, the City of Oswego received a qualified proposal from Housing Visions Consultants, Inc., and

WHEREAS, Housing Visions Consultants, Inc. is the recommended qualified developer to be selected to develop the Flexo Wire Site, now, therefore, be it

RESOLVED, that the City of Oswego selects Housing Visions Consultants, Inc. as the qualified developer for the development of the Flexo Wire Site, and be it further

RESOLVED, that a Developer Agreement will be drafted and executed between the City of Oswego and Housing Visions Consultants, Inc.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED / LOST

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Community Development Office

Page No. _____

Agenda Item 250

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: 06/29/2016

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☒ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Engineering Services Agreement with Barton & Loguidice, D.P.C.
Emergency Slope Stabilization Highway Reconstruction of Route 48
PIN No. 3756.28

Dear Councilors:

We request that the Mayor be authorized to sign an appropriate agreement with Barton & Loguidice, D.P.C. for the Emergency Slope Stabilization Highway Reconstruction of Route 48 in the amount of $194,000.00.

/dma

Ordered filed and printed with the proceedings.

Dr Closer #4

Architectural/ Engineering Consultant Agreement

PIN (s) 3756.28

Municipal Contract No.

RECEIVED
JUL - 7 2016
CITY CLERK'S OFFICE
OSWEGO, NY

Agreement made this 6th day of July, 2016 by and between

CITY OF OSWEGO
(municipal corporation)
having its principal office at
City Engineering Office, City of Oswego, City Hall, 3rd Floor, 13 West Oneida Street, Oswego, New York 13216
to be known throughout this document as the "**Sponsor**")

and

BARTON & LOGUIDICE, D.P.C.
with its office at *443 Electronics Parkway, Syracuse, New York 13088*
(to be known throughout this document as the ***"Consultant")***

WITNESSETH:

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") identified for the purposes of this contract ***Route 48 Slope Stability Project*** (as described in detail in Attachment A annexed hereto, the "Project") the Sponsor has sought to engage the services of a Consultant Engineer) to perform the scope of services described in Attachment B annexed hereto; and

WHEREAS, in accordance with required consultant selection procedures, including applicable requirements of NYSDOT and/or the Federal Highway Administration ("FHWA"), the Sponsor has selected the Consultant to perform such services in accordance with the requirements of this Contract; and

WHEREAS, the MAYOR, is authorized to enter this Contract on behalf of the Sponsor,

NOW, THEREFORE, the parties hereto agree as follows:

ARTICLE 1. DOCUMENTS FORMING THIS CONTRACT

This contract consists of the following:

- Agreement Form - this document titled "Architectural/Engineering Consultant Agreement";
- Attachment "A" - Project Description and Funding;
- Attachment "B" – Scope of Services;
- Attachment "C" - as applicable, Staffing Rates, Hours, Reimbursables and Fee.

ARTICLE 2. SCOPE OF SERVICES/STANDARD PRACTICES AND REQUIREMENTS

2.1 The CONSULTANT shall render all services and furnish all materials and equipment necessary to provide the Sponsor with plans, estimates and other services and deliverables more specifically described in Attachment "B".

2.2 The CONSULTANT shall ascertain the applicable practices of the Sponsor, NYSDOT and/or FHWA prior to beginning any of the work of this PROJECT. All work required under this Contract shall be performed in accordance with these practices, sound engineering standards, practices and criteria, and any special requirements, more particularly described in Attachment "B".

2.3 The CONSULTANT will commence work no later than ten (10) days after receiving notice to proceed from the Sponsor.

ARTICLE 3. COMPENSATION METHODS, RATES AND PAYMENT

As full compensation for Consultant's work, services and expenses hereunder the Sponsor shall pay to the CONSULTANT, and the CONSULTANT agrees to accept compensation based on the methods designated and described below. Payment of the compensation shall be in accordance with the Interim Payment procedures shown in the table and the final payment procedure in Article 6.

(Continued next page).

■ **3.1 Cost Plus Fixed Fee Method**

ITEM	DESCRIPTION OF ITEMS WITHIN METHOD	APPLICABLE RATE/ AMOUNT OR PERCENTAGE	INTERIM PAYMENTS
Item I	■ Actual Direct Technical Salaries, regular time plus straight time portion of overtime compensation of all employees assigned to this PROJECT on a full-time basis for all or part of the term of this Contract, plus properly allocable partial salaries of all persons working part-time on this PROJECT. ■ The cost of Principals', Officers' and Professional Staffs' salaries (productive time) included in Direct Technical Salaries is eligible for reimbursement if their comparable time is also charged directly to all other projects in the same manner. Otherwise, Principals' salaries are only eligible as an overhead cost, subject to the current limitations, generally established therefore by the Sponsor. ■ If, within the term of this Contract, any direct salary rates are paid in excess of the maximums shown in Attachment A, the excess amount shall be borne by the CONSULTANT WITHOUT REIMBURSEMENT either as a direct cost or as part of the overhead allowance	■ Actual cost incurred in the performance of this contract as identified in Attachment C or otherwise approved in writing by the Sponsor or its representative. ■ Not to exceed the maximum allowable hourly rates of pay described in Attachment C of this Contract, all subject to audit. ■ Actual overtime premium portion of Direct Technical Salaries, all subject to audit and prior approval by the Sponsor.	■ The CONSULTANT shall be paid in *monthly* progress payments based on the maximum salary rates and allowable costs incurred during the period as established in Attachment C. ■ Bills are subject to approval of the Sponsor and Sponsor's Representative.
Item II	Actual Direct Non-Salary Project-related Costs incurred in fulfilling the terms of this Contract; all subject to audit.	All reimbursement for travel, meals and lodging shall be made at actual cost paid but such reimbursement shall not exceed the per diem rates established by the NY State Comptroller. All reimbursement shall not exceed the prevailing wage rates established by the NYS Department of Labor.	
Item III	Items required to be purchased for this Project not otherwise encompassed in Direct Non-salary Project-related Costs, which become the property of the Sponsor at the completion of the work or at the option of the Sponsor.	Salvage value	

250

■ 3.1 Cost Plus Fixed Fee Method			
ITEM	**DESCRIPTION OF ITEMS WITHIN METHOD**	**APPLICABLE RATE/ AMOUNT OR PERCENTAGE**	**INTERIM PAYMENTS**
Item IV	■ Overhead Allowance based on actual allowable expenses incurred during the term of this Contract, subject to audit. Submitted overhead amounts will be audited based upon the Federal Acquisition Regulations (FAR), sub-part 1-31.2 as modified by sub-part 1-31.105, and applicable policies and guidelines of the Sponsor, NYSDOT and FHWA. ■ For the purpose of this Contract, an accounting period shall be the CONSULTANT's fiscal year. An audit of the accounting records of the CONSULTANT shall be made by the Sponsor for each accounting period. For monthly billing purposes, the latest available overhead percentage established by such audit shall be applied to the charges made, under Item IA of this subdivision to determine the charge to be made under this Item.	■ The overhead allowance shall be established as a percentage of Item IA only (Actual Direct Technical Salaries) of this ARTICLE, and shall be a FAR compliant rate initially established as 175%, in all events not to exceed 175%, subject to audit.	
Item V	■ Negotiated Lump Sum Fixed Fee. ■ Payment of the Fixed Fee for the described scope of services is not subject to pre-audit and is not subject to review or modification based on cost information or unless this Contract is formally amended or supplemented by reason of a substantial change in the scope, complexity or character of the work to be performed.	■ A negotiated Lump Sum Fee which in this CONTRACT shall equal **$13,800.**	
Item VI	The Maximum Amount Payable under this Contract including Fixed Fees unless this contract is formally amended or supplemented by reason of a substantial change in the scope, complexity or character of the work to be performed.	Maximum Amount Payable under this Method shall be **$194,000.**	

ARTICLE 4. INSPECTION

The duly authorized representatives of the Sponsor, and on Federally aided projects, representatives of the NEW YORK STATE DEPARTMENT OF TRANSPORTATION and the FEDERAL HIGHWAY ADMINISTRATION, shall have the right at all times to inspect the work of the CONSULTANT.

ARTICLE 5. AUDITS

5.1 Payment to the Consultant is subject to the following audit rights of the Sponsor:

A. For Cost Plus Fixed Fee Method - All costs are subject to audit, i.e. labor, direct non-salary, overhead, and fee.

B. For Specific Hourly Rate Method - Labor hours and direct non-salary costs are subject to audit. If elements subject to audit are less than $300,000, an audit may be waived by the Sponsor.

c. For Lump Sum Cost Plus Reimbursables Method - Only direct non-salary costs are subject to audit. If elements subject to audit are less than $300,000, an audit may be waived by the Sponsor.

5.2 In order to enable the Sponsor to process the final payment properly and expeditiously, the CONSULTANT is advised that all of the following documents and submissions, as the same may be appropriate to this contract, are considered to be necessary to enable the commencement of the audit.

II. Records of Direct Non-Salary Costs;

III. Copies of any subcontracts relating to said contract;

IV. Location where records may be examined; and

V. Name, address, telephone number of person to contact for production.

The application for final payment is not considered complete until receipt of these documents and information.

ARTICLE 6. FINAL PAYMENT

6.1 The Sponsor will make final payment within sixty (60) calendar days after receipt of an invoice which is properly prepared and submitted, and all appropriate documents and records are received.

6.2 The acceptance by the CONSULTANT of the final payment shall operate as and shall be a release to the Sponsor from all claims and liability to the CONSULTANT, its representatives and assigns for any and all things done, furnished for or relating to the services rendered by the CONSULTANT under or in connection with this Contract or for any part thereof except as otherwise provided herein.

ARTICLE 7. EXTRA WORK

7.1 Consultant's performance of this Contract within the compensation provided shall be continuously reviewed by the CONSULTANT. The CONSULTANT shall notify the Sponsor of the results of those reviews in writing by submittal of a Cost Control Report. Such Cost Control Report shall be submitted to the Sponsor on a monthly basis or such alternative interval as the Sponsor directs in writing.

7.2 If the CONSULTANT is of the opinion that any work the CONSULTANT has been directed to perform is beyond the scope of the PROJECT Contract and constitutes extra work, the CONSULTANT shall promptly notify the Sponsor, in writing, of this fact prior to beginning any of the work. The Sponsor shall be the sole judge as to whether or not such work is in fact beyond the scope of this Contract and constitutes extra work. In the event that the Sponsor determines that such work does constitute extra work, the Sponsor shall provide extra compensation to the CONSULTANT in a fair and equitable manner. If necessary, an amendment to the PROJECT CONTRACT, providing the compensation and describing the work authorized, shall be prepared and issued by the Sponsor. In this event, a Supplemental Agreement providing the compensation and describing the work authorized shall be issued by the Sponsor to the CONSULTANT for execution after approvals have been obtained from necessary Sponsor officials, and, if required from the Federal Highway Administration.

7.3 In the event of any claims being made or any actions being brought in connection with the PROJECT, the CONSULTANT agrees to render to the Sponsor all assistance required by the Sponsor. Compensation for work performed and costs incurred in connection with this requirement shall be made in a fair and equitable manner. In all cases provided for in this Contract for the additional services above described, the Sponsor's directions shall be exercised by the issuance of a separate Contract, if necessary.

ARTICLE 8. CONSULTING LIABILITY

The CONSULTANT shall be responsible for all damage to life and property due to negligent acts, errors or omissions of the CONSULTANT, his subcontractors, agents or employees in the performance of his service under this Contract.

Further, it is expressly understood that the CONSULTANT shall indemnify and save harmless the Sponsor from claims, suits, actions, damages and costs of every name and description resulting from the negligent performance of the services of the CONSULTANT under this Contract, and such indemnity shall not be limited by reasons of enumeration of any insurance coverage herein provided. Negligent performance of service, within the meaning of this Article, shall include, in addition to negligence founded upon tort, negligence based upon the CONSULTANT's failure to meet professional standards and resulting in obvious or patent errors in the progression of his work. Nothing in this Article or in this Contract shall create or give to third parties any claim or right of action against the Sponsor beyond such as may legally exist irrespective of this Article or this Contract.

The CONSULTANT shall procure and maintain for the duration of the work for such project(s), Professional Liability Insurance in the amount of One Million Dollars ($1,000,000) per project, issued to and covering damage for liability imposed on the CONSULTANT by this Contract or law arising out of any negligent act, error, or omission in the rendering of or failure to render professional services required by the Contract. The CONSULTANT shall supply any certificates of insurance required by the Sponsor and adhere to any additional requirements concerning insurance.

ARTICLE 9. WORKER'S COMPENSATION AND LIABILITY INSURANCE

This contract shall be void and of no effect unless the CONSULTANT shall secure Workman's Compensation Insurance for the benefit of, and keep insured during the life of this contract, such employees as are necessary to be insured in compliance with the provisions of the Workman's Compensation Law of the State of New York.

The CONSULTANT shall secure policies of general and automobile liability insurance, and maintain said policies in force during the life of this contract. Said policies of insurance shall protect against liability arising from errors and omissions, general liability and automobile liability in the performance of this contract in the sum of at least $1,000,000.00 (One Million dollars) each.

The CONSULTANT shall furnish a certified copy of said policies to the Sponsor at the time of execution of this contract.

ARTICLE 10. INTERCHANGE OF DATA

All technical data in regard to the PROJECT existing in the office of the Sponsor or existing in the offices of the CONSULTANT shall be made available to the other party to this Contract without expense to such other party.

ARTICLE 11. RECORDS RETENTION

The CONSULTANT shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (collectively called the "Records"). The Records must be kept for a minimum of six (6) years or three (3) years after final payment is received, whichever is later. The Sponsor, State, Federal Highway Administration, or any authorized representatives of the Federal Government, shall have access to the Records during normal business hours at an office of THE CONSULTANT within the State of New York or, a mutually agreeable reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying.

ARTICLE 12. DAMAGES AND DELAYS

The CONSULTANT agrees that no charges or claim for damages shall be made by him for any delays or hindrances from any cause whatsoever during the progress of any portion of the services specified in this Contract. Such delays or hindrances, if any, shall be compensated for by an extension of time for such reasonable period as the Sponsor may decide, it being understood however, that the permitting of the CONSULTANT to proceed to complete any services or any part of them after the date of completion or after the date to which the time of completion may have been extended, shall in no way operate as a waiver on the part of the Sponsor of any of its rights herein. Nothing in this ARTICLE will prevent the CONSULTANT from exercising his rights under ARTICLE 7 of this contract.

ARTICLE 13. TERMINATION

The Sponsor shall have the absolute right to terminate this Contract, and such action shall in no event be deemed a breach of contract:

A. for convenience of the Sponsor - if a termination is brought about for the convenience of the Sponsor and not as a result of unsatisfactory performance on the part of the CONSULTANT, final payment shall be made based on the basis of the CONSULTANT'S compensable work delivered or completed prior to and under any continuing directions of such termination.

B. for cause - if the termination is brought about as a result of the Sponsor's determination of unsatisfactory performance or breach of contract on the part of the CONSULTANT, the value of the work performed by the CONSULTANT prior to termination shall be established by the percent of the amount of such work satisfactorily delivered or completed by the CONSULTANT to the point of termination and acceptable to the Sponsor, of the total amount of work contemplated by the PROJECT CONTRACT.

ARTICLE 14. DEATH OR DISABILITY OF THE CONSULTANT

In case of the death or disability of one or more but not all the persons herein referred to as CONSULTANT, the rights and duties of the CONSULTANT shall descend upon the survivor or survivors of them, who shall be obligated to perform the services required under this Contract, and the Sponsor shall make all payments due to him, her or them.

In case of the death or disability of all the persons herein referred to as CONSULTANT, all data and records pertaining to the PROJECT shall be delivered within sixty (60) days to the Sponsor or his duly authorized representative. In case of the failure of the CONSULTANT's successors or personal representatives to make such delivery on demand, then in that event the representatives of the CONSULTANT shall be liable to the Sponsor for any damages it may sustain by reason thereof. Upon the delivery of all such data to the Sponsor, the Sponsor will pay to the representatives of the CONSULTANT all amounts due the CONSULTANT, including retained percentages to the date of the death of the last survivor.

ARTICLE 15. CODE OF ETHICS

The CONSULTANT specifically agrees that this Contract may be canceled or terminated if any work under this Contract is in conflict with the provisions of any applicable law establishing a Code of Ethics for Federal, State or Municipal officers and employees.

ARTICLE 16. INDEPENDENT CONTRACTOR

The CONSULTANT, in accordance with his status as an independent contractor, covenants and agrees that he will conduct himself consistent with such status, that he will neither hold himself out as, nor claim to be, an officer or employee of the Sponsor by reason hereof, and that he will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Sponsor, including but not limited to Worker's Compensation coverage, Unemployment Insurance benefits, Social Security coverage or Retirement membership or credit.

ARTICLE 17. COVENANT AGAINST CONTINGENT FEES

The CONSULTANT warrants that he has not employed or retained any company or person, other than a bona fide employee working for the CONSULTANT, to solicit or secure this Contract, and that he has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of this Contract. For breach or violation of this warranty, the Sponsor shall have the right to annul this Contract without liability, or, in its discretion, to deduct from the Contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

ARTICLE 18. TRANSFER OF AGREEMENT

The CONSULTANT specifically agrees, that he is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of the Contract or of his right, title or interest therein, or his power to execute such Contract, to any other person, company or corporation, without the previous consent in writing of the Sponsor.

If this provision is violated, the Sponsor may revoke and annul the Contract and the Sponsor shall be relieved from any and all liability and obligations there under to the person, company or corporation to whom the CONSULTANT shall purport to assign, transfer, convey, sublet or otherwise dispose of the Contract without such consent in writing of the Sponsor.

ARTICLE 19. PROPRIETARY RIGHTS

The CONSULTANT agrees that if patentable discoveries or inventions should result from work described herein, all rights accruing from such discoveries or inventions shall be the sole property of the CONSULTANT. However, the CONSULTANT agrees to and does hereby grant to the United States Government and the State of New York and the Sponsor a nonexclusive, nontransferable, paid-up license to make, use, and sell each subject invention throughout the world by and on behalf of the Government of the United States and states and domestic municipal governments, all in accordance with the provisions of 48 CFR 1-27.

ARTICLE 20. SUBCONTRACTORS/ SUBCONSULTANTS

All SUBCONTRACTORS and SUBCONSULTANTS performing work on this project shall be bound by the same required contract provisions as the CONSULTANT. All agreements between the CONSULTANT and a subcontractor or other SUBCONSULTANT shall include all standard required contract provisions, and such agreements shall be subject to review by the Sponsor.

ARTICLE 20.1 PROMPT PAYMENT. While federal regulation (49 CFR 26.29[1]) requires payment to subcontractors within 30 days, New York State law is more stringent. NYS General Municipal Law §106-b and NYS Finance Law Article 9, §139-f require prime contractors and prime consultants to pay their vendors within seven (7) calendar days of receipt of payment from the public owner/sponsor, and provides for interest on late payments for all public works contracts. Contract provisions incorporating any other payment schedule will not be allowed. A subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented. When the Sponsor has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

ARTICLE 21. CERTIFICATION REQUIRED BY 49 CFR, PART 29

The signator to this Contract, being duly sworn, certifies that, EXCEPT AS NOTED BELOW, its company and any person associated therewith in the capacity of owner, partner, director, officer, or major stockholder (five percent or more ownership)

A. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
B. has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
C. does not have a proposed debarment pending; and
D. has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

[1] http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=936406b1c92895795069232a53fb110f&rgn=div8&view=text&node=49:1.0.1.1.20.2.18.5&idno=49

ARTICLE 22. CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing this Contract to the best of his or her knowledge and belief, that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the standard "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be, included in all lower tier subcontracts, which exceed $100,000 and that all such subrecipients shall certify and disclose accordingly.

ARTICLE 23. RESPONSIBILITY OF THE CONSULTANT

A. The CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of all designs, drawings, specifications and other services furnished by the CONSULTANT under this contract. The CONSULTANT shall, without additional compensation, correct or revise any errors or deficiencies in its designs, drawings, specifications, and other services. However, the Sponsor may in certain circumstances, provide compensation for such work.

B. Neither the Sponsor's review, approval or acceptance of, nor payment for, the services required under this contract shall be construed to operate as a waiver of any rights under this contract or of any cause of action arising out of the performance of this contract, and the CONSULTANT shall be and remain liable to the Sponsor in accordance with applicable law for all damages to the Sponsor caused by the CONSULTANT'S negligent performance or breach of contract of any of the services furnished under this contract.

C. The rights and remedies of the Sponsor provided for under this contract are in addition to any other rights and remedies provided by law.

D. If the CONSULTANT is comprised of more than one legal entity, each such entity shall be jointly and severally liable hereunder.

ARTICLE 24. NON-DISCRIMINATION REQUIREMENTS

The CONSULTANT agrees to comply with all applicable Federal, State and Sponsor Civil Rights and Human Rights laws with reference to equal employment opportunities and the provision of services. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal Statutory and constitutional non-discrimination provisions, the CONSULTANT will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, CONSULTANT agrees that neither it nor its SUBCONSULTANTS shall, by reason of race, creed, color, disability, sex or national origin; (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this Contract. CONSULTANT is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this Contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

ARTICLE 25. CERTIFICATION REQUIRED BY 40 CFR 111506.5(c)

If the work of the PROJECT includes the preparation of an Environmental Impact Statement (EIS), the signator to this Contract, being duly sworn, certifies that its company and any person associated therewith in the capacity of owner, partner, director, officer, or major stockholder (five percent or more ownership) does not have any financial or other interest in the outcome of the project including:

a. an existing contract for the PROJECTs ROW incidental work or construction engineering; or

b. ownership of land, options to buy land, or some business enterprise which would be financially enhanced or diminished by any of the PROJECT alternatives.

This does not preclude the CONSULTANT from being awarded a future contract covering the work describe in this Article or being awarded Phases V & VI Final Design after the EIS has been approved.

ARTICLE 26. BIDDING OF DIRECT NON-SALARY ITEMS *(unless more restrictive municipal laws apply)*

For all contracts other than personal services in excess of $5,000, the CONSULTANT shall solicit a number of quotes from qualified subcontractors so that at least three (3) quotes will be received. For all contracts other than personal services in excess of $20,000 except printing contracts in excess of $10,000, the CONSULTANT shall solicit a number of sealed bids from qualified subcontractors so that at least three (3) bids will be received. The CONSULTANT shall then enter into a subcontract with the lowest bidder or entity submitting the lowest quotation who is fully responsive to the invitation to submit a quote/bid.

ARTICLE 27. WAGE AND HOURS PROVISIONS

If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither CONSULTANT's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, CONSULTANT and its subconsultants

must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

ARTICLE 28. INTERNATIONAL BOYCOTT PROHIBITION

In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds $5,000, the CONSULTANT agrees, as a material condition of the contract, that neither the CONSULTANT nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such CONSULTANT, or any of the aforesaid affiliates of CONSULTANT, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the Sponsor and the New York State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (see 2 NYCRR 105.4).

ARTICLE 29. SERVICE OF PROCESS

In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), CONSULTANT hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon CONSULTANT's actual receipt of process or upon the Sponsor's receipt of the return thereof by the United State Postal Service as refused or undeliverable. CONSULTANT must promptly notify the Sponsor, in writing, of each and every change of address to which service of process can be made. Service by the Sponsor to the last known address shall be sufficient. CONSULTANT will have thirty (30) calendar days after service hereunder is complete in which to respond.

ARTICLE 30. DISPOSITION OF PLANS, ESTIMATES AND OTHER DATA. At the time of completion of the work, the CONSULTANT shall make available to the Sponsor all survey notes, computations, maps, tracings, original aerial film and photo indices if any, and all other documents and data pertaining to the work or to the project which material at all times shall be the property of the Sponsor. Or in the event that this Agreement is terminated for any reason, then, within ten (10) days after such termination, the CONSULTANT shall make available to the Sponsor all the aforementioned engineering data and material. All original tracings of maps and other engineering data furnished to the Sponsor by the CONSULTANT shall bear thereon the endorsement of the CONSULTANT. All plans, estimates and other data prepared in accordance with this Agreement shall be considered confidential and shall be released only to the Sponsor.

ARTICLE 31. MUNICIPAL ADVISOR SERVICES ARE EXCLUDED. The services to be provided by CONSULTANT under this Contract do not include advice or recommendations with respect to the issuance, structure, timing, terms or any other aspect of municipal securities, municipal derivatives, guaranteed investment contracts or investment strategies. Any opinions, advice, information or recommendations provided by CONSULTANT are understood by the parties to this Contract to be strictly engineering opinions, advice, information or recommendations. CONSULTANT is not a "municipal advisor" as defined by 15 U.S.C. 78o-4 or the related rules of the Securities and Exchange Commission. The other parties to this Contract should determine independently whether they require the services of a municipal advisor.

IN WITNESS WHEREOF, the parties have duly executed this Contract effective the day and year first above written.

Reference: Sponsor Contract # _____

Sponsor	Consultant
by:	by:
Date: 7/6/16	Date: 7/5/16

STATE OF NEW YORK

ss:

COUNTY OF Oswego

On this 6th day of July, 2016 before me, the subscriber, personally appeared to me known, who, being by me duly sworn, did depose and say; that he/she resides in the Oswego, New York; that he/she is the MAYOR of the City of Oswego, the corporation described in and which executed the foregoing instrument; that he/she is the authorized with the execution of the matter herein provided for, and that he/she signed and acknowledged the said instrument in his/her position as a duly authorized representative of Sponsor.

JEANNE L. BYRNE
Notary Public, State of New York
No. 01BY6073224
Qualified in Oswego County
Commission Expires October 31, 2018

Jeanne L. Byrne
Notary Public, Oswego County, N.Y.

STATE OF NEW YORK

ss:

COUNTY OF Onondaga

On this 5th day of July, 2016 before me, *Matthew J. Schooley* personally appeared to me known, who, being by me duly sworn, did depose and say; that he resides in the *Town of Aurelius*, New York; that he is the *Senior Vice President* of *Barton & Loguidice, D,P.C.*, the corporation described in and which executed the foregoing instrument; that he is the authorized with the execution of the matter herein provided for, and that he signed and acknowledged the said instrument in his position as a duly authorized representative of Consultant.

Jody J. Balduzzi
Notary Public, State of New York
No. 01BA6234753
Qualified in Onondaga County
Commission Expires 1/24/2019

Jody J Balduzzi
Notary Public, Onondaga County, N.Y.

Resolution No 250 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Corradino

WHEREAS, the City of Oswego solicited proposals from pre-approved list of engineering companies from the New York State Department of Transportation List; for the design of the Emergency Slope Stabilization Highway Reconstruction of Route 48 (PIN No. 3756.28); and

WHEREAS, a committee of city employees evaluated the engineering proposals submitted for the project and hereby recommends Barton & Loguidice, D.P.C. as engineering consultants in the amount of $194,000.00 to complete the scope of work required for the design phase of this project; and

WHEREAS, the project is eligible for funding at a ratio of eighty percent (80%) Federal funding, fifteen percent (15%) State funding and five percent (5%) Local funding; now, therefore be it

RESOLVED, that the Common Council hereby accepts the proposal submitted by Barton & Loguidice, D.P.C., and further authorizes the Mayor to sign an appropriate project agreement; and be it further

RESOLVED, that the City Chamberlain is hereby authorized to advance funds in the first instance for one hundred percent (100%) of the project cost in anticipation of receiving eighty percent (80%) reimbursement of Federal funding, fifteen percent of State funding and the remaining five percent (5%) will be funded from a General Fund transfer to Capital Fund as required.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED / LOST

Approved July 12, 2016

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Engineering/DMA

Agenda Item 25J

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council

Date: June 30, 2016

- ☐ Planning & Development
- ☒ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☒ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

Please place on the agenda for the Physical Services Committee meeting on Tuesday, July 5, an item for discussion regarding Oswego County Opportunities, Inc.'s proposed work on the Head Start building at Fort Ontario, which OCO leases from the City of Oswego.

In accordance with the lease agreement, paragraph 20 states "Any modifications or improvements to the building require prior approval of the Mayor of the City of Oswego, as authorized by the Common Council."

Thank you.

Kevin C. Caraccioli

City Attorney

Ordered filed and printed with the proceedings.

Project Sheet

Project Summary: Exterior soffit, fascia and gutter repair, and painting.

Scope of Work:

- Remove all damaged gutters and downspouts
- Remove all rotted fascia and replace
- Repair or replace any damaged soffit vents
- Scrape old chipping paint from all remaining fascia, soffit, windows and old boarded up windows/building entry's
- Prime all fascia, soffit, windows and old boarded up windows/building entry's with Sherwin-Williams Exterior Oil-Based Wood Primer
- Paint all fascia, soffit, windows and old boarded up windows/building entry's with Sherwin-Williams A-100 Exterior Acrylic Latex White semi-gloss (**Do not** paint bars on attic windows)
- Install new K-style vinyl gutters and downspouts
- Concrete window sills, slate siding and concrete building skirting and foundation stone work is **not** to be painted.

Additional Notes:

1. All quotes to be prepared using **Davis-Bacon Act** provisions and guidelines.
2. A copy new copy of your liability and workers compensation insurance naming OCO as a certificate holder may be requested upon acceptance of your bid.
3. All construction debris needs to be removed by contractor.
4. Construction site needs to be clean as possible during down time.
5. All tool need to be secured at all times when not in use.
6. Space for overnight parking of a trailer will be provided if needed.
7. Work needs to be scheduled to start within 30 day of the date that the signed excepted bid is returned to the awarded contractor.
8. Provide an estimated date or timeframe from start to finish of the project.
9. Please remember to make a copy of this project sheet for your own records before returning it with your bid.
10. If needed, samples of paint colors and tile styles will be provided by contractor for OCO Facilities Manager to choose from.
11. List of ADA regulations will be supplied upon request if neede

Project Sheet

Project Summary: Painting Brick and basement entry siding.

Scope of Work:

- Clean all brick surfaces free of dirt and debris
- Paint all brick with Sherwin-Williams Loxon XP Masonry Coating in Real Red SW6868
- Prime basement entry siding, (T1-11) with Sherwin-Williams Exterior Oil-Based Wood Primer
- Paint basement entry siding with Sherwin-Williams A-100 Exterior Acrylic Latex in Real Red SW6868 eggshell
- Concrete window sills, slate siding and concrete building skirting and foundation stone work is **not** to be painted.

Additional Notes:

1. All quotes to be prepared using **Davis-Bacon Act** provisions and guidelines.
2. A copy new copy of your liability and workers compensation insurance naming OCO as a certificate holder may be requested upon acceptance of your bid.
3. All construction debris needs to be removed by contractor.
4. Construction site needs to be clean as possible during down time.
5. All tool need to be secured at all times when not in use.
6. Space for overnight parking of a trailer will be provided if needed.
7. Work needs to be scheduled to start within 30 day of the date that the signed excepted bid is returned to the awarded contractor.
8. Provide an estimated date or timeframe from start to finish of the project.
9. Please remember to make a copy of this project sheet for your own records before returning it with your bid.
10. Samples of paint colors and tile styles will be provided by contractor OCO Facilities Manager to choose from.
11. List of ADA regulations will be supplied upon request if needed.

Project Sheet

Project Summary: Exterior Commercial Steel Door Replacement.

Scope of Work:

- Remove and dispose of existing main entry door.
- Install, according to manufactures specs, a new exterior commercial steel entry door with a full door sized one piece glass panel, full sized one piece glass sidelight, steel casing/jamb, and upper transom with steel insert.
- Upper transom must match existing brick arch.
- Must swing in same direction as existing door with the sidelight on the right side of the door if you are standing on the outside of the building looking in.
- Repair any damaged drywall and prime. (OCO will paint to match if needed)
- Must use existing push bar and lockset. (**Door is Alarmed**, OCO will have it disconnected and hooked back up after install)

Additional Notes:

1. All quotes to be prepared using **Davis-Bacon Act** provisions and guidelines.
2. A copy new copy of your liability and workers compensation insurance naming OCO as a certificate holder may be requested upon acceptance of your bid.
3. All construction debris needs to be removed by contractor.
4. Construction site needs to be clean as possible during down time.
5. All tool need to be secured at all times when not in use.
6. Space for overnight parking of a trailer will be provided if needed.
7. Work needs to be scheduled to start within 30 day of the date that the signed excepted bid is returned to the awarded contractor.
8. Provide an estimated date or timeframe from start to finish of the project.
9. Please remember to make a copy of this project sheet for your own records before returning it with your bid.
10. If needed, samples of paint colors and tile styles will be provided by contractor for OCO Facilities Manager to choose from.
11. List of ADA regulations will be supplied upon request if needed.

AMENDMENT
TO
LEASE AGREEMENT

This Amendment to Lease Agreement, dated the ___ day of _____, 2016, by and between the City of Oswego, a Municipal Corporation, duly chartered under the laws of the State of New York with offices at 13 West Oneida Street, Oswego, New York 13126, hereinafter referred to as the "Landlord" and the Oswego County Opportunities, Inc., with offices at 239 Oneida Street, Fulton, New York 13069, hereinafter referred to as the "Tenant".

WHEREAS, the parties hereto entered into a certain Lease Agreement dated the 23rd day of September, 2014, of the premises more particularly described as Building #31 and parking lot located at Fort Ontario, Oswego, New York, and

WHEREAS, in Paragraph 14 of said Lease Agreement, the Tenant agreed to provide the day to day maintenance and short term maintenance of the interior of Building #31 in accordance with the Building and Maintenance Plan attached to the aforesaid Lease Agreement as Schedule A and the Landlord agreed to be responsible for the maintenance and repair of the exterior of the structure, and

WHEREAS, the Tenant has various funding available to it for maintenance, repair and improvement of the exterior of the structure and is willing to pay for such maintenance, repair and improvements as approved by the Common Council by Resolution ____, 2016,

THEREFORE, and in consideration of $1.00 paid by the Tenant to the Landlord and other good and valuable consideration, and the mutual covenants contained in the aforesaid Lease Agreement, the Landlord and Tenant hereby mutually agree as follows:

1. Paragraph 14 of the Lease Agreement of the parties hereto dated the 23rd day of September, 2014, shall be amended such that the Landlord agrees to provide the

day to day maintenance and short term maintenance for Building #31 in accordance with the Building Maintenance Plan – Schedule A attached to said Lease Agreement and the Tenants agree to be responsible for the maintenance, repair, and improvement of the exterior of Building #31 and be responsible for the cost thereof.

2. All other terms contained in the aforesaid Lease Agreement shall remain in full force and effect.

LANDLORD: CITY OF OSWEGO

BY:_____
William J. Barlow, Jr., Mayor

TENANT: OSWEGO COUNTY OPPORTUNITIES, INC.

BY:_____
, Executive Director

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss.:

On the ___ day of _____, 2016, before me personally came WILLIAM J. BARLOW, JR., to me known, who, being by me duly sworn, did depose and say that deponent resides at Oswego, New York, deponent is the Mayor of the City of Oswego, the corporation described in and which executed the foregoing instrument; deponent knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by Order of the Common Council of said City; deponent signed deponent's name thereto by like order.

_____
Notary Public

STATE OF NEW YORK)
COUNTY OF OSWEGO)

On the ___ day of _____, 2016, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that _____ is the Executive Director of Oswego County Opportunities, Inc.; that ____ knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by Order of the Board of Directors of said corporation; and that ___ signed ___ name thereto by like order.

_____
Notary Public

Resolution No 251 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Gosek

WHEREAS, by Resolution No. 420 of 2014, the Oswego Common Council agreed to enter into a five (5) year Lease with Oswego County Opportunities, Inc. for the use of Building #31 at the Fort Ontario Complex otherwise known as the Head Start building, and

WHEREAS, the City of Oswego and Oswego County Opportunities, Inc. entered into such Lease Agreement by Lease dated September 23, 2014, and

WHEREAS, pursuant to Paragraph 14 of said Agreement, the City of Oswego agreed to be responsible for the maintenance, repairs and improvements to the exterior of the structure and Oswego County Opportunities, Inc. agreed to be responsible for a substantial portion of the interior maintenance of the premises pursuant to the Building Maintenance Plan attached to the said Lease Agreement as Schedule A, and

WHEREAS, the exterior of the subject premises requires a substantial amount of maintenance and their is available to Oswego County Opportunities, Inc., from state and or federal funding sources, various grant monies for exterior repairs to the subject premises if Oswego County Opportunities, Inc. is responsible for such repairs, and

WHEREAS, a list of repairs has been prepared which details the various repairs needed, and

WHEREAS, the City of Oswego and Oswego County Opportunities, Inc. are agreeable to amend the obligations of the parties in order to make it the obligation of Oswego County Opportunities, Inc. to maintain and repair the exterior of the structure and the obligation of the City of Oswego to maintain and repair the interior of the structure,

NOW, THEREFORE, BE IT HEREBY,

RESOLVED, that the list of maintenance, repairs and improvements to the so called Head Start Building at the Fort Ontario Complex is hereby approved, and

BE IT FURTHER,

RESOLVED, that the Lease Agreement between the City of Oswego and Oswego County Opportunities, Inc. shall be modified such that the City of Oswego shall provide the day to day maintenance and short term maintenance to the so called Head Start building in accordance with the Building Maintenance Plan attached to said Lease Agreement and Oswego County Opportunities agrees to be responsible for the maintenance, repair and improvement of the exterior of the so called Head Start building to the extent that Oswego County Opportunities, Inc. has available to it grants and or other funding sources from state and or federal funding agencies, and

BE IT FURTHER,

RESOLVED, that Mayor William J. Barlow, Jr. is authorized to execute any and all documents necessary to complete the maintenance, repairs and improvements on the exterior of the Head Start building and to execute any and all documents necessary to amend the Lease Agreement between the City of Oswego and Oswego County Opportunities for the so called Head Start building at the Fort Ontario Complex.

AYES AND NAYS CALLED	AYE S	NAY S	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Physical Services Committee

Chairman Eric I. Van Buren

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by City Attorney's Office

Page No. _____

Agenda Item 252

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for 104 Complete Streets / Downtown

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process for construction funding of the 104 Complete Streets Project in Downtown Oswego. The anticipated project boundary will be from West 5th Street to East 4th Street.

Bergmann Associates will be preparing the grant application. The estimated amount of the grant preparation services is approximately $5,000, which will be allocated from A8020.0450. A proposal from Bergmann Associates is forthcoming.

The project is currently in the planning phase and a conceptual design of this section of the Complete Streets project will be developed in July for the purposes of the grant application.

The Grant source is the Climate Smart Communities Program for Clean Transportation. The total cost of the project is approximately $500K. The grant amount requested will be approximately $250K (50%) and the Cost Share Amount will be approximately $250K (50%). The Cost Share is calculated as cash and in-kind services.

This grant will provide leverage for a multi-million dollar Federal TIGER grant, that the City is anticipated to apply for in early 2017, for Complete Streets funding.

The City of Oswego will provide grant administration services via the Planning and Zoning Department.

Again, your approval to submit this grant application, fund the preparation of the grant application, and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

Amy Birdsall

Planning & Zoning Director

July 8, 2016

Dear Councilors:

In response to the questions about hiring Bergmann Associates to prepare the (2) grants totaling $1.25M, I have prepared a few points for you to consider. It's important to note that the technical requirements and expertise required of these (2) grants, Bergmann's involvement as the Design Consultant for the project, and their experience and track record for writing and being awarded these grants are the justification for utilizing their services. Bergmann Associates is best positioned to write competitive and award worthy grant applications for these projects. The goal here is to win the grant and build the streetscape projects in order to increase the economic vitality on our Main Street and our City.

Intelligent allocation of our limited resources is important. I can't and never will be running a Planning Department that is staffed with the experts required to prepare these grants. We can't afford that kind of staffing. But, we can afford to utilize consultants strategically to leverage funding that will pay dividends 100x the cost of their services. I urge you to support the grant applications and Bergmann's services for these reasons and the following additional points:

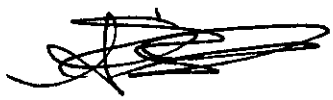
- Due to the complexities, technical requirements and level of effort associated with the grant preparation, Bergmann Associates would be utilizing 4 staff members to complete the CFA grants over the course of the next three weeks. This would include a civil engineer, landscape architect, planner and transportation engineer.

- Its worth noting that – specific to the GIGP application – the requirements not only include the grant writing, but a technical feasibility study. As stated in the grant requirements, the Feasibility Study **"must be signed and stamped by a Qualified Professional licensed or certified to practice in New York State A qualified professional is an individual who is knowledgeable in the principles and practices of stormwater management and treatment, such as a Professional Engineer or Registered Landscape Architect."** This limits who can take responsibility for preparation of this document.

- Other specific technical requirements that warrant a PE and RLA involvement in the grant development include:
    - Knowledge of the requirements outlined in the NYS Stormwater Design Manual
    - Understanding of calculating and defining water quality metrics
    - Green infrastructure technologies in roadway design
    - Understanding of the principles of hydrology, water quality management practice design, water quality control design, and, in many cases, the principles of hydraulics
    - Identification of estimate of the water quality volume to be managed through infiltration, evapotranspiration, and / or use on site and familiarity with the NYSDEC Runoff Reduction Worksheets in calculating estimates.

- In recent years Bergmann Associates has supported the City of Rome on a number of GIGP grant submittals, one of which is currently highlighted on the EFC website: http://www.efc.ny.gov/Default.aspx?tabid=228. In addition to this project, Bergmann Associates worked on two other successfully funded GIGP applications in Rome and two successful applications in North Tonawanda, NY. Each of these are described further on the EFC website. http://www.efc.ny.gov/Default.aspx?tabid=569

Best Regards,



Amy Birdsall

City Hall 13 Oneida Street Oswego New York 13126 Phone: (315) 342-8154 Fax: (315) 342-1320
abirdsall@oswegony.org www.oswegony.org

Sustainability Planning and Implementation

Climate Smart Communities Grant Program

Funding Available: Up to $11 million

DESCRIPTION

Communities are at the forefront of action to make residents of New York State more resilient to our changing climate and significantly reduce greenhouse gas emissions. Adaptation to climate change is local, whether the hazards are sea-level rise, extreme precipitation, heat waves, or changes in the natural environment upon which agriculture, tourism and many communities' sense of place depend. Local governments are also key partners in the state's role as an international leader in reducing greenhouse gas emissions.

Many communities are doing their part and have already committed to acting on climate. These forward-thinking communities and others are assessing their climate vulnerabilities and making plans to protect and improve the health, safety and economic well-being of their residents. At the same time, they are seeking to reduce their carbon footprints, secure direct cost savings, and increase economic activity.

The Climate Smart Communities Environmental Protection Fund grant program will enable even more communities across the state to put climate plans into action. The program matches state resources with community commitments to bring local and regional plans to fruition. The competition for grant funding will reward foresight and innovation in climate protection and showcase the ingenuity of many communities.

For general information and questions on the Climate Smart Communities Program, please contact the Office of Climate Change, New York State Department of Environmental Conservation, Office of Climate Change, 625 Broadway, Albany, NY 12233, 518-402-8448, climatechange@dec.ny.gov.

Eligible Applicants

Eligible applicants are villages, towns, cities, and counties of the State of New York. Partnership projects are encouraged. If a proposed project involves a cooperative agreement or partners, only one eligible, designated lead applicant can submit the application for grant funding. The lead applicant must assume the responsibility for the project application, performance of work consistent with this RFA, and compliance with the State of New York Master Contract for Grants. Letters substantiating the collaboration from each partner are required.

Eligible Activities

Projects will be considered in the following two categories:

1. Climate Protection Implementation Projects

Grants totaling up to $10.5 million will be awarded for design, engineering or construction projects in this project category with a minimum award of $100,000 and a maximum award of $2,000,000. Funding will be distributed across small, medium and large municipalities,

- Revitalization of communities - building projects in municipal centers, utilizing land recycling, retrofits, and/or infill
- Fostering safe, healthy, walkable neighborhoods through improved access to affordable multimodal transportation choices as part of green street projects
- Ability to be replicated to improve water quality in an urban area
- Public stakeholder engagement in the development of the project
- Outreach and educational opportunities provided by the project applicant in order to facilitate the transfer of new technologies, knowledge, and practices to other NYS water quality issues and other regions of the State
- Leveraging of additional resources through removing barriers to collaboration, developing new partnerships, utilizing staff and in-kind resources, securing other funding and investments, and/or provides workforce development
- Applicant's plan for the long-term operation, maintenance, and water quality / flow monitoring of the project

EFC will consider regional distribution in the determination of awards, to the extent practicable.

SUCCESSFUL APPLICANT REQUIREMENTS:

Recipients must provide documentation of the following before entering into a Grant Agreement:

- Legal right to own, operate and maintain the project for the duration of its useful life
- Compliance with the Smart Growth Infrastructure Act of 2010 and the State's M/WBE requirements.
- Successful completion of all State environmental and historic preservation reviews i.e., SEQR and SHPO.
- Detailed final budget and plan of finance including all third party funding agreements, intermunicipal agreements, and satisfaction of the minimum 10% local match requirement
- Designation of an Authorized Representative for the project
- EFC Approved Final Feasibility Study
- Recipients must complete all requirements to enter into a grant agreement within six months of the award
- Prior to entering into a Grant Agreement with EFC, the Applicant will be required to demonstrate that funding is available to complete the project

ADDITIONAL RESOURCES:

For more information, visit http://www.efc.ny.gov/gigp

with consideration for communities that demonstrate financial hardship, with no more than 50% of the funds going to cities or towns with a population greater than 100,000.

Grant funding may be used for implementation activities that focus on decreasing community vulnerability in the face of a changing climate, or reduce greenhouse gas emissions, in the categories below. Projects that demonstrate replicability in other communities, and address needs identified in local or regional plans (*e.g.*, comprehensive plan, regional sustainability plan, climate action plan, energy master plan, or greenhouse gas reduction plan) will receive higher points. No more than 15 percent of a grant award may be used for design and engineering.

a. **Construction of natural resiliency measures:** Use of natural resources and nature-based processes (green infrastructure) for stormwater management, groundwater recharge, flood mitigation, streambank stabilization or coastal protection for the purpose of decreasing vulnerability to climate change.

b. **Relocation or retrofit of climate-vulnerable facilities:** Strategic relocation of vulnerable municipal facilities or infrastructure and/or installation of measures to reduce climate risks, including but not limited to elevation of facilities and flood-proofing.

c. **Conservation or restoration of riparian areas and tidal marsh migration areas:** Projects to conserve, revegetate and reconnect floodplains and buffers in riparian areas, or to allow migration of tidal marsh systems as sea level rises, for the purpose of decreasing vulnerability to climate change.

d. **Reduction of flood risk**: Construction, including design and engineering, of flood risk reduction measures for the purpose of decreasing vulnerability to climate change, including but not limited to, right-sizing of bridges and culverts; measures to reduce surge; construction/improvement of levees, tide gates, and flood barriers; or stormwater capacity management projects.

e. **Clean transportation**: Projects that enhance or showcase alternatives to driving for the purpose of decreasing vehicle trips and reducing greenhouse gas emissions, with an emphasis on the following categories.

   (1) Construction of on-road and off-road facilities for pedestrians, bicyclists and other non-motorized forms of transportation, resulting in a meaningful reduction in greenhouse gas emissions.

   (2) Construction of infrastructure-related projects to provide safe routes for non-drivers to access daily needs, resulting in a meaningful reduction in greenhouse gas emissions.

   (3) Implementation of transit improvements that have the potential to substantially increase ridership and result in a meaningful reduction in greenhouse gas emissions.

Facilities eligible for consideration in the clean transportation category must connect activity centers such as businesses, schools, libraries, shopping areas, recreation areas, residential developments, and/or provide a critical link in a continuous transportation system that connects to such destinations. Projects that are solely for recreational purposes are not eligible.

f. **Reduction or recycling of food waste**: Projects that reduce greenhouse gas emissions by decreasing food waste and increasing the volume of food scraps diverted to local composting or anaerobic digester facilities (within 50 miles), with an emphasis on one or more of the following categories.

1. *Increasing food donation* – Assessment of potential costs and savings of food donation, identifying and coordinating with local food rescue organizations, and developing a delivery schedule that leads to the purchase, installation and/or implementation of product storage and handling measures.

2. *Increasing organics recycling* – Assessment of potential costs/savings of organics recycling and assessment of organics recycling facilities that accept food scraps that leads to the purchase, installation and/or implementation of measures to allow or increase food scrap recycling at existing organics recycling facilities.

3. *Increasing processing at existing anaerobic digesters* – Design, purchase and/or installation of equipment and facilities (including grinding equipment, storage tanks and other related equipment) and/or implementation of measures necessary to increase the storage and processing of food waste at existing wastewater treatment plants and/or other anaerobic digesters. Implementation activities would allow these existing facilities to accept off-site organics directly into their digesters.

4. *Increasing processing at existing composting facilities* - Design, purchase and/or installation of equipment and facilities (including impervious pad construction, windrow turners, blowers, piping, screens and other processing equipment and facility improvements) and/or implementation of measures necessary to enhance existing municipal yard waste composting facilities so they can accept food scraps.

2. Climate Smart Communities Certification Projects

Grants totaling up to $500,000 will be awarded for assessment activities in this project category, with a minimum award of $25,000 and a maximum award of $100,000. Funding will be distributed across small, medium and large municipalities, with consideration for communities that demonstrate financial hardship, with no more than 50% of the funds going to cities or towns with a population greater than 100,000.

Grant funding may be used to conduct projects that will lead to identification of climate protection implementation projects. Applications will be accepted in this round for one or more of the following Certification Actions (see Certification Manual for full action descriptions):

- *Certification Action 3.11* - Right-size the local government fleet.
- *Certification Action 6.17* - Develop a natural resource inventory.
- *Certification Action 7.1* - Conduct a vulnerability assessment.
- *Certification Action 7.3* - Review existing community plans and projects to identify climate adaptation strategies and policies or projects that may decrease vulnerability.
- *Certification Action 7.4* - Develop climate adaptation strategies.
- *Certification Action 7.6* - Update the multi-hazard mitigation plan to address changing conditions and identify specific strategies to reduce vulnerability to natural hazards.

The Climate Smart Communities Certification Manual is available on the Office of Climate Change web site at http://www.dec.ny.gov/energy/96511.html. Applicants that have previously undertaken documented completion of Climate Smart Communities certification actions will receive higher points. Applicants that propose undertaking a comprehensive suite of certification actions will receive higher points. For consideration under this category, applicants must identify the applicable CSC certification action(s) being addressed by the proposed work in the submitted funding application.

Match

All grants require a local match equal to **50 percent of the eligible project costs**. All eligible costs and services, with the exception of other state funding, that are directly related to and in support of the project may be used as match with approval by the Department of Environmental Conservation (DEC). Federal funds are not an eligible source of match; if a project receives federal funding those costs will be subtracted at the outset to establish eligible project costs. The applicant must identify the source of the match at the time that the application is submitted.

Land acquisition may be used as match, but cannot be supported with grant funding. A map identifying the property, current appraisal report and copy of the recorded deed conveying title will be required to document property value and ownership.

Eligible Costs

Eligible budget items include personal services (salary and fringe), non-personal services (contractual), travel, equipment, and other project costs that are not specifically excluded below.

Ineligible Activities/Costs

Ineligible budget items that will not be accepted as local match or supported with grant funds include:

- Indirect or overhead costs of the municipality, such as rent, telephone service, general administrative support, computers, office equipment, general office supplies, general operations costs, membership fees, or subscription costs.
- Salaries and other expenses of elected officials, whether incurred for purposes of project direction, execution, or legislation.
- Fund raising events/expenses.
- Taxes, insurance, fines, deficit funding, bond interest and associated fees.
- Contingency costs.
- Federal funds.
- Costs for purchase and installation of zero-emission vehicles (ZEV) and associated infrastructure that are eligible for funding under the 2016 EPF ZEV Municipal Rebate Program.

Letters of Permissions/Municipal Endorsement

If applicable, the applicant must own the property, or obtain an applicable access agreement, for the proposed project site. The applicant will be required to submit proof of property ownership and/or landowner permissions (in a single PDF file) as follows:

- If the property owner is a municipality – A resolution by the municipality supporting the project.
- If the property is not owned by the municipality – a formal written agreement between the municipality and landowner which allows the municipality to access the property and to represent the landowner to accomplish the proposed project.

A municipality which develops, improves, restores or rehabilitates real property that is not owned by the municipality using grant funds awarded pursuant to this RFA shall obtain a climate change mitigation easement from the owner of the real property. Climate change mitigation easements shall be enforced as conservation easements that are enforced in section 49-0305 of New York Environmental Conservation Law.

Project Location
Eligible projects for grant funding must be located in the State of New York.

Application Limit
Applicants may submit multiple applications. Multiple applications may not be for the same project or project location.

NYS Grants Gateway

Eligible applicants must be registered in the NYS Grants Gateway. Applicants must have a valid Federal Employee Identification Number (FEIN) and a New York State Vendor Identification Number in order to complete their Grants Gateway registration. If a municipality (for example, a county) passes a governing resolution authorizing a department under its jurisdiction to apply for funding, that department can apply only if it is registered in the NYS Grants Gateway.

Registration in the NYS Grants Gateway is necessary to be eligible to:

- Apply for a NYS grant opportunity.
- Enter into a grant contract, an amendment to an existing contract.
- Apply for grant payments.

Registration is NOT an online process. Register now to allow time for processing!!

Grants Gateway Registration Instructions

1.) On the Grants Reform Website at www.grantsreform.ny.gov/Grantees, download a copy of the Registration Form for Administrator.
2.) Complete the form according to the instructions provided. The completed form must be signed and notarized.
3.) Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions.
4.) After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
5.) Log in to the Grants Gateway at https://grantsgateway.ny.gov. You will be prompted to change your password at the bottom of your Profile page. Enter a new password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts.

Once your Organization is registered in the Grants Gateway, the User with the Delegated Administrator Role is responsible for creating additional roles in the system necessary for contract development and completion. Refer to Section 4.2 of the "Grantee User Guide", located on the Grants Reform website at www.grantsreform.ny.gov/grantees, for instructions on creating user roles in the Grants Gateway system.

Smart Growth Infrastructure Policy Act

New York State's Smart Growth Public Infrastructure Policy Act (ACT), Environmental Conservation Law Article 6, requires the Department and all State infrastructure agencies to assess whether each public infrastructure project that receives state funding is consistent with the State Smart Growth Public Infrastructure criteria specified in the Act, or that compliance is considered to be impracticable, before making any commitment to fund such project(s). The applicant will be required to provide Smart Growth assessment information as part of its Consolidated Funding Application process.

Minimum Eligibility (Pass/Fail criteria)

The applicant must be eligible. A failure to meet any one criterion below will disqualify the application from funding.

- Municipality is eligible (county, city, town or village of the State of New York), and if applicable, letters of partnership with a designated lead applicant have been provided.
- The project must implement one of the specified eligible project types.
- The project timeline must indicate completion within a five-year contract term.
- All project funding sources must be eligible for grant funding and match.
- If applicable, documentation of land ownership and/or the necessary access agreement(s) are provided.

Selection Criteria

Each eligible application will be scored by an evaluation team consisting of a technical reviewers from DEC and other state agencies in appropriate disciplines. Using information gathered during technical review sessions each eligible project will be scored according to the selection criteria outlined below. Technical reviewer scores will be averaged and REDC priority points will be incorporated to develop a numerical score and ranking for all eligible projects. Funding will be recommended based on highest to lowest rank within each funding category and within the expressed funding limit for municipalities with population size over 100,000, as described in this RFA, until available funding has been exhausted.

Projects will be scored and selected based on the following criteria:

a) Overview of Scoring Categories

a. Climate Protection Implementation Projects

	Maximum Points			Minimum Points
CSC Status (5)	5	3	-	0
Project Readiness (10)	10	8	4	2
Financial Hardship (5)	5	-	-	0
Effectiveness of Response to Climate Change (30)	30	*See Explanation of Scoring*		1
Consistency with Local Plans (5)	5	2	-	0
Community Health (5)	5	2	-	0
Reasonableness of Cost (20)	20	12	6	1
Regional Economic Development Priority (20)	*To be awarded by REDC*			
Total Available Points	**100**			

b. Climate Smart Communities Certification Projects

	Maximum Points			Minimum Points
CSC Status (10)	10	-	-	0
Project Readiness (10)	10	8	4	2
Financial Hardship (5)	5	-	-	0
Foundation for Implementation (15)	15	10	5	2
CSC Priority Actions (20)	20	15	10	5
Reasonableness of Cost (20)	20	12	6	1
Regional Economic Development Priority (20)	*To be awarded by REDC*			
Total Available Points	**100**			

b) Explanation of Scoring

a. Climate Protection Implementation Projects

Scoring Category	Evaluation
CSC Status (5)	a) Applications submitted by a certified Climate Smart Community - **5 points**. b) Applications submitted by a registered Climate Smart Community - **3 points**. c) All other applications - **0 points**.
Project Readiness (10)	a) Application demonstrates that applicant has conducted planning needed to identify, prioritize, select, and design the proposed work; has identified project participants and their roles; has clearly identified an available source of eligible matching funds; has documented necessary partnership agreements; owns and/or has permission to use property or facilities proposed for work; and has undertaken the permitting or approvals necessary to conduct proposed work - **10 points**. b) Application satisfies all of the conditions for maximum points, except permitting/approvals are not yet completed – **8 points**. c) Application satisfies all of the conditions for maximum points, except the site, design, or alternative has not yet been selected, is not complete, or is not available, or there is some other element of work uncertainty or delay – **4 points**. d) Applicant's proposed work is not supported by an inventory and planning process, or applicant has not provided sufficient supporting information – **2 points**.
Financial Hardship (5)	a) Applicant is a hardship community, defined as a community with a Median Household Income (MHI) less than the 2014 Statewide MHI ($58,687). Median Household Income (MHI) may be established using publicly available census data rather than requiring

	detailed demographic and economic data from the municipality – **5 points**. b) Applicant is not a hardship community, as defined above – **0 points**.
Effectiveness of Response to Climate Change (30)	**TRACK ONE** (for implementation project categories a., b., c., and d. in this RFA) **Resiliency** a) Proposed project improves local resiliency to changing climatic conditions by addressing high risks as described in any of the following categories - **18 points**: 1. Flood-risk Management - Proposed project provides structural improvements or additions, or other actions that will reduce flood risk under future conditions to homes, businesses, government facilities and/or public infrastructure. 2. Stormwater Management - Proposed project provides structural improvements or additions that will reduce risks associated with stormwater runoff conditions to homes, businesses, government facilities and public infrastructure under future extreme-precipitation events. 3. Natural Systems - Proposed project increases ability of natural systems to withstand disasters and adapt to changing environmental conditions due to climate change, including sea level, extreme heat, drought, extreme precipitation and other climate factors. 4. Community Resiliency - Proposed project increases community resiliency to future climatic conditions by strategically retrofitting, upgrading, or replacing critical infrastructure, installing resilient power, or by implementing other disaster preparatory mechanisms. b) Project does not address high risks as described in any of the above categories – **0 points**. **Identification of Climate Change Assumptions** a) Application describes climate change assumptions and how they are incorporated into project design, including science-based sources of climate projections and time scales considered – **10 points**. b) Application describes climate change assumptions but does not identify climate projections used or time scale considered – **5 points**. c) Application does not sufficiently describe the anticipated climate change the project is intended to address – **1 points**. **Green Design**

	a) Applicant demonstrates that the project will be certifiable or otherwise approved under Leadership in Energy and Environmental Design (LEED), ENERGY STAR, International Green Construction Code (ICC-IGCC 2012) or American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE 189.1), or other energy or water efficiency or conservation certification programs – **2 points.** b) Applicant does not demonstrate that the project will be certifiable, or it will not be certifiable, under any energy or water conservation certification programs – **0 points.** **OR** **TRACK TWO** (for implementation project categories e. and f. in this RFA) **Greenhouse Gas Reduction Potential** a) Application demonstrates the potential for significant greenhouse gas emission reductions; and reductions are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – **30 points.** b) Application demonstrates the potential for moderate greenhouse gas emission reductions; and reductions are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – **20 points.** c) Application demonstrates the potential for minimal greenhouse gas reductions that are quantified and reported in terms of emissions before and after, reduction of vehicle miles travelled and/or food waste diverted – **6 points.** d) The proposed project is not likely to reduce greenhouse gas emissions; the reductions are not quantified or are otherwise unclear; or applicant has not provided sufficient or otherwise complete supporting information for evaluation – **1 point.**
Consistency with Local Plans (5)	a) Proposed project implements specific recommendations in existing, adopted local or regional plans or greenhouse gas emission reduction goals – **5 points.** b) Proposed project is consistent with existing, adopted local or regional plans or greenhouse gas emission reduction goals – **2 points.** c) Application does not identify a relationship with local or regional plans or greenhouse gas emission reduction goals – **0 points.**

Community Health (5)	a) Applicant identifies a potential community health benefit under projected climatic conditions as a result of the proposed work – **5 points.** b) Application does not identify a community health benefit, but work is likely to lead to some benefit under projected climatic conditions – **2 points.** c) Applicant does not identify a community health benefit and the proposed work is not likely to lead to a positive community health benefit – **0 points.**
Reasonableness of Cost (20)	To determine the reasonableness of cost, consider the following questions 1-7: 1) Does the project demonstrate new technology, or will it be replicable for other communities? 2) Are the costs reasonable in relation to the anticipated climate mitigation and adaptation benefits? 3) Is the complexity of the solution proposed appropriate given the problem? 4) Is the size and scope of the project suitable to accomplish the desired improvement identified, i.e. reduce emissions or protect the community in the face of climate change? 5) Where appropriate, does the applicant minimize the use of contractors and leverage municipal and collaborator staff to complete the project? 6) Are the proposed costs of the project comparable to the costs of projects of the same project type, size and scope funded through previous state funding programs for this type of project, e.g., Cleaner Greener Communities? 7) Has the applicant provided greater than the required local match demonstrating a strong financial commitment to the project? a) Projects that meet 7 of the above listed criteria 1-7 and the applicant has submitted a detailed budget and feasible timeline – **20 points.** b) Projects that meet 5-6 of the above listed criteria 1-7 (including 1), and the applicant has submitted a detailed budget and feasible timeline – **12 points.** c) Projects that meet 3 or more of the above listed criteria (not including 1) – **6 points.** d) Projects that meet 0-2 of the above listed criteria – **1 point.**
Regional Economic Development Priority (20)	*To be awarded by REDC*
Total Available Points	**100**

b. Climate Smart Communities Certification Projects

Scoring Category	Evaluation
CSC Status (10)	a) Applications submitted by a registered Climate Smart Community - **10 points.** b) All other applications - **0 points.**
Project Readiness (10)	a) Application demonstrates that applicant has conducted all work needed to identify, prioritize, and select the proposed project elements; has identified project participants and their roles; has identified an available source of eligible matching funds; has documented necessary partnership agreements; and has undertaken the approvals necessary to conduct proposed work - **10 points.** b) Application satisfies all of the conditions for maximum points, except agreements or approvals are not yet completed – **8 points.** c) Application satisfies all of the conditions for maximum points, except the work plan has not yet been identified, prioritized, or selected, or is otherwise not complete, or there is some other element of work uncertainty or delay – **4 points.** d) Applicant's proposed work is not supported by an identification and prioritization process, or applicant has not provided sufficient supporting information – **2 points.**
Financial Hardship (5)	a) Applicant is a hardship community, defined as a community with a Median Household Income (MHI) less than the 2014 Statewide MHI ($58,687). Median Household Income (MHI) may be established using publicly available census data rather than requiring detailed demographic and economic data from the municipality – **5 points.** e) Applicant is not a hardship community, as defined above – **0 points.**
Foundation for Implementation (15)	a) Application demonstrates that the proposed project will lead directly to well-planned, well-designed future implementation actions as part of a comprehensive strategy to become a certified CSC. The proposed work includes all of the appropriate assessments - **15 points.** b) Application demonstrates that the proposed project lays a foundation for future implementation actions as part of a strategy to become a certified CSC, and includes all appropriate assessments, but additional work may be necessary prior to implementation – **10 points.** c) The proposed project lays a foundation for future work but does not clearly articulate a strategy for becoming a certified CSC, does not lead directly to implementation, and/or the proposed work lacks some of the appropriate assessments – **5 points.**

	d) The application does not clearly demonstrate how the work will lead to future implementation actions or CSC certification, and/or does not provide sufficient supporting information – **2 points.**
CSC Certification Priority Actions (20)	a) DEC has received documentation at least two weeks before the application deadline that the lead applicant has completed at least 6 of the 13 CSC priority actions (see CSC Certification Manual) - **20 points.** b) DEC has received documentation at least two weeks before the application deadline that the lead applicant has completed 5 of the 13 CSC priority actions (see CSC Certification Manual) - **15 points.** c) The proposed workplan for the lead applicant includes at least 7 of the 13 CSC priority actions (see CSC Certification Manual) - **10 points.** d) The proposed workplan for the lead applicant includes at least 6 of the 13 CSC priority actions (see CSC Certification Manual) – **5 points.**
Reasonableness of Cost (20)	To determine the reasonableness of cost, consider the following questions 1-7: 1) Does the project demonstrate new technology, or will it be replicable for other communities? 2) Are the costs reasonable in relation to the anticipated climate mitigation and adaptation benefits? 3) Is the complexity of the solution proposed appropriate given the problem? 4) Is the size and scope of the project suitable to accomplish the desired improvement identified, i.e. reduce emissions or protect the community in the face of climate change? 5) Where appropriate, does the applicant minimize the use of contractors and leverage municipal and collaborator staff to complete the project? 6) Are the proposed costs of the project comparable to the costs of projects of the same project type, size and scope funded through previous state funding programs for this type of project, e.g., Cleaner Greener Communities? 7) Has the applicant provided greater than the required local match demonstrating a strong financial commitment to the project? a) Projects that meet 7 of the above listed criteria 1-7 and the applicant has submitted a detailed budget and feasible timeline – **20 points.** b) Projects that meet 5-6 of the above listed criteria 1-7 (including 1), and the applicant has submitted a detailed budget and feasible timeline – **12 points.** c) Projects that meet 3 or more of the above listed criteria (not including 1) – **6 points.**

	d) Projects that meet 0-2 of the above listed criteria – **1 point.**	
Regional Economic Development Priority (20)	*To be awarded by REDC*	
Total Available Points	**100**	

Significant Statewide Programs

Proposed projects that are part of the following initiatives will be looked upon favorably:

- **Downtown Revitalization Initiative**
  Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

- **Opportunity Agenda Related Projects**
  Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

- **Global NY Related Projects**
  The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

- **Veterans' Related Projects**
  New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014 the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

- **NY Rising Related Projects**
  The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: http://stormrecovery.ny.gov/community-reconstruction-program

Department of Environmental Conservation Oversight

The Department of Environmental Conservation reserves the right to:

- Award additional and available funding for scored and ranked projects consistent with this grant opportunity.
- Award an agreement for any or all parts of the RFA in accordance with the method of award, or withdraw the RFA at any time at the Department's sole discretion.
- Award only one application for funding in the event there are multiple application submissions for a single project or for pieces of a single project.
- Award to the next highest scoring application in the event a grantee fails to negotiate a grant contract with the Department within 60 days of a grant award.
- Monitor the progress of all grant awards and withdraw grant funding if the grantee fails to make significant and timely progress on the project, or fails to receive the necessary permissions and permits for the project.
- Not to fund projects that are determined not to be consistent with NYS's Smart Growth Public Infrastructure Policy Act.

Notification of Award

Applicants selected to receive a grant award will be notified by email and in an official Department award letter.

Program-Specific Contract Terms and Conditions

- If the grant recipient is not already a registered Climate Smart Community, the grant recipient shall take the Climate Smart Communities Pledge within the term of their grant contract.
- For climate mitigation projects, including the Clean Transportation and/or Reduction and Recycling of Food Waste categories, the grant recipient shall provide a report of estimates of emissions reduction as required by the Department.
- For certification actions funded in the Climate Smart Communities Certification Project category, the grant recipient shall adhere to the requirements and standards described in the Climate Smart Communities Certification Manual. The Climate Smart Communities Certification Manual is available on the Office of Climate Change web site at http://www.dec.ny.gov/energy/96511.html.
- If the grant recipient develops, improves, restores or rehabilitates real property that is not owned by the Contractor as part of the funded project, the grant recipient shall obtain a climate change mitigation easement from the owner of the real property. Climate change mitigation easements shall be enforced as conservation easements are enforced in ECL section 49-0305.

State of New York Master Contract for Grants (MCG)

Applicants selected to receive a grant award will be required to execute a MCG **within 60 - 90 days** from the time of their award notification. Failure to submit timely required MCG documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all MCG terms and conditions should grant funding be awarded. The MCG and attachments can be reviewed and/or downloaded on DEC's website at http://www.dec.ny.gov/energy/76910.html. The MCG and attachments include:

- MCG Grants Face Page
- Standard Terms and Conditions (*NYS standard terms and conditions*)
- Attachment A-1 Program Specific Terms and Conditions (*Agency and Program specific terms and conditions*)
- Attachment A-2 Federally Funded Grant Terms and Conditions
- Attachment B-1 Expenditure Based Budget (*project expense categories and detail)*
- Attachment C Work Plan (*project objectives, tasks and performance measures*)
- Attachment D Payment and Reporting Schedule (*claims for reimbursement and grant reporting provisions*)

Important Note: Project related costs must be incurred within the term of the MCG to be considered eligible for reimbursement or match. Contract payments will not be approved or processed by the Department until a MCG is fully approved by the Department, and as applicable the Attorney General and the State Comptroller. All contracts must be approved by the contract start date of which will be determined at the time of an official award.

Applicants should be prepared to comply with the following MCG requirements:

- **Insurance Requirements**
  Contractors will be required to carry appropriate insurance as specified in the MGC Attachment A-1 Program Specific Terms and Conditions, and agree that each project consultant, project contractor and project subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the Contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability insurance, "all-risk" insurance and workers compensation/disability coverage for the project.

- **Permit Requirements (if applicable)**
  Contractors agree to obtain all required permits, including but not limited to, local, state and federal permits prior to the commencement of any project related work. The Contractor agrees that all work performed in relation to the project by the Contractor or its agents, representatives, or contractors will comply with all relevant federal, state and local laws, rules, regulations and standards, zoning and building codes, ordinances, operating certificates for facilities, or licenses for an activity.

- **State Environmental Quality Review (SEQR) Documentation**
  With respect to the project, the Contractor certifies that it has complied, and shall continue to comply with all requirements of the State Environmental Quality Review Act (SEQRA). The Contractor agrees to provide all environmental documents as may be required by the Department. The Contractor has notified, and shall continue to notify, the Department of all actions proposed for complying with the environmental review requirements imposed by SEQRA.

- **Vendor Responsibility Questionnaire**
  Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm , or go directly to the VendRep System at https://portal.osc.state.ny.us.

- **Iran Divestment Act**
  As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. By entering into a Contract, the Contractor certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at: http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additional detail on the Iran Divestment Act can be found in the MCG, Attachment A-1 Program Specific Terms and Conditions.

Projected Periods/Terms

All projects must have defined objectives, tasks, and deliverables accounted for in performance measures that can be completed and invoiced within a five-year contract period/term. Applicants should not begin their projects or incur costs until a Master Contract for Grants has been fully approved by DEC, and if applicable approved by the Attorney General and the State Comptroller. Time extensions beyond the contract term end date will be determined by the Department based upon written justification from the Grantee. Applicants should not submit an application if they do not anticipate their project can be completed within the specified contract term.

Permits

The applicant is responsible for assuring that any SEQR determinations, permits, approvals, lands, easements and rights-of way that may be required to carry out the activities of the project are obtained.

Historic Preservation Review Requirements

For projects that involve properties listed on the State or National Registers of Historic Places, all work undertaken as part of a grant-assisted project must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Questions about or proposals for listing on the State or national Register should be directed to the OPRHP National Register Unit at (518) 237-8643. To ensure the public benefit from the investment of state funding, preservation covenants or conservation easements will be conveyed to the State (OPRHP) for all historic property grants.

Americans with Disabilities Act

In the event the monies defined herein are to be used for the development of facilities, outdoor recreation areas, transportation or written or spoken communication with the public, the Contractor shall comply with all requirements for providing access for individuals with disabilities as established by Article 4A of the New York State Public Buildings Law, Americans with Disabilities Act, and relevant sections of the New York State Uniform Fire Prevention and Building Code. Standards for certain Recreation Facilities are found in the 2010 ADA Standards for Accessible Design while others are found in the Architectural Barriers Act Accessibility Guidelines for Outdoor Recreation Areas https://www.access-board.gov/guidelines-and-standards .

Payment and Reporting

Municipalities are not eligible to receive advance payments under State Finance Law. Project costs eligible for reimbursement and project match must be incurred between the MCG term start and end dates. Costs incurred prior to the MCG term start date or after the MCG term end date will not be considered eligible for grant reimbursement or match. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the Department for costs to be eligible for grant reimbursement.

Quarterly MCG payment reimbursement requests will be accepted prior to submission of a final closeout reimbursement request. Approved project design, required permits and landowner permissions must be in place to submit a reimbursement request.

Quarterly Narrative Reports must be submitted in narrative form, no later than 30 days from the end of the quarter. The reports will summarize how the project progressed towards meeting project objectives and deliverables during the quarter.

Quarterly Expenditure Reports, detailed by object of expense as defined in the MCG Attachment B-1 Expenditure Based Budget, must accompany the quarterly Narrative Reports, no later than 30 days from the end of the quarter. These reports must correlate to subsequent vouchers submitted for payment.

Final Report must be submitted and approved by the Department prior to the release of the final contract payment to the Grantee. The Contract must submit the Final Report no later than 60 days after the end of the contract period. The Final Report should report on all aspects of the program and detail how the use of grant funds were utilized in achieving the goals set forth in the approved MCG Attachment C Work Plan. Copies of appropriate documents (i.e. inventory and/or management plan) must be submitted and approved by the Department.

A Department on-site inspection may be required to confirm all work was completed in accordance to the approved project work plan.

Procurement of Contractors/Subcontractors

Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money. Failure to comply with these requirements could jeopardize full reimbursement of your approved eligible project costs.

Minority/Women Business Enterprises (M/WBE) and Equal Employment Opportunities (EEO) Requirements

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts with a value (1) in excess of $25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of $100,000 for real property renovations and construction.

- Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the MCG and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements

include equal employment opportunities for minority group members and women ("EEO") and contracting opportunities for certified minority and women-owned business enterprises ("MWBEs"). Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") or other applicable federal, state or local laws.

- Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.
- Please refer to the NYS Master Contract for Grants - Article IV.(J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at http://www.dec.ny.gov/about/48854.html.
- The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.
- A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885.
- Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf, detailing payments made by the Prime Contractor to NYS Certified M/WBEs.
- The following M/WBE-EEO "Fair Share" goals are established as follows:

  Minority and Women Owned Business Enterprise (MWBE) Overall Participation Goals:
  Construction/Engineering – 30%
  Commodities – 30%
  Services/Technologies – 30%
  Equal Employment Opportunity (EEO) Participation Goals:
  EEO Minority Workforce Participation Goals (DEC Regions 1- 9) – 10%
  EEO Female Workforce Participation Goals (DEC Regions 1-9) – 10%
- DEC M/WBE Contact Person: Carla Leubner, Compliance Specialist
  NYSDEC Bureau of Contract and Grant Development/MWBE Program
  625 Broadway, 10th Floor
  Albany, New York 12233-5028
  Phone: (518) 402-9240
  Fax: (518) 402-9023

July 5, 2016

Amy L. Birdsall, Associate AIA
Planning and Zoning Director
City of Oswego
13 West Oneida Street
Oswego, NY 13126

RE: **CFA Grants Assistance - DEC Climate Smart Communities Grant Program (CSCP) Clean Transportation**

Ms. Birdsall:

Thank you for the opportunity to assist the City of Oswego in the preparation of a CFA grant for the 2016 funding round. We are excited for the opportunity to assist you and we look forward to helping Oswego win this transformational award.

Bergmann Associates will complete the following tasks for the DEC Climate Smart Communities Grant application on behalf of the City of Oswego. Please note, all conceptual design work required for the grant submission will be covered through the City of Oswego Complete Streets project.

The following tasks will be completed for the CFA grant application:

- Initial meeting with City staff to discuss design parameters;
- Review of project extent/boundaries, project description and priority goals;
- Conceptual design (covered through Complete Streets project fee);
- Cost estimate for the proposed project;
- All required application narrative, as defined in the CFA guidance manual, including a description of the project, project readiness, financial hardship justification, effectiveness of proposed projects, consistency with local plans, community health indicators, cost, and connections to regional economic development plan priorities;
- We will provide two rounds of draft materials in Word format to the City for review and comment;
- Bergmann Associates, with access to the City's Grants Gateway, will submit the grant application on behalf of the City by July 28, 2016.

The City will be responsible for providing timely feedback on draft materials and providing any required background information. The City will complete the Priority Project form in advance of the grant submittal, ensure registration is up-to-date on the Grants Gateway portal, and provide necessary login information to Bergmann Associates.

Our fee for professional services associated with preparation of the DEC Climate Smart Communities Grant Program (CSCP) Clean Transportation grant is $4,000.00. This includes 40 hours (@ $90/hour) for project planner and 4 hours (@ $100) for internal oversight, review and quality control by a senior staff member.

If you should have any questions regarding the above or require additional clarification, please contact me at your earliest convenience.

I look forward to the opportunity to work together on this effort. The signing of this letter confirms the City of Oswego's approval to start work. Please sign below authorizing approval to proceed and return one executed copy to my attention.

Kindest Regards,

Kimberly M. Baptiste, AICP
Business Segment Manager
Planning + Design

APPROVED:

Amy Birdsall
Director of Planning & Zoning
City of Oswego

Andrew Raus, AICP
Vice President
Bergmann Associates

Resolution No 252 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, the Administrative Services Committee at their July 5, 2016 meeting, passed a motion to forward a favorable recommendation to the Common Council, to grant authorization to hire Bergmann Associates, to apply on behalf of the City of Oswego, for a Climate Smart Communities Environmental Protection Fund, Clean Transportation grant, to fund construction for a portion of the Downtown Area Route 104 Complete Streets Project, and

WHEREAS, Bergmann Associates will prepare, on behalf of the City of Oswego, an application through the Consolidated Funding Application (CFA) process for approximately $250,000 in funding; and

WHEREAS, this funding, if secured, will be used for construction of the Downtown area of the Route 104 Complete Streets Project, and

WHEREAS, the 104 Complete Streets Project will help revitalize the City of Oswego and its Main Street and serve as a model for sustainable development in the surrounding region;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application of the Climate Smart Communities Environmental Protection Fund, Clean Transportation grant through the 2016 CFA process and commits the City to its share of municipal matching project funds, which would total $250,000 of cash and in-kind services; and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the Mayor to accept a proposal and enter into an agreement with Bergmann Associates for the preparation and submittal of the grant application; the fee to prepare and submit the CFA will be $4,000, and

BE IT FURTHER RESOLVED, that funding is authorized in the amount of $4,000 to come out of the 2016 Planning Budget - Fees for Service Non-Employee, Account No. A8020.0450.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker		✓	
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	6	1	

ADOPTED LOST

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Planning and Zoning Director

Page No. _____

Agenda Item 253

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for 104 Complete Streets / Western Gateway

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process for construction funding of the 104 Complete Streets Project at the City of Oswego Western Gateway, or from the Western City Line to the "Forks of the Road".

Bergmann Associates will be preparing the grant application. The estimated amount of the grant preparation services is approximately $5,000, which will be allocated from A8020.0450. A proposal from Bergmann Associates is forthcoming.

The project is currently in the planning phase and a conceptual design of this section of the Complete Streets project will be developed in July for the purposes of the grant application.

The Grant source is the Environmental Facilities Corporation, Green Innovation Grant Program. The total cost of the project is approximately $1M. The grant amount requested will be approximately $900K (90%) and the Cost Share Amount will be approximately $100K (10%). The Cost Share is calculated as cash and in-kind services.

The City of Oswego will provide grant administration services via the Planning and Zoning Department.

Again, your approval to submit this grant application, fund the preparation of the grant application and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

Amy Birdsall

Planning & Zoning Director

July 8, 2016

Dear Councilors:

In response to the questions about hiring Bergmann Associates to prepare the (2) grants totaling $1.25M, I have prepared a few points for you to consider. It's important to note that the technical requirements and expertise required of these (2) grants, Bergmann's involvement as the Design Consultant for the project, and their experience and track record for writing and being awarded these grants are the justification for utilizing their services. Bergmann Associates is best positioned to write competitive and award worthy grant applications for these projects. The goal here is to win the grant and build the streetscape projects in order to increase the economic vitality on our Main Street and our City.

Intelligent allocation of our limited resources is important. I can't and never will be running a Planning Department that is staffed with the experts required to prepare these grants. We can't afford that kind of staffing. But, we can afford to utilize consultants strategically to leverage funding that will pay dividends 100x the cost of their services. I urge you to support the grant applications and Bergmann's services for these reasons and the following additional points:

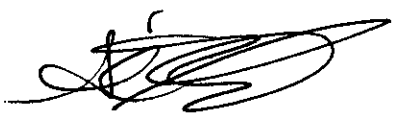
- Due to the complexities, technical requirements and level of effort associated with the grant preparation, Bergmann Associates would be utilizing 4 staff members to complete the CFA grants over the course of the next three weeks. This would include a civil engineer, landscape architect, planner and transportation engineer.

- Its worth noting that – specific to the GIGP application – the requirements not only include the grant writing, but a technical feasibility study. As stated in the grant requirements, the Feasibility Study **"must be signed and stamped by a Qualified Professional licensed or certified to practice in New York State A qualified professional is an individual who is knowledgeable in the principles and practices of stormwater management and treatment, such as a Professional Engineer or Registered Landscape Architect."** This limits who can take responsibility for preparation of this document.

- Other specific technical requirements that warrant a PE and RLA involvement in the grant development include:
    - Knowledge of the requirements outlined in the NYS Stormwater Design Manual
    - Understanding of calculating and defining water quality metrics
    - Green infrastructure technologies in roadway design
    - Understanding of the principles of hydrology, water quality management practice design, water quality control design, and, in many cases, the principles of hydraulics
    - Identification of estimate of the water quality volume to be managed through infiltration, evapotranspiration, and / or use on site and familiarity with the NYSDEC Runoff Reduction Worksheets in calculating estimates.

- In recent years Bergmann Associates has supported the City of Rome on a number of GIGP grant submittals, one of which is currently highlighted on the EFC website: http://www.efc.ny.gov/Default.aspx?tabid=228. In addition to this project, Bergmann Associates worked on two other successfully funded GIGP applications in Rome and two successful applications in North Tonawanda, NY. Each of these are described further on the EFC website. http://www.efc.ny.gov/Default.aspx?tabid=569

Best Regards,



Amy Birdsall

City Hall 13 Oneida Street Oswego New York 13126 Phone: (315) 342-8154 Fax: (315) 342-1320
abirdsall@oswegony.org www.oswegony.org

Environmental Facilities Corp. - Green Innovation Grant Program

Funding Available: $10 million Reimbursable? Admin?

DESCRIPTION:

The Green Innovation Grant Program (GIGP) provides grants on a competitive basis to projects that improve water quality and demonstrate green stormwater infrastructure in New York. GIGP is administered by the New York State Environmental Facilities Corporation (EFC) through the Clean Water State Revolving Fund (CWSRF) and is funded through a grant from the United States Environmental Protection Agency.

Green infrastructure practices treat rainwater as a valuable resource to be harvested and used on site, or filtered and allowed to soak back into the ground, recharging our aquifers, rivers and streams. The plants used in green infrastructure help to cool our surroundings and improve air quality through the process of evapotranspiration. These green practices can also help beautify our streets and neighborhoods, improve property values, revitalize downtowns and improve the overall quality of our lives.

Projects selected for funding go beyond providing a greener solution, they maximize opportunities to leverage the multiple benefits of green infrastructure, which include restoring habitat, protecting against flooding, providing cleaner air, and spurring economic development and community revitalization. At a time when so much of our infrastructure is in need of replacement or repair and communities are struggling to meet competing needs, we need resilient and affordable solutions like green infrastructure that can meet many objectives at once.

The amount of funding available for Round 8 of GIGP (GIGP 8) is $10 million. EFC seeks highly visible demonstration projects which:

- Create and maintain green, wet-weather infrastructure
- Spur innovation in the field of stormwater management
- Build capacity locally and beyond, to construct and maintain green infrastructure
- Facilitate the transfer of new technologies and practices to other areas of the State

GIGP 8 applicants are strongly encouraged to work with their Regional Council to align their project with regional goals and priorities. EFC reserves the right to fund all, or a portion of, an eligible proposed project. Grants will be available for up to 90% of the total eligible project costs set forth in the application. A minimum 10% match from state or local sources is required. Funding will be provided to selected projects to the extent that funds are available.

ELIGIBLE TYPES OF APPLICANTS:

- Municipal
- Intermunicipal
- Interstate Agencies
- State Agencies

Eligible applicants may submit more than one grant application. However, EFC reserves the right to limit GIGP 8 funding to one grant award per applicant.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:
GIGP funding is provided for water quality projects. Eligible project costs are limited to items that are directly attributable to the improvement or protection of water quality and integral to the success of the following eight specific green infrastructure practices:

Bioretention, *e.g.* rain gardens or bioswales
Bioretention systems are shallow vegetated depressions often referred to by a variety of names such as bioinfiltration areas, biofilters, rain gardens, bioswales, or recharge gardens. They are very effective at removing pollutants and reducing stormwater runoff. These systems are designed to collect water in the depression where it ponds on the surface. This water is then used by the vegetation in evapotranspiration and infiltrated into the soil. Larger volume systems are designed to include stone storage underneath the soil to provide additional stormwater capacity. Properly designed bioretention techniques mimic natural ecosystems through species diversity, density and distribution of vegetation, and the use of native species, which results in a system that is resistant to insects, disease, pollution, and climatic stresses.

Construction or restoration of wetlands, floodplains, or riparian buffers

Constructed Wetlands are shallow marsh systems planted with emergent vegetation that are designed to treat stormwater runoff. They are extremely effective for pollutant removal, can mitigate peak rates and reduce runoff volume. Constructed wetlands have considerable aesthetic and wildlife benefits and are a good option for retrofitting existing detention basins.

Floodplains are a natural water right-of-way that provide temporary storage for large flood events, keeping people and structures out of harm's way and preserving riparian ecosystems and habitats. Over time, people have filled-in and built on floodplains thereby reducing nature's ability to cope with large rain events. Restoring floodplains helps provide safe storage of excess water in large storm events, reduce volume through infiltration and evaporation, and filter sediment and nutrients from the water before it reaches or re-enters the larger waterbody.

Riparian Buffers are vegetated or undisturbed natural areas that filter runoff before it enters a waterbody. Riparian zones reduce sediment, nitrogen, phosphorous, pesticides and other pollutants by soaking the water and associated pollutants into the ground where some of these can be broken down. Healthy riparian buffers increase habitat, stabilize channels and banks, improve water quality, provide stream shade and temperature control, and improve aesthetics.

Downspout disconnection
Downspout disconnection is the removal of roof runoff from a direct connection to a combined or storm sewer. Historically, many communities required that roofs have stormwater connected to the sewer to rapidly convey the water away from the structure. However, by redirecting the rain to a designated vegetated pervious area, runoff volume can be greatly reduced and water quality benefits can be achieved. When disconnecting a downspout, the runoff is directed to a vegetated and pervious area where plants and soil can filter and infiltrate the water.

Green roofs and green walls
Green roofs consist of vegetation, growing media, and a drainage layer installed on top of a conventional flat or sloped roof. The rooftop vegetation soaks up rainwater. Some of this water evaporates off the surface, some is used by the plants in evapotranspiration, and in larger storms a portion of the water will runoff. Through storage of water in the plants, the soils and the drainage layer, the green roof reduces stormwater runoff volumes and attenuates peak flows.

Green Walls are typically vertical systems which consist of a modular container to hold growing media and vegetation. Vegetation can be rooted in the ground, or in modular containers, growing blocks or growing mats located at various heights along the face of the structure. In addition, green walls provide air quality and stormwater benefits, and can help to reduce energy usage.

Permeable pavement, *e.g.* porous asphalt, concrete, or pavers

Permeable pavement is designed to convey rainfall through the pavement surface into an underlying reservoir where it can infiltrate, thereby reducing stormwater runoff from a site. Given appropriate soil and subsurface conditions, permeable pavements can be used in any type of development, for example: roads, parking lots, sidewalks, basketball and tennis courts, playgrounds, and plaza surfaces. Permeable pavement includes porous asphalt, porous concrete, and pervious pavers such as reinforced turf, interlocking modules and pavers.

Stormwater harvesting and reuse, *e.g.* rain barrel and cistern projects

Rain barrels are rooftop catchment storage systems typically utilized in residential settings while cisterns are large-scale rain barrels used in commercial and industrial settings. Rain barrels and cisterns capture and store stormwater runoff to be used later for lawn and landscaping irrigation, or water can be filtered and used for non-potable activities such as car washing or filling swimming pools. Rain barrels and cisterns may be constructed of any water-retaining material; their size varies from hundreds of gallons for residential uses to tens of thousands of gallons for commercial and/or industrial uses. The storage systems may be located either above or below ground and may be constructed of on-site material or pre-manufactured.

Stormwater street trees / urban forestry programs designed to manage stormwater

Stormwater street trees include engineered tree pits, tree boxes and trenches designed to capture stormwater from the adjacent roadway and manage the stormwater through evapotranspiration and infiltration. Urban Forestry Programs use a detailed inventory and map of existing and proposed trees to manage and maintain their urban forest. These tools help determine planting sites, select appropriate species, schedule maintenance, and evaluate the most effective practices to ensure tree health and stormwater capacity. By using these tools, an Urban Forestry Program provides water quality benefits in addition to numerous other benefits including: reduced energy usage by shading buildings in the summer to reduce thermal loads and blocking winter winds, providing wildlife habitat, sequestering carbon dioxide and other greenhouse gases, intercepting and absorbing pollutants through their leaves and branches; increasing property values and revenues, reducing crime, engaging residents in creating safer neighborhoods, improving walkability of communities, calming traffic, and promoting smart growth.

Stream daylighting

Stream daylighting includes the removal of natural streams from artificial pipes and culverts to restore a natural stream morphology that is capable of accommodating a range of hydrologic conditions while also providing biological integrity. Stream daylighting improves habitat, promotes infiltration, helps reduce pollutant loads and can provide better runoff attenuation because it increases the storage size of the natural system. The historic enclosure of rivers and streams often took place in urbanized areas to accommodate development. Stream daylighting re-establishes stream banks where culverts once existed. This often requires updating of existing grey stormwater infrastructure. When the project is complete, what was once a linear pipe of heavily polluted water becomes a meandering stream with dramatic improvements to both aesthetics and water quality. Stream daylighting is not only an important water quality practice, but it is also a powerful economic development and community revitalization tool.

Applicants should refer to the New York State Stormwater Management Design Manual http://www.dec.ny.gov/chemical/29072.html for design guidance.

APPLICATION REQUIREMENTS:

All applicants must submit a conceptual site plan, existing conditions plan, a feasibility study, and site photographs with their Consolidated Funding Application (CFA). Minimum content requirements for the feasibility study, conceptual site plan, and existing conditions plan, are included in the CFA and can also be found at: www.efc.ny.gov/gigp

INELIGIBLE ACTIVITIES:

Projects which are **NOT ELIGIBLE** for GIGP funding include:

- Stormwater controls that have impervious or semi-impervious liners and provide no compensatory evapotranspirative or harvesting function for stormwater retention
- Stormwater ponds that serve an extended detention function and/or extended filtration, including dirt-lined detention basins
- In-line and end-of-pipe treatment systems that only filter or detain stormwater
- Underground stormwater control and treatment devices such as swirl concentrators, hydrodynamic separators, baffle systems for grit, trash removal/floatables, oil and grease, inflatable booms and dams for in-line underground storage and diversion of flows
- Stormwater conveyance systems that are not soil/vegetation based (swales) such as pipes and concrete channels
- Hardening, channelizing or straightening streams and/or stream banks
- Green infrastructure practices which are being implemented to comply with the requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002 ("Permit"). (Note: practices which are over and above Permit requirements will be considered for funding)
- Wetlands construction or restoration required as compensation (mitigation) for adverse impacts to wetlands or other environmental damage caused through construction activities. This ineligible category includes both tidal and freshwater wetland mitigation projects
- Costs not directly attributable to water quality including: asbestos abatement and amenities i.e. bus shelters, benches, light poles, traffic devices, etc.
- Potable water irrigation systems
- Capital equipment costs such as street sweepers, sewer cleaners, and vactor trucks

SELECTION CRITERIA:

EFC will score and select projects based on the following criteria:

- Measurable improvement or protection of water quality, including applicant's proposal for generating water quality metrics
- Addressing or demonstrating solutions to Regional water quality issues
- Reducing flow to a Combined Sewer System
- Likelihood of project success, based on project development at time of application
- The extent to which the project spurs innovation in the area of green stormwater infrastructure, through research, development, and/or the adoption of new technologies
- Alignment with the goals and priorities of its Regional Council Strategic Plan
- Projects identified in a NY Rising Community Reconstruction Program Plan or a NY Rising Countywide Resiliency Plan or identified in the Regional Council's Downtown Revitalization Initiative

- Revitalization of communities - building projects in municipal centers, utilizing land recycling, retrofits, and/or infill
- Fostering safe, healthy, walkable neighborhoods through improved access to affordable multimodal transportation choices as part of green street projects
- Ability to be replicated to improve water quality in an urban area
- Public stakeholder engagement in the development of the project
- Outreach and educational opportunities provided by the project applicant in order to facilitate the transfer of new technologies, knowledge, and practices to other NYS water quality issues and other regions of the State
- Leveraging of additional resources through removing barriers to collaboration, developing new partnerships, utilizing staff and in-kind resources, securing other funding and investments, and/or provides workforce development
- Applicant's plan for the long-term operation, maintenance, and water quality / flow monitoring of the project

EFC will consider regional distribution in the determination of awards, to the extent practicable.

SUCCESSFUL APPLICANT REQUIREMENTS:

Recipients must provide documentation of the following before entering into a Grant Agreement:

- Legal right to own, operate and maintain the project for the duration of its useful life
- Compliance with the Smart Growth Infrastructure Act of 2010 and the State's M/WBE requirements.
- Successful completion of all State environmental and historic preservation reviews i.e., SEQR and SHPO.
- Detailed final budget and plan of finance including all third party funding agreements, intermunicipal agreements, and satisfaction of the minimum 10% local match requirement
- Designation of an Authorized Representative for the project
- EFC Approved Final Feasibility Study
- Recipients must complete all requirements to enter into a grant agreement within six months of the award
- Prior to entering into a Grant Agreement with EFC, the Applicant will be required to demonstrate that funding is available to complete the project

ADDITIONAL RESOURCES:

For more information, visit http://www.efc.ny.gov/gigp

July 5, 2016

Amy L. Birdsall, Associate AIA
Planning and Zoning Director
City of Oswego
13 West Oneida Street
Oswego, NY 13126

RE: **CFA Grants Assistance – EFC Green Innovation Grant Program**

Ms. Birdsall:

Thank you for the opportunity to assist the City of Oswego in the preparation of a CFA grant for the 2016 funding round.

Bergmann Associates will complete all required tasks in association with the Environmental Facilities Corporation (EFC) Green Innovation Grant Program (GIGP) for the western gateway of Route 104. The EFC GIGP grant application consists of the following primary elements:

1. Conceptual Site Plan
2. Existing Conditions Plan
3. Feasibility Study
4. Site Photographs
5. Project Budget
6. Grant Narrative

Conceptual Site Plan
Bergmann Associates will prepare a conceptual site plan for the western gateway improvements (with funds allocated to the ongoing Complete Streets project.) The conceptual site plan will conform to all minimum requirements identified in the grant requirements. The conceptual design will be developed in conjunction with feedback and input from the City of Oswego. This will include conference calls and up to one in-person meeting with City staff to review design concepts.

Existing Conditions Plan
An existing conditions plan will be prepared to accompany the grant submittal, per EFC guidelines.

Feasibility Study
Bergmann Associates will prepare a Feasibility Study, per EFC requirements. For the purpose of this grant application, the Feasibility Study must provide the basis and justification for design recommendations. The Feasibility Study must include a cover page, executive summary, description of project objectives, existing conditions analysis (land use, depth to bedrock, soil classifciations, depth to water table, etc), project description, green infrastructure practices, proposed schedule, regulatory approvals and permits, cost estimates, and a summary of any proposed water quality monitoring.

Site Photographs
If additional site photos are needed for specific areas, we will visit the site during a coordination meeting with the City. We will compile all existing conditions site photographs in a format that complies with grant submittal requirements.

Project Budget
We will prepare a detailed project budget, incorporating the City of Oswego's desired grant request and match, for the proposed project. This task will be prepared by Bergmann staff utilizing funds from the Complete Streets project.

Grant Narrative
We will develop required application narrative as defined in the CFA guidance and selection criteria.. We will focus on the following key objectives of the grant: identifying measurable improvements, addressing local water quality issues, reducing flows to CSS, highlighting the likelihood of project success, alignment with the Regional Council Strategic Plan, promoting community revitalization objectives, encouraging public engagement, leveraging resources and ensuring long-term maintenance planning.

We will provide two rounds of draft materials in Word format to the City for review and comment.

Bergmann Associates, with access to the City's Grants Gateway, will submit the grant application on behalf of the City by July 28, 2016.

The total fee for the work described above is $7,250.00 and is broken down as follows:

Conceptual Site Plan	$ 0.00 (Complete Streets)
Existing Conditions Plan	$ 800.00
Feasibility Study	$2,850.00 (partial Complete Streets)
Site Photograph Compilation	$ 400.00
Project Budget	$ 0.00 (Complete Streets)
Grant Narrative	$3,200.00
Total	**$7,250.00**

The City will be responsible for providing timely feedback on draft materials and providing any required background information. The City will provide necessary login information to Bergmann Associates for Grants Gateway access.

If you should have any questions regarding the above or require additional clarification, please contact me at your earliest convenience.

I look forward to the opportunity to work together on this effort. The signing of this letter confirms the City of Oswego's approval to start work. Please sign below authorizing approval to proceed and return one executed copy to my attention.

Kindest Regards,

Kimberly M. Baptiste, AICP
Business Segment Manager
Planning + Design

APPROVED:

Amy Birdsall
Director of Planning & Zoning
City of Oswego

Andrew Raus, AICP
Vice President
Bergmann Associates

Resolution No 253 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, the Administrative Services Committee at their July 5, 2016 meeting, passed a motion to forward a favorable recommendation to the Common Council, to grant authorization to hire Bergmann Associates, to apply on behalf of the City of Oswego, for an Environmental Facilities Corp. Green Innovation Grant Program grant to fund construction for the Western Gateway of the Route 104 Complete Streets Project, and

WHEREAS, Bergmann Associates will prepare, on behalf of the City of Oswego, an application through the Consolidated Funding Application (CFA) process for approximately $1,000,000 in funding; and

WHEREAS, this funding, if secured, will be used for construction of the Western Gateway of the Route 104 Complete Streets Project, and

WHEREAS, the 104 Complete Streets Project will help revitalize the City of Oswego and its Main Street and serve as a model for sustainable development in the surrounding region;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application of the Environmental Facilities Corp. Green Innovation Grant Program grant through the 2016 CFA process and commits the City to its share of municipal matching project funds, which would total approximately $111,111 of cash and in-kind services; and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the Mayor to accept a proposal and enter into an agreement with Bergmann Associates for the preparation and submittal of the grant application; the fee to prepare and submit the CFA will be $7,250 and

BE IT FURTHER RESOLVED, that funding is authorized in the amount of $7,250 to come out of the 2016 Planning Budget - Fees for Service Non-Employee, Account No. A8020.0450.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker		✓	
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	6	1	

ADOPTED LOST

Approved July 12 2016

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Planning and Zoning Director

Page No. _____

Agenda Item 254

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☐ Planning & Development
- ☐ Physical Services
- ☒ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for Fort Ontario Master Plan / National Park

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process to develop a Master Plan of Fort Ontario and the surrounding recreational areas and buildings.

The purpose of the Master Plan at this time is to develop the City's vision for the Fort Ontario / Safe Haven National Park opportunity being championed by U.S. Representative John Katko. The Master Planning effort will support the National Park Service's analysis and provide the necessary public engagement processes and visioning required to deliver a successful elevation of Fort Ontario to a National Park. This opportunity, once realized, will provide increased tourism and economic impact to the City of Oswego.

Fischer Associates will be preparing the grant application. The estimated amount of the grant preparation services is approximately $5,000, which will be allocated from A8020.0450. A proposal from Fischer Associates is forthcoming.

The Grant source is Empire State Development. The total cost of the project is approximately $200K. The grant amount requested will be approximately $100K (50%) and the Cost Share Amount will be approximately $100K (50%). The Cost Share is calculated as cash and in-kind services.

The City of Oswego will provide grant administration services via the Planning and Zoning Department.

Again, your approval to submit this grant application, fund the preparation of the grant application and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

The City of Oswego

Amy Birdsall

Planning & Zoning Director

July 8, 2016

Dear Councilors:

In response to the questions about hiring Fisher Associates to prepare the grant application for the Fort Ontario Complex Master Plan, I have included Fisher's Qualifications below. It is my recommendation that we are best served by utilizing the resources and expertise of this Consultant team, which includes a National Park Service-certified historian, and experts in master planning and design, economic and waterfront development, landscape architecture and cost estimating. I am an advocate of utilizing the expertise of consultants when it is warranted, and I believe this is a scenario that will provide a great return on investment for the City of Oswego.

I. FISHER ASSOCIATES QUALIFICATIONS

Fisher Associates has a specialized team of experts that can assist the City of Oswego with the intricacies and complexities of the CFA process and ultimately help secure public funding to support the Fort Oswego Master Plan project. This CFA effort will involve certain expertise in the areas of historic preservation, master planning and design, economic and waterfront development, landscape architecture and cost estimating, all well represented by Fisher's team of practitioners. Fisher's staff have worked closely with the ESDC on a number of ESDC-funded projects in New York State, from the Northland Avenue Beltline Corridor and Ralph Wilson Stadium Improvement projects in Buffalo to the Midtown Plaza project in Rochester. We believe this experience combined with our established relationships with ESDC staff will bring instant credibility to the CFA effort. Fisher's staff have been instrumental in a number of winning grants applications submitted on behalf of municipalities and public agencies in the last several years, resulting in grant awards for design and master plans and ultimately execution of successful revitalization projects in waterfront communities. These include the Owasco Riverwalk in Auburn, the Keuka-Seneca Outlet Trail in Yates County, Ellicott Creekwalk in the City of Tonawanda and the Richmond Avenue Redevelopment project in the City of Lockport

In addition to our grant writing capabilities and experience, Fisher's team of experts specialize in a number of applicable disciplines that will support and complement the CFA process. Fisher's team includes a National Park Service-certified historian who will be instrumental in assembling the information needed to prepare a successful grant application, a certified planner with direct experience working on ESDC-funded projects and establishing job creation estimates and benchmarks, and a registered landscape architect with extensive master planning experience and a number of waterfront revitalization projects that have moved to construction. Fisher was recently awarded the Matton Shipyard Preservation and Adaptive Reuse Initiative project in Cohoes, New York, and we are currently involved in waterfront planning studies and projects in the City of Troy and City of Geneva.

Finally, it is noted that Fisher is also on the ESDC's list of qualified bidders for two categories of projects: Land Use and Zoning and Urban Design and Master Planning Services. Combined with our staff's capabilities, experience and projects, Fisher Associates is well positioned to assist the City of Oswego with this grant writing effort.

Best Regards,

Amy Birdsall

City Hall 13 Oneida Street Oswego New York 13126 Phone: (315) 342-8154 Fax: (315) 342-1320
abirdsall@oswegony.org www.oswegony.org

ESD Strategic Planning and Feasibility Studies

Funding Available: Up to $1 million

DESCRIPTION: ESD's Urban and Community Development Program promotes economic development in the State of New York by encouraging economic and employment opportunities and stimulating development of communities and urban areas. Total program funding of up to $1 million is available for working capital grants of up to $100,000 each to support 1) strategic development plans for a city, county, or municipality or a significant part thereof and 2) feasibility studies for site(s) or facility(ies) assessment and planning. Projects should focus on economic development purposes, and preference shall be given to projects located in highly distressed communities. In addition, special consideration shall be given to projects supporting Regional Economic Development Council Opportunity Agenda priorities, Downtown Revitalization Initiative projects, and projects identified in the NY Rising Community Reconstruction Program recovery plans. Each grant requires a minimum of 50% of total project costs in matching funds, which should include at least 10% of total project costs in the form of cash equity contributed by the Applicant organization. Funding will be awarded by the New York State Urban Development Corporation (d/b/a Empire State Development) at its discretion.

ELIGIBLE TYPES OF APPLICANTS:

- Cities
- Counties
- Municipalities
- Business Improvement Districts
- Local Development Corporations
- Not-for-profit Economic Development Organizations*

* If awarded funding, prior to ESD Directors' approval and execution of a contract with ESD, a not-for-profit corporation must be registered and up-to-date with filings with the New York State Office of the Attorney General's Charities Bureau and the New York State Office of the State Comptroller's VendRep System and must be prequalified in the New York State Grants Gateway.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Assistance is available in the following two categories:

- Preparation and development of strategic development plans for a city, county or municipality or a significant part thereof; and
- Studies, surveys or reports, and feasibility studies and preliminary planning studies to assess a particular site or sites or facility or facilities for any economic development purpose other than residential, though mixed-use facilities with a residential component are allowed.

INELIGIBLE ACTIVITIES: For Site Assessment and Site Planning grants:

- Residential development, although program funds may be used for a study involving a mixed-use project.

PRE-APPLICATION REQUIREMENTS: Applicants must complete and submit a Consolidated Funding Application (CFA) for review by ESD and the Regional Council for the region in which the proposed project is located.

SUCCESSFUL APPLICANT REQUIREMENTS: Because awards are offered as an incentive to undertake a project, the project should not begin, and expenses should not be incurred, before funding awards have been announced. Expenses incurred prior to submission of a CFA should not

7. Alignment to one or more Significant Statewide Programs (10 percent)

- **Downtown Revitalization Initiative**
  Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

- **Opportunity Agenda Related Projects**
  Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

- **Global NY Related Projects**
  The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

- **Veterans' Related Projects**
  New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014. the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

- **NY Rising Related Projects**
  The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: http://stormrecovery.ny.gov/community-reconstruction-program

ANNUAL PERFORMANCE MEASUREMENTS

Business Incubators will be required to provide an annual performance report documenting their success in assisting companies to transition from their start-up stage to commercialization of products and services. These reports will include a list of every business served by the incubator and the progress that has been made in growing these companies. These metrics as well as other documentation will be required to receive funds on a reimbursement basis from the state.

SELECTION CRITERIA: In addition to the criteria noted below, ESD shall have the discretion to consider additional factors in determining the relative merits of projects.

Vision and Regional Economic Development Strategies:

- The overall economic impact that the project identified in the application will have on a region;
- The project's ability to increase viability of existing businesses, stimulate new enterprises, and analyze potential development opportunities or obstacles to development;
- Whether the project will have a significant regional impact and/or is likely to increase the subject community's economic and social viability and vitality; and
- The degree of economic distress in the area where the applicant will locate the project identified in its application, including downtown revitalization and brownfield areas.

Public/Stakeholders:

- Whether the project has demonstrated support from local government and private sector leaders in the locality and the region where the project will be located; and
- The project's plans for promoting and sharing information, tools or processes related to and resulting from the planning or feasibility study.

Implementation:

- The clarity of the proposed work plan, including description of tasks undertaken by all involved entities and schedule for completion of each task.
- The degree of project readiness and likelihood of completion; and
- The degree to which the Applicant can provide actionable deliverables.

Leveraged Resources:

- The degree to which the project is leveraged with additional resources and funds, including a minimum of 50% of total project costs in matching funds, including at least 10% cash equity.
- The degree to which future funding sources are in place and the amount expected to be committed to implementing the recommendations from the plan or study.

Performance Measures:

- The Applicant's demonstrated organizational capacity and experience in completing strategic development plans, feasibility studies, site assessments, or similar plans or studies, or ability to acquire the expertise through a consultant or another entity;
- The estimated return on investment that the project identified in the application will provide to New York State;
- The project's consistency with existing local, county and regional plans such as a local or county master or comprehensive plan and the Regional Economic Development Council's Strategic Plan;
- For downtown areas, whether or not the project concerns the preservation of the architectural character of a building or neighborhood;
- Whether, where applicable, there are identified tenants or potential tenants for a prospective development project;
- The degree to which the project supports the principals of smart growth, energy-efficiency (including but not limited to, the reduction of greenhouse gas and emissions and the Leadership in Energy and Environmental Design [LEED] green building rating system for the project identified in its application), and sustainable development; and
- The degree to which the project identified in the application supports New York state minority and women business enterprises.

be included in CFA project budgets, nor should expenses that will be incurred after submission of a CFA but prior to an award announcement.

ESD requires that the Applicant contribute a minimum of ten percent (10%) of the total project cost in the form of equity contributed after the Applicant's acceptance of ESD's incentive proposal. Equity is defined as cash injected into the project by the Applicant or by investors, and should be auditable through the Applicant's financial statements or accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project or grants from a government source.

The Applicant must always disclose whether it is pursuing or intends to pursue multiple ESD funding sources, including grants, loans and tax incentives.

Projects should focus on economic development purposes, such as increasing viability of existing businesses, stimulating new enterprises, and analyzing potential development opportunities or obstacles to development.

Priority will be given to projects located in Highly Distressed Areas
In determining whether a project is in a highly distressed area, ESD considers whether the area is characterized by pervasive poverty, high unemployment, and general economic distress based on characteristics including but not limited to:

- a former Empire Zone (investment zone areas);
- a poverty rate of at least twenty percent, or if the area does not contain a census tract or tracts, a block numbering area, or a city, town, or village, a poverty rate of at least thirteen percent;
- an unemployment rate of at least 1.25 times the statewide unemployment rate;
- significant job loss from one employer or in a particular industry;
- the United States President declares the area a natural disaster area;
- closure or realignment of a defense or military base or facility;
- contraction or discontinuance of a State hospital or mental hygiene facility;
- population and employment decline, increase in unemployment and public assistance recipients, decline in real property values, decline in per capita income, abandoned property and deteriorated industrial, commercial, and residential properties, a decline in business establishments, obsolescence in plant capacity, loss of markets to foreign competition, the unavailability of expansion financing, poor access to markets, and other indictors of chronic and severe economic distress;
- potential to attract private investment that will employ unemployed or economically disadvantaged persons;
- substantial public and private commitments to a long-term economic revitalization program and the capacity to manage the program;
- a plan that states the area's needs, proposals for meeting such needs, the process for routine periodic evaluation of progress in implementing the plan and compilation of essential information for such evaluation;
- applicable land use laws or regulations allow the use of at least twenty-five percent of the area for commercial or industrial activity; and
- Twenty-five percent or more of the area is vacant, abandoned, or otherwise available for industrial or commercial development.

AWARD CRITERIA DETAILS:

- Notice of a funding award will be given in the form of an incentive proposal outlining the terms of the proposed assistance. The award is subject to approval of the ESD Directors and compliance with applicable laws and regulations. Project funding may only be used for expenses incurred after date that notice of the funding award is given. Applicants are strongly encouraged to review and countersign ESD's incentive proposal prior to starting the project.

- All Applicants will be requested to certify and agree that any decrease in the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, may result in ESD's reduction of the award, in ESD's sole discretion, in an amount proportionate to any such decrease.

- All Applicants will be requested to certify and agree that any expansion of the scope of work described in the Applicant's final CFA submission including, but not limited to, total project costs, jobs retained, and jobs created, will not result in the increase of the award by ESD.

- Please note that awarded grants are **not transferable** and reimbursement payments may only be made to the awardee.

- The essential terms for the assistance are included in the incentive proposal. Although funding is offered prior to project commencement as an inducement to undertake the project, funds are disbursed in arrears, as reimbursement for eligible project expenditures.

- Projects generally are presented to the ESD Directors once all project expenditures have been undertaken and disbursement of ESD assistance is sought.

- It is expected the project will proceed in the time frame set forth by the Applicant. If the implementation of a project fails to proceed as planned and is delayed for a significant period of time and there is, in the exclusive judgment of ESD, doubt as to its viability, ESD reserves the right to cancel its funding commitment to such project. If awarded, the Incentive Proposal expires two years from the date of acceptance by the Recipient. ESD reserves the right to require Recipient to provide any additional information and/or documentation ESD deems necessary and terminate the project at any point if the applicant fails to provide such documentation in a timely manner.

- All required public approvals must be in place prior to the start of construction (should the project result in construction) and approval by the ESD Directors, including State Environmental Quality Review (SEQR) and consultation with the State Historic Preservation Office, if applicable.

- In accordance with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for MBE/WBE participation, projects awarded funding shall be reviewed by ESD's Office of Contractor and Supplier Diversity, which will set business and participation goals for minorities and women. Such goals shall typically be included in the incentive proposal.

  Please note that ESD's agency-wide MWBE utilization goal is 30%. Each project will be assigned an individual contract-specific goal, which may be higher or lower than 30%. Should an Applicant receive a funding award, the Applicant shall be required to use good faith efforts to achieve the prescribed MWBE goals assigned to this project. Applicants must maintain such records and take such actions necessary to demonstrate such compliance.

- Following approval by the ESD Directors, the New York State Comptroller, and the New York State Attorney General, as required, the documents for disbursement of the grant award will be prepared by ESD. Notwithstanding the process outlined above, no project shall be funded if sufficient resources are not received by ESD for such project.

- If applicable, the Applicant will be obligated to pay for out-of-pocket expenses incurred by ESD in connection with the project, which may include, without limitation, expenses related to attorney fees, filing fees, and fees associated with other requirements deemed appropriate by ESD. There are no application fees.

ADDITIONAL RESOURCES: For more information, eligible Applicants should contact the local Empire State Development Regional Office. A complete list of the ESD Regional Offices can be found at http://esd.ny.gov/RegionalOverviews.html.

FISHER ASSOCIATES

ınsportation
Land Development
Energy

July 6, 2016

Amy Birdsall, AIA
Planning and Zoning Director
City of Oswego
City Hall
13 West Oneida Street
Oswego, NY 13126

Re: Proposal for Grant Writing Assistance
Fort Ontario Master Plan
Oswego, NY

Dear Ms. Birdsall:

Fisher Associates is pleased to submit this proposal to provide grant writing assistance services to the City of Oswego in support of the proposed Fort Ontario Master Plan. The following proposal provides a brief background and project understanding and our proposed scope of work, schedule and cost.

I. BACKGROUND & PROJECT UNDERSTANDING

Fort Ontario is a historic fort situated in the City of Oswego on high ground overlooking Lake Ontario. Fort Ontario was one of several forts erected by the British to protect areas surrounding the eastern end of Lake Ontario from invading forces prior to the French and Indian War. The original fort was erected in 1755 to bolster defenses already in place at Fort Oswego on the opposite side of the river.

The fourth and current Fort Ontario is built on the ruins of three earlier fortifications dating to the French and Indian War, Revolutionary War, and War of 1812. It was occupied by the U.S. Army through World War II. From 1944 to 1946, the fort served as the only refugee camp in the United States for mostly Jewish victims of the Nazi Holocaust under an Executive Order from President Franklin D. Roosevelt. A post cemetery containing the graves of 77 officers, soldiers, women, and children who served at Fort Ontario during war and peace is situated on the grounds which are open year-round from dawn to dusk.

In 1946, Fort Ontario was transferred to the State of New York and housed World War II veterans and their families until 1953. It opened as a state historic site in 1953 and was listed on the National Register of Historic Places in 1970.

In December 2015, U.S. Representative John Katko introduced legislation to require the U.S. Department of the Interior to conduct a study of Fort Ontario and the Safe Haven Holocaust Refugee Shelter Museum to determine if the site should become a national park. U.S. Senator Kirsten Gillibrand similarly introduced a companion bill in the Senate, and the National Park Service recently agreed to conduct a reconnaissance study, a preliminary evaluation of the site to examine whether the historic fort meets the criteria to become a national park.

To further support this potential national designation and guide revitalization, future use and programming of the site, the City of Oswego intends to seek a grant(s) from the Empire State Development Corporation (ESDC) through the Consolidated Funding Application (CFA) process to fund, in whole or in part, development of a master plan. The CFA is a single entry point for access to economic development funding, and applicants can access multiple State funding sources through one application, making the process quicker, easier, and more productive. Two potential grant programs available through the ESDC are the Economic Development Purposes Grant and Strategic Planning and Feasibility Studies Program.

II. FISHER ASSOCIATES QUALIFICATIONS

Fisher Associates has a specialized team of experts that can assist the City of Oswego with the intricacies and complexities of the CFA process and ultimately help secure public funding to support the Fort Oswego Master Plan project. This CFA effort will involve certain expertise in the areas of historic preservation, master planning and design, economic and waterfront development, landscape architecture and cost estimating, all well represented by Fisher's team of practitioners. Fisher's staff have worked closely with the ESDC on a number of ESDC-funded projects in New York State, from the Northland Avenue Beltline Corridor and Ralph Wilson Stadium Improvement projects in Buffalo to the Midtown Plaza project in Rochester. We believe this experience combined with our established relationships with ESDC staff will bring instant credibility to the CFA effort. Fisher's staff have been instrumental in a number of winning grants applications submitted on behalf of municipalities and public agencies in the last several years, resulting in grant awards for design and master plans and ultimately execution of successful revitalization projects in waterfront communities. These include the Owasco Riverwalk in Auburn, the Keuka-Seneca Outlet Trail in Yates County, Ellicott Creekwalk in the City of Tonawanda and the Richmond Avenue Redevelopment project in the City of Lockport

In addition to our grant writing capabilities and experience, Fisher's team of experts specialize in a number of applicable disciplines that will support and complement the CFA process. Fisher's team includes a National Park Service-certified historian who will be instrumental in assembling the information needed to prepare a successful grant application, a certified planner with direct experience working on ESDC-funded projects and establishing job creation estimates and benchmarks, and a registered landscape

architect with extensive master planning experience and a number of waterfront revitalization projects that have moved to construction. Fisher was recently awarded the Matton Shipyard Preservation and Adaptive Reuse Initiative project in Cohoes, New York, and we are currently involved in waterfront planning studies and projects in the City of Troy and City of Geneva.

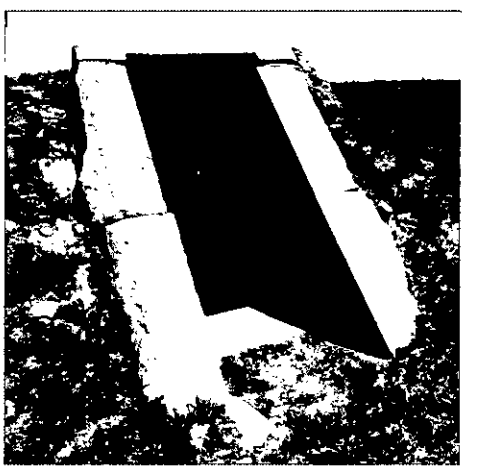
Finally, it is noted that Fisher is also on the ESDC's list of qualified bidders for two categories of projects: Land Use and Zoning and Urban Design and Master Planning Services. Combined with our staff's capabilities, experience and projects, Fisher Associates is well positioned to assist the City of Oswego with this grant writing effort.

III. SCOPE OF WORK

Our proposed Scope of Work will include the following:

1. Identify the appropriate grant application process and confirm project eligibility, grant programs for which the City may qualify, funds available, consistency with Regional Economic Development Council (REDC) strategic goals and initiatives, grant application process and content, schedule for submission and other criteria, as appropriate. This task may include a phone conversation(s) with appropriate ESDC personnel to verify application requirements.

2. Based on a preliminary identification of ESDC grant programs, it is anticipated that a Project Priority Request Form for Round 6 of the REDC's competition and CFA will be submitted as a first step in the application process. Although submission of this form is voluntary, the purpose of this request form is to provide a mechanism for the City to provide information directly to the REDC and for the REDC to assist with project development prior to the CFA submission deadline.



3. Assist the City with the online registration process and prepare the online CFA application prior to the submission deadline of July 29, 2016. Fisher Associates will coordinate with the City to assemble and/or develop the necessary information to facilitate completion of the online application process. The Application will require information on the following items:

    a. Programs (the grant programs for which funding is sought)
    b. Location (location of the project)
    c. Documentation (required and optional)
    d. Questionnaire
    e. Certification

f. Jobs (new jobs to be created)
g. Funding (total project cost and programs from which funding is sought)
h. Budget (detailed budget breakdown regarding sources and uses of funds)

Assumptions:

a. The City will assist Fisher Associates in obtaining documentation in support of the grant application which may include reports, studies and plans currently possessed by the Friends of Fort Ontario, NYSOPRHP or other agency.
b. The City will authorize submittal of the grant application through means of City Council approval or other legal mechanism.
c. The City will authorize any matching funds required by the funding agency, herein assumed to be the Empire State Development Corporation.
d. The grant application itself will not require a public meeting or environmental review under SEQRA. The City will have primary responsibility for securing access to the online CFA (i.e., registration, obtaining password, etc.). In addition, submission of the final CFA will be the City's responsibility with support from Fisher. The City will provide Fisher with access to the online CFA, and Fisher will be responsible for populating the application in conjunction with input from the City.
e. Once completed, the City will review the online CFA and provide comments in a timely manner for incorporation into the final submission. The City Planner will be responsible for obtaining any comments from various internal departments and assemble all comments for incorporation into the CFA by Fisher Associates. One round of comments is assumed.
f. Any fees related to the CFA process will be borne by the City.

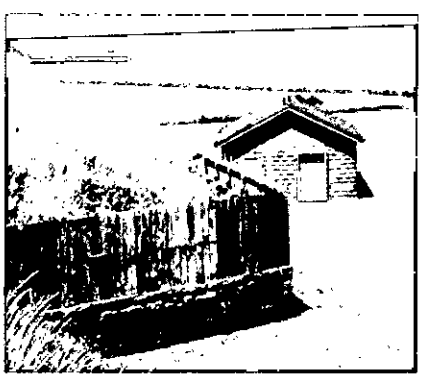
IV. SCHEDULE

Fisher is prepared to initiate the proposed scope of work described herein immediately following written authorization. Given the pending deadline of July 29, 2016 for submission of the CFA, such authorization must be provided as soon as possible to meet the submission deadline.

V. PROJECT COST

The proposed scope of work will be performed for a lump sum cost of $6,100, including labor and expenses.

If you agree to accept this proposal, please sign and date the attached signature page and return a



copy to me. This will serve as Fisher's authorization to proceed with the Scope of Work described herein.

Thank you for providing us with the opportunity to submit this proposal.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

William M. Price

William M. Price, RLA ASLA, LEED Green Associate, CNU
Vice President

Cc: Frank J. Armento, AICP CEP

Acceptance

This Proposal for Grant Writing Services in support of the Fort Ontario Master Plan is hereby accepted and executed by a duly authorized signatory, who by execution hereof, warrants that he/she has full authority to act for, in the name, and on behalf of the City of Oswego.

City of Oswego

By: _____ Title: _____

Typed Name: _____ Date: _____

Resolution No 254 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

WHEREAS, the Administrative Services Committee at their July 5, 2016 meeting, passed a motion to forward a favorable recommendation to the Common Council, to grant authorization to hire Fisher Associates, to apply on behalf of the City of Oswego, for an Empire State Development Urban and Community Development Program grant for the purpose of preparing a Master Plan of the Fort Ontario Complex, and

WHEREAS, Fisher Associates will prepare, on behalf of the City of Oswego, an application through the Consolidated Funding Application (CFA) process for $100,000 in funding; and

WHEREAS, this funding, if secured, will be used for the development of a Master Plan of the Fort Ontario Complex in support of US Representative Katko's effort to elevate Fort Ontario and Safe Haven Holocaust Refugee Shelter Museum into the National Park System, and

WHEREAS, a revitalized Fort Ontario Complex and elevation into the National Park System will generate greater tourism and increased economic vitality for the City of Oswego and the region,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application of an Empire State Development Urban and Community Development Program grant for the purpose of preparing a Master Plan of the Fort Ontario Complex through the 2016 CFA process and commits the City to its share of municipal matching project funds, which would total $100,000 of cash and in-kind services; and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the Mayor to accept a proposal and enter into an agreement with Fisher Associates for the preparation and submittal of the grant application; the fee to prepare and submit the CFA will be $6,100, and

BE IT FURTHER RESOLVED, that funding is authorized in the amount of $6,100 to come out of the 2016 Planning Budget - Fees for Service Non-Employee, Account No. A8020.0450.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Administrative Services Committee

Chairman Councilor Corradino

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

William J. Barlow, Jr. Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Planning and Zoning Director Page No. _____

Agenda Item 255

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☒ Planning & Development
- ☐ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for Public Art Master Plan

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process to develop a Public Art Master Plan for Oswego's Downtown, Parks, and Trails.

I will be developing the grant application.

The Grant source is the NYS Council of the Arts. The total cost of the project and grant amount requested will be approximately $49,500. No match is required.

The City of Oswego will provide grant administration services via the Planning and Zoning Department.

Again, your approval to submit this grant application and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

Community Development

New York State Council on the Arts – Arts and Culture Initiatives

Funding Available: Up to $5 million

DESCRIPTION:

Funding for arts and culture initiatives is available to eligible non-profit and local units of government applicants through the Regional Economic Development Program (REDC). The New York State Council on the Arts (NYSCA) welcomes applications in FY2017 for requests to REDC categories as described below. This Local Assistance support is provided under Article 3 of NYS Arts and Cultural Affairs Law for the planning, presentation and staffing of the performing, literary and visual arts that encourage broader participation and public interest in the cultural heritage of the state and promote economic development.

NYSCA's REDC Program makes grant awards in all ten of the state's regions. Priority will be given to applicants that have not received NYSCA REDC Program funding in previous years.

All NYSCA's REDC Program funding must be distinct from and in addition to applications for support already submitted to or currently funded by other NYSCA programs in FY 2017.

GOALS:

Funding opportunities are available through the REDC program for projects designed to enhance and transform the cultural and economic vitality of New York State communities.

Arts and culture activities enrich and strengthen community, civic and social life in New York State. Successful proposals will demonstrate significant economic and community development impact that positions arts, culture and heritage at the core of local development and revitalization efforts.

Through NYSCA's REDC program, arts and cultural projects focused on economic and community development will:

- Develop the arts, culture and heritage workforce
- Engage new audiences
- Revitalize neighborhoods
- Generate collaborative projects among non-profit organizations, for-profit entities, artists, and municipal and local government
- Drive and support tourism through events that serve as destinations for regional, national and international visitors
- Enhance resources for communities experiencing poverty, geographic isolation or other barriers to participation in or access to arts and cultural activities

The grant awards will assist communities and organizations to:

- Attract visitors to experience the cultural assets of the community
- Broaden and encourage greater public access to the arts and culture
- Create new jobs in the arts and culture sector that will increase capacity, impact and efficiency of the organization(s), their programs and operations
- Expand business opportunities by harnessing the power of the creative economy
- Develop new and catalytic initiatives to expand public participation in arts and culture
- Bring public, private, and non-profit sectors together as partners with community members and artists, to strategically enhance local economy and sense of place
- Map a wide range of local arts, culture and heritage assets to identify and locate resources in a neighborhood, town, city, or region to serve as a springboard for new cultural initiatives

ELIGIBLE APPLICANTS AND ACTIVITIES:

The New York State Council on the Arts awards grants to nonprofit organizations either incorporated in or registered to do business in New York State, Indian tribes in New York State, and units of local government in New York State. An organization must have its principal place of business located in New York serving the State's constituents.

Please click here to review the eligibility requirements for all NYSCA applicants:
http://www.arts.ny.gov/public/grants/who_is_eligible.htm

Organizations must be prequalified in Grants Gateway to be considered for funding. Prequalification must be completed by the CFA application deadline. Units of local government and Indian Tribes are exempt from the prequalification requirement.

Please click here to register for Grants Gateway and apply for prequalification:
http://www.grantsreform.ny.gov/

Applicants must meet the agency-wide and programmatic evaluative criteria: artistic/programmatic, managerial/fiscal and outreach/service to the public. Applicants must be arts or culture organizations. Please click here to review the evaluative criteria: http://www.arts.ny.gov/public/grants/funding_criteria.htm

Please click here to review NYSCA funding restrictions:
http://www.arts.ny.gov/public/grants/nysca_does_not.htm

Applications made to the REDC Program **are exempt** from NYSCA's two grant requests limit per applicant per year.

Applicants **cannot** request funding for the same project through the FY2017 REDC Program and another FY2017 NYSCA grant program.

Applicants **may submit only one application** to the NYSCA REDC Program. Organizations **are not** restricted from applying to other NYS agencies' REDC Programs. Please review the resource guide materials for the other agencies thoroughly.

No applicant may apply through a fiscal sponsor.

Proposals involving regranting of funds **are not** eligible for support.

Capital requests for equipment, design, feasibility studies or construction **are not** eligible for support.

FY2017 CATEGORIES OF SUPPORT:

Eligible applicants may submit an application to only **one** the following three REDC categories:

1. Arts, Culture and Heritage New Initiatives – Planning
2. Arts, Culture and Heritage New Initiatives – Implementation
3. Workforce Investment

CATEGORY DESCRIPTIONS & REQUIREMENTS:

1) Arts, Culture and Heritage New Initiatives – Planning

Support is intended to lay a foundation for future implementation of policies, projects and programs. Initiatives developed through partnerships between non-profit, for-profit and government entities will be given priority. The lead applicant must be a nonprofit arts and cultural organization or local unit of government working with and providing evidence of collaboration with multiple stakeholders.

- In every case, planning requests MUST encompass a specific neighborhood, municipality, county, and region or designated cultural or business district. Planning requests that only benefits a single organization will not be considered.

- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the planning category in any ONE of the following three focus areas:

FOCUS 1
Arts and Cultural Mapping
Support for a comprehensive mapping of a community's artistic and cultural assets and resources, including artists, artisans, tradition bearers and other local cultural activity and culturally significant public spaces, facilities and organizations.

FOCUS 2
Arts and Cultural Master Plan
Support for a community arts and cultural master plan for new partnerships that cultivate, deepen, and support area arts and artists as the foundation for vital community, civic, social and overall quality of life that will in turn further spur economic development and tourism.

FOCUS 3
Arts and Cultural Branding or Marketing Plan
Arts Cultural Branding or Marketing Plan that elevates the profile and informs the general public about artists, artisans, tradition bearers and other centers of arts and cultural activity that will in turn further spur economic development and tourism.

Planning Initiatives Criteria:

- Planning awards will range from $10,000 - $49,500
- No match is required.
- The Arts, Culture and Heritage New Initiatives – Planning category is offered as a single-year grant contract. The one year contract and work period is from January 2017 through December 2017
- Direct and indirect costs of lead staff's salary are not covered by this category
- Proposals involving regranting of funds **are not** eligible for support.

Required Supplemental Materials:

- 1-page Resume of key planning consultant(s)
- Current organizational chart of lead organization including names and titles of all staff and board members
- Marketing materials (including brochures, programs and social media) and any past planning documents representative of the applicant organization(s), including key partners. Limit to 5 materials and combine all materials into a single document
- Signed letters of agreement or intent between consultants and/or partners
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.
    - NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
    - Click here to download the NYSCA Organization Budget Form

Planning initiatives must cultivate and leverage local cultural assets, generating one or more of the following:

- Livability – quality of life
- New and increased revenue for local businesses
- Sustainable ongoing programming
- Job growth
- New opportunities for local and regional artists to create, market or make a living from their art

Planning requests must speak to:

- Planning document(s) that present assessments, recommendations, conclusions and/or results
- Research and development activity directed to reach intended goals, objectives and outcomes
- Feasibility for long term cultural programming and its impact on the community
- Evaluation plans with defined goals, success indicators and outcomes

2) **Arts, Culture and Heritage New Initiatives – Implementation**

Support is provided for the implementation of new programming initiatives designed to have tangible economic and community development impact in a community or region. Initiatives developed through partnerships among non-profit, for-profit and government entities will be given priority.

New York State is celebrating two landmark events of great historical significance. The NYSCA REDC Program is supporting arts and culture projects that are inspired by either of these two events and that broadly engage the general public. Additionally, past REDC Planning grant recipients may apply for implementation of planned projects.

- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the implementation category in any ONE of the following three focus areas:

FOCUS 1

Erie Canal Bicentennial Celebration

Funds can be requested for organizations producing, presenting or exhibiting arts and cultural activities as part of the ongoing Erie Canal Bicentennial Celebration 2017-2025 (ECB). This opportunity is State-wide. Historic and cultural links to the Erie Canal Corridor can be found from the Great Lakes, to the Mohawk River and Lake Champlain, to the Hudson River and New York Harbor, including a vast system of feeder canals and related communities throughout New York.

The Erie Canal launched the growth of New York State through an ambitious and innovative infrastructure project that spurred the rapid development of communities both upstate and downstate. It has had an enduring impact along all of New York's inland waterways and canal system.

Proposed activities might reflect any of NYSCA's programmatic disciplines, but may not replicate funding sought from those programs. Project support funding for the Erie Canal Bicentennial Celebration (ECB) is available to produce, present or exhibit arts and cultural activity, program, or event that celebrates and interprets the construction, historical development, traditions, communities and contemporary culture relating to and along the Erie Canal.

FY17 REDC-ECB also offers an exciting inter-agency collaboration between NYSCA and the NYS Canal Corporation. Applicants may apply to both NYSCA and the Canal Corporation for separate components of the same project, respective to each agency's guidelines. Expenses for the same activity cannot be included in proposals to both agencies.

Priority will be given to NYSCA REDC-ECB projects that:

- Celebrate historic and cultural milestones in the development of the Canal
- Demonstrate the relevance of the Canal to contemporary communities
- Identify activity that leads to a lasting Canal legacy for future generations
- Exhibit creative storytelling by youth (ages 10-18) using digital technology

For more information on FY17 NYS Canal Corporation CFA opportunities and the Erie Canal, refer to:

Canal CFA: http://www.canals.ny.gov/community/grant.html
Canal History: http://www.canals.ny.gov/history/history.html

FOCUS 2

Women's Suffrage Commemoration

Funds can be requested for organizations producing, presenting or exhibiting arts or cultural activities which celebrate the centennial of New York State signing women's suffrage into law, three years before the United States passed the 19th Amendment.

With the support of Governor Cuomo, and Lt. Governor Kathy Hochul, the New York State Women's Suffrage 100th Commemoration Commission took effect on April 1, 2016. The Commission seeks to "coordinate the commemoration of the 100th anniversary of women's suffrage." The tribute begins in 2017 for the centennial of New York State signing into law a woman's right to vote, and culminates in 2020 on the anniversary of the United States passing the 19th amendment to the U.S. Constitution.

The New York State Council on the Arts encourages applications from non-profit arts organizations producing, presenting, or exhibiting arts or cultural activities which celebrate this centennial. Funded activities might reflect any of NYSCA's programmatic disciplines, but may not replicate funding sought from those programs. This might include creation of new work, performances, festivals and exhibitions.

Women's Suffrage Background Link:
http://www.assembly.state.ny.us/member_files/084/20090313/

FOCUS 3

Past NYSCA REDC Planning Grant Recipients

Past Planning grant recipients that have successfully concluded their planning phase as outlined in the original planning grant are welcome to apply for implementation funds in support of these ready to implement projects or programs.

Implementation Initiatives Criteria:

- Implementation awards will range from $10,000 - $75,000
- Require a 50% cash match (In-Kind services **are not** permitted)
- The Arts, Culture and Heritage New Initiatives – Implementation category is offered as a single-year grant contract. The one year contract and work period is from January 2017 through December 2017
- Partnership applications are strongly encouraged
- Proposals involving regranting of funds **are not** eligible for support.

Required Supplemental Materials:

- 1-page Resume of key planning consultant(s) and/or staff
- Current organizational chart of lead organization including names and titles of all staff and board members
- Up to three representative work samples that showcase the artistic content of proposed initiative. Video work samples may be no longer than three minutes
- Comprehensive marketing plan
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.

- NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
- Click here to download the NYSCA Organization Budget Form

The following are not eligible for Implementation support:

- Permanent public art works
- Production support for broadcast/cablecast programming, film and media documentary
- Website design, equipment purchase or capital projects

Implementation initiatives must cultivate and leverage local cultural assets, generating one or more of the following:

- Livability – quality of life
- New and increased revenue for local businesses
- Sustainable ongoing programming
- Job growth, especially the area of artist compensation
- New opportunities for local and regional artists to create, market or make a living from their art

3) Workforce Investment

Workforce Investment support is designed to expand the capacity of New York State's arts and cultural organizations with operating budgets currently no more than $750,000. Please note there is no limit on the organizational budget size for applications submitted in the Arts Career Development Fellowships for Underrepresented Communities focus area.

Grant awards will support one expanded staff position or one new staff position. Applicants must demonstrate the critical need for the employee and provide a substantial sustainability plan to ensure continued employment after the grant term ends.

- Only nonprofit arts and cultural organizations may apply in this category.
- The Workforce Investment category is offered as a single-year grant contract. Past Workforce Investment grant recipients whose contract period has ended by the request year (FY2017) may apply for one additional year of support for the same original position.
- Organizations who have already received two grant awards in this category are not eligible to apply.
- This category is open only to initiatives that are not part of a current NYSCA FY2017 request and not included in continuing multi-year funding.

For the FY17 grant cycle funds must be directed in the workforce Investment category in any ONE of the following four focus areas:

FOCUS 1
Administrative Positions
Support for the following administrative positions will be considered: Executive Director, Development Personnel, Marketing or Social Media Personnel, Community Outreach Personnel. Other administrative positons that meet the overall category criteria will be considered on case by case basis.

FOCUS 2

Artistic Positions

Support for the following administrative positions will be considered: Artistic Director or Associate (all arts disciplines), Curator, Arts Educator Personnel, Literary Personnel. Other artistic positons that meet the overall category criteria will be considered on case by case basis.

FOCUS 3

Arts Career Development Fellowships for Underrepresented Communities

Support is available to provide fellowship opportunities to individuals from communities that have been historically underrepresented in arts organizations because of educational and economic disadvantage and ethnic background. Recognizing the limited opportunities for underrepresented communities, these NYSCA Fellowships are intended to create avenues for artistic and administrative career advancement. Fellowships should provide mentoring, career advice, and experience, and build confidence for emerging professional artists and administrators. Fellows should participate fully in the life of the organization, including opportunities to perform, create, curate or produce art. NOTE: There is no limit on the organizational budget size for applications submitted in the Arts Career Development Fellowships for Underrepresented Communities focus area.

FOCUS 4

Resident Artist Positions

Support is available for Resident Artist positions that will employ an individual artist to carry out public engagement projects in their own art forms and regions that highlight one or more of the five REDC goals. Because NYSCA recognizes the power of artists to transform lives and make communities better places to live both culturally and economically; this area of workforce investment is intended to encourage the creation of permanent resident artist positions in a variety of institutional and civic settings. It further seeks to demonstrate the long term value of maintaining these resident artist positions within an organization. Examples of Resident Artist positions include, but are not limited to, city, town, county or regional Poet/Writer Laureates, Teaching Artists, Filmmakers, Composers, Visual Artists, Folklorists, Architects, Designers, and Choreographers.

Workforce Investment Criteria

- Workforce investment awards will range from $25,000 - $49,500.
- The Workforce Investment category is offered as a single-year grant contract. The contract and work period is from January 2017 through December 2017.
- Require a 25% cash match (In-Kind services **are not** permitted)
- Cash match may only include a combination of additional salary, fringe benefits and employer paid payroll taxes.
- Grants received may only be allocated towards base salary.
- Support **may not** be requested for hiring costs, payroll taxes, fringe benefits, or overhead costs.
- Workforce Investment funds **may not** support contracted employees or seasonal staff.
- Workforce Investment grants will only support:
  - Wages to increase a current part-time staff employee's hours
  - Wages to hire a new full or part-time staff employee
- Proposals involving regranting of funds **are not** eligible for support.
- The applicant's overall operational budget **may not exceed** $750,000 as determined by the audit or financial statement provided in the organization's Grants Gateway Document Vault at the time of application. Exception: There is no limit on the organizational budget size for applications submitted for the NYSCA Arts Career Development Fellowships for Underrepresented Communities focus area.

Required Supplemental Materials:

- 1 page Job announcement and detailed job description for the new position
  OR for an expanded position, a 1-page resume of staff member being expanded to fulltime and job description of expanded role
- Current organizational chart including names and titles of all staff and board members. Please note with an asterisk the new or expanded position for which funding is being sought
- 1-2 page recruitment plan including key search personnel conducting the search and hire timeline
- Please submit a NYSCA Organization Budget form for the current fiscal year. Upon completing the form, save the document as a PDF to upload.
  - NOTE: Applicants who already maintain an Organization Budget on NYSCA's website, may submit a PDF copy of that budget in lieu of completing this form. Budgets must have been updated in 2016.
  - Click here to download the NYSCA Organization Budget Form

SIGNIFICANT STATEWIDE PROGRAMS

Proposed projects that are part of the following initiatives will be looked upon favorably:

Downtown Revitalization Initiative
Priority consideration will be given to proposals which demonstrate they will advance downtown revitalization through transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses - creating dynamic neighborhoods where tomorrow's workforce will want to live, work, and raise a family.

Opportunity Agenda Related Projects
Each REDC may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an "Opportunity Area." Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda and Strategic Plan, should provide evidence of such in their application.

Global NY Related Projects
The Global NY initiative accomplishes two complementary economic growth objectives: attract international investment and jobs to Upstate New York, and provide New York businesses with the tools and assistance they need to export their products to the global marketplace. Applicants should provide any information that links their project proposals to the Global NY strategies identified by the REDCs.

Veterans' Related Projects
New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. In 2014. the REDCs were asked to create a Veterans Work Group to promote participation by Veterans in the CFA, and develop strategies to encourage other potential CFA applicants to include workforce goals related to Veteran's employment. This is part of a comprehensive approach to improving services to the veterans and military families in New York. Applicants should provide any information that links their project proposals to the Veteran's Initiative strategies identified by the REDCs.

NY Rising Related Projects

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit: http://stormrecovery.ny.gov/community-reconstruction-program

REGIONAL ECONOMIC DEVELOPMENT COUNCIL REVIEW AND EVALUATION:

The Regional Economic Development Councils' review and rating is conducted separate and apart from the NYSCA process. Review and rating by the Regional Economic Development Councils will be based on the degree to which an application advances strategies and goals of the Regional Economic Development Councils.

Please carefully review the regional development priorities when developing an application: http://regionalcouncils.ny.gov/.

CONTACT/ADDITIONAL PROGRAM INFORMATION:

Additional Resources: For more information, applicants should contact the New York State Council on the Arts, 300 Park Avenue South, 10th Floor, New York, NY 10010, call (212) 459-8800 or email special.projects@arts.ny.gov

Please visit *About NYSCA Grants* at http://www.arts.ny.gov/public/grants/index.htm for information on NYSCA's grant process, requirements and evaluative criteria.

Also, please click *Regional Priorities* at http://regionalcouncils.ny.gov/ to view detailed information about the Regional Economic Development Councils.

REDC PROGRAM APPLICATION SCORING CRITERIA:

NYSCA's program staff and advisory panelists adhere to the following statutory requirements in the review, evaluation and scoring of all grant applications.

Service to the Public

As a public funder, NYSCA must ensure that its grants support a broad array of cultural activity that fully represents the diversity of the state and that the supported events are accessible to the broadest possible public in every region of the state. In addition, it must ensure that the organizations and events it supports comply with public safety and accessibility laws.

The following are considered elements of service to the public. Applicants will be evaluated based on their strength in these areas:

Promotion and Outreach: the organization demonstrates that it makes significant efforts to reach a broad and diverse audience through marketing and public relations efforts.

Audience Development: the organization offers thoughtful and well-designed educational and interpretive activities that help build audience appreciation and understanding of the organization and its work.

Audience/Visitor Participation: the organization's commitment to its programs and activities as demonstrated through attendance data (relevant to the population of the community served) as well as customer satisfaction surveys (if available and appropriate).

Safety & Accessibility: the activities and events for which support is being sought will take place in venues that are fully accessible to the public and comply with all safety and accessibility standards.

Diversity of Programming: programming reflects significant efforts to reach a broad array of artists and audiences.

Community Service: the organization brings value to its community through partnerships with local businesses and schools, free and low-cost events, and in other appropriate ways.

Artistic/Programmatic Excellence

NYSCA believes in artistic excellence without boundaries, and its evaluation process embraces the widest variety of cultural and artistic expression being offered to the public in a broad array of settings and contexts, including classrooms and community centers, parks, open spaces, and traditional venues.

NYSCA considers four dimensions of proposals when evaluating applications:

Idea: the concept or artistic impetus behind the artistic work or services proposed.

Practice: the effectiveness of the artistic work and the impact it has on those experiencing it, or in the case of services, the effectiveness of the services in practice and their impact on the community served.

Development: the contribution the artistic work makes to the development of the artists involved, the art form, and the arts generally, or for services, the contribution the services make to the development of a vibrant arts and cultural community in the state.

Context: the context in which the work or services are being presented and the appropriateness of the work or services in that context.

Managerial/Fiscal Competence

As a public funder, NYSCA must ensure that funded organizations are capable of carrying out their proposals and will be ethical and effective stewards of public funds.

NYSCA considers four dimensions of managerial competence when evaluating applicant organizations.

Mission: The organization's activities must relate directly to its written mission statement. A mission statement should (1) define the organization's purpose for being and core values, (2) determine its structure, functions and purpose, (3) be approved by the organization's board, and (4) be reviewed regularly and updated when appropriate.

Governance: The organization should have a governing board of directors or trustees, and that group should be diverse and appropriate to the mission of the organization. The board should provide administrative, financial, and ethical oversight for the organization by:

- Adopting enabling documents, including by-laws and a mission statement, both of which are reviewed at regular intervals;
- Selecting a chief executive and annually reviewing her/his performance;
- Reviewing and approving the annual budget and ensuring that proper financial controls are in place; Engaging in adequate fundraising for the organization by making a personal contribution to the organization and actively soliciting support on its behalf;
- Ensuring fiscal and programmatic integrity and maintaining accountability by upholding legal standards and ethical norms;
- Maintaining and enforcing a conflict of interest policy;
- Ensuring effective organizational planning by participating in an overall planning process and monitoring its implementation;
- Recruiting and orienting new board members and assessing board performance; Enhancing the organization's public standing and value; and
- Understanding, monitoring, and strengthening the organization's core programs and services.

Organizational Management: Organizational management will be assessed based on the extent to which the leaders of the organization comprehend their roles, advance the mission, and plan for the future. Responsible management hinges on the:

- Existence of a professional staff appropriate to the size and mission of the organization;
- Implementation of board policies by professional staff;
- Comprehension, review, and revision of policies by staff and with the board as needed;
- Preparation of a year-end statement of the organization's financial condition and Program activities;
- Offering of competitive compensation and health benefits to employees;
- Appropriate compensation of artists;
- Existence of personnel policies that include job descriptions and performance evaluations for board members, staff, and volunteers; and
- Development and implementation of a strategic plan incorporating input from the board, staff, community and other stakeholders.

Financial Management: The organization will be evaluated based on whether it provides adequate human and financial resources to enable the organization to work toward fulfilling its mission and managing those resources appropriately. Successful financial management includes:

- Raising adequate financial resources for operating costs, cash reserve, endowment, and short and long- term capital needs;
- Developing a balanced operating budget which includes contingencies, contains realistic projections of revenues and expenses, and is approved by the board;
- Reviewing revenues and expenses in relation to the budget at regular intervals and taking steps to raise funds or cut costs when necessary to balance the budget;
- Establishing a finance committee that meets regularly to review financial statements and that reports directly to the board;
- Engaging an independent financial auditor that reports directly to board;

- Engaging in cost-effective fundraising activities;
- Possessing written financial policies that govern investment of assets, internal control procedures, purchasing practices, reserve funds, compensation expense account reporting, and earned income;
- Monitoring internal financial processes, including handling of checks, petty cash, cash disbursements, and payroll management, in order to prevent errors and misuse of funds;
- Monitoring the use of restricted funds;
- Preparing reports comparing Adopted Budget to actual revenue and expenses and making them available to appropriate staff in a timely manner;
- Preparing a fund development plan that ensures a diversified funding base;
- Possessing financials demonstrating a diversified funding base;
- Noting and explaining variances of more than 10%; and
- Explaining operating deficits and having a deficit reduction plan for accumulated deficits.

Educational Impact: The nature and extent of the applicant's planned efforts to educate and orient the public about the proposed project or activities of an organization.

Geographic Location: The scarcity or availability of comparable services or activities in the geographic region in which proposed services or activities will take place.

Funding Availability: The nature and extent of the availability of other public and private funds to support comparable activities.

GRANT APPLICATION REVIEW PROCESS:

NYSCA uses a multi-step process involving program staff, peer review panels, a committee of NYSCA's Council members, and the full NYSCA Council, as described in more detail below. Complete information on NYSCA's grant process can be found at http://www.arts.ny.gov/public/grants/index.htm

Staff Review

NYSCA's program and administrative staff verify applicant eligibility and review application materials according to NYSCA's primary criteria and program- and category-specific guidelines. Staff may meet with representatives of the organization, visit facilities, and attend programs to become familiar with the organization and its work. Staff review may be supplemented by reports from field representatives who have expertise in a particular art form.

Peer Review Panels and the Rating System

In each program category, the peer panel convenes with program staff present. The panel is composed of seven to fifteen people and represents a diverse group of professionals from across the state. Each member has relevant and specific expertise. NYSCA accepts nominations for panelists from the general public. To nominate an individual for panel service consideration, visit the panelist nomination page. The panel discusses, evaluates and rates each request according to NYSCA's criteria.

The panel ratings form the basis for staff funding recommendations to the designated NYSCA Council Committee.

Rating System

Rating	Descriptor	Strengths/Weaknesses
9	Exceptional	Exceptionally strong (model and standard for field or discipline with essentially no weaknesses)
8	Outstanding	Extremely strong with negligible weaknesses
7	Excellent	Very strong with some minor weaknesses
6	Very Good	Strong with numerous minor weaknesses
5	Good	Strong but with at least one moderate weakness
4	Satisfactory	Some strengths but with some moderate weaknesses
3	Fair	Some strengths but with at least one major weakness
2	Marginal	A few strengths and a few major weaknesses
1	Poor	Very few strengths and numerous major weaknesses

Minor Weakness: An easily addressable weakness that does not substantially lessen impact.
Moderate Weakness: A weakness that lessens impact.
Major Weakness: A weakness that severely limits impact.

NYSCA COUNCIL COMMITTEES AND NYSCA COUNCIL:

There are two committees composed of NYSCA Council Members: (1) Multi-Arts and (2) Performing, Literary Arts and Visual Arts. Funding recommendations and panel ratings are presented to the designated Committee for review and discussion.

After review and discussion, the Committees make funding recommendations to the full NYSCA Council. All NYSCA Council Committee meetings and full NYSCA Council meetings are open to the public and are webcast. The Arts Council's meeting agenda is posted at www.arts.ny.gov in advance of all meetings and is available for review by the public.

The full NYSCA Council reviews the NYSCA Council Committees' funding recommendations and votes on the grant award recommendations. Upon NYSCA Council approval of a grant and subsequent grantee notification, Cultural Service Contracts are issued to organizations awarded funding.

Can an organization appeal an NYSCA funding decision?

An applicant may appeal NYSCA's funding decision. The appeals procedure is set forth in Part 6401 of the New York Codes, Rules and Regulations and may be reviewed at http://www.arts.ny.gov/public/grants/PART_6401_Appeals.pdf

ARTS, CULTURE & CREATIVITY

How the Arts and Culture Sector Catalyzes Economic Vitality

Printer version (pdf) (https://planning-org-uploaded-media.s3.amazonaws.com/legacy_resources/research/arts/briefingpapers/pdf/vitality.pdf)

Terms such as "creative economy," "creative class," and "cultural economy" are becoming more common among urban planners, arts administrators, economic developers, and business and municipal leaders.[1] These terms reference a variety of types of jobs, people, and industries, including the sectors of visual, performing, and literary arts, as well as applied fields like

architecture, graphic design, and marketing. Whatever label is used, this use of terminology linking culture and the economy indicates recognition of the connections among the fields of planning, economic development, and arts and culture.

The activities of the arts and culture sector and local economic vitality are connected in many ways. Arts, culture, and creativity can:

- improve a community's competitive edge;
- create a foundation for defining a sense of place;
- attract new and visiting populations;
- integrate the visions of community and business leaders; and
- contribute to the development of a skilled workforce.

Keypoints

#1: Economic development is enhanced by concentrating creativity through both physical density and human capital. By locating firms, artists, and cultural facilities together, a multiplier effect can result.

#2: The recognition of a community's arts and culture assets (and the marketing of them) is an important element of economic development. Creatively acknowledging and marketing community assets can attract a strong workforce and successful firms, as well as help sustain a positive quality of life.

#3: Arts and cultural activities can draw crowds from within and around the community. Increasing the number of visitors as well as enhancing resident participation helps build economic and social capital.

#4: Planners can make deliberate connections between the arts and culture sector and other sectors, such as tourism and manufacturing, to improve economic outcomes by capitalizing on local assets.

Keypoints

Competition, definition, attraction, integration, and continued development are all pivotal aims for economic development professionals. Traditional outcomes of economic development in planning include job creation, increased tax revenues, increased property values, increased retail activity, and more sustained economic vitality. These goals are often pursued through programs such as workforce development, recruitment, amenity packages for firms, local property investment, and policies that support business. When combined with creative approaches, these traditional programs can create a richer context for economic development.

Economic development approaches that integrate arts and culture are usually combinations of facility-centric, people-oriented, and program-based approaches. Development of an arena, cultural center, incubator

space, or creative district is an example of a facility-centric method, while a people-oriented approach could include facilitating arts professionals' development by approving live-work spaces, supporting arts centers, creating cooperative marketing opportunities, or commissioning artworks. Program-based approaches target a specific issue within a community, such as developing an arts program — whether gardening, mural making, or public art displaying — to address the issue of vacant property; promoting health education through a local arts festival, exhibitions, or performances or plays with health themes; or displaying artwork in vacant storefronts to attract passersby and enliven an area. Whether targeting economic improvement through facilities, people, programs, or all three, creative strategies can strengthen economic vitality (Table 1). Each key point is explored in greater depth below, with examples and connections to the strategies in Table 1.

Table 1. Creative Strategies for Improving Economic Vitality

Strategy	Description
Promotion of Assets	Promoting cultural amenities for the purpose of attracting economic investment and skilled workers
Development	Promoting community development through artistic, cultural, or creative policies
Revitalization	Promoting community and neighborhood revitalization through artistic measures and strategies that emphasize creativity
Economic/Job Clusters	Creating economic or job clusters based on creative businesses, including linking those businesses with noncultural businesses
Education	Providing training, professional development, or other activities for arts, cultural, or creative entrepreneurs
Arts-Oriented Incubators	Creating arts-specific business incubators or dedicated low-cost space and services to support artistic, cultural, or creative professionals
Branding	Developing visual elements that communicate a community's character; using logo development and graphic design for advertising, marketing, and promoting a community

Districts	Creating arts, cultural, entertainment, historic, or heritage districts
Live-Work Projects	Providing economic or regulatory support for combined residential and commercial space for artists
Arts-Specific and General Public Venues	Providing public or private economic or regulatory support for marketplaces, bazaars, arcades, community centers, public places, parks, and educational facilities of various types
Events	Using celebrations or festivals to highlight a community's cultural amenities
Urban Design and Reuse	Implementing the reuse of existing sites or buildings for arts and culture purposes
Public Art	Supporting temporary and permanent public-art projects

Keypoint #1: Economic development is enhanced by concentrating creativity through both physical density and human capital

Concentrations of cultural enterprises and creative workers in a geographic area provide a competitive edge, likely by elevating the quality of life, improving a community's ability to attract economic activity, and creating a climate in which innovation can flourish.

Concentration of culture-sector firms and highly skilled workers, along with related facilities and business, enables partnerships and cooperative projects to develop. Concentration also facilitates the marketing of skills and products. The physical density of creative and cultural firms promotes the sector's prosperity, which is in turn economically good for the local area as a whole.

Clusters of culturally oriented businesses and workers can breed innovation and new specializations. Places where innovation is prized are naturally attractive to innovators and conducive to creativity of all types, as the frequency of exchange promotes creative activity. Planners can develop projects that deliberately locate creative professionals in a facility or area. Density or concentration of creative facilities can occur on a range of scales, from a single building to a streetscape, neighborhood, or district.

The Crane Building in North Philadelphia is an example of a facility-centric redevelopment for creative businesses and artists. Originally built in 1905 as a plumbing warehouse, the building today houses Crane Arts (www.cranearts.com (http://www.cranearts.com)), with four floors of artist studios and suites and a variety of project spaces available for community programs and cultural development. Facilities include an art-restoration studio, a ceramics studio, a

multimedia studio, and a printmaking, painting, and sculpting studio. One of the office suites is a cultural coworking space opened by Peregrine Arts (www.peregrinearts.org (http://www.peregrinearts.org)) for entrepreneurs, consultants, artists, writers, visionaries, and anyone working in design, media, history, the arts, and cultural heritage. The building has been successful enough that Crane Arts is considering opening another building. As an economic development tool, the building is beneficial not only to the creative occupants but to adjacent communities and the design profession as a whole. For example, during the recent economic recession, local architects with few or no incoming projects participated in a gallery exhibit at Crane Arts in an effort to "get back to the act of making things."[2] The exhibit was an effective tool for marketing and design. In Tampa, Florida, a local developer designed and created the Sanctuary Lofts (www.sanctuarylofts.com (http://www.sanctuarylofts.com)) as an urban revitalization project to concentrate creativity and attract residents back to the downtown. The project began with an early 20th-century Greek Revival church in the Tampa Heights historic district that was transformed into loft apartments with space for creative-studio rentals. Many of the existing materials were salvaged, including doors, windows, pews, and hymnal racks. Sanctuary Lofts now serves as workspace for painters, artists, photographers, designers, and architects. This unique living space can assist in facilitating communication between creative organizations and the public and can create a stronger sense of identity for community residents.

Keypoint #2: The recognition of a community's arts and culture assets is an important element of economic development

Recognizing and strengthening existing assets are vital parts of community development and can contribute to economic development. Assets include those related to entertainment (e.g., theaters, performing groups), personal development (e.g., community centers, bookstores), and education (e.g., schools, museums), as well as more directly to job creation and industry (e.g., translators, designers). Cultural and creative amenities are assets as well as excellent tools for identifying and promoting other community assets. Creative-class theory suggests that a high-tech, highly educated workforce prefers a location with creative amenities.[3] A flourishing arts and culture sector can affect where workers in the information economy, especially younger ones, want to live and as such is important for workforce recruitment and retention strategies.[4] To promote local culture and creativity, communities can deem an area or part of town as an arts, cultural, or creative district. A district is technically a designation to name and centralize creative assets by locating and drawing attention to cultural assets throughout the community. There may be economic incentives to live or work in such a district.

For example, Taos, New Mexico, has a number of designations intended to promote it as an arts and culture magnet. The State of New Mexico has designated Taos an Arts and Cultural District.[5] The New Mexico Arts and Cultural District Resource Team reviews the state of the creative economy and emphasizes building upon current assets to develop economic well-being. At the federal level, Taos is designated as part of the Northern Rio Grande National Heritage Area. Additionally, Taos is pursuing the New Mexico "Quality of Life" local option tax

(a tax incentive to improve energy and water conservation, sustainable building, employment benefits such as job-training programs and employer-provided child care, and other quality of life factors) to support the continued formal existence of the Arts and Cultural District. It is also considering the construction of an arts-incubator space, to complement its affordable housing project, ArtSpace.[6] Taos's approach to economic development is based on asset recognition and directly connected to the arts and culture sector. Another way to recognize assets and capitalize on them economically is to find ways to publicize and display the community's existing artistic talent and related amenities, such as ethnic foods, costumes, and visual arts and crafts. For example, in New Orleans the cultural heritage of Louisiana is celebrated through the New Orleans Jazz and Heritage Festival. This festival increases tourism through a showcase of music of every kind — "jazz, gospel, Cajun, zydeco, blues, R&B, rock, funk, African, Latin, Caribbean, and folk to name a few."[7]

Keypoint #3: Arts and cultural activities in an area can draw crowds from within and around the community

Arts and cultural activity can increase attention and foot traffic to an area, including attracting visitors and increasing the length of time and money they spend, thereby contributing to continued development. Similarly, the presence of public art and related streetscape amenities such as artist designed lighting, signs, and benches is a way to attract pedestrians.

Arts and cultural activity often attracts attention, whether for casual perusal or artistic investment. Such activity can include events at culturally specific facilities such as theaters, museums, music clubs, and galleries, as well as cultural activity in venues such as arenas, public parks, community centers, and schools. Communities can also develop creative ways to make artistic activity happen in vacant or underutilized spaces. Several communities have embraced the practice of promoting creative activity in vacant retail windows and storefronts as a revitalization tool. An economic redevelopment process can often last several years. In an attempt to temporarily transform a street scheduled for redevelopment in Brooklyn, New York, by the local BID, the local arts group Ad Hoc Art (http://adhocart.org/site (http://adhocart.org/site)) transformed a row of vacant stores into a street art gallery. Known as Willoughby Windows, the block of Willoughby Street between Bridge and Duffield was turned into a temporary art exhibit, which included a photography-themed screenprint where a camera store used to be, woven paper maps, and a large cash register (representative of the perceived financial mistakes of Wall Street).[8] This temporary, creative art exhibit transformed an otherwise vacant eyesore into an interesting space for pedestrians.

Boston Art Windows is a collaboration between the city and local artists aiming to fill vacant storefronts in the Downtown Crossing area with exhibits that draw pedestrians.[9] The space is a streetside art gallery incorporating interactive video, lighting, and sound to encourage passersby to pause and enjoy the spectacle. One artist's camera records the movements of pedestrians and plays them back in time-delayed video loops that eventually cover a screen.

The redevelopment authority involves curators with the storefront show, seeing the exhibit as an opportunity to facilitate changes to Downtown Crossing as economic development continues.

In Grand Rapids, Michigan, local artists, business owners, and the public engage in an annual creative event called Art Prize (www.artprize.org/ home (http://www.artprize.org/ home)). Art Prize is an open contest in which any artist, established or emerging, can show work and any visitor can vote on it. In essence, Art Prize is the creation of a context for the city to become a temporary art gallery. During this informal creative event, public participation, interaction, and economic development are strengthened as more than 100 venues open for it (including local retail and business spaces). More than 1,000 people volunteer. The resulting relationships extend beyond the boundaries of the competition to strengthen interaction among retail shops, business owners, and the art world. Economic benefits of the contest include increased traffic and improved business.

Keypoint #4: Planners can make deliberate connections between the arts and culture sector and other sectors

Establishing opportunities for partnerships among various economic sectors and creative professionals is a way to promote economic development. The talents of artists (especially related to design and communication) can enhance the value of local products and services and increase their dissemination. Partnerships often begin with economic clusters that are closely related to or dependent on the design field; examples include marketing, tourism, high-end manufacturing, and filmmaking. These economic clusters are groups of organizations with related producers, suppliers, distributors, and intermediaries. Proximate organizations can take advantage of shared interests, relationships, and economies.[10]

Deliberate team building by planners can help artists, designers, and people in related economic clusters to their shared advantage. Connecticut, for example, has recently instituted Cultural and Tourism Partnership Grants that encourage interdisciplinary collaborations among tourism, historical, film, and arts organizations.[11] The goal is to help localities develop relationships and strategies to improve tourism, an important goal in economic development.[12] The grants support projects such as film and arts festivals, development of garden and museum trails, seasonal crafts and events, and theater packages. Lead applicants must be nonprofit organizations, but they can partner to seek funding for both profit and nonprofit ventures.

Brooklyn, New York, is experiencing an economic transformation as a result of food. A growing gastronomical entrepreneurial energy is transforming once industrial, underutilized pockets of Brooklyn into culinary oases. Entrepreneurs in their 20s and 30s, who often have a strong sense of community and creativity, are opening restaurants, bars, pubs, specialty shops, butcheries, coffee shops, and other food production and processing facilities throughout the borough. These businesses are not only meeting the growing local and regional demand for locally produced and wholesome foods but also creating an incubator for culinary quality, craftsmanship, and artistry. For example, the outputs of Cut Brooklyn, a knifemaking business, become the inputs for Brooklyn Kitchen, a specialty store; cacao nibs, a product of Mast

Brothers Chocolate, and Ethiopian coffee beans from Gorilla Coffee are added to beer at Sixpoint Craft Ales; and root vegetables purchased from a nearby farmers market are combined with wort from Sixpoint to make relish at Wheelhouse Pickles.

This new collaboration between business owners is resulting in increased economic vitality and sense of community between merchants as well as residents.[13] In February 2010, recognition of the economic, environmental, health, and social impacts of food production, processing, access, consumption, and waste disposal prompted residents of New York City and the Manhattan borough president to develop "FoodNYC: A Blueprint for a Sustainable Food System," a report that establishes goals and provides recommendations for improving and balancing the health, economic, and environmental needs of the city. This report recognizes the untapped economic potential of the region's food system, as well as the health, equity, and environmental challenges of this economic sector.

Conclusion

The economic development field has changed in the last decade from one that primarily emphasized location and firm-based approaches to one that more overtly acknowledges the development of human capital. Human capital refers to the sets of skills, knowledge, and value contributed by a population and has become a recognized asset as firms choose where to locate (and cities choose what to advertise and develop and whom to recruit) and entrepreneurs develop economic activity.

Members of some sectors of today's workforce seek certain characteristics in the places they choose to live. Places with entertainment options, public interaction, lively streets, and recreational and educational amenities are preferred, along with arts and culture activities and amenities. Leaders in the field of planning and economic development are developing noteworthy, creative approaches to making places of any scale more satisfying to this workforce, while increasing economic viability and competitiveness.

This briefing paper was written by M. Christine Dwyer (senior vice president, RMC Research Corporation) and Kelly Ann Beavers (PhD candidate, Virginia Tech, and American Planning Association arts and culture intern), and edited by Kimberley Hodgson, AICP (manager, Planning and Community Health Research Center, American Planning Association).

ENDNOTES

1. Landry 2000; Florida 2002.

2. Inga Saffron, "Changing Skyline: Phila. Architects Offer Some Homegrown Ideas," *Philadelphia Inquirer*, October 9, 2009.

3. Richard Florida, *The Rise of the Creative Class* (New York: Basic Books, 2003).

4. Richard Florida, *Who's Your City?: How the Creative Economy Is Making Where to Live the Most Important Decision of Your Life* (New York: Basic Books, 2009).

5. Rick Romancito, "Taos Arts and Cultural District a First for New Mexico," *Taos News*, October 24, 2009; available at www.taosnews.com/articles/2009/10/28/entertainment/ doc4ae31f6a1733e086547611.txt. See also www.taosgov.com.

6. APA Arts, Culture and Creativity survey, 2009.

7. "Testimony by NGA Center for Best Practices Director John Thomasian before the House Education and Labor Committee on the Economic and Employment Impact of the Arts and Music Industry," March 26, 2009; available at www.nga.org/portal/site/nga/ menuitem.0f8c660ba7cf98d18a278110501010a0/? vgnextoid=db4bd36852440210VgnV CM1000005e00100aRCRD.

8. "Willoughby Windows: Vacant Brooklyn Block Becomes Street Art Gallery," August 12, 2009; available at www.psfk.com/2009/08/willoughby-windows-vacant-brooklyn-blockbecomes- street-art-gallery.html.

9. Yvonne Abraham, "Local Artists See Windows of Opportunity," *Boston Globe*, June 7, 2005. Available at www.boston.com/news/local/articles/2005/06/07/ local_artists_see_windows_of_opportunity.

10. Testimony by NGA Center for Best Practices Director John Thomasian.

11. See www.cultureandtourism.org/cct/cwp/view.asp?a=2211&q=293780.

12. Testimony by NGA Center for Best Practices Director John Thomasian.

13. See Oliver Schwaner-Albright, "Brooklyn's New Culinary Movement," New York Times, February 24, 2009, available at www.nytimes.com/2009/02/25/dining/25brooklyn. html; "More Voices from Brooklyn," *New York Times*, February 26, 2009, available at http:// dinersjournal.blogs.nytimes.com/2009/02/26/more-voices-from-brooklyn; and Kim Severson, "Young Idols with Cleavers Rule the Stage," *New York Times*, available at www. nytimes.com/2009/07/08/dining/08butch.html.

This is one in a series of briefing papers on how planners can work with partners in the arts and culture sector and use creative strategies to achieve economic, social, environmental, and community goals. Prepared by the American Planning Association, as part of a collaborative project with the RMC Research Corporation and with funding from the Rockefeller Foundation.

(https://www.facebook.com/AmericanPlanningAssociation)

(https://www.youtube.com/user/AmericanPlanningAssn) (https://twitter.com/APA_Planning)

(http://instagram.com/americanplanningassociation) (https://www.linkedin.com/groups?gid=116818)

APA

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Resolution No 255 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, the Planning and Development Committee at their July 5th, 2016 meeting, passed a motion to forwarrd a favorable recommendation the the Common Council to grant authorization for the Planning and Zoning Director to apply for a Public Art Master Plan through the New York State Council on the Arts, Arts and Cultural Initiatives - Planning program, and

WHEREAS, the Planning and Zoning Director will prepare for the City of Oswego, an application through the Consolidated Funding Application (CFA) process, for $49,500 in funding, and

WHEREAS, this funding, if secured, will be used to hire a Consultant for the purposes of developing a Public Art Master Plan for Downtown Oswego, and

WHEREAS, the installation of public art is a catalyst for Downtown Revitalization and promotes a greater quality of life for residents,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application of a Public Art Master Plan through the New York State Council on the Arts, Arts and Cultural Initiatives - Planning progam, and authorizes the Planning and Zoning Director to prepare and submit the grant through the 2016 CFA process.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Planning and Development Committee

Chairman Councilor Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Planning and Zoning Director

Page No. _____

Agenda Item 25b

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☒ Planning & Development
- ☐ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for Hamilton Park Playground Renovation

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process for a Hamilton Park Playground Project.

Thomas Carpenter, is championing this grant application for his neighborhood. I will be preparing the grant application.

The project goals are to expand the playground so that it accessible for children of all abilities and provide additional equipment to the existing area.

The Grant source is the NYS Office of Parks Recreation and Historic Preservation. The total cost of the project is approximately $100,000. The grant amount requested will be $75,000 (75%) and the Cost Share Amount will be $25,000 (25%). The Cost Share is calculated as in-kind services of volunteers, DPW, and administrative support. No cash is included in the Cost Share.

The City of Oswego will provide grant administration services via the Planning and Zoning Department. 10% of the total project or $10,000 is allowed for administrative services. This is a reimbursable grant.

Again, your approval to submit this grant application and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

Office of Parks, Recreation & Historic Preservation (OPRHP) – Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)

Funding Available: Up to $20 Million

DESCRIPTION:
Title 9 NYCRR (sections 439.1 – 443.4) implements the Environmental Protection Fund (EPF) Act of 1993 (Title 9 of Article 54 of the Environmental Conservation Law), which created OPRHP's program for Parks, Preservation and Heritage Grants.

EPF Parks, Preservation and Heritage grant funding is available for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas located within the physical boundaries of the State of New York. Grants can fund up to 50% of total project cost, up to 75% if the project is located in a high-poverty district. Grant awards are capped at $500,000.

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations that have tax-exempt status under the IRS code, are current with pertinent federal and state filings and are pre-qualified in the Grants Gateway (see http://www.grantsreform.ny.gov/Grantees).

The applicant must have an ownership interest in the project property:

- Where the applicant is not the property owner:
  - If the project is for planning only, the owner must grant the applicant any access necessary to complete the project.
  - If the project involves acquisition of the property, the application must include documentation of the owner's intent to sell, donate or transfer the property.
  - If the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long term protection document.
- If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT AND LONG TERM PROTECTION REQUIREMENTS: Funding under the EPF Parks, Preservation and Heritage Grants program is available for the activities and programs described below. An application may be evaluated in all categories for which it qualifies. Applicants should be alert to the requirements for each category for which they wish the application to be considered.

To ensure the public benefit from the investment of State funds, properties acquired or developed with grant funds will receive long term protections, either through parkland alienation law, conservation easements, or public access or preservation covenants recorded against the deeds.

- **Parks Program** – for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes and for structural assessments and/or

planning for such projects. Examples of eligible projects include: playgrounds; courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities.

- Public access covenants will be conveyed to the State for all park development projects undertaken by not-for-profit corporations.
- Conservation easements will be conveyed to the State for parkland acquisition projects undertaken by not-for-profit corporations.
- Parkland acquired or improved by a municipality must remain parkland in perpetuity. Information is available in the "Handbook on the Alienation and Conversion of Municipal Parkland," available at http://www.nysparks.com/publications/.

- **Historic Preservation Program** - to acquire, improve, protect, preserve, rehabilitate or restore properties listed on the State or National Register of Historic Places and for structural assessments and/or planning for such projects. All work must conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties.
  - Properties not currently listed, but scheduled for nomination review at the State Board for Historic Preservation meeting of either June 22, 2016, or September 22, 2016, are eligible to apply for funding. Questions about or proposals for listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 237-8643.
  - Preservation covenants or conservation easements will be conveyed to the State for all Historic Preservation grants.
  - Grant funds cannot be used for constructing contemporary additions on an historic property unless that work will provide universal access and/or eliminate code deficiencies for access/egress, such as an elevator or stair tower.
  - Multi-purpose additions to historic buildings and free-standing new construction on historic properties are not eligible for this grant program.

- **Heritage Area Program** - for projects to acquire, preserve, rehabilitate or restore lands, waters or structures identified in the approved management plans for Heritage Areas designated under section 35.03 of the Parks, Recreation and Historic Preservation Law, and for structural assessments or planning for such projects. The designated Heritage Areas with approved Management Plans are listed at http://www.nysparks.com/grants/heritage-areas/default.aspx, which also provides links to maps showing exact Heritage Area boundaries.
  - To ensure a public benefit from the investment of state funds, appropriate long-term protections in the form of public-access covenants, preservation covenants or conservation easements will be conveyed to the State for all Heritage Area grants.

SARATOGA — WE HAVE COUN. IS H. AREA.

ALLOWABLE COSTS:

All expenditures under these grants must be for goods and services procured in a manner so as to assure the prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc.

Eligible budget items include:

Pre-Development Planning and Design

- **Design Fees** and other **Professional Fees** are allowed for the preparation of construction documents and to satisfy other pre-construction requirements. **Pre-development** costs must be incurred during the project term or in the three years prior to the application deadline. In general, pre-development costs **should not exceed fifteen percent (15%) of the construction costs.**
- **Archeology** includes field work, report writing, curation of artifacts and interpretation. If your project includes any ground-disturbing activity (e.g., trenching, grading, demolition, new construction, etc.), it is very likely that an archeological survey will be required unless you can provide adequate documentation of prior ground disturbance. Your budget should take into account the need for an archeological survey. Contact your regional grants administrator (RGA) to determine the need and anticipated costs for archeology.
- **Project planning** is eligible for stand-alone funding in all three programs. This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Construction

- Capital costs can include labor, materials and other necessary costs for permanent capital improvements to the property that are directly related to the recreational, conservation, historic preservation, and/or heritage development purposes of the grant program. The budget should be broken down by categories of expenditure, such as utilities/infrastructure, site preparation, landscaping, carpentry, etc.
- The budget may include purchase of permanent equipment necessary to achieve the project purposes (e.g., playground equipment, interpretive kiosks), but cannot include operational or maintenance equipment such as mowers or automotive equipment.
- The budget may include costs to undertake construction, such as rent/lease of heavy equipment, but cannot offset overhead and operating expenses, such as office rental.
- For historic preservation projects on sectarian properties, grant assistance can fund only costs necessary for historically accurate restoration to restore and preserve the historic integrity of the historic property, and only to the extent that those costs exceed the cost of basic rehabilitation.

Acquisition

- The application must identify each parcel proposed for acquisition, the type of interest to be acquired (fee simple, lease, easement, etc.) and method of acquisition (purchase, donation or transfer from another use), number of acres and estimated fair market value of the parcel(s) documented by a written estimate of value (windshield appraisal) by a qualified appraiser. Acquisition costs must be incurred during the project term or up to one year prior to the application deadline.
- Associated acquisition costs, such as the cost of **appraisals** (one appraisal is required for any parcel valued under $300,000; two appraisals are required for any parcel valued at $300,000 or more), **surveys, title search, legal fees, title insurance (required for this grant)** and, where a conservation easement is required, the cost of **title continuation and recordation** are eligible costs.

Administration

- **Construction Supervision** costs are those associated with the coordination, supervision and scheduling of work and may be provided by a qualified member of the applicant's staff, the design professional who prepared the construction documents, or a clerk of the works.

- **Grant Administration** costs include expenses associated with administering the grant after it is awarded, such as preparing the project agreement, affirmative action, MWBE, and payment request documentation. In general, these costs **should not exceed ten percent (10%) of the grant amount**. The cost of preparing this application is **NOT** eligible.
- **Procurement Costs** include costs for assuring competitive pricing, such as costs for distributing Requests for Proposals and for public advertising for bids, including the cost of advertising in specialty publications, such as minority newspapers and appropriate construction publications.
- **Audit**: An accounting of grant expenditures and revenues is required. Generally, this is accomplished by detailed auditing of every payment request. Depending upon the grant award and complexity, the State may require an Agreed Upon Procedure Review (AUPR) performed by a representative of the STATE or a Certified Public Accountant prior to the final reimbursement.
- **Project Sign**: All grant-funded projects, except for those funding planning only, must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately $57.

INELIGIBLE COSTS: (Ineligible costs will be eliminated from the total project costs in the grant application)

- Work completed prior to award is not eligible for reimbursement or for match. There are two exceptions:
    - Professional services and materials purchased or donated, but not installed, up to three years prior to the application deadline may be applied toward the matching share.
    - Acquisition costs retroactive no more than one year prior to the application deadline are eligible costs.
- Comprehensive Open Space or Management Plans.
- Application Preparation.
- Contingencies, training, travel, OJT wages, working capital, marketing, taxes, interest, purchase of operational or maintenance equipment, salaries and wages, overhead or operating expenses, rent/lease are ineligible unless noted otherwise above.
- Fundraising events/expenses.
- Bond interest and associated fees. The interest associated with a Bond or Bond Anticipation Note (BAN) cannot be calculated into project cost, whether for reimbursement or local match.
- Lobbying expenses.
- Costs that are not adequately justified or that do not directly support the project.

MATCHING SHARE (APPLICANT SHARE) REQUIREMENTS

This grant program is administered on a reimbursement basis. Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement. Applicants must plan their financial arrangements accordingly.

Successful applicants are reimbursed for up to 50 percent of their eligible expenditures. For projects located in impoverished areas (as defined by 10 percent or more of the population below the poverty level according to the most recent Census data), the reimbursement can be up to 75 percent of the eligible project cost. All applicants are expected to raise their share within one year of the award, or risk cancellation of the grant. Principal types of applicant share are:

- **Cash**: Includes grants other than this grant request (other Environmental Protection Fund grants cannot be used as match).
- **Force Account**: Applicant's payroll expenses itemized according to job title or job assignment on project. At the time of the reimbursement request, grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services**: The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials**: The current market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.
- **Volunteer Labor**: Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).
- **Equipment Usage**: Valued according to its fair market rental cost in project location.
- **Real Property**: The value of all property acquired, donated or converted from other purposes. One year retroactivity applies to all three categories. For real property owned by the applicant and converted from other purposes, the value of such property may be included under the EPF budget, provided it has not been previously designated as parkland or otherwise used for purposes related to this project.

NEW THIS YEAR:
Applicants can use an online layered map at http://www.nysparks.com/grants/consolidated-funding-app.aspx to help answer application questions in the CFA, including questions concerning how to identify the appropriate Regional Economic Development Council, Census Tract and Poverty data, Latitude and Longitude, Congressional, Assembly and Senate Districts, save and print or upload a 1:24,000 scale topographic or planimetric map, etc. for the project location. The instruction document, Using the Grants Map for CFA, outlines how to use the features of the layered map.

PRE-APPLICATION REQUIREMENTS:
The following documentation will be required with the application; applications lacking these attachments (or an acceptable explanation) will be deemed incomplete. Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See the **ADDITIONAL RESOURCES** section at the end of this document, and the Attachment Checklist at http://www.nysparks.com/grants/consolidated-funding-app.aspx, for additional guidance on required documents as well as supporting documentation that is requested but not required.

For All Applicants:
- **State Environmental Quality Review Act (SEQR) compliance documentation:** Not-for-profits must fill out the Environmental Review Form (EMB Form for NFP Grants) available at http://www.nysparks.com/grants/consolidated-funding-app.aspx. Municipalities must document or describe where they are in the SEQR process.
- **Photos** showing the project area
- 1:24,000 scale **topographic or planimetric map** with the *subject property circled*
- **Schematic Site Plan**

For Not-for-Profit Applicants applying for a project under the Parks Program:

Except for projects on State lands, a resolution of municipal endorsement, passed by the governing body of the municipality in which the project is located, which stipulates the approval/endorsement of the application. See a sample of an acceptable resolution of municipal endorsement at http://www.nysparks.com/grants/consolidated-funding-app.aspx.

For Historic Preservation Applicants:

Documentation of State/National Register listing or scheduled nomination review.

For Heritage Area Applicants:

Written approval/endorsement of the project by the local heritage area management entity, if it is not the project sponsor, is required with the application. The letter should reference the appropriate Heritage Area management plan and relevant Heritage Area programs and goals. See a list of approved Heritage Areas at http://www.nysparks.com/grants/heritage-areas/default.aspx.

For Partner Groups of State Parks or Historic Sites:

Letter(s) of support from the **Regional Director AND Capital Facilities Manager.**

For Applications including Acquisition (purchase, donation or transfer from another use):

- **Evidence of the owner's intent** to sell, donate or transfer the property.
- A **written estimate of fair market value** (windshield appraisal/market valuation) for each parcel that will be acquired or used as match as part of the proposal.

For Applications where Parkland is being Alienated:

If the project is located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes, a copy of the **proposed or enacted legislation authorizing the alienation.**

SUCCESSFUL APPLICANT REQUIREMENTS:

Successful applicants are advised NOT to begin work until a project contract has been fully executed. Proceeding without advance OPRHP approval will jeopardize grant reimbursement. Certain conditions of award must be met to the satisfaction of OPRHP before a contract can be executed with the applicant/grantee. These will include:

- submission of a signed authorizing resolution that names the contact for the grant and authorizes that contact to enter into and execute a contract (and long-term protection document, if required) with the State
- registration in the Grants Gateway
- for not-for-profit grantees:
  - maintenance of pre-qualification status in the Grants Gateway
  - documentation of coverage or exemption for Workers' Compensation and Disability Insurance
  - being current with pertinent filings under Section 501 of the United States Internal Revenue Code and the following New York State Laws, as applicable: Article 7-A of the Executive Law; Section 8-1.4 of the Estates, Powers and Trusts Law; Section 1508 of the Not-for-Profit Corporation Law; or Section 215 of the Education Law
  - documentation of current Vendor Responsibility Questionnaire
- evidence of ownership interest, including:

- for development projects:
  - property deed and affidavit of title or opinion of municipal counsel
  - if the grantee does not own the property in fee, documentation of the ownership interest, such as a lease, management agreement, or memorandum of agreement
- for stand-alone planning grants where the grantee does not have any ownership interest in the property: the owner's written permission for the applicant to access the property as necessary to complete the project

- environmental and historic preservation reviews (including archeological review)
- documentation of all necessary approvals to undertake the project

Grant contracts will require that prior to commencement of project work, certain procedures must be followed and documentation provided to and approved by OPRHP including:

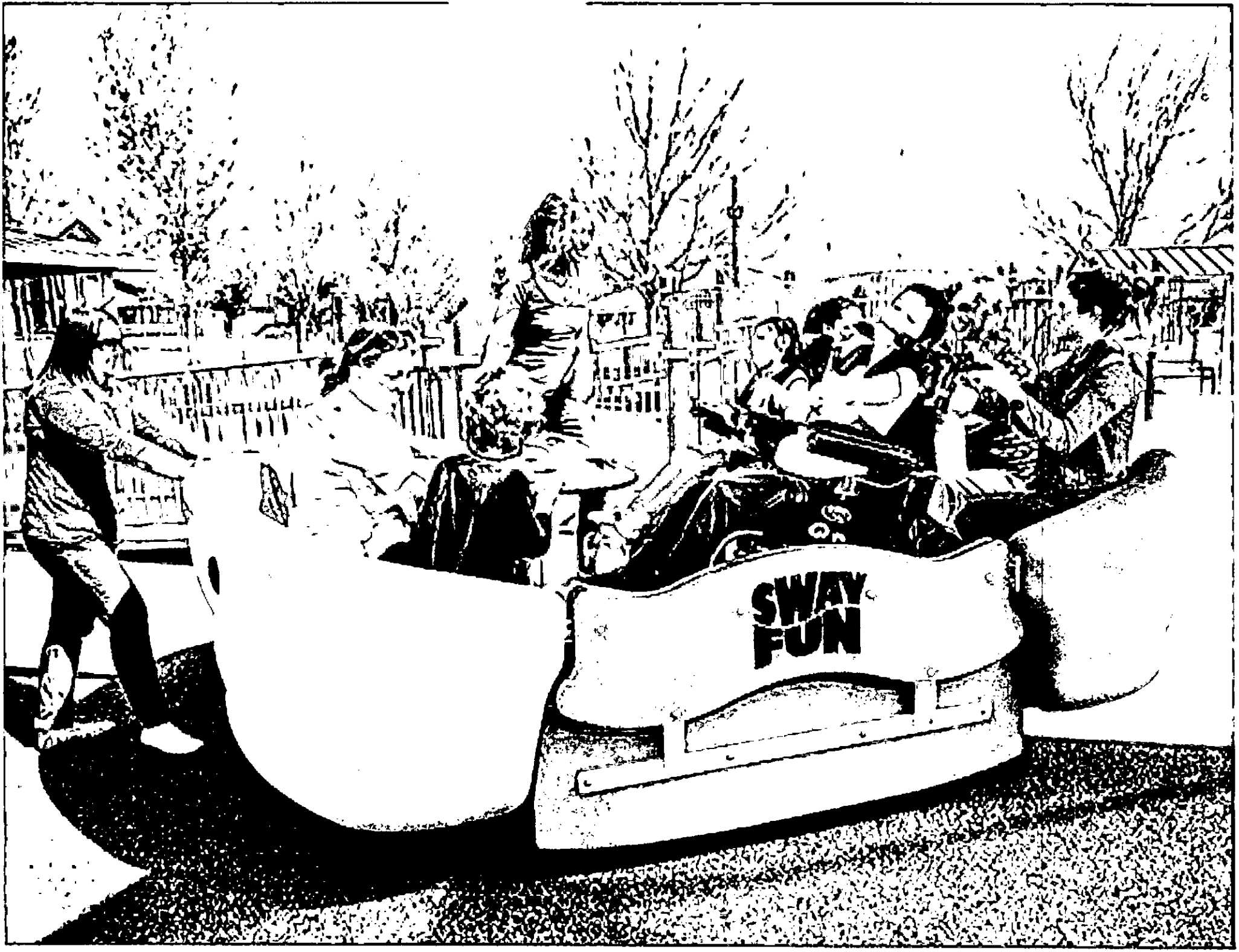
- For any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.*
- Acquisition projects require certification of clear title by the Office of the Attorney General. In order to facilitate that review, the following is required:
  - A detailed (self-contained) appraisal for each parcel to be acquired; two appraisal reports for any parcel valued at $300,000 or more.* (Appraisal standards can be found at: http://www.nysparks.com/grants/forms-resources.aspx.)
  - Title insurance* (must cover the full market value of the parcel as determined by an appraisal and recommended by OPRHP Real Property review).
- Any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.
- OPRHP must accept/approve plans and specifications, bidding documents, competitive bidding, and solicitation of Minority and Women-owned Business Enterprises (MWBEs), etc.

*These costs should be included in the project budget. The State can share in these expenses.

Project costs will be eligible for reimbursement only if grant work meets State standards and the expenditures are made in compliance with State requirements, including:

- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money.
- All reimbursements for historic preservation projects must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- At the discretion of the State, an Agreed Upon Procedure Review may be required by the State, performed by a representative of the State or a Certified Public Accountant.

Failure to comply with these requirements could jeopardize full reimbursement.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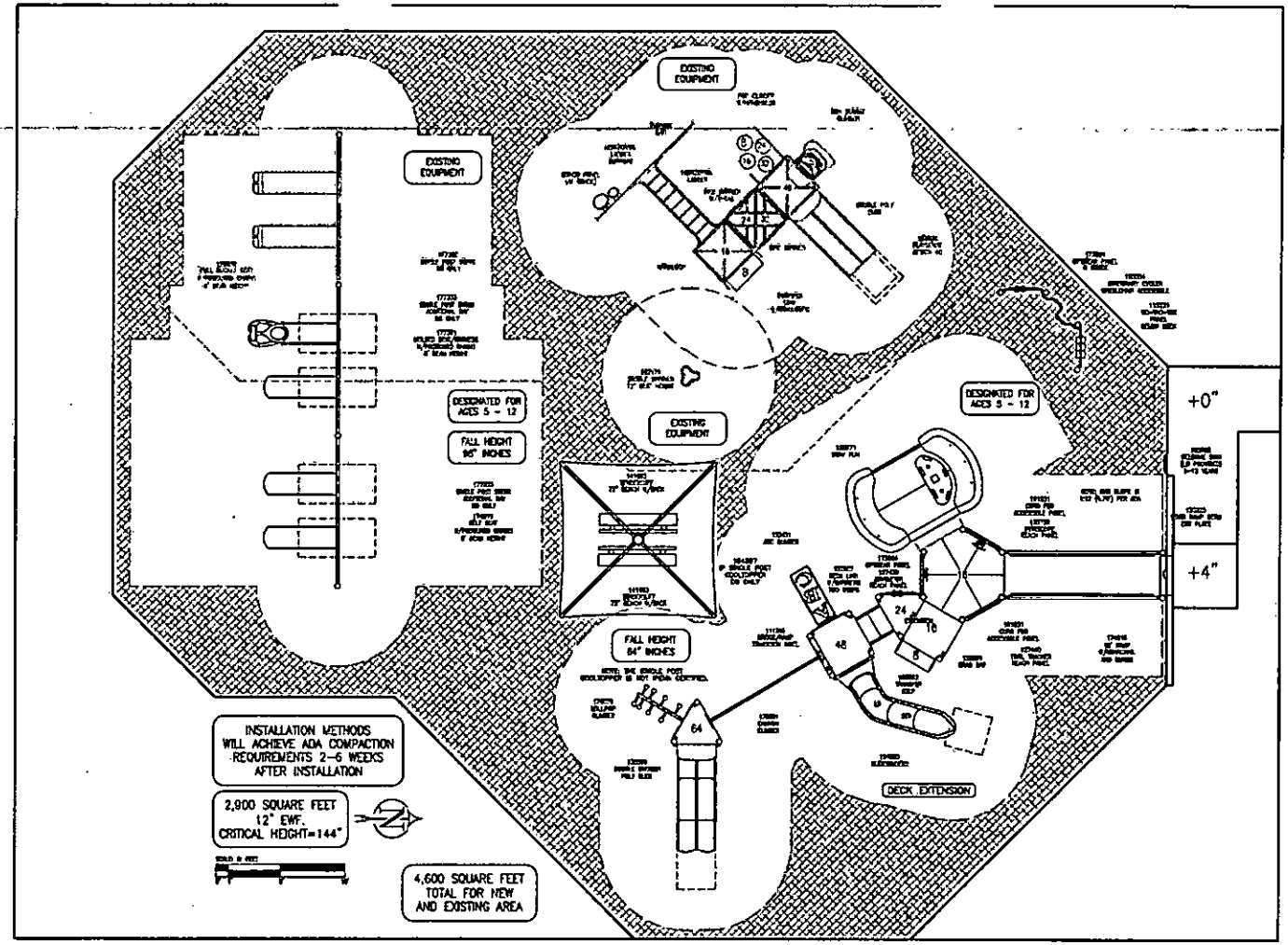
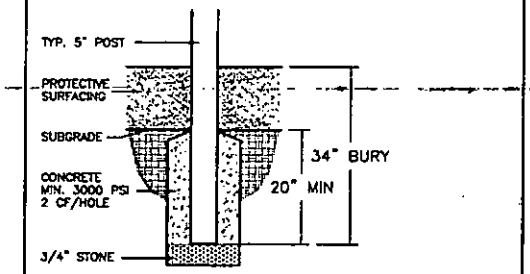
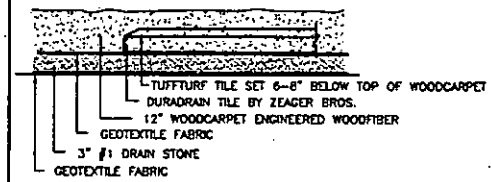




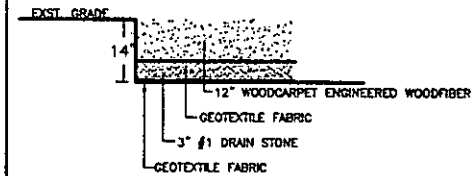
TYP. POST SECTION

SCALE: NONE



WEAR PAD SECTION

SCALE: NONE



WOODCARPET SECTION

SCALE: NONE

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5-12 Play Area

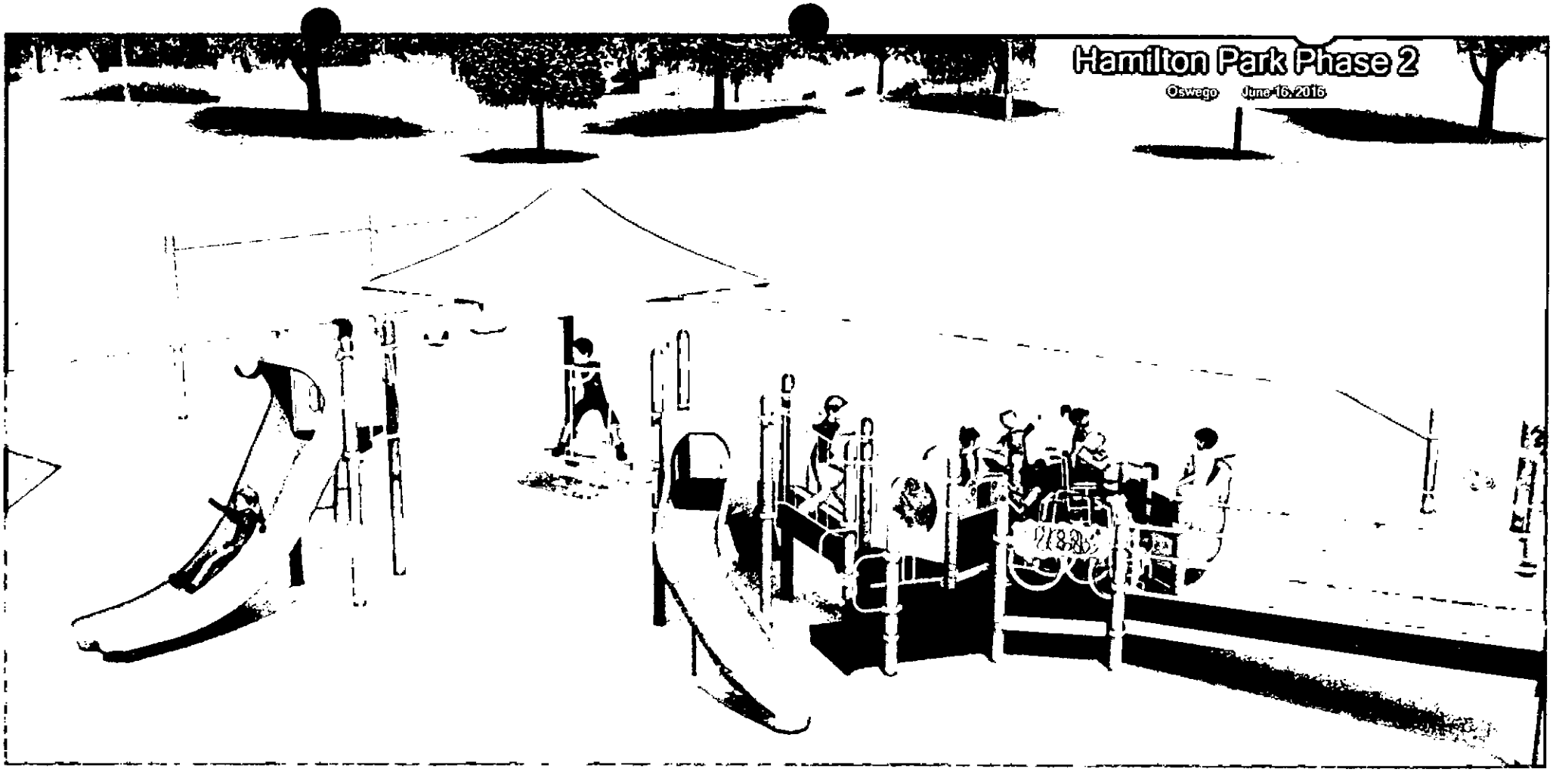
Total Elevated Play Components:			10
Total Elevated Play Components Accessible by Transfer or Ramp Shown:	7	Required:	5
Total Elevated Play Components Accessible by Ramp Shown:	0	Required:	0
Total Accessible Ground Level Play Components Shown:	7	Required:	3
Types of Ground Level Play Components Shown:	3	Required:	3
Estimated User Capacity:			55

PEOPLE
PARKS &
PLAYGROUNDS
PARKITECTS Inc.
1561 Lakeville Rd.
Lavona, NY 14502
Ph. 607 929 7917 Fax. 607 570 4108

Hamilton Park

Oswego, NY

Date 5/5/2016 | Name Hamilton Park 2016.dwg | Scale As Shown



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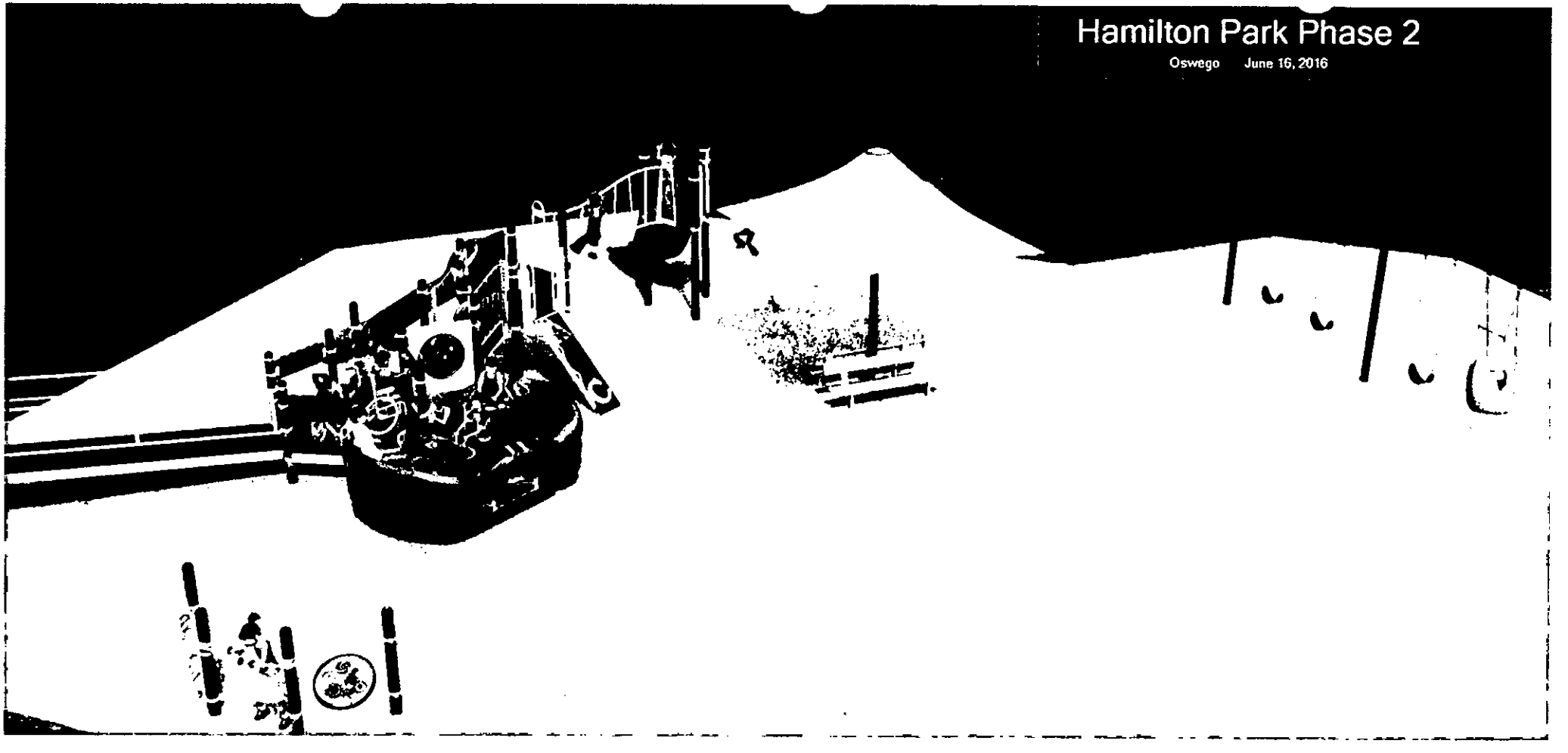
Hamilton Park Phase 2

Oswego June 16, 2016



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Resolution No 256 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor VanBuren

WHEREAS, the Planning and Development Committee at their July 5, 2016 meeting, passed a motion to forward a favorable recommendation to the Common Council to grant authorization for the Planning and Zoning Director to apply to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund, for a Hamilton Park Playground Project, located within the City of Oswego and under the jurisdiction of this Common Council; and

WHEREAS, the Planning and Zoning Director will prepare for the City of Oswego an application through the Consolidated Funding Application (CFA) process, for $75,000 in funding, and

WHEREAS, this funding, if secured, will be used to fund the construction of an enhanced and inclusive playground experience for children of all abilities, and

WHEREAS, the Hamilton Park Playground project will promotes a greater quality of life for families and residents of the City of Oswego,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application of a Hamilton Park Playground Project and authorizes the Planning and Zoning Director to prepare and submit the grant through the 2016 CFA process, and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego supports the application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund, for a Hamilton Park Playground Project and authorizes the Planning and Zoning Director to prepare and submit the grant through the 2016 CFA process, and

BE IT FURTHER RESOLVED, that the City is committed to its share of municipal matching project funds which would total approximately $25,000 of in-kind services.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

Recommended by Planning and Development Committee

Chairman Councilor Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Planning and Zoning Director Page No. _____

Agenda Item 257

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 7/5/16

- ☒ Planning & Development
- ☐ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☐ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Parks & Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☒ Zoning & Planning
- ☐ Waterfront Department
- ☐ Other

Re: Grant Application for Fitzhugh Park Playground Renovation

Dear Councilors:

Your approval is requested to submit a grant application through the NYS Consolidated Funding Application (CFA) process for a Fitzhugh Park Playground Project.

Lisa Glidden, a resident leader with the Oswego Renaissance Association, residing at 135 E 10th St., is leading and preparing the grant application.

The project goals are to expand the playground so that it is accessible for all ages, including adults, install new playground equipment, as well as, a sport court, a water splash pad, walking paths, a sports field, and landscaping.

The Grant source is the NYS Office of Parks Recreation and Historic Preservation. The total cost of the project is approximately $666,666. The grant amount requested will be $500,000 (75%) and the Cost Share Amount will be $166,666 (25%). The Cost Share is calculated as in-kind services of volunteers, DPW, and administrative support. No cash is included in the Cost Share.

The project will be constructed over 2 years.

The SUNY Research Foundation will be providing grant administration services and fronting the money for the project, as this is a reimbursable grant program. A Memorandum of Understanding is being drafted and will be included in the grant application.

Again, your approval to submit this grant application and your support is respectfully requested.

Best Regards,

Amy Birdsall, Assoc. AIA
Planning and Zoning Director

Ordered filed and printed with the proceedings.

Office of Parks, Recreation & Historic Preservation (OPRHP) – Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)

Funding Available: Up to $20 Million

DESCRIPTION:
Title 9 NYCRR (sections 439.1 – 443.4) implements the Environmental Protection Fund (EPF) Act of 1993 (Title 9 of Article 54 of the Environmental Conservation Law), which created OPRHP's program for Parks, Preservation and Heritage Grants.

EPF Parks, Preservation and Heritage grant funding is available for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas located within the physical boundaries of the State of New York. Grants can fund up to 50% of total project cost, up to 75% if the project is located in a high-poverty district. Grant awards are capped at $500,000.

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- State Agencies
- Public Benefit Corporations
- Public Authorities
- Not-for-profit Corporations that have tax-exempt status under the IRS code, are current with pertinent federal and state filings and are pre-qualified in the Grants Gateway (see http://www.grantsreform.ny.gov/Grantees).

The applicant must have an ownership interest in the project property:

- Where the applicant is not the property owner:
  - If the project is for planning only, the owner must grant the applicant any access necessary to complete the project.
  - If the project involves acquisition of the property, the application must include documentation of the owner's intent to sell, donate or transfer the property.
  - If the project involves improvement/development of the property, the owner must agree to sign the project agreement and any long term protection document.
- If there are additional parties with an ownership interest in the property, including lien holders, all parties must agree to sign the project agreement and all lien holders must subordinate their interests to those of the State.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT AND LONG TERM PROTECTION REQUIREMENTS: Funding under the EPF Parks, Preservation and Heritage Grants program is available for the activities and programs described below. An application may be evaluated in all categories for which it qualifies. Applicants should be alert to the requirements for each category for which they wish the application to be considered.

To ensure the public benefit from the investment of State funds, properties acquired or developed with grant funds will receive long term protections, either through parkland alienation law, conservation easements, or public access or preservation covenants recorded against the deeds.

- **Parks Program** – for the acquisition, development and planning of parks and recreational facilities to preserve, rehabilitate or restore lands, waters or structures for park, recreation or conservation purposes and for structural assessments and/or

planning for such projects. Examples of eligible projects include playgrounds, courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities.

- Public access covenants will be conveyed to the State for all park development projects undertaken by not-for-profit corporations.
- Conservation easements will be conveyed to the State for parkland acquisition projects undertaken by not-for-profit corporations.
- Parkland acquired or improved by a municipality must remain parkland in perpetuity. Information is available in the "Handbook on the Alienation and Conversion of Municipal Parkland," available at http://www.nysparks.com/publications/.

- **Historic Preservation Program** - to acquire, improve, protect, preserve, rehabilitate or restore properties listed on the State or National Register of Historic Places and for structural assessments and/or planning for such projects. All work must conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties.
  - Properties not currently listed, but scheduled for nomination review at the State Board for Historic Preservation meeting of either June 22, 2016, or September 22, 2016, are eligible to apply for funding. Questions about or proposals for listing on the State or National Register should be directed to the OPRHP National Register Unit at (518) 237-8643.
  - Preservation covenants or conservation easements will be conveyed to the State for all Historic Preservation grants.
  - Grant funds cannot be used for constructing contemporary additions on an historic property unless that work will provide universal access and/or eliminate code deficiencies for access/egress, such as an elevator or stair tower.
  - Multi-purpose additions to historic buildings and free-standing new construction on historic properties are not eligible for this grant program.

- **Heritage Area Program** - for projects to acquire, preserve, rehabilitate or restore lands, waters or structures identified in the approved management plans for Heritage Areas designated under section 35.03 of the Parks, Recreation and Historic Preservation Law, and for structural assessments or planning for such projects. The designated Heritage Areas with approved Management Plans are listed at http://www.nysparks.com/grants/heritage-areas/default.aspx, which also provides links to maps showing exact Heritage Area boundaries.
  - To ensure a public benefit from the investment of state funds, appropriate long-term protections in the form of public-access covenants, preservation covenants or conservation easements will be conveyed to the State for all Heritage Area grants.

SARATOGA — WE HAVE Conn. IS H. AREA.

ALLOWABLE COSTS:

All expenditures under these grants must be for goods and services procured in a manner so as to assure the prudent and economical use of public money in the best interests of the taxpayers of the State of New York, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against nepotism, favoritism, improvidence, extravagance, fraud and corruption. Such procedures may include, but are not limited to, competitive bidding, the solicitation of three price quotes, written requests for proposals, etc.

Eligible budget items include:

Pre-Development Planning and Design

- **Design Fees** and other **Professional Fees** are allowed for the preparation of construction documents and to satisfy other pre-construction requirements. **Pre-development** costs must be incurred during the project term or in the three years prior to the application deadline. In general, pre-development costs **should not exceed fifteen percent (15%) of the construction costs.**
- **Archeology** includes field work, report writing, curation of artifacts and interpretation. If your project includes any ground-disturbing activity (e.g., trenching, grading, demolition, new construction, etc.), it is very likely that an archeological survey will be required unless you can provide adequate documentation of prior ground disturbance. Your budget should take into account the need for an archeological survey. Contact your regional grants administrator (RGA) to determine the need and anticipated costs for archeology.
- **Project planning** is eligible for stand-alone funding in all three programs. This funding is intended for project-specific planning, such as designs and specifications for rehabilitation of an historic property or structural assessment of a dock for public fishing, not for comprehensive Open Space or Management Plans.

Construction

- Capital costs can include labor, materials and other necessary costs for permanent capital improvements to the property that are directly related to the recreational, conservation, historic preservation, and/or heritage development purposes of the grant program. The budget should be broken down by categories of expenditure, such as utilities/infrastructure, site preparation, landscaping, carpentry, etc.
- The budget may include purchase of permanent equipment necessary to achieve the project purposes (e.g., playground equipment, interpretive kiosks), but cannot include operational or maintenance equipment such as mowers or automotive equipment.
- The budget may include costs to undertake construction, such as rent/lease of heavy equipment, but cannot offset overhead and operating expenses, such as office rental.
- For historic preservation projects on sectarian properties, grant assistance can fund only costs necessary for historically accurate restoration to restore and preserve the historic integrity of the historic property, and only to the extent that those costs exceed the cost of basic rehabilitation.

Acquisition

- The application must identify each parcel proposed for acquisition, the type of interest to be acquired (fee simple, lease, easement, etc.) and method of acquisition (purchase, donation or transfer from another use), number of acres and estimated fair market value of the parcel(s) documented by a written estimate of value (windshield appraisal) by a qualified appraiser. Acquisition costs must be incurred during the project term or up to one year prior to the application deadline.
- Associated acquisition costs, such as the cost of **appraisals** (one appraisal is required for any parcel valued under $300,000; two appraisals are required for any parcel valued at $300,000 or more), **surveys, title search, legal fees, title insurance (required for this grant)** and, where a conservation easement is required, the cost of **title continuation and recordation** are eligible costs.

Administration

- **Construction Supervision** costs are those associated with the coordination, supervision and scheduling of work and may be provided by a qualified member of the applicant's staff, the design professional who prepared the construction documents, or a clerk of the works.

- **Grant Administration** costs include expenses associated with administering the grant after it is awarded, such as preparing the project agreement, affirmative action, MWBE, and payment request documentation. In general, these costs **should not exceed ten percent (10%) of the grant amount**. The cost of preparing this application is **NOT** eligible.
- **Procurement Costs** include costs for assuring competitive pricing, such as costs for distributing Requests for Proposals and for public advertising for bids, including the cost of advertising in specialty publications, such as minority newspapers and appropriate construction publications.
- **Audit**: An accounting of grant expenditures and revenues is required. Generally, this is accomplished by detailed auditing of every payment request. Depending upon the grant award and complexity, the State may require an Agreed Upon Procedure Review (AUPR) performed by a representative of the STATE or a Certified Public Accountant prior to the final reimbursement.
- **Project Sign**: All grant-funded projects, except for those funding planning only, must have a project sign noting the funding assistance. Signs are available for purchase through the State for approximately $57.

INELIGIBLE COSTS: (Ineligible costs will be eliminated from the total project costs in the grant application)

- Work completed prior to award is not eligible for reimbursement or for match. There are two exceptions:
    - Professional services and materials purchased or donated, but not installed, up to three years prior to the application deadline may be applied toward the matching share.
    - Acquisition costs retroactive no more than one year prior to the application deadline are eligible costs.
- Comprehensive Open Space or Management Plans.
- Application Preparation.
- Contingencies, training, travel, OJT wages, working capital, marketing, taxes, interest, purchase of operational or maintenance equipment, salaries and wages, overhead or operating expenses, rent/lease are ineligible unless noted otherwise above.
- Fundraising events/expenses.
- Bond interest and associated fees. The interest associated with a Bond or Bond Anticipation Note (BAN) cannot be calculated into project cost, whether for reimbursement or local match.
- Lobbying expenses.
- Costs that are not adequately justified or that do not directly support the project.

MATCHING SHARE (APPLICANT SHARE) REQUIREMENTS

This grant program is administered on a reimbursement basis. Successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement. Applicants must plan their financial arrangements accordingly.

Successful applicants are reimbursed for up to 50 percent of their eligible expenditures. For projects located in impoverished areas (as defined by 10 percent or more of the population below the poverty level according to the most recent Census data), the reimbursement can be up to 75 percent of the eligible project cost. All applicants are expected to raise their share within one year of the award, or risk cancellation of the grant. Principal types of applicant share are:

- **Cash**: Includes grants other than this grant request (other Environmental Protection Fund grants cannot be used as match).
- **Force Account**: Applicant's payroll expenses itemized according to job title or job assignment on project. At the time of the reimbursement request, grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services**: The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials**: The current market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.
- **Volunteer Labor**: Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time. (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).
- **Equipment Usage**: Valued according to its fair market rental cost in project location.
- **Real Property**: The value of all property acquired, donated or converted from other purposes. One year retroactivity applies to all three categories. For real property owned by the applicant and converted from other purposes, the value of such property may be included under the EPF budget, provided it has not been previously designated as parkland or otherwise used for purposes related to this project.

NEW THIS YEAR:
Applicants can use an online layered map at http://www.nysparks.com/grants/consolidated-funding-app.aspx to help answer application questions in the CFA, including questions concerning how to identify the appropriate Regional Economic Development Council, Census Tract and Poverty data, Latitude and Longitude, Congressional, Assembly and Senate Districts, save and print or upload a 1:24,000 scale topographic or planimetric map, etc. for the project location. The instruction document, Using the Grants Map for CFA, outlines how to use the features of the layered map.

PRE-APPLICATION REQUIREMENTS:
The following documentation will be required with the application; applications lacking these attachments (or an acceptable explanation) will be deemed incomplete. Depending upon the particular circumstances of your project, other attachments may be required. Still other attachments, while not required, may be essential to support rating points. All documents should be current to this grant cycle. See the **ADDITIONAL RESOURCES** section at the end of this document, and the Attachment Checklist at http://www.nysparks.com/grants/consolidated-funding-app.aspx, for additional guidance on required documents as well as supporting documentation that is requested but not required.

For All Applicants:
- **State Environmental Quality Review Act (SEQR) compliance documentation:** Not-for-profits must fill out the Environmental Review Form (EMB Form for NFP Grants) available at http://www.nysparks.com/grants/consolidated-funding-app.aspx. Municipalities must document or describe where they are in the SEQR process.
- **Photos** showing the project area
- 1:24,000 scale **topographic or planimetric map** with the *subject property circled*
- **Schematic Site Plan**

For Not-for-Profit Applicants applying for a project under the Parks Program:

Except for projects on State lands, a resolution of municipal endorsement, passed by the governing body of the municipality in which the project is located, which stipulates the approval/endorsement of the application. See a sample of an acceptable resolution of municipal endorsement at http://www.nysparks.com/grants/consolidated-funding-app.aspx.

For Historic Preservation Applicants:

Documentation of State/National Register listing or scheduled nomination review.

For Heritage Area Applicants:

Written approval/endorsement of the project by the local heritage area management entity, if it is not the project sponsor, is required with the application. The letter should reference the appropriate Heritage Area management plan and relevant Heritage Area programs and goals. See a list of approved Heritage Areas at http://www.nysparks.com/grants/heritage-areas/default.aspx.

For Partner Groups of State Parks or Historic Sites:

Letter(s) of support from the **Regional Director AND Capital Facilities Manager.**

For Applications including Acquisition (purchase, donation or transfer from another use):

- **Evidence of the owner's intent** to sell, donate or transfer the property.
- A **written estimate of fair market value** (windshield appraisal/market valuation) for each parcel that will be acquired or used as match as part of the proposal.

For Applications where Parkland is being Alienated:

If the project is located in a public park facility, all or part of which is being sold, leased, exchanged, donated, disposed of or used for other than public park purposes, a copy of the **proposed or enacted legislation authorizing the alienation.**

SUCCESSFUL APPLICANT REQUIREMENTS:

Successful applicants are advised NOT to begin work until a project contract has been fully executed. Proceeding without advance OPRHP approval will jeopardize grant reimbursement. Certain conditions of award must be met to the satisfaction of OPRHP before a contract can be executed with the applicant/grantee. These will include:

- submission of a signed authorizing resolution that names the contact for the grant and authorizes that contact to enter into and execute a contract (and long-term protection document, if required) with the State
- registration in the Grants Gateway
- for not-for-profit grantees:
  - maintenance of pre-qualification status in the Grants Gateway
  - documentation of coverage or exemption for Workers' Compensation and Disability Insurance
  - being current with pertinent filings under Section 501 of the United States Internal Revenue Code and the following New York State Laws, as applicable: Article 7-A of the Executive Law; Section 8-1.4 of the Estates, Powers and Trusts Law; Section 1508 of the Not-for-Profit Corporation Law; or Section 215 of the Education Law
  - documentation of current Vendor Responsibility Questionnaire
- evidence of ownership interest, including:

- for development projects:
  - property deed and affidavit of title or opinion of municipal counsel
  - if the grantee does not own the property in fee, documentation of the ownership interest, such as a lease, management agreement, or memorandum of agreement
- for stand-alone planning grants where the grantee does not have any ownership interest in the property: the owner's written permission for the applicant to access the property as necessary to complete the project

- environmental and historic preservation reviews (including archeological review)
- documentation of all necessary approvals to undertake the project

Grant contracts will require that prior to commencement of project work, certain procedures must be followed and documentation provided to and approved by OPRHP including:

- For any project involving ground disturbance (trenching, grading, demolition, new construction, etc.), prior ground disturbance documentation or an archeological investigation will be required.*
- Acquisition projects require certification of clear title by the Office of the Attorney General. In order to facilitate that review, the following is required:
  - A detailed (self-contained) appraisal for each parcel to be acquired; two appraisal reports for any parcel valued at $300,000 or more.* (Appraisal standards can be found at: http://www.nysparks.com/grants/forms-resources.aspx.)
  - Title insurance* (must cover the full market value of the parcel as determined by an appraisal and recommended by OPRHP Real Property review).
- Any permits required from agencies such as the NYS Department of Environmental Conservation (DEC) or the US Army Corps of Engineers (COE) must be filed with the State before construction begins.
- OPRHP must accept/approve plans and specifications, bidding documents, competitive bidding, and solicitation of Minority and Women-owned Business Enterprises (MWBEs), etc.

*These costs should be included in the project budget. The State can share in these expenses.

Project costs will be eligible for reimbursement only if grant work meets State standards and the expenditures are made in compliance with State requirements, including:

- Pursuant to Article 15A of the Executive Law, Minority and Women-owned Business Enterprises/Equal Employment Opportunity, grant recipients will be required to solicit MWBEs before commencing work and to document efforts involving MWBEs during the project term.
- Municipalities must comply with General Municipal Law Sections 103 (competitive bidding) and 104-b (procurement policies and procedures). Not-for-profit corporations must follow procurement policies that ensure prudent and economical use of public money.
- All reimbursements for historic preservation projects must be satisfactorily documented so that the State Historic Preservation Office can ensure work was done in conformance with the Secretary of the Interior Standards.
- At the discretion of the State, an Agreed Upon Procedure Review may be required by the State, performed by a representative of the State or a Certified Public Accountant.

Failure to comply with these requirements could jeopardize full reimbursement.

Matching Funds
Each of the NYMS activities require matching funds, and only funds directly invested in eligible project activities are eligible as the required match. In kind match is not eligible, and costs incurred prior to award and contract execution are not eligible.

Regulatory Term
The owner of a property improved with NYMS funds made available under this article must agree for a minimum of five years to: maintain the property in good operating order and condition; to make available and maintain the affordability of residential housing units to persons of low income by signing and filing a Property Maintenance Declaration with the County in which the building is located.

Project Term Completion Dates:
Recipients of NYMS funding enter into a two-year (24 month) grant agreement in which all funds must be expended and all proposed accomplishments met. Applicants should not submit applications if they do not expect to initiate the project within a reasonable time period after receiving an executed contract or will not be able to complete the project within the two-year term. Funds remaining at the end of the two-year period are subject to de-obligation and reallocation.

Matching Fund Requirements:

- New York Main Street Building Renovation Projects
  The NYMS Program operates as a reimbursement program and the NYMS Program Guidelines require matching funds for each participating building project. NYMS funds may reimburse up to 75% of total, eligible project costs for general building renovations up to a maximum of $50,000 per building, or up to $100,000 for a building renovation project involving direct assistance to residential units.

- New York Main Street Downtown Anchor Projects
  NYMS Downtown Anchor Project funds are available to reimburse up to 75% of a total, eligible project cost not to exceed $500,000 in NYMS Downtown Anchor Project funds. The minimum NYMS Downtown Anchor request amount is $100,000.

- New York Main Street Downtown Stabilization Program
  NYMS Downtown Stabilization funds are available to reimburse up to 75% of a total, eligible project cost not to exceed $500,000. The minimum NYMS Downtown Stabilization Program request is $50,000.

Additional Resources:
For more information, applicants should contact the Office of Community Renewal at New York State Homes and Community Renewal, 38-40 State St, Albany, New York 12207, call (518) 474-2057, email HCR_CFA@nyshcr.org or visit: http://www.nyshcr.org/AboutUs/Offices/CommunityRenewal/

To: Members of the City of Oswego Common Council
From: Lisa Glidden, Oswego Renaissance Association
Date: June 29, 2016
Re: Municipal Endorsement for a grant for Fitzhugh Park

I request your endorsement for a grant to renew Fitzhugh Park. This is a grant from New York State Parks for park development, applied for via the Consolidated Funding Application (CFA). The grant deadline is July 28, 2016 at 4pm. This is the second year we are applying for the grant, as our application was unsuccessful last year.

New York State has allotted $15.5 million for this grant program. I am applying for the maximum award of $500,000. Based on the poverty level of Fitzhugh Park's census tract (24.3%), the grant requires a 25% match, all of which will be covered by in-kind expenses, donations of labor and material, and volunteer hours for the community build. The Research Foundation of the State University of New York, the current grant administrator for the Oswego Renaissance Association, will administer the grant.

To be clear, New York State will give us $500,000 to renew Fitzhugh Park, and the matching portion will not require the City of Oswego to incur cash expenses. The Research Foundation has agreed to front the initial costs, as this is a reimbursable grant. I met yesterday with Tom Kells, the DPW Director, and we have worked out a timeline for the project to be completed in a two-year period. The ORA will continue to work with the City to ensure that the Department of Public Works work on this project, which is considered a donation of labor and equipment expense, fits into their schedule and does not place undue burden on DPW's resources. All materials will be covered by the grant itself. My summer volunteer hours on the project count toward the match, as do the hours of any volunteer who comes out for the community build. Kompan Playgrounds has given us a 15% grant on the playground equipment, which counts as a donation of material toward our match. All of the match will be covered by these donations and in-kind expenses.

Attached you will find a several images of the proposed renewal. I have been working Amy Birdsall on the project design, and her office will provide the resolution for your vote at the July 5th meeting. I also met with Bob Johnson from the Zoning office for several of the costs presented in the budget.

If you have any questions, please feel free to contact me by email at lisa.glidden@oswego.edu, or by phone at (315) 746-0888.

Thank you for your consideration.

New York State Parks Grant 2015
Fitzhugh Park Renewal, Oswego, NY

Background:

Fitzhugh Park has served as a playground in Oswego since around 1889 (Slosek 1957, 40). The park was created on land that had previously been the East Side Cemetery, established in 1827 (Slosek 1957, 38). One hundred years later, in 1927, Fitzhugh Park School was built on the grounds of Fitzhugh Park.

Today, the school is the most heavily attended elementary school in the Oswego City School District. Its students come from Oswego's second ward and North Scriba. Fitzhugh Park School has the highest number of children in need of all schools in the Oswego City School District. Sixty-four percent of the students are eligible for free or reduced-price lunches, a good indicator of the poverty level of many of the Park's users. According to the US Census Bureau, the poverty level of Fitzhugh Park's census tract is 24.3%. Fitzhugh Park School is fully inclusive, meaning that children with physical and/or developmental disabilities are in attendance. Fitzhugh Park is the school's location for recess and physical education.

There are several issues concerning Fitzhugh Park that the Parks Program of the Environmental Protection Fund addresses—ranging from the playground, to the courts and fields, and community space. First, the playground is quite small, not ADA compliant, and cannot accommodate the number of students who play there at recess. Second, the playground does not accommodate students with physical or developmental disabilities, although the playground has an entrance that meets ADA standards. Third, the playground structure does not reflect what we know about play, learning, and socialization. The individualized 'climb up-cross-get down' structure does not engage children socially, cognitively, or developmentally. The Parks Program grant will pay for the replacement and expansion of play structures, described in greater detail in the following section.

Fitzhugh Park has fenced-in, asphalt basketball course and a large grassy field area. The asphalt surface of the basketball court, and the surrounding fence are

in need of repair. We propose to resurface the courts with a pour-in-place surface, replace the fence, and install multi-sport courts, described in greater detail in the next section. The rest of Fitzhugh Park is a grassy area, which is uneven and has drainage problems. We will re-grade the field, installing seating and landscaping around its perimeter.

Community members currently use Fitzhugh Park. On any given school day the kids will be out for recess, or physical education. After school hours and on weekends there are children on the playgrounds, pickup basketball games, and people playing on the fields with each other or their dogs. However, the park does not currently serve as a good community space. The three benches in the park are located at the edges of the playground, two are always in full sun, and those who are not there with children will have a difficult time having a conversation. We propose to put in several more seating spaces with trees planted nearby for shade and landscaping for aesthetics, so that the park can be enjoined by all members or our community—from children to senior citizens.

Fitzhugh Park Renewal Project:

We propose a major renewal project for Fitzhugh Park so that it engages the entire community from toddlers to senior citizens. It will be an inviting park, with meandering pathways through native, sustainable, landscapes.

- Replacing and expanding the current playground (rated for ages 5 – 12) with two play areas. One is geared to adolescents and teens, and the other to the 5-12 age range. The playground includes climbing blocks, ropes course-type playgrounds, and an interactive playground with a game console, where kids can engage in several games, physically active in real life with others instead of alone in their living rooms
- The playground can also be used by physical and occupational therapists at Fitzhugh Park School to conduct their therapy sessions
- Installation of a toddler playground (ages 2 – 5) that utilizes the current infant/toddler swings, and adds a small piece of equipment that can serve as a climbing structure, slide, or playhouse, which meets a range of students' physical, social, and developmental needs
- Installation of an adult exercise station similar to the circuit machines one would see at a gym, but that operate without movable weights

- Installation of an outdoor classroom-type space, that can be used for classes, performances, and talks for the entire community
- Installation of trees and walking paths with tree identification interpretation, including for memorial trees
- Installation of benches and low-maintenance, native-plant gardens with interpretation
- Installation of a water feature
- Building a new multi-sport courts with pour-in-place surfacing over the current, asphalt basketball courts
- Maintaining a grass field from the current grassy field
- Expanding the drop-off lane on E. Bridget Street for children to be safely dropped off at the school's southern entrance
- Installation of a wrought iron fence and an arched entryway

Impact

Our project reflects several of New York State Parks funding priorities, including community renewal and support, being healthy locally, accessibility, and providing universal opportunities. In terms of community renewal and support, our project builds on a number of grants we recently received that focus on community renewal and neighborhood pride. The playground was closed for several weeks in the fall of 2014 due to unsafe surface conditions. The City of Oswego authorized funds to pay for additional Fibar surfacing and rubber mats to maintain the woodchips. The entire project—from ordering to installation—was carried out by volunteers, community members, and local businesses. More than sixty volunteers turned out to lay down the Fibar, and the park was open within a week of the City's authorization.

We also recently received two grants from the Oswego Renaissance Association—one to expand the primary grades' playground located on the school's south side, and the other to beautify the chain-link fence surrounding the park. The fence beatification grant sponsored an "Art in the Park" day on June 13, 2015, where 75 people turned out to help decorate the park. The small playground expansion will take place in August 2015. The Home and School Association contributed funds for two additional items for that playground's expansion.

As discussed in the next section on this project's consistency with SCORP, we have a high need to develop locally healthy recreation options. Oswego is well above

the state's obesity rate for adults and children. Oswego's high poverty rate means that families may not have the resources to join organized sports with athletic equipment and fees serving as barriers to entry, or to join a gym. The project's new fields, multi-sport courts, exercise equipment for all ages, and bike racks provide locally healthy options, while at the same time helping to build connection among neighbors using the park.

In terms of accessibility and universal opportunities, we identified earlier in this proposal that the current playground meets the letter of the ADA law, however we do not believe it meets the spirit of the law. The play structures we propose to install meet children's needs at a variety of ability levels. There are areas and opportunities for more individual and quiet play, areas where cooperation is required, areas where children with mobility issues can play and swing. The park currently is a grassy field with no walking paths, which inhibits some senior citizens and others with mobility issues from enjoying the park. The proposed project installs walkways, shaded areas with places to rest, and landscaping for everyone's enjoyment.

Consistency with SCORP

According to the Statewide Comprehensive Outdoor Recreation Plan (SCORP), Oswego has a need for park and playground facilities (6 of 10), a need for field sport facilities (7 out of 10), and a high need for court game facilities (10 out of 10) (NYS Office of Parks, Recreation, and Historic Preservation 2014: 21 – 22). The playground at Fitzhugh Park is not accessible, and is geared toward youth and adolescents. Our proposal replaces the 5-12 playground with four accessible playgrounds geared from the toddler years through adulthood. The project will also help to reconnect children and adults in our community to nature as they walk through the park and engage in park activities. In addition to the playgrounds, the project also includes interpretive signage for things like tree and native plant identification in an effort to increase science literacy.

SCORP's goal is to have parks address the needs of all New Yorkers, but to especially address the needs of an aging population and those with developmental disabuilities. In Owego County, 14% of our population is over age 65. About 27% of

our populations is under age 18 (US Census Bureau 2015). The renewed Fitzhugh Park will be a welcoming space for all demographics, providing not just a community space, but also a space for to build a healthy and active lifestyle.

In terms of the need for a healthy lifestyle and the potential health impact of the park, Oswego County ranks 61 out of 62 counties in New York State in overall health factors, and 62 out of 62 in health behaviors (Univ. of Wisconsin Population Health Institute 2015). The renewed park will offer ample recreation opportunities to promote health and to combat obesity. Oswego County's adult obesity rate is 34%, much higher than the New York State average of 25%; Oswego County also has the highest student overweight or obesity rate (38%) in the state (Oswego County Health Department 2013: Summary 2).

Timeline

Phase 1 (year one): non-playground areas

end of June 2017--July 2017: 1) orange fence goes up around all of the non-gated playground space [DPW]; 2) grade/level grassy area [DPW] or fill in topsoil with bobcat to level the kickball field;; 3) seed playing field as necessary; 4) water pipe installation [DPW to run pipe from sewer line to water play site]

August 2017: 1) water play installation [contractors]; 2) benches and landscaping [community]; 3) pre-school playground installation [community]. 4) Orange fence around grass field and area where 5-12 playground will be [DPW];

September 2017: assess basketball court asphalt to see if it is up to spec for pour in place multi-sport court[DPW]

Phase II (year 2): playground areas

May 2018: basketball court closes if it needs to be torn out. If the pour in place surface can go over asphalt, it can stay open until the end of the school year.

~June 23: chain link fence removed around playground; orange fence goes up. [DPW]
~June 27: remove old playground equipment (saving the wood chips on the basketball court, if possible) [Community and DPW]
early July 2018 - level playground area [DPW]
late July - August 2018 - playground installation for 5 - 12, teen structures, and circuit equipment, outdoor classroom [contractors and community], multi-sport court installation [contractors]

September 2018: walkway installation [DPW], wrought iron fence installation [community/DPW],

Phase 3 (year 2 and 3): landscaping starts in fall and again in spring [community]

Conclusion

The renewal of Fitzhugh Park is good for our community, and good for our city. It addresses health challenges in our city by promoting an active lifestyle, but also by helping to build and strengthen our sense of community. It addresses some of the desires of Oswegonians identified by the public involvement sessions to create the 2020 Vision Plan, as well as some of the goals identified in that plan.

Bibliography

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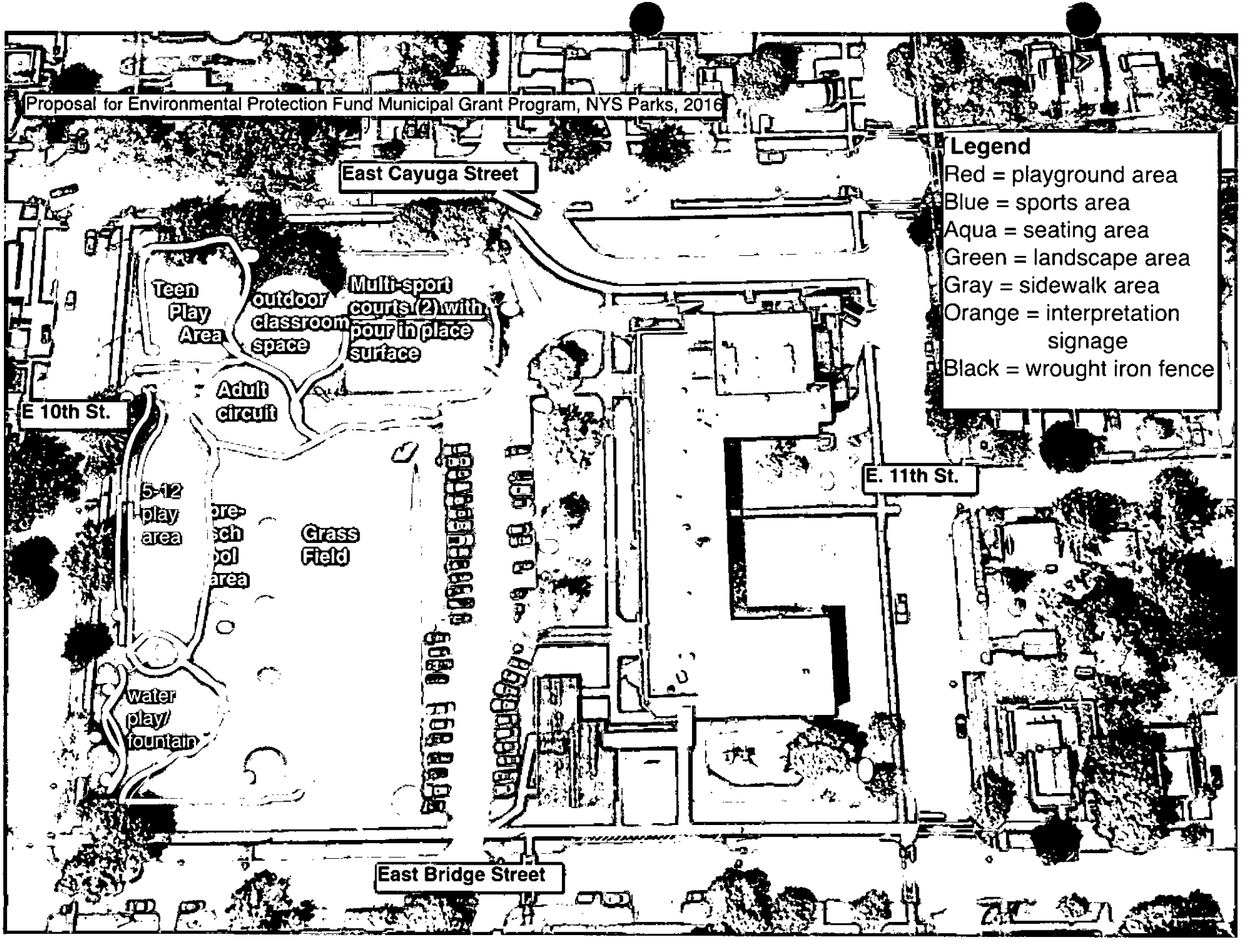
Proposal for Environmental Protection Fund Municipal Grant Program, NYS Parks, 2016
East Cayuga Street
Legend
Red = playground area
Blue = sports area
Aqua = seating area
Green = landscape area
Gray = sidewalk area
Orange = interpretation signage
Black = wrought iron fence
Teen Play Area
outdoor classroom space
Multi-sport courts (2) with pour in place surface
Adult circuit
E 10th St.
5-12 play area
Grass Field
E. 11th St.
water play/ fountain
East Bridge Street

FITHUGH PARK

KOMPAN

Project: SITE PLAN
Model: As Noted
Rep: KOMPAN - B. MARTINEZ

Date: 06/18/15
PSC: ****
Designer: TiffRod

SCALE: 1/32" = 1'-0"

INCH 1 2

CM 1 2

FOR QUOTING ONLY
NOT FOR CONSTRUCTION

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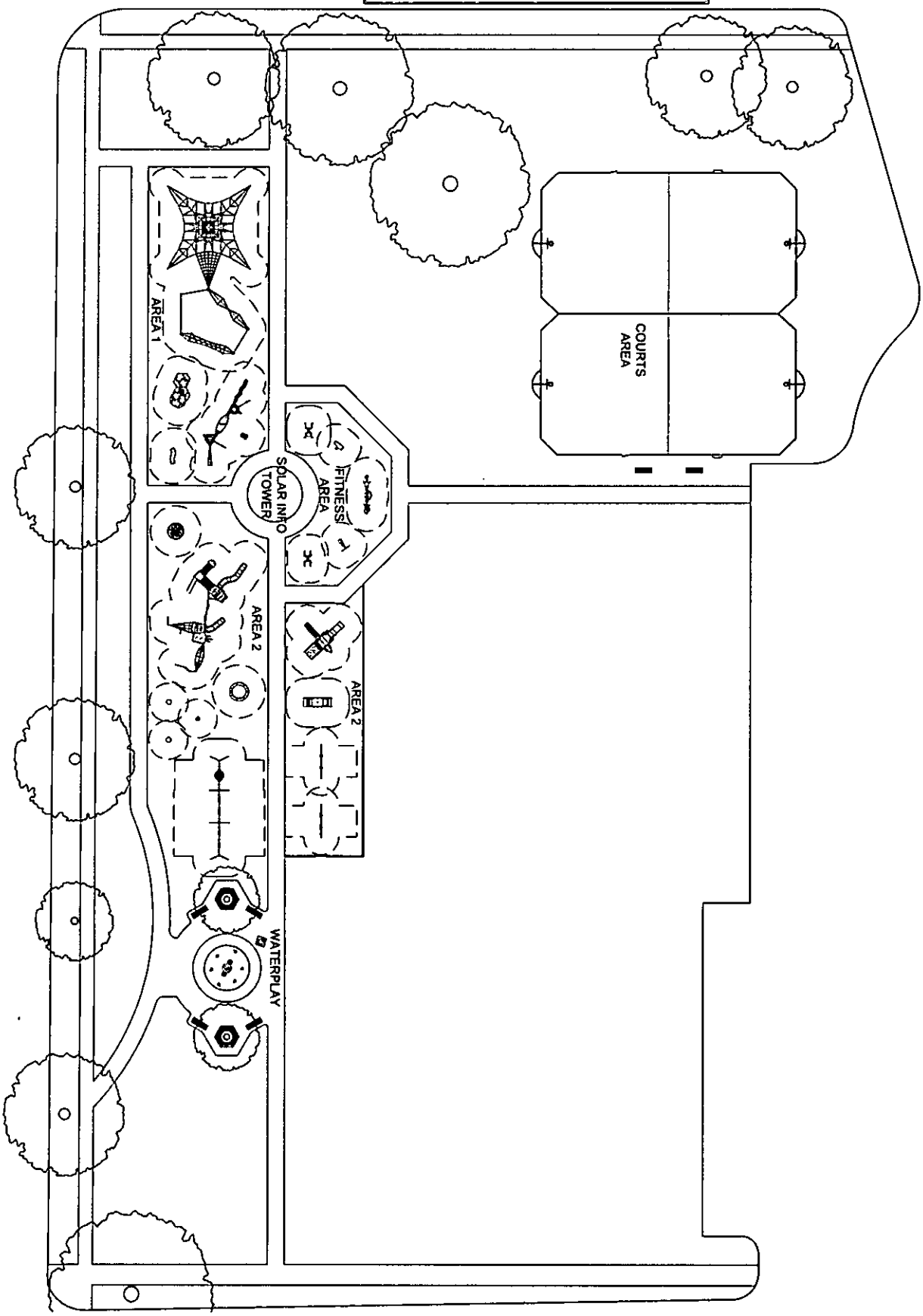
All composite structures shown require a site grade of 1% maximum.

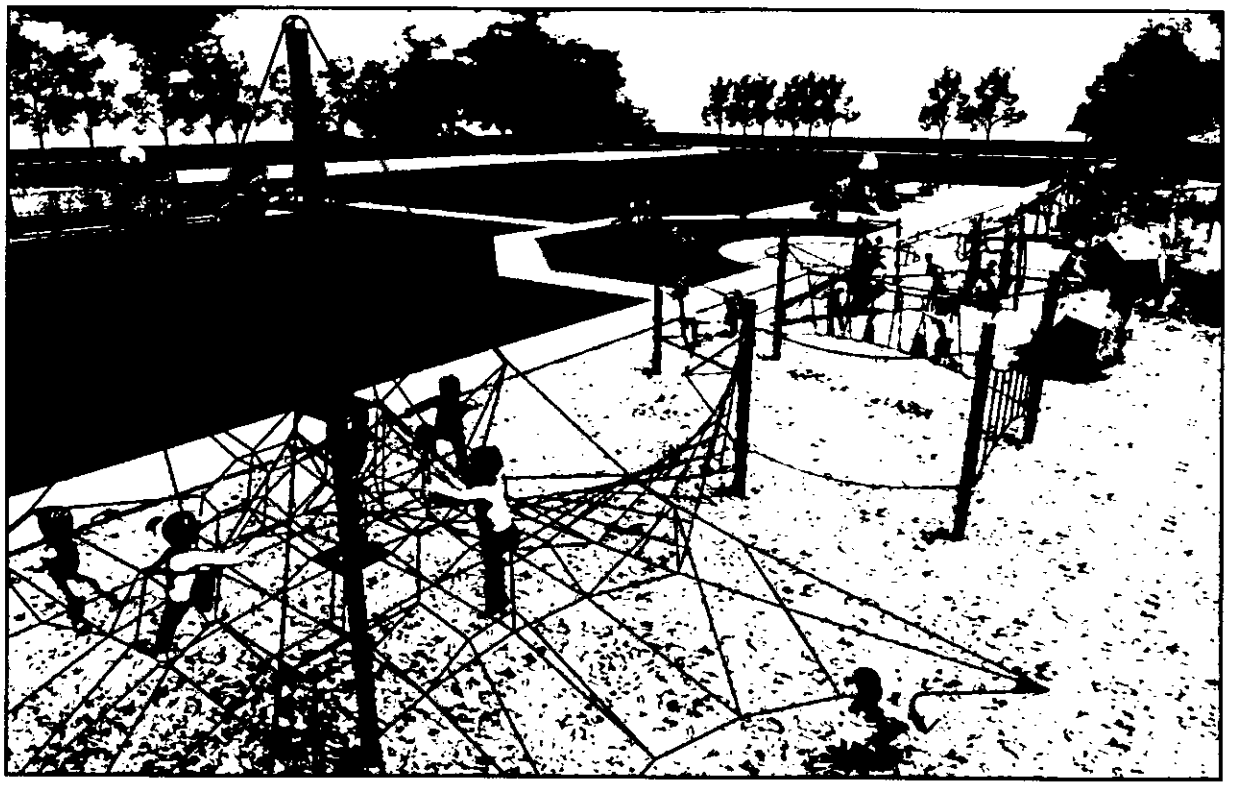
For surface mount options, the concrete requirements may be up to 5½" of 3,500 psi minimum compressive strength. Contact KOMPAN for specific product requirements.

Site representation is based upon estimated site dimensions and cannot be used as an accurate way of determining site area.

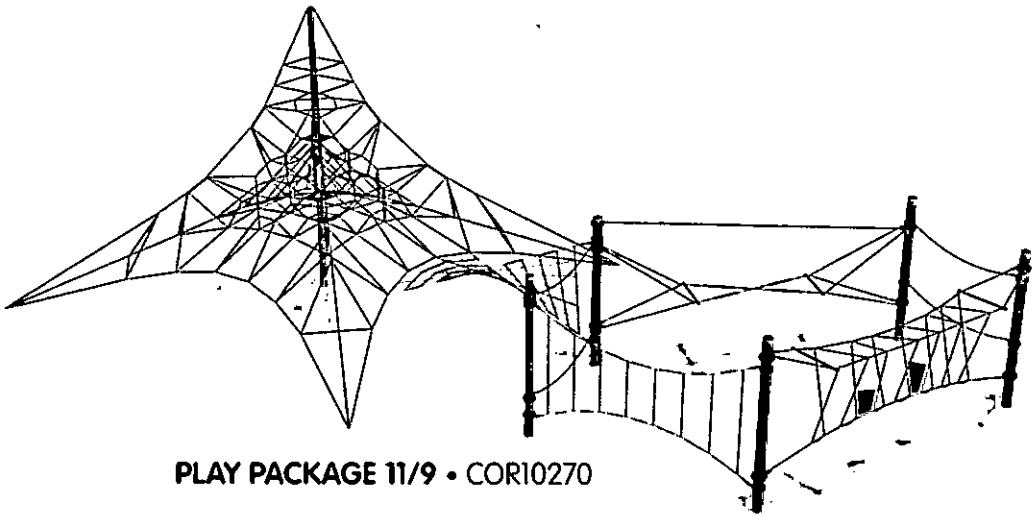
Layout is in accordance with ASTM F1487-11



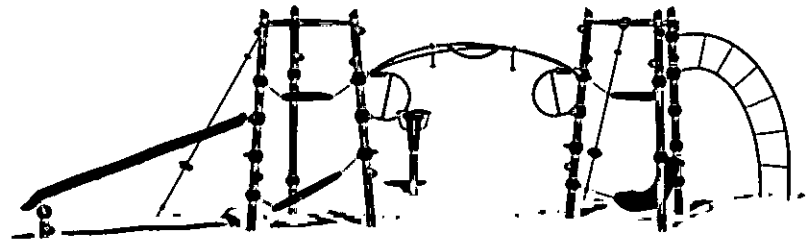
Fitzhugh Park



KOMPAN! Customized Playground



PLAY PACKAGE 11/9 • COR10270



ICON SPACE • ICON101201

BLOQX 3 • BLX4102

STAR SURFER • GXY935012

KOMPAN®

Fitzhugh Park

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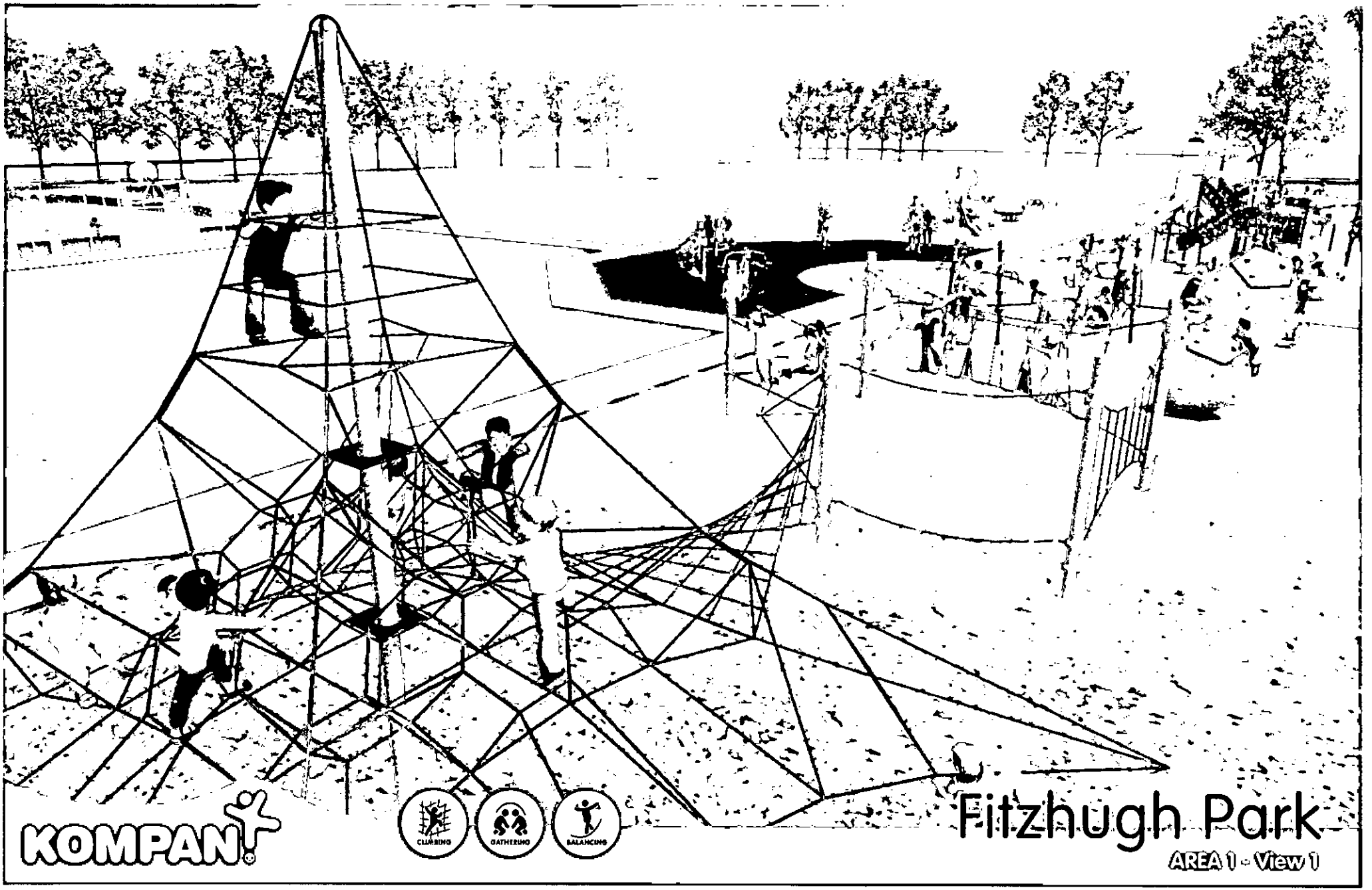
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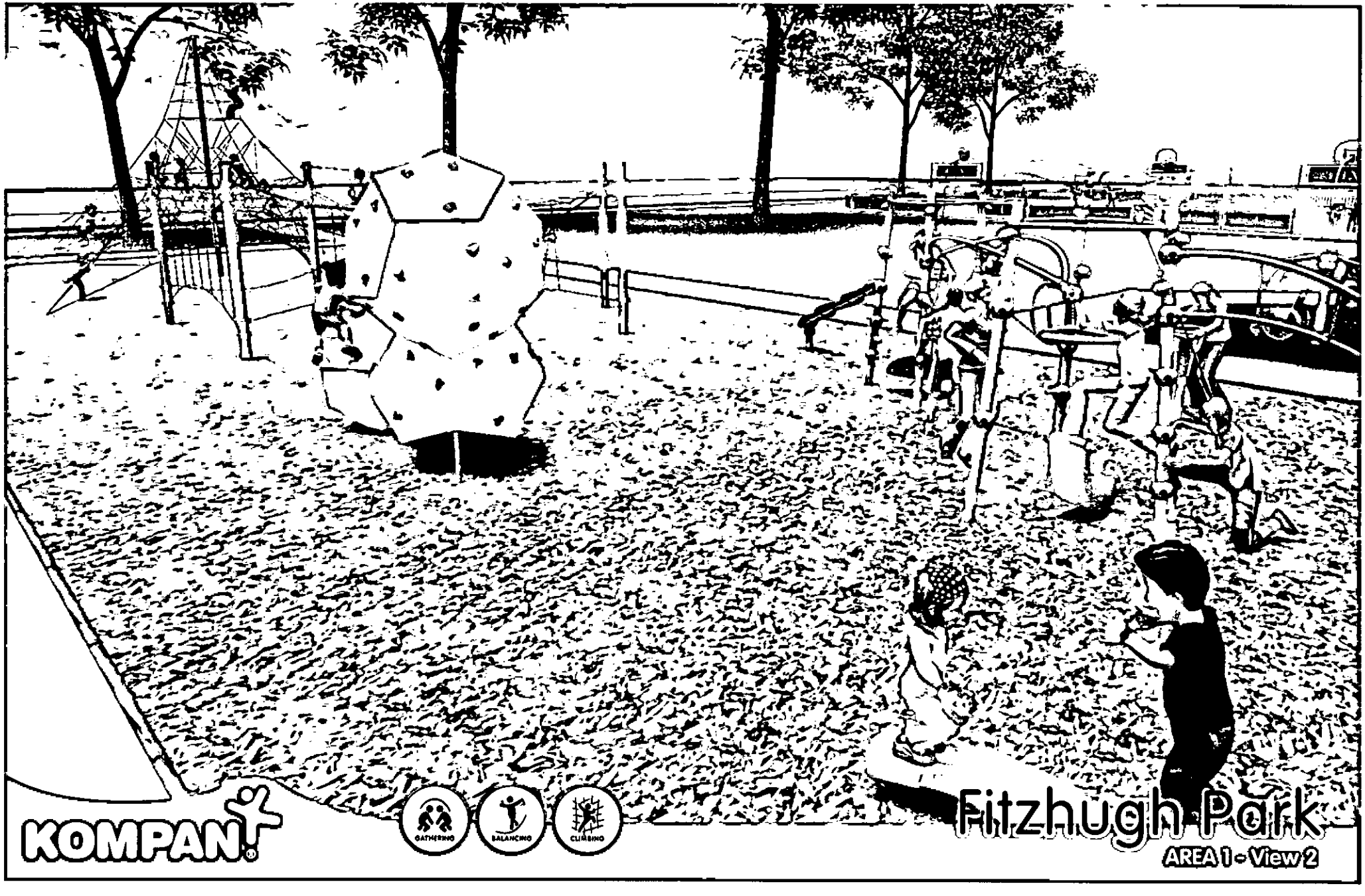
GATHERING
BALANCING
Fitzhugh Park
AREA 1 - View 1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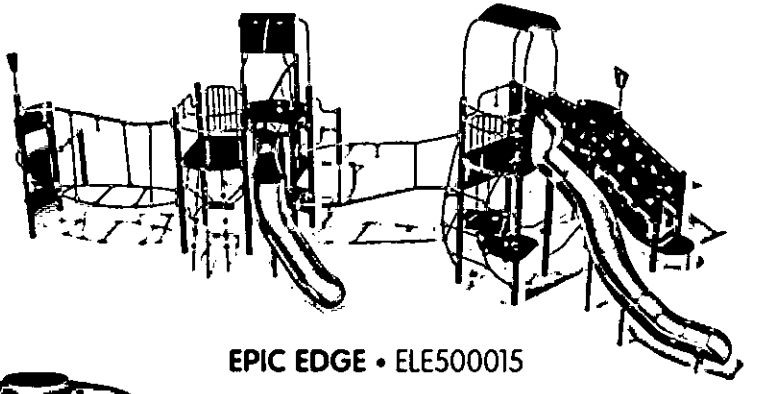
Fitzhugh Park
AREA 1 - View 2



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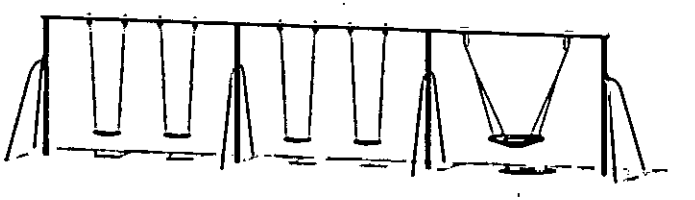

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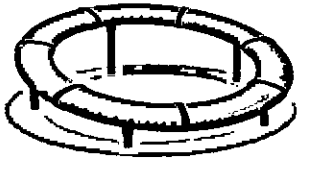
MULTI-SPINNER • ELE400061

SPICA 1 • GXY8014



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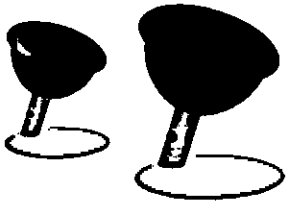

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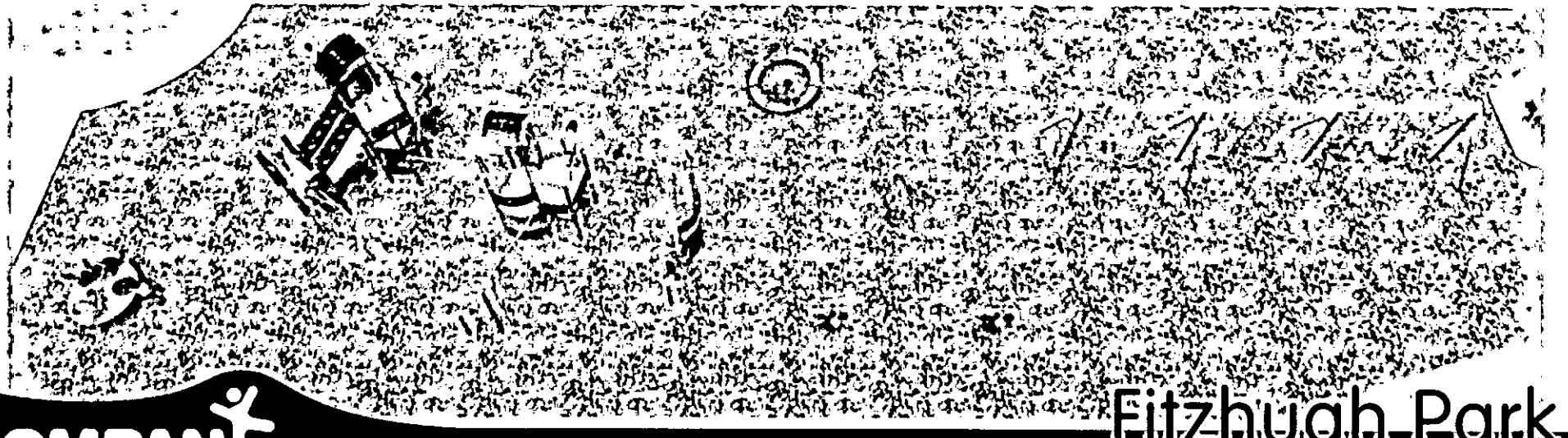

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Fitzhugh Park

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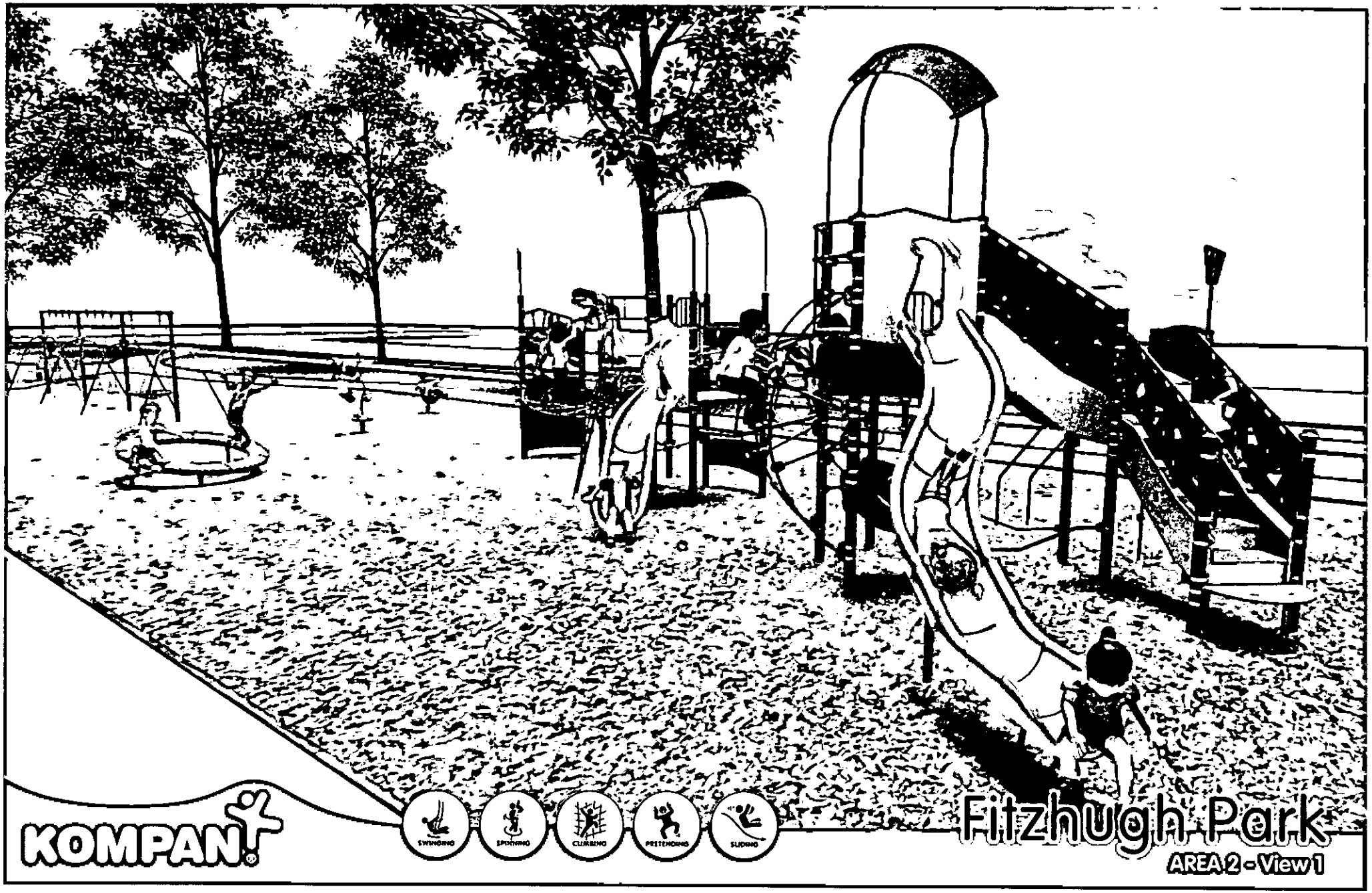
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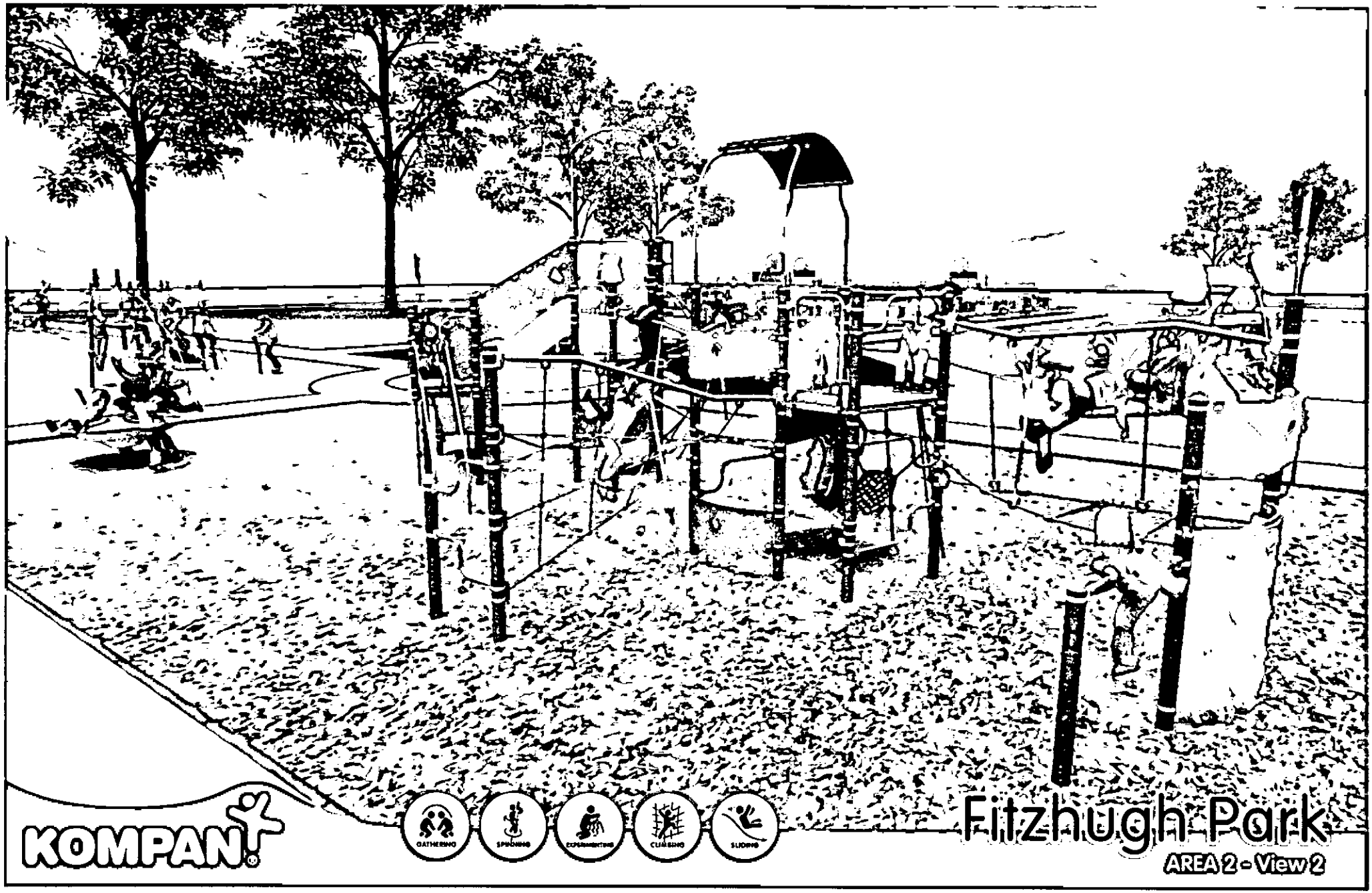
SPINNING
CLIMBING
PRETENDING
SLIDING
Fitzhugh Park
AREA 2 - View 1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Fitzhugh Park
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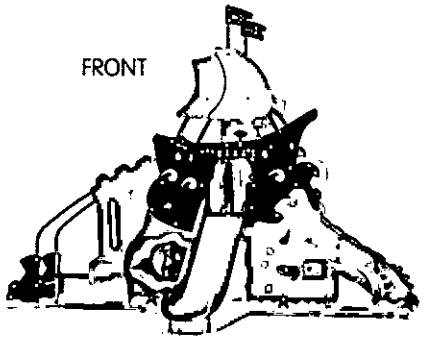

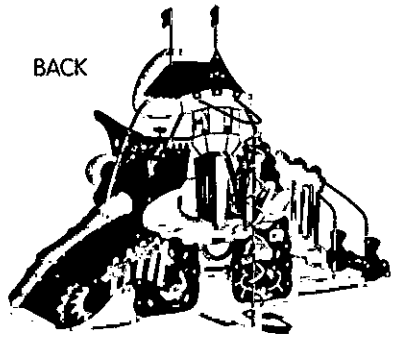

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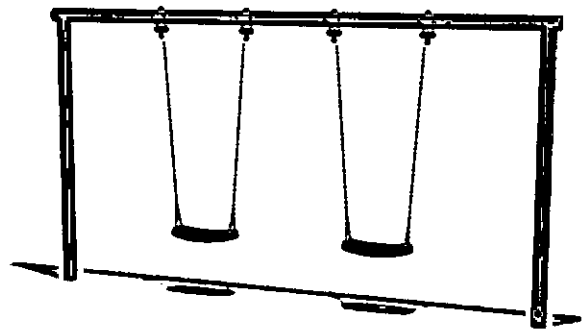

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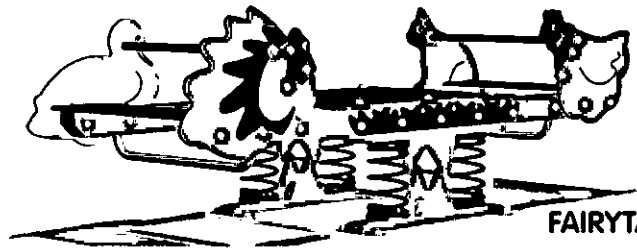

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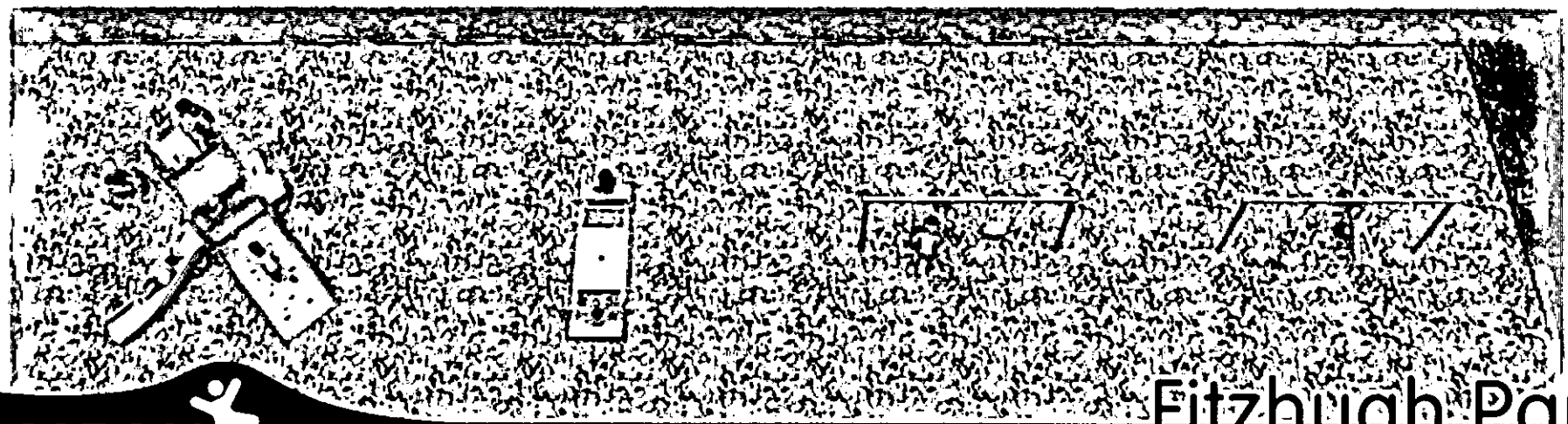

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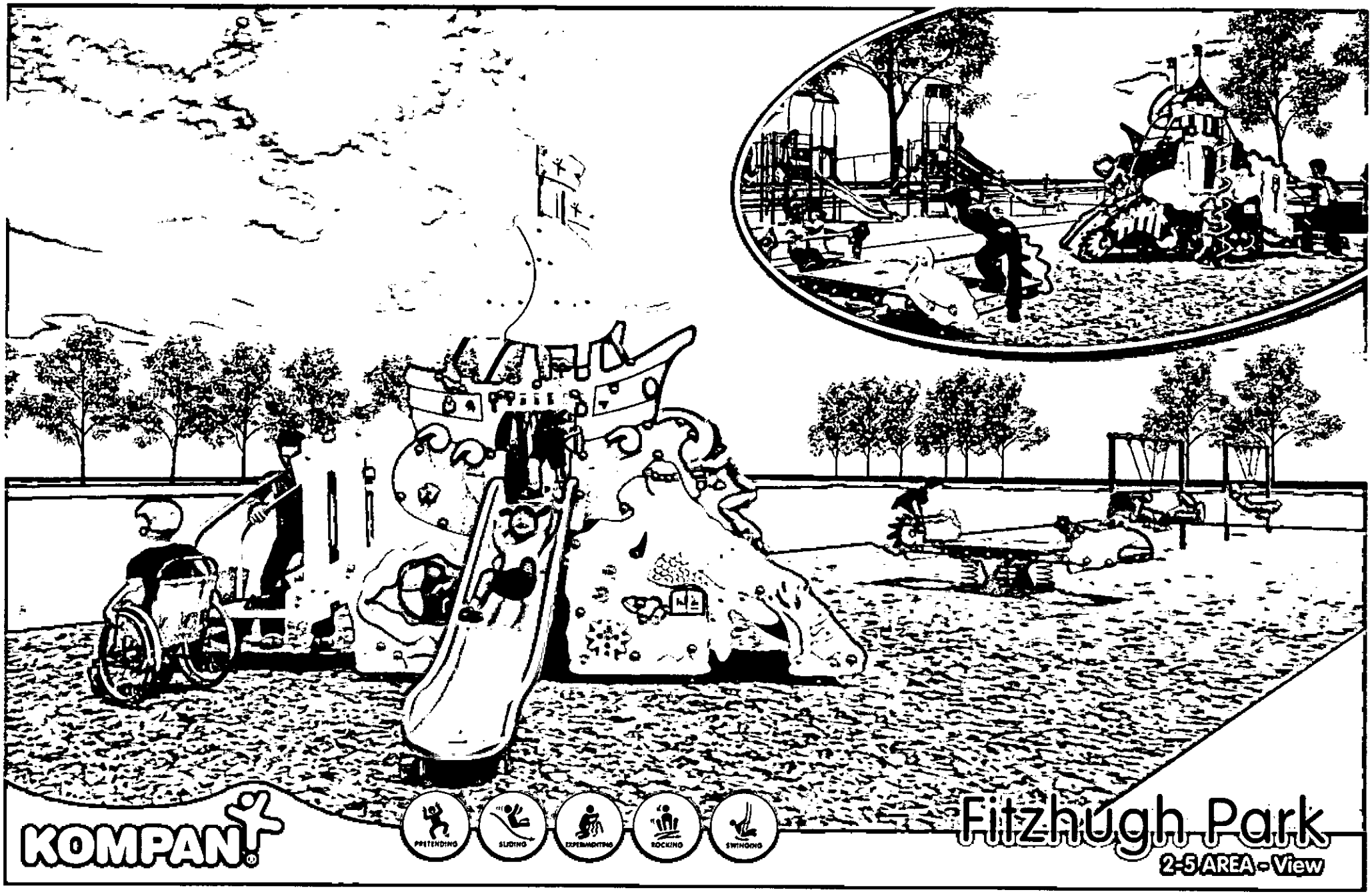
Fitzhugh Park

2-5 AREA - Overview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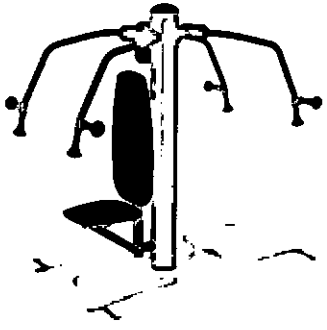
PRETENDING
SLIDING
EXPERIMENTING
ROCKING
SWINGING
Fitzhugh Park
2-5 AREA - View



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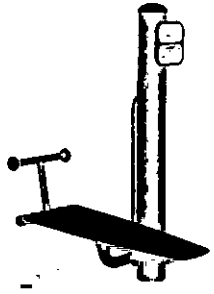

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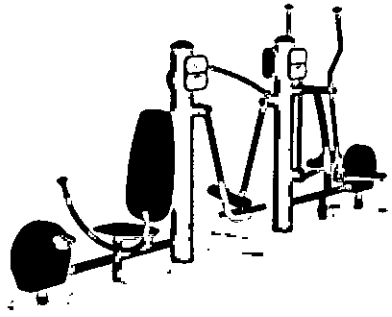

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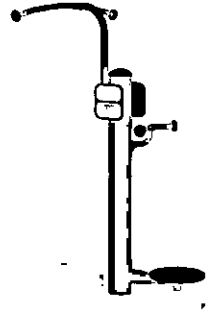

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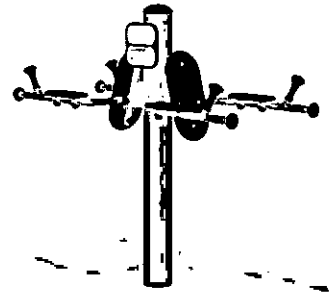

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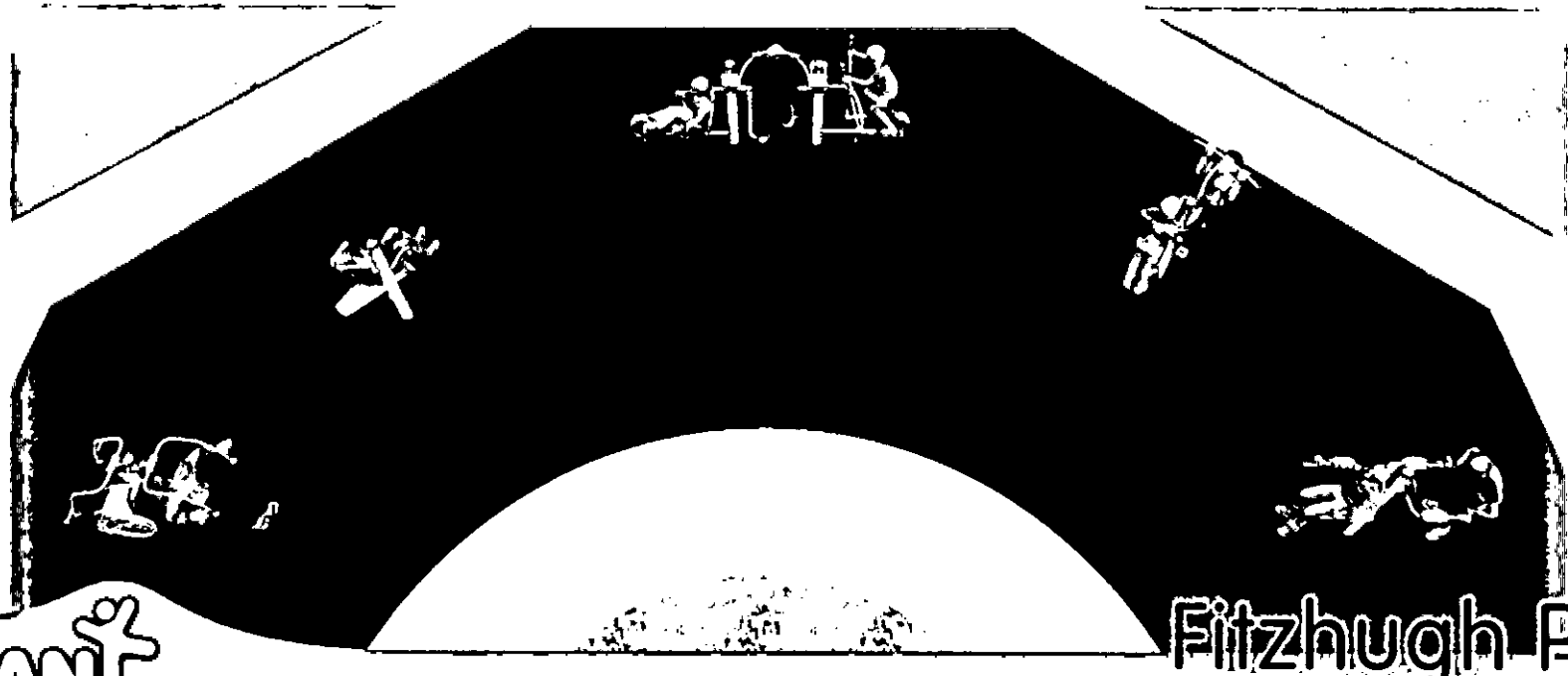

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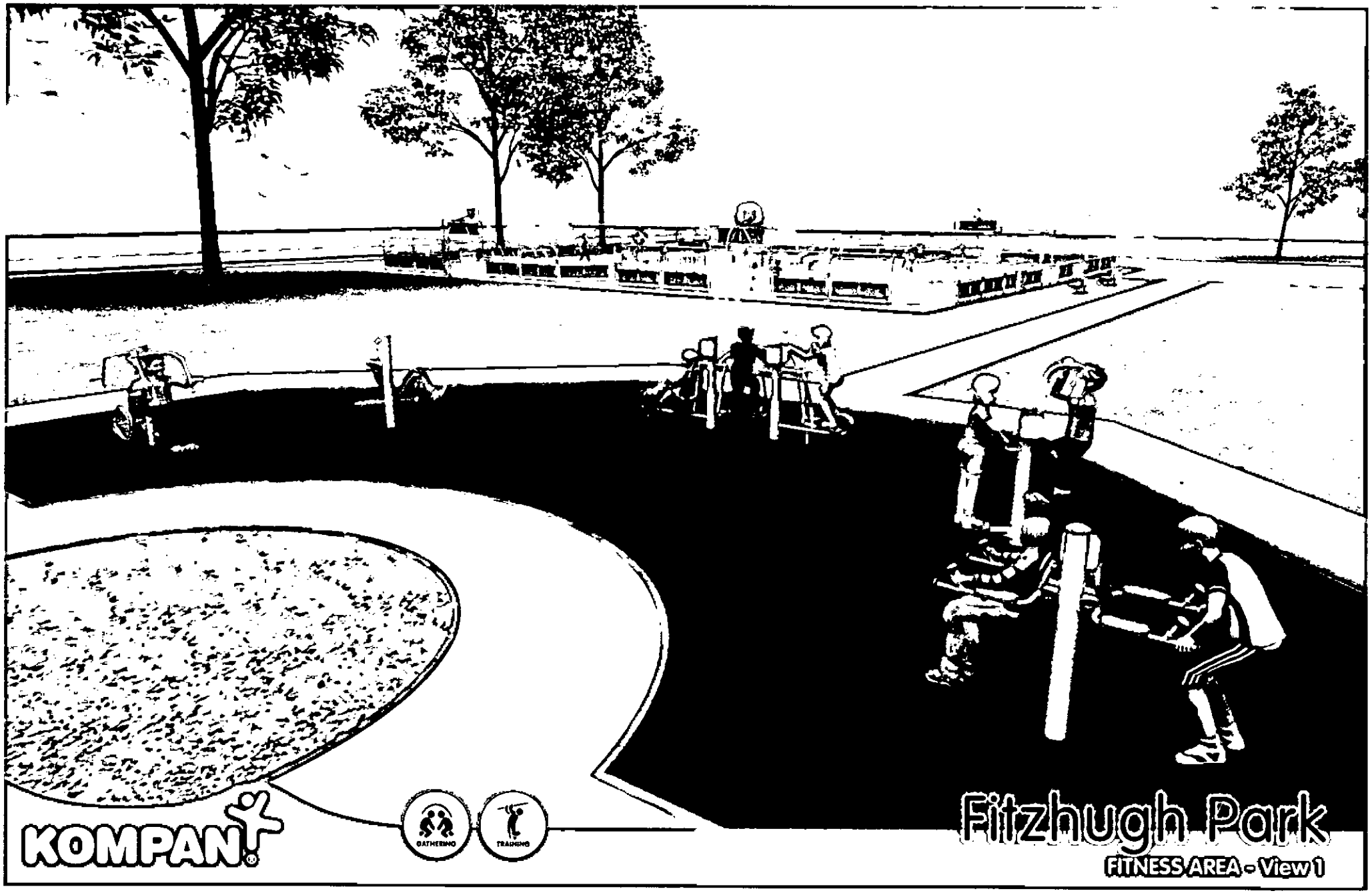
Fitzhugh Park

FITNESS AREA - Overview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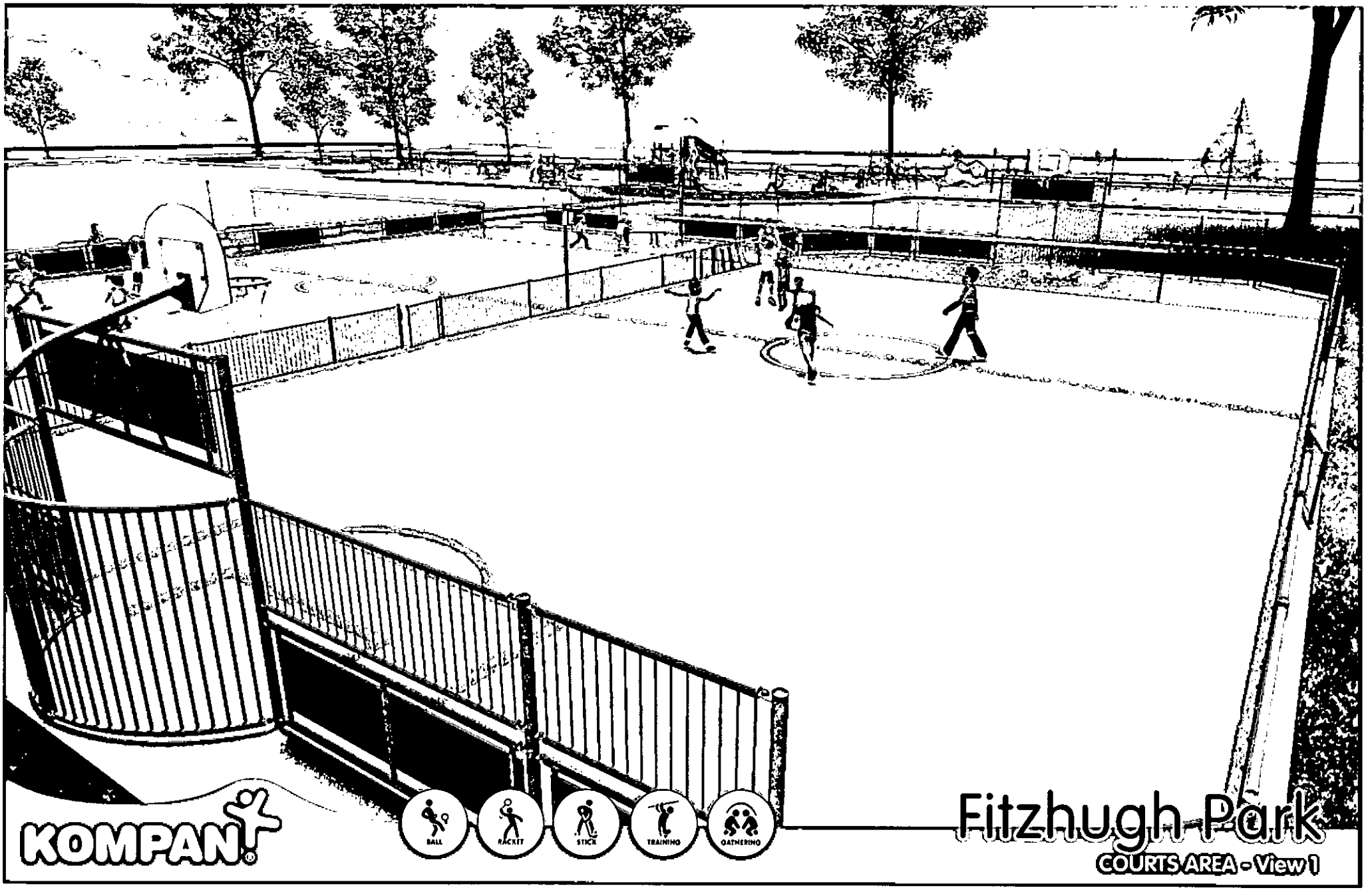
GATHERING
TRAINING
Fitzhugh Park
FITNESS AREA - View 1


KOMPAN
BALL
RACKET
STICK
TRAINING
GATHERING
Fitzhugh Park
COURTS AREA - View 1

Resolution No 257 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor McLaughlin

WHEREAS, the Planning and Development Committee at their July 5, 2016 meeting, passed a motion to forward a favorable recommendation to the Common Council to grant authorization for the Oswego Renaissance Association (ORA) / SUNY Research Foundation (SUNY RF), to apply on behalf of the City of Oswego, to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Environmental Protection Fund, for a Fitzhugh Park Playground Project, located within the City of Oswego and under the jurisdiction of this Common Council; and

WHEREAS, as a requirement, under the rules of these programs, said non-for-profit corporation must obtain the approval of the governing body of the municipality in which the project will be located, and

WHEREAS, the ORA/ SUNY RF will prepare for the City of Oswego an application through the Consolidated Funding Application (CFA) process, for $500,000 in funding, and

WHEREAS, this funding, if secured, will be used to fund the construction of an enhanced playground, and, now

THEREFORE, BE IT RESOLVED, that the Common Council of the City of Oswego, hereby does approve and endorse the application of the ORA / SUNY RF, on behalf of the City of Oswego, for a grant under the Environmental Protection Fund, for a Fitzhugh Park Playground Project, and

BE IT FURTHER RESOLVED, that should the ORA/ SUNY Research Foundation be unable to do so, said property shall forever be maintained by the City of Oswego as a municipal park in this community consistent with the rules promulgated by the OPRHP, and

BE IT FURTHER RESOLVED, that the City is committed to its share of municipal matching project funds as in-kind services.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Recommended by Planning and Development Committee

Chairman Councilor Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

WILLIAM J. BARLOW, JR. Mayor

Resolution prepared by Planning and Zoning Director

Agenda Item 258

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/30/2016

- [X] Planning & Development
- [ ] Physical Services
- [ ] Administrative Services
- [ ] Human Services

Fr: Office of .....

- [ ] City Attorney
- [ ] City Chamberlain
- [ ] City Clerk
- [ ] City Engineer
- [X] Community Development
- [ ] Dept. of Fire
- [ ] Dept. of Personnel
- [ ] Dept. of Police
- [ ] Purchasing Agent
- [ ] Recreation
- [ ] Sewage Treatment Plant, E/W
- [ ] Traffic Engineering
- [ ] Dept. of Water
- [ ] Dept. of Works
- [ ] Zoning & Planning
- [ ] Other

RE: Intent to Apply and Submit Application for Funding Through Department of State – Local Waterfront Revitalization Program in the FY2016 Consolidated Funding Application (CFA) Round

Dear Councilors:

The Community Development Office is seeking approval to apply and submit for funding through the Department of State – Local Waterfront Revitalization Program (LWRP) in the FY2016 Consolidated Funding Application (CFA) Round that is due by July 29, 2016.

The Department of State's Local Waterfront Revitalization Program provides 50:50 matching grant on a competitive basis to eligible municipalities located along New York's coasts or designated inland waterways to revitalize communities and waterfronts through planning, design, and construction projects. The City of Oswego was recently awarded funding through this program for the waterfront feasibility study, which stakeholder meetings will be underway in Mid-July. This funding opportunity provides the city with the ability to apply for specific projects that will enhance our waterfront area, particularly at the marina. In consultation with Edgewater Resources, there are six distinct projects that would significantly enhance the utilization of our waterfront area. A memorandum prepared by Edgewater Resources outlining the potential projects and costs are attached. A total conservative estimate for all six projects is $580,000. The projects are as follows: Wright's Landing Marina Fuel System, Wright's Landing Marina Boat Launch, Oswego River Dockage, Marina Area Amenities, Accessible Park Connection, and Breitbak Park and Oswego Harbor Trail Improvements. The LWRP is a 50:50 matching grant of which $290,000 must be matched by the City of Oswego. The Marina Fuel System is identified in the Capital Expenditure Plan and the other projects identified will strengthen the efforts of the waterfront feasibility study as well as ongoing and planned revitalization efforts within the waterfront and downtown area.

Sincerely,

Justin Rudgick
Community Development Director

Ordered filed and printed with the proceedings.

Edgewater resources

518 Broad Street, Suite 200
St Joseph, Michigan 49085
269 932 4502

Memorandum

Date: June 30, 2016
To: Justin Rudgick
From: Greg Weykamp
Subject: Oswego Local Waterfront Revitalization Program Potential Projects

Distribution: Colin Hassenger, Kevin Krogulecki

Justin,

Below is a list of potential projects that could be incorporated into the Local Waterfront Revitalization Program (LWRP) Projects.

1. **Wright's Landing Marina Fuel System**

   We understand the existing marina is in need of a fuel system. The most cost effective installation option would be to install an aboveground tank near the shoreline that can accommodate a full range of vessels. A twin product tank could be utilized to over the customers multiple product options depending on their vessel requirements while minimizing the landside footprint of the system.

   Assuming that an aboveground, 10,000 gallon, two-product tank could be installed near an existing shoreline and that proper electrical supplies existed nearby, we would estimate the cost of installing a two- product fuel system to be $100,000-$120,000. Alternatively, a below grade tank would cost approximately $150,000-$175,000.

2. **Wright's Landing Marina Boat Launch**

   The existing boat launch at Oswego is quite popular among day-use boaters. The existing ramps are still functional but well used. In order to replace the two 6'x100' launch ramps and perform minor concrete repairs to the launch ramps we would recommend a budget of $60,000-$70,000.

3. **Oswego River Dockage**

   Short term dockage could be implemented in the Oswego River, adjacent to the western boardwalk area and Cahill Building. Due to the strong currents and direct exposure to Lake Ontario, we would recommend a durable concrete floating dockage system capable of withstanding the design forces. Such a docking system could connect to the existing river wall pending structural analysis of the wall. The system could be design to reduce the exposure of the broadside slips provided to create a more stable mooring environment. It is assumed that the system would be disconnected and towed into the marina during the winter to prevent damage from ice flows.

Assuming a width of 8' and a length of 120', we would recommend a budget of $165,000 for the project. Future extensions of this dockage could be added for an approximate cost of $125,000 per every 100'.

4. **Marina Area Amenities**

Given the popularity of fishing in the area and the number of slip holders that utilize this facility to moor their fishing boats, fish waste should be adequately addressed. Fish cleaning stations and grinders allow for the proper disposal of waste from this activity and ensure a clean facility with properly managed waste. Our estimate for a fish cleaning station is $25,000-$30,000. In addition, the facility lacks a sanitary pump out system for vessels in transient or moored at the facility. A standard sanitary pump out system is estimated at $25,000 - $35,000 depending on the availability of nearby utilities.

5. **Accessible Park Connection**

The popular Oswego Riverwalk trail is a highly used connector to public waterfront amenities in the area. Given the topography and significant slope between Breitbeck Park and Wright's Landing Marina, access is currently granted through the use of stairs on the park's east side hill. To make a connection between the lower Riverwalk and the higher elevated park area, a switchback ramp system would ensure accessibility for all users and strengthen the linkage between these two highly used public elements. An accessible pathway to suit these needs could match existing park materials and we estimate the cost of such a pathway to be approximately $55,000-$65,000.

6. **Breitbeck Park and Oswego Riverwalk Improvements**

To maximize the views from the elevated Breitbeck Park out towards Lake Ontario, clearing of obstructive brush should occur at the top of the vegetated hill. Removal of brush should be limited to only what is necessary as to maintain slope stabilization. In addition, the split rail fence could be repaired/replaced as needed in this area. The lower Oswego Riverwalk Trail could also benefit from clearing of brush that has grown through and adjacent to the sloped stone revetment. Healthy trees should be protected with brush removal only limited to vegetation that is not providing slope stabilization. The costs associated with all of these efforts are estimated at $35,000-$40,000.

Thank you for the opportunity to provide this budgetary information with regard to the Local Waterfront Revitalization Program Projects. These estimates are based on our experience and high-level knowledge of the area, but unknown specific site conditions could affect the budget estimates provided herein. Further investigations will more clearly define and quantify the scope of these efforts.

Please let me know if you have any additional questions.

Resolution No 258 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Corradino

WHEREAS, it is the intention of the City of Oswego to submit a grant funding application for the FY2016 Regional Economic Development Council Consolidated Funding Application for the Department of State's Local Waterfront Revitalization Program by the July 29, 2016 deadline. The Department of State's Local Waterfront Revitalization Program provides 50:50 matching grant on a competitive basis to eligible villages, towns, cities, and counties located along New York's coasts or designated inland waterways to revitalize communities and waterfronts through planning, designing, and construction project, and

WHEREAS, the City of Oswego is an identified eligible community for participation in the Department of State's Local Waterfront Revitalization Program, and

WHEREAS, the City of Oswego is committed to the revitalization of the waterfront areas and is engaged in an Oswego Waterfront Feasibility Study that will analyze waterfront planning, design, and community visioning for the waterfront, as well as provide market analysis and real estate development opportunities to create an economically viable plan to serve as an economic catalyst to capitalize on the city's natural asset, and

WHEREAS, the City of Oswego will submit a funding application for construction projects that are eligible under the Local Waterfront Revitalization Program that will further enhance the quality of life for residents, businesses and visitors in the City of Oswego, and

WHEREAS, the identified construction projects within the waterfront areas include but not limited to the following: Wright's Landing Marina Fuel System; Wright's Landing Marina Boat Launch; Oswego River Dockage; Marina Area Amenities; Accessible Park Connection; Breitback Park and Harbor Trail Improvements; and Oswego Beach, and

WHEREAS, the estimated total project cost is $1,030,000 and the City of Oswego will provide 50% financial commitment towards the project, and the balance of the 50% financing will be provided through the Department of State's Local Waterfront Revitalization Program grant, and now, therefore be it,

RESOLVED, The City Chamberlain is hereby authorize to advance current funds of the City for said project with the intent to reimburse same from bonds, and/or bond anticipation notes issued in anticipation thereof to be authorized by said bond resolution, and it is further,

RESOLVED, that the Community Development Office for the City of Oswego is hereby authorized to prepare, and the Mayor is authorized to sign, all documents necessary for the purposes of applying and administering the Department of State's Local Waterfront Revitalization Program grant funding for the waterfront area construction projects to further enhance the city's natural asset – the waterfront.

AYES AND NAYS CALLED	AYES	NAYS	ABSENT/ ABSTAIN
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Approved July 12 2016

Recommended by Planning and Development Committee

Chairman Councilor Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Community Development Office

Agenda Item 259

COMMUNICATION FROM OFFICERS OF THE CORPORATION

TO: Committees of the Common Council Date: 6/30/2016

- ☒ Planning & Development
- ☐ Physical Services
- ☐ Administrative Services
- ☐ Human Services

Fr: Office of .....

- ☐ City Attorney
- ☐ City Chamberlain
- ☐ City Clerk
- ☐ City Engineer
- ☒ Community Development
- ☐ Dept. of Fire
- ☐ Dept. of Personnel
- ☐ Dept. of Police
- ☐ Purchasing Agent
- ☐ Recreation
- ☐ Sewage Treatment Plant, E/W
- ☐ Traffic Engineering
- ☐ Dept. of Water
- ☐ Dept. of Works
- ☐ Zoning & Planning
- ☐ Other

RE: Intent to Apply and Submit Application for Funding Through New York Main Street (NYMS) Grant Program in the FY2016 Consolidated Funding Application (CFA) Round

Dear Councilors:

The Community Development Office is seeking approval to apply and submit for funding through the New York Main Street Grant Program in the FY2016 Consolidated Funding Application (CFA) Round that is due by July 29, 2016.

The NYMS Program was created by the Housing Trust Fund Corporation in 2004 to provide resources to assist New York's communities with Main Street and downtown revitalization efforts. There are three eligible activities under the NYMS program, and it is the intention of the Community Development Office to apply for funding specifically for the NYMS Downtown Anchor Project. The NYMS Downtown Anchor Project funds are intended to help establish or expand cultural, residential or business anchors that are key to local downtown revitalization efforts through substantial interior and/or exterior building renovations.

The Cahill Building renovation is the identified project for consideration under the NYMS Downtown Anchor Project. This project was identified as one of the anchor projects in the Downtown Revitalization Initiative. The Cahill Building is the oldest remaining commercial building in Oswego that was built in 1828. The current development proposal is to provide 6 upscale rental apartments featuring two-bedroom units and to expand the existing commercial space to allow for a turnkey space for a restaurant. The NYMS Program provides a maximum funding of $500,000 to be used towards this specific project. The Community Development Office is seeking the approval of the Common Council to prepare and submit a funding application in the amount of $500,000 through the NYMS Program under the eligible activity of NYMS Downtown Anchor Project in the CFA funding round, and to approve the Mayor to sign all necessary documents required to apply and administer the grant program.

Sincerely,

Justin Rudgick
Community Development Director

Ordered filed and printed with the proceedings.

Resolution No 259 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Reynolds

WHEREAS, it is the intention of the City of Oswego to submit a grant funding application for the FY2016 Regional Economic Development Council Consolidated Funding Application to NYS Homes & Community Renewal for funding under the New York Main Street (NYMS) Program by the July 29, 2016 deadline, and

WHEREAS, the City of Oswego will submit an application for the NYMS Downtown Anchor project in the amount of $500,000 through the Consolidated Funding Application process, and

WHEREAS, the City of Oswego has identified an eligible anchor project for consideration which is known as the Cahill Building located at 1-7 W. Seneca Street, Oswego, NY 13126, and

WHEREAS, the proposed funding will help restore the oldest commercial building remaining in the City of Oswego, and

WHEREAS, the proposed project was identified as an anchor project as part of the City of Oswego's Downtown Revitalization Initiative proposal and is key to the local downtown and waterfront revitalization efforts, and now, therefore be it

RESOLVED, that the Community Development Office for the City of Oswego is hereby authorized to prepare, and the Mayor is authorized to sign, all documents necessary for the purposes of applying and administering the NYS Homes and Community Renewal's NYMS Downtown Anchor project grant funding to help establish and expand residential and business opportunities in Downtown Oswego.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

(ADOPTED) LOST

Recommended by Planning and Development Committee

Chairman Councilor Walker

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July, 2016

Deana Ascenzi LaFond City Clerk
DEANA ASCENZI LAFOND

Approved July 12 2016

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by Community Development Office

Resolution No 260 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Emmons

WHEREAS, the following Resolution(s) sponsored by Councilor Emmons has/have not been reviewed by any Committee of this Common Council, and

WHEREAS, Rule VII, Paragraph 2, required such Committee consideration prior to Common Council action, now, therefore be it

RESOLVED, that pursuant to Rule XI of the Common Council Rules, Rule VII, Paragraph 2, is suspended so that Resolution No(s). 261 may be acted upon without committee consideration.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by From the Council Floor

Page No. _____

Resolution No 261 2016

CITY OF OSWEGO, NEW YORK

Motions, Resolutions and Notices

By Councilor Walker

RESOLUTION

BY THE CITY OF OSWEGO

IN SUPPORT OF THE PRESERVATION OF THE ENVIRONMENTAL VALUES AND ATTRIBUTES OF ZERO-EMISSIONS NUCLEAR POWERED ELECTRIC GENERATING FACILITIES FOR THE BENEFIT OF THE ELECTRIC SYSTEM, ITS CUSTOMERS AND THE ENVIRONMENT.

WHEREAS, in response to Governor Andrew Cuomo's directive to the New York State Department of Public Service (DPS) to develop a Clean Energy Standard, in an effort to achieve a 40% reduction in greenhouse gas emissions, while at the same time increasing by 50% the renewable sources of energy in New York State by the year 2030; and

WHEREAS, Governor Cuomo's leadership and forward-looking approach to the environment and economy is a standard by which all other states should follow, and has resulted in the development of a Clean Energy Standard proposal currently under consideration by the New York State Public Service Commission (PSC), in a proceeding identified as Case No.: 15-E-3020, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard; and

WHEREAS, on July 8, 2016, the staff of the DPS issued its responsive proposal for preserving zero-emissions attributes of nuclear-powered electric generating facilities as part of a component of the Clean Energy Standard under consideration by the PSC; and

WHEREAS, the County of Oswego is home to the James A. FitzPatrick and Nine Mile Point nuclear facilities and the City of Oswego, its residents and businesses will be directly affected by the proposals currently under consideration by the PSC; and

WHEREAS, the Common Council wishes to acknowledge and support Governor Cuomo's leadership on this matter, and the DPS staff's analysis of the values and attributes of preserving all four nuclear power plants in our respective counties; and

WHEREAS, the adoption of the DPS staff's responsive proposal, including the formula for establishing Zero-Emissions Credits (ZECs), will have immediate and significant economic and environmental benefits for the State of New York as a whole, and Upstate New York in particular; and

Resolution No 261 2016

CITY OF OSWEGO, NEW YORK

Motions, Resolutions and Notices

By Alderman Walker

WHEREAS, the replacement of the zero-emission nuclear power with equivalent amounts of fossil-fueled electrical generation would result in an increase of approximately 31 million metric tons of CO2 emitted into the atmosphere over the next two years with a societal cost of $1.4 billion, as reported by The Brattle Group; and

WHEREAS, the report by The Brattle Group produced in 2015 found the nuclear plants that provide the zero-emission attributes at risk provide direct economic benefits of approximately $1.7 billion per year, including critical local economic and Statewide benefits in the form of property taxes and on average over 2,600 well-paying jobs (as well as secondary employment benefits); and

WHEREAS, the Common Council supports the conclusions of DPS staff that the benefits of paying for the zero-emission attributes far exceed the costs, in that during the first two years of the program, the economic and environmental benefits associated with carbon reductions, supply cost savings and property tax benefits are estimated to be approximately $5 billion, while during this same period, the total attribute payments are calculated to be up to $965 million, for a net benefit of $4 billion; and

WHEREAS, implementation of the proposal supports New York's environmental stewardship, protects the energy market from an over-dependence on fossil fuel, promotes the upstate economy, and allows New York time to implement the 50% by 2030 renewable portion of the CES standard; and

WHEREAS, failure to recognize the substantial value that upstate nuclear contributes at this critical time will result in higher energy costs, capacity costs, higher CO2 and other criteria pollutants and lock New York State into an enormous long term dependence of fossil fuel for the next 20 to 30 years; and

WHEREAS, the DPS staff's proposal is fair and accurate and should be implemented expeditiously to ensure future refueling outages can be executed at each of these critical nuclear facilities located within Oswego County; and

WHEREAS, the Common Council and the Mayor of City of Oswego are committed to working with Governor Cuomo, the PSC, and other stakeholders on this important proceeding;

Resolution No 261 2016

CITY OF OSWEGO, NEW YORK

Motions, Resolutions and Notices

By Councilor Walker

NOW, THEREFORE, UPON DUE DELIBERATION AND CONSIDERATION IT IS AND SHALL HEREBY BE:

RESOLVED, that the Common Council for the City of Oswego acknowledges the leadership and efforts of Governor Andrew M. Cuomo in pursuing solutions that are intended to save the economic engines that are our upstate nuclear facilities, while at the same time leading the rest of the country in a Clean Energy Standard that helps to sustain our environment for generations to come; and be it further

RESOLVED, that the Common Council, together with the Mayor of the City of Oswego urge the PSC to incorporate the DPS staff's responsive proposal for preserving zero-emissions attributes into the final order in Case No.: 15-E-0302: Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard; and be it further

RESOLVED, that the PSC's final order, incorporating DPS staff's proposal for ZECs, be issued as soon as possible to ensure that the nuclear facilities located in the County of Oswego and neighboring Wayne County are in a position to utilize the ZECs, thereby continuing to support the economy of Upstate New York, while preserving the ability to generate reliable electricity for the State of New York, and helping to sustain a clean environment to pass along to generations of Oswegonians that follow.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Attorney

Resolution No 262 2016

CITY OF OSWEGO, NEW YORK
Motions, Resolutions and Notices

By Councilor Walker

RESOLVED, that this Regular Meeting of the Common Council now adjourn at 8:11 p.m.

AYES AND NAYS CALLED			ABSENT/ ABSTAIN
	AYES	NAYS	
Councilor Reynolds	✓		
Councilor McLaughlin, Jr.	✓		
Councilor Emmons	✓		
Councilor Walker	✓		
Councilor Gosek	✓		
Councilor VanBuren	✓		
Councilor Corradino	✓		
TOTAL	7	0	

ADOPTED LOST

Approved July 12 2016

I certify that the foregoing resolution was duly passed by the Common Council on the 11th day of July 2016

Deana Ascenzi Lafond City Clerk
DEANA ASCENZI LAFOND

Mayor
WILLIAM J. BARLOW, JR.

Resolution prepared by City Clerk's Office

Page No. _____

COMMON COUNCIL MEETING

DATE: July 11, 2016

ROLL CALL: Mayor Barlow Presiding and 7 Councilors Present

RESOLUTION NO. 234 — Approve Minutes Common Council Meeting Held June 27, 2016

By: Councilor McLaughlin
Seconded: Councilor Walker

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 235 — Appoint Commissioner of Deeds

By: Councilor Gosek
Seconded: Councilor Emmons

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 236 — Approve Use of Franklin Square Park by the Oswego Colony of The Theta Chi Fraternity in Order to Host a Fundraising Event on Saturday, October 1, 2016

By: Councilor Reynolds
Seconded: Councilor Walker

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 237 — Approve Use of Breitbeck Park by the Oswego YMCA for Fitness Classes

By: Councilor Gosek
Seconded: Councilor VanBuren

Approved: Ayes – 6
Nays – 0
Abstain – 1 (Councilor Reynolds)

RESOLUTION NO. 238 — Approve Use of the Veterans' Park for an Outdoor Festival to be Held on Sunday, September 11, 2016

By: Councilor Reynolds
Seconded: Councilor Gosek

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 239 — Grant Variance of the Noise Ordinance to Gerri Millar, Event Volunteer for the Second Annual Oswego Porchfest to be Held Sunday, September 25, 2016

By: Councilor McLaughlin
Seconded: Councilor Reynolds

RESOLUTION WAS AMENDED

RESOLUTION NO. 239a — Motion to Amend Resolution No. 239

By: Councilor Walker
Seconded: Councilor Gosek

Approved: Ayes – 4
Nays – 3 (Councilor Reynolds, Councilor McLaughlin, Councilor VanBuren)

RESOLUTION NO. 239 — AS AMENDED – Grant Variance of the Noise Ordinance to Gerri Millar, Event Volunteer for the Second Annual Oswego Porchfest to be Held Sunday, September 25, 2016

By: Councilor McLaughlin
Seconded: Councilor Reynolds

Approved: Ayes – 5
Nays – 2 (Councilor McLaughlin, Councilor VanBuren)

RESOLUTION NO. 240 — Accept Monetary Donation From Wal-Mart for Use by the Youth Bureau

By: Councilor VanBuren
Seconded: Councilor McLaughlin

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 241 — Accept Monetary Donation From the Oswego Lion's Club for Use by the Youth Bureau

By: Councilor Corradino
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 242 — Approve the Execution and Installation of the Springboard Mural Project at the Fort Tunnel

By: Councilor McLaughlin
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 243 — Approve Marketing Proposal Initiative to Promote the City of Oswego

By: Councilor Corradino
Seconded: Councilor Emmons
Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 244 — Approve Standard Work Day for Certain Positions Within the City of Oswego Work Force

By: Councilor Gosek
Seconded: Councilor Walker

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 245 — Approve Standard Work Day for Appointed and Elected Officials

By: Councilor McLaughlin
Seconded: Councilor Walker

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 246 — Approve New Fee Schedule for Ice and Paddleboat and Kayak Rentals at Wright's Landing Marina

By: Councilor Reynolds
Seconded: Councilor Corradino

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 247 — Confirm 2016 Assessment Roll for the City of Oswego

By: Councilor Reynolds
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 248 — Authorize Properties Located at 151 East Second Street, 147 ½ West Bridge Street and 2660 and 2664 Johnson Road to be Listed With Fitzgibbons Real Estate and Sold at Fair Market Value

By: Councilor VanBuren
Seconded: Councilor McLaughlin

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 249 — Approve Proposal Submitted by Housing Visions Consultants, Inc., For the Development of the Flexo Wire Site

By: Councilor Reynolds
Seconded: Councilor Gosek

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 250 — Authorize Mayor to Enter Into an Agreement With Barton and Loguidice, D.P.C., for the Design of the Emergency Slope Stabilization Highway Reconstruction of Route 48 Project

By: Councilor Corradino
Seconded: Councilor Walker

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 251 — Authorize Mayor to Enter Into an Amended Lease Agreement With Oswego County Opportunities for the Maintenance of the Head Start Building No. 31 at Fort Ontario

By: Councilor Gosek
Seconded: Councilor Mclaughlin

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 252 — Authorize Planning and Zoning Director to Submit a Grant Application for the Downtown Area of the Route 104 Complete Streets Project

By: Councilor Reynolds
Seconded: Councilor Corradino

Approved: Ayes – 6
Nays – 1 (Councilor Walker)

RESOLUTION NO. 253 — Authorize Planning and Zoning Director to Submit a Grant Application for the Western Gateway of the Route 104 Complete Streets Project

By: Councilor Reynolds
Seconded: Councilor McLaughlin

Approved: Ayes – 6
Nays – 1 (Councilor Walker)

RESOLUTION NO. 254 — Authorize Planning and Zoning Director to Submit a Grant Application to Develop a Master Plan of the Fort Ontario Complex

By: Councilor McLaughlin
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 255 — Authorize Planning and Zoning Director to Submit a Grant Application to Develop a Public Art Master Plan for Downtown Oswego

By: Councilor Reynolds
Seconded: Councilor Gosek

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 256 — Authorize Planning and Zoning Director to Submit a Grant Application for the Hamilton Park Playground Project

By: Councilor VanBuren
Seconded: Councilor McLaughlin

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 257 — Authorize Planning and Zoning Director to Submit a Grant Application for the Fitzhugh Park Playground Project

By: Councilor McLaughlin
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 258 — Authorize Community Development Director to Apply for and Submit an Application for Funding the Waterfront Revitalization Project at Wright's Landing Marina

By: Councilor Corradino
Seconded: Councilor Reynolds

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 259 — Authorize Community Development Director to Apply for and Submit an Application for Funding of the Restoration and Development of the Cahill Building

By: Councilor Reynolds
Seconded: Councilor Gosek

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 260 — Waive Rules of the Common Council to Present Resolution No. 261 From the Floor Without Committee Consideration

By: Councilor Emmons
Seconded: Councilor Corradino

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 261 — Express Support of the Common Council Regarding the Preservation of the Environmental Values and Attributes of Zero-Emissions Nuclear Powered Electric Generating Facilities

By: Councilor Walker
Seconded: Councilor Emmons

Approved: Ayes – 7
Nays – 0

RESOLUTION NO. 262 — Adjournment

By: Councilor Walker
Seconded: Councilor VanBuren

Approved: Ayes – 7
Nays – 0