

COMMON COUNCIL
of the
CITY OF SYRACUSE

(12/19)

REGULAR MEETING – DECEMBER 19, 2022

1:00 P.M.

1. *Pledge of Allegiance to the Flag – (Led by the Hon. Helen Hudson, President of the Syracuse Common Council)*
2. *Invocation – (Led by Reverend Dr. Be Carto Draper Jr., Tucker Baptist Missionary Church, Syracuse, New York)*
3. *Roll Call – (All Present – 9)*
4. *Minutes – December 5, 2022 – (Adopted 9 – 0)*
5. *Petitions – (None)*
6. *Committee Reports – (Public Works; Neighborhood Preservation)*
7. *Communications – (From the Onondaga County Board of Elections, a letter with the Statement of Canvass with reference to votes given at the November 8, 2022 General Election; From the Onondaga County Board of Elections, a letter stating Section 4-106 of the Election Law provides that the City Clerk shall make and transmit a Certificate stating each City Officer who lawfully may be voted for in the City at the 2023 General Election; From the Landmark Preservation Board, a letter with a copy of a resolution passed recommending that the property situated at 300 Waverly Avenue be designated a Protected Site.)*

8.

UNFINISHED BUSINESS

BY COUNCILOR MAJOK:

- 9-0 a. *Local Law – Of the City of Syracuse to amend Chapter 11, to add a new Article III, relative to the City's ability to take civil action to enforce the licensing requirement provided under the NYS Cannabis Law (the "Cannabis Law")* **LL**

NEW BUSINESS

BY PRESIDENT HUDSON:

- 9-0 9. Resolution – Approving the Appointment of Various Persons as Commissioners of Deeds for 2023/2024. 30-R

BY COUNCILOR CALDWELL:

- 9-0 10. Bond Ordinance – Authorizing the issuance and sale of bonds of the City of Syracuse to defray the cost of the 2022/2023 Parks Pools Improvements Project. 824
Total amount not to exceed \$300,000.
- 9-0 11. Authorize – The 2022/2023 Parks Pools Improvements Project, on behalf of the Department of Parks, Recreation & Youth Programs, for repairs, construction, and the purchase of parts, for the operation and maintenance of nine (9) pools throughout the City, detailed in Schedule “A”. Total cost not to exceed \$300,000. 825

BY COUNCILOR GREENE:

- 9-0 12. Agreement – With Bloomberg Philanthropies a grant in the amount of \$1,000,000, on behalf of the Office of Accountability, Performance & Innovation, to be used to digitize processes and support procurement reform. Funds will be deposited in an account determined by the Commissioner of Finance. No local match is required. 826
- 9-0 13. Levy – Onondaga County Tax (Excluding Onondaga County Consolidated Sanitation District) for 2022. Total amount \$45,463,507.92. 827
- 9-0 14. Levy – Onondaga County Water District Tax for 2022. Total amount \$292,681.61. 828
- 9-0 15. Levy – Onondaga County Sewer Rent for 2022. Total amount \$31,317,160.98. 829

BY COUNCILOR GETHERS:

- 9-0 16. Agreement – With Fisher Associates, D.P.C., for the Design Phase Fee for the Midland Avenue Paving Project (Ostrander Avenue to Route 173 (West Seneca Turnpike), PIN 3756.83, on behalf of the Department of Engineering. Total cost not to exceed \$235,000, charged to Capital Account #599807.07.700375683 and paid on a time and expense basis. The City will incur all initial costs for this project with subsequent 80% reimbursement from the Federal Government through TIP, and 15% (\$38,400) Marchiselli Funding. Total project cost not to exceed \$4,666,000. 830

17. Bond Ordinance – Authorizing the issuance and sale of bonds of the City of Syracuse to defray the cost of the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079. Total amount not to exceed \$390,000. **831**
18. Agreement – With NYS DOT for the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079. Total amount not to exceed \$390,000. The City will incur all initial costs with subsequent 80% (\$312,000) reimbursement from the Federal Government through TIP. **832**
19. Authorize – The Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079, on behalf of the Department of Engineering. Total amount not to exceed \$390,000. The City will incur all initial costs for this project with subsequent 80% (\$312,000) reimbursement from the Federal Government through TIP. **833**
20. Bond Ordinance – Authorizing the issuance and sale of bonds of the City of Syracuse to defray the cost of the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080. Total amount not to exceed \$670,000. **834**
21. Agreement – With NYS DOT for the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080. Total amount not to exceed \$670,000. The City will incur all initial costs for this project with subsequent 80% (\$563,000) reimbursement from the Federal Government through TIP. **835**
22. Authorize – The Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080. Total amount not to exceed \$670,000. The City will incur all initial costs for this project with subsequent 80% (\$563,000) reimbursement from the Federal Government through TIP. **836**
23. Amend – Ord. #303 (5/23/2022), “Appropriate Funds – From the Appropriated and Unallocated Cash Capital Account #599007.01.99999, in the amount of \$25,500, on behalf of the Department of Engineering, for a new GPS unit and associated equipment and service”. Amend to increase the appropriation of funds by \$1,500 from Account #510100.01.80400. Total appropriation not to exceed \$27,000. **837**
24. Amend – Ord. #697 (11/22/2021), “Agreement – With Syracuse Industrial Development Agency (SIDA) for the City to be responsible for the maintenance and management of the Center Armory Parking Garage located at 218 West Jefferson, for the period of one year with two (2) one year renewal options, with the approval of the Mayor and Common Council. The City will pay SIDA the sum of \$1 per year”. Amend to authorize the first one-year renewal option, effective December 1, 2022-November 30, 2023. **838**

25. Amend – Ord. #412 (06/22/2022), “Purchase w/c/b – From JGB and/or OMNI Services Inc., hydraulic repair service and parts for various trucks, for the period of July 1, 2022 – June 30, 2023, on behalf of D.P.W. Total cost not to exceed \$30,000 to be charged to Accounts #540210.01.51320 or #540220.01.51320”. Amend to purchase from “Echelon Supply & Service Inc. and/or OMNI Services Inc.” instead of JGB Enterprises Inc. **839**
26. Amend – Ord. #628 (10/12/2021), “Contract – With JMT Inc., to assist in the operation of the Traffic Management Center (formally the Traffic Control Center) for the period of one (1) year with first of (3) one year renewal options with the approval of the Mayor and the Common Council. Total cost not to exceed \$407,660, charged to DPW Account #541500.01.81800.” Amend to authorize the second of three (3) one year renewal options, for the period of December 7, 2022-December 6, 2023. Total cost not to exceed \$432,486, 80% reimbursable by NYS DOT. **840**
27. Purchase w/c/b – From Transcore, Inc., a contract for proprietary software services for the City’s Traffic Control System, for the period of July 1, 2022-June 30, 2023, on behalf of D.P.W. Total cost not to exceed \$52,500, to be charged to Account #07.599807.14905.707562223. **841**

BY COUNCILOR HOGAN:

28. Accept – Eleven (11) qualified developers, Albanese Organization, Inc, Acacia Real Estate Development, Inc, Edgemere Development, Inc, Empire Housing, Home HeadQuarters, Inc, Housing Visions, Inc, Jubilee Homes, Lakewood Development III, NHP Foundation, Pennrose, A Tiny Home for Good, Inc, as it relates to the \$11,000,000 of ARPA Funds, previously approved by Ord. #295-2022, for Infill Housing Development Projects. Prior to receiving funding, the individual projects will come before the Council. All projects involve M/WBE compliance monitoring and reporting, in addition to local hiring requirements. **842**
29. Amend – The Revised General Ordinances of the City of Syracuse, Chapter 49, “Business Certificate of Use”, relative to Section 49:16 “Failure to maintain good order at the business location”. Amend to add a sub section permitting that a said violation of the Cannabis Law shall be assigned a point value of four (4) points, pursuant to Section 49:16 and amend the Penal Law to replace the citation found at the at Section 49-16(a)(1)(b) from Article 221 to Article 222, as detailed in legislation. **Gen. #24**

BY COUNCILOR ALLEN:

30. Accept & Agreement – From and with the Department of Housing and Urban Development for the FY 2022 \$1,000,000 Community Project Funding Grant, for Infill Housing construction, directed toward the City’s Resurgent Neighborhood Initiative (RNI) for new home construction. The funding will help reach the City’s goal of 50 owner occupied and 150 rental infill units, 84 units are completed or in development. **843**

31. Authorize – The City to provide \$50,000 each for six (6) Community Centers projects, (Dunbar Association, Huntington Family Centers, Inc., Jubilee Homes of Syracuse, Mercy Works, Inc., Syracuse Northeast Community Center, Westcott Community Center) that have been deemed to have qualifying projects as defined in the Neighborhood Community Center Improvement Program, previously authorized by Ord. #467-2022., as detailed in the legislation”. Total amount not to exceed \$300,000. **844**
- 9-0
32. Accept – Four (4) qualified contractors, Ali Fix It Construction, Solid Rock Construction, Chiodo Heating & Air, GC Contracting, to perform emergency repairs when landlords refuse to adequately address critical code violations, as it relates to the \$186,000 of ARPA Funds, previously approved by Ord. #295-2022, in which \$36,000 of that amount will be used by the Department of Neighborhood and Business Development for administrative costs. The contractors will be approved on a per project basis. All projects involve M/WBE compliance monitoring and reporting, in addition to local hiring requirements. **845**
- 9-0

(SUPPLEMENTAL AGENDA – DECEMBER 19, 2022)
WAIVER OF THE RULES REQUIRED TO INTRODUCE

BY COUNCILOR HOGAN; PRESIDENT HUDSON & ALL COUNCILORS:

33. Resolution – To Honor the Syracuse University Men’s Soccer Team for their 2022 National Championship. **31-R**
- 9-0

BY COUNCILOR MAJOK; PRESIDENT HUDSON & ALL COUNCILORS:

34. Resolution – Memorializing the Governor of New York, the State Senate, and State Assembly of New York to provide greater financial support to municipalities to enforce the Cannabis Law. (See Exhibit A-E) **32-R**
- 9-0

BY COUNCILOR GREENE:

35. Authorize – The City of Syracuse to adopt a Negative Declaration in accordance with the environmental assessment form, as detailed in “Appendix “A”, pursuant to the State Environmental Quality Review Act (SEQRA), relative to the request to initiate an eminent domain Corporation Counsel’s request, to obtain easement rights in the Equitable Tower Parking Garage owned by Towers Realty LR, LTD (“Towers”). **846**
- 9-0

- 9-0** 36. *Authorize – The City of Syracuse to initiate an eminent domain proceeding under the New York State Eminent Domain Law (Chapter 839 of the Laws of 1977) to obtain necessary easement rights in the Equitable Tower Parking Garage owned by Towers Realty LR, LTD, (“Towers”), as detailed in Exhibit “A, “B” and “C”. This action is relative to the settlement of the Towers lawsuit against the City.* **847**

*Syracuse Common Council
Adjourned at 1:20 PM*

8a. 28

Local Law No.
City of Syracuse

2022

**A LOCAL LAW OF THE CITY OF SYRACUSE
TO AMEND CHAPTER 11, OF THE LOCAL
LAWS OF THE CITY OF SYRACUSE, ENTITLED
MISCELLANEOUS TO ADD A NEW ARTICLE
III, TO BE ENTITLED “ENFORCEMENT OF
THE PROVISIONS OF CHAPTER 7-A, OF THE
CONSOLIDATED LAWS OF THE STATE OF
NEW YORK, THE CANNABIS LAW BY THE
CORPORATION COUNSEL OF THE CITY OF
SYRACUSE”**

WHEREAS, in 2021 the New York State Legislature passed the Marijuana Regulation and Taxation Act, creating Chapter 7-A of the Consolidated Laws of the State of New York, the Cannabis Law (hereinafter referred to as the “Cannabis Law”), which was signed into law by Governor Andrew M. Cuomo, and took effect March 31, 2021; and

WHEREAS, the Cannabis Law established the Cannabis Control Board and the Office of Cannabis Management, which with the assistance of the New York State Attorney General, are responsible for the regulation and enforcement of the Cannabis Law, which includes the issuance of licenses for the retail sale of cannabis and cannabis products; and

WHEREAS, Section 125 of Article 6 of the Cannabis Law states that no person shall cultivate, process, distribute for sale or sell at wholesale or retail or deliver to consumers any cannabis, cannabis product, medical cannabis or cannabinoid hemp or hemp extract product within the State without obtaining the appropriate registration, license, or permit; and

WHEREAS, while the Cannabis Law took effect on March 31, 2021, the process of implementing the law, including the licensing process, has not been completed yet; and

WHEREAS, the Cannabis Control Board is currently in the process of adopting regulations

as to the issuance of licenses for the retail sale of cannabis and cannabis products and is currently issuing Conditional Adult Use Retail Dispensary licenses in the State of New York; and

WHEREAS, despite the prohibitions in Section 125 of Article 6 of the Cannabis Law the Mayor and the Common Councilors of the City of Syracuse have seen a surge in the retail sale of cannabis and/or cannabis products prior to the issuance of a license, in direct violation of the Cannabis Law, which is a quality of life and safety concern raised by residents and visitors to the City of Syracuse; and

WHEREAS, as the City of Syracuse did not opt-out of the New York Cannabis Law; but rather adopted the Cannabis Law as written and is preempted from adopting any law, rule, ordinance, regulation or prohibition pertaining to the registration, licensing, permitting or operation of registered organizations, adult-use cannabis businesses, or cannabinoid hemp businesses except as to enacting local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption sites; and

WHEREAS, the City of Syracuse is not limited from taking the necessary steps to actively enforce the provisions of the Cannabis Law and all other applicable state and local rules and regulations; and

WHEREAS, pursuant to Section 5-205(1)(a) of the Charter of the City of Syracuse, it is the duty of the Mayor as chief executive officer of the City to see that the laws of the State of New York are enforced; and

WHEREAS, pursuant to Section 5-1101 (3) of the Charter of the City of Syracuse, as amended, it is the charge of the Corporation Counsel for the City of Syracuse to institute and prosecute any and all proceedings, civil or criminal, as deemed necessary for the assertion or protection of the rights and interests of the City of Syracuse; and

WHEREAS, the Mayor and the Common Council wish to address the issues with violation of the Cannabis Law in the City of Syracuse by formally authorizing the Corporation Counsel to take all necessary legal action to enforce the provisions of the Cannabis Law, on behalf of the City of Syracuse, including but not limited to commencing a special proceeding seeking injunctive relief to require persons to cease any and all operations in violation of the Cannabis Law; and

WHEREAS, pursuant to Section 10(1)(i) of the Municipal Home Rule Law, the City of Syracuse is authorized to adopt this local law; NOW, THEREFORE,

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

SECTION 1.

ARTICLE III. Enforcement of the provisions of Chapter 7-A of the Consolidated Laws of the State of New York, the Cannabis Law, by the Corporation Counsel of the City of Syracuse

Section 11-6. Legislative Findings, Intent and Purpose.

The Mayor and Common Council of the City of Syracuse find that despite Section 125 of the Cannabis Law prohibiting the sale of cannabis and cannabis products without a license from New York State, there has been a surge in retail establishments selling cannabis and cannabis products without the license(s) required under the Cannabis Law.

The illegal sale of cannabis and cannabis products in the City of Syracuse impacts the public safety and quality of life of those who live and work in the City of Syracuse. The illegal sale of cannabis and cannabis products outside the confines of the Cannabis Law poses a danger to the communities, the public at large, and the individuals purchasing and consuming said cannabis and/or cannabis products.

The purpose of this legislation is to ensure public safety and the general welfare of the City of Syracuse and its citizens by providing a local law granting the Corporation Counsel to take necessary action to enforce the prohibitions of the sale of cannabis and cannabis products without a license from New York State.

Section 11-7. Definitions.

The City of Syracuse incorporates by reference all definitions as prescribed in Article 7-A of the Consolidated Laws of the State of New York, the Cannabis Law. In addition to the terms defined in the Cannabis Law, for the purposes of this Article, the below terms shall be defined as follows:

- (a) *City* shall mean the City of Syracuse.
- (b) *Corporation Counsel* shall mean the Corporation Counsel of the City of Syracuse.
- (c) *Council* shall mean the Common Council of the City of Syracuse.
- (d) *Premises* shall mean the land, building(s), structure(s), parking lot(s) and any sidewalk, the area between the sidewalk and the curb, or other place adjacent or contiguous to any and all of the foregoing within the City of Syracuse.
- (e) *Property Owner* shall mean the person who holds fee title to some or all of the Premises by virtue of being the grantee shown on the last known deed for the Premises that has been duly filed and recorded in the Onondaga County Clerk's office.

Section 11-8. Commencement of Action by Corporation Counsel.

Where the Corporation Counsel has been notified of any person, business or corporate entity engaged in the illegal sale of cannabis and/or cannabis products in violation of the New York State Cannabis Law, or any Property Owner who knowingly or should have known a person, business or corporate entity is engaged in the illegal sale of cannabis and/or cannabis products on their Premises, the Corporation Counsel, pursuant to the authority granted in Section 1-8 of Chapter 1 of the Revised General Ordinances of the City of Syracuse, as amended, and Section 20 (22) of General City Law, may commence a special proceeding in a court of competent jurisdiction to bring an action, in law and/or in equity, including but not limited to an injunction against each said person, business, corporation or Property Owner and/or collect the civil penalty as provided in Section 8-118 of the Charter of the City of Syracuse or seek the imposition of penalties and any costs and expenses incurred by the City, against each such person, business corporation or Property Owner, in commencing the special proceeding and where applicable, for any other remedies the Court deems appropriate in accordance with the laws of the State of New York.

Section 11-9. Enforcement.

The Corporation Counsel is charged with the enforcement of the provisions of this Article.

Section 11-10. Severability.

If any clause, sentence, paragraph or part of this Article or application thereof to any person or circumstance shall be judged by any court to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof or the application thereof to other person or circumstances but

shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons or circumstances directly involved in the controversy in which the judgement shall be rendered.

SECTION 2.
SEVERABILITY CLAUSE

Severability is intended throughout and within the provisions of this Local Law. If any section, subsection, sentence, clause, phrase or portion of this Local Law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Local Law.

SECTION 3.
SAVINGS CLAUSE

This Local Law is not intended to rescind or repeal any existing City of Syracuse Charter Provision unless such change is made by its express terms. Otherwise all other provisions of the Syracuse City Charter and Local Laws not inconsistent with the provisions of this Local Law shall remain in full force and effect.

SECTION 4.
EFFECTIVE AND OPERATIVE DATE

This Local Law shall be effective immediately in accordance with the provisions of New York State Municipal Home Rule Law.



8a. 28

DEPARTMENT OF LAW
OFFICE OF THE CORPORATION COUNSEL
CITY OF SYRACUSE, MAYOR BEN WALSH

November 23, 2022

Susan R. Katzoff
Corporation Counsel

Joseph W. Barry III
First Assistant
Corporation Counsel

Lee R. Terry
Senior Assistant
Corporation Counsel

Todd M. Long
Senior Assistant
Corporation Counsel

Catherine E. Carnrike
Meghan E. Ryan
Amanda R. Harrington
John C. Black Jr.
Ramona L. Rabeler
Sarah M. Knickerbocker
Danielle B. Pires
Patrick J. Parkinson
Danielle R. Smith
Zachary A. Waksman
John J. Connor
Gregory P. Fair
Darienn P. Balin
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Hon. Patricia K. McBride
City Clerk
Room 231, City Hall
Syracuse, NY 13202

Re: Request for Legislation – Adoption of a new Local Law amending Chapter 11 of the Local Laws of the City of Syracuse to add a new Article III.

Dear Ms. McBride:

Please prepare legislation to be placed on the agenda for the regularly scheduled Common Council meeting of December 5, 2022 to enact a new Local Law amending Chapter 11 of the Local Laws of the City of Syracuse to add a new Article III relative to the City's ability to take civil action to enforce the licensing requirement provided under the New York State Cannabis Law (the "Cannabis Law").

Despite Section 125 of the Cannabis Law prohibiting the sale of cannabis and cannabis products (collectively "Cannabis") without a license, there has been a surge in the sale of Cannabis without the license(s) required under the Cannabis Law. For purposes of this Local Law, the illegal retail sale of Cannabis includes the giving away or "gifting" of Cannabis at the same time as, in connection with, or as part of another transaction; it does not include the transference of Cannabis under the possession limit between adults who are twenty-one years or older without remuneration (money paid or service provided) in conjunction therewith. For further information regarding this distinction, please see the Office of Cannabis Management publication "What's Legal and What's Illegal", attached hereto as Exhibit "A".

The illegal sale of Cannabis outside the confines of the state regulations poses a danger to the communities, the public at large, and the individuals purchasing and consuming these products and negatively impacts the public safety and quality of life of those who live and work in the City of Syracuse.

The purpose of this proposed legislation is to ensure public safety and the general welfare of the City of Syracuse and its citizens by providing a local law granting the Corporation Counsel the authority to take necessary civil action to enforce the prohibitions of the sale of cannabis and Cannabis products without a license from New York State in accordance with the Cannabis Law.

Respectfully,

Susan R. Katzoff, Esq.
Corporation Counsel

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What's Legal and What's Illegal

It's illegal for anyone under the age of 21 to buy, possess or use adult-use cannabis in New York. Just like alcohol and tobacco. Businesses must have an adult-use license to legally sell cannabis in New York and adult-use retail dispensaries can lose their license for selling cannabis to anyone underage and/or face significant fines and penalties. Adults can be charged with criminal penalties for selling or giving cannabis products to someone underage. Youth cannabis use has been found to have negative social, physical, and mental health impacts on youth whose brains are still growing and developing. Because of this, youth cannabis remains illegal for individuals under 21.

What is Legal?

- It is **legal** for adults 21 years or older to possess 3 ounces of cannabis and 24 grams of cannabis concentrate (edibles, oil).
- It is **legal** for adults 21 years or older to use cannabis in a private home or in most places tobacco can be used, with the exception of use in a motor vehicle, a private business (such as a restaurant patio), a hookah or "cigar bar," or on federal property.
- It is **legal** for adults 21 years or older to "share" cannabis without compensation, to a person 21 years or older under the legal possession limit, but the sale of a service or commodity associated with the sharing is prohibited, including so-called "gifting."

What is Illegal?

- It remains **illegal** to smoke cannabis in a motor vehicle, a private business or any place where smoking tobacco is prohibited (like restaurant patios).
- It remains **illegal** to grow cannabis plants in your home until the OCM issues regulations permitting home cultivation for adult-use.
- It remains **illegal** to distribute or sell cannabis without a license. Transferring cannabis under the possession limit between adults who are 21 years or older without remuneration (money paid or service provided) is legal. However, some individuals are attempting to skirt the law with so-called "gifting" in which cannabis is given away at the same time as another transaction or is offered or advertised in conjunction with an offer for the sale of goods or services – this activity is **illegal**.
- It is **illegal** to drive under the influence of cannabis which can slow motor coordination and other skills needed to drive safely. Like with alcohol, if you drive under the influence of cannabis, you will get a DUI and risk hurting yourself or others.

Can I grow my own cannabis at home?

Not yet. Growing cannabis at home is not permitted under the law until after the OCM adopts regulations outlining the rules for growing cannabis at home. For adult-use cannabis, these rules are required to be in place within eighteen months of the first retail sale of adult-use cannabis in New York State. For medical cannabis, regulations have already been proposed and are in the process of being amended and submitted for public comment. If the amendments are deemed acceptable, the regulations will be adopted, and medical patients can then begin home cultivating. Please continue to

monitor the website for updates and [sign up to receive updates from the OCM on our e-mail distribution list](#).

Can I sell cannabis?

Not yet, and not without a license. Only cannabis businesses licensed by the OCM can legally sell cannabis in New York State. No adult-use cannabis retail licenses have been issued yet. Before the OCM can issue adult-use cannabis licenses for sales to consumers, several foundational tasks need to be completed, including the issuance and adoption of regulations and the development of the infrastructure necessary to accept applications. It is anticipated that the OCM will begin licensing before the end of the 2022 calendar year.

Adult-use sales of any amount are still illegal. [View more information on penalties related to unlicensed cannabis sales](#).

Where can I buy cannabis right now?

Certified patients can continue to access cannabis through the [Medical Cannabis Program in New York](#). For all other adults, it remains illegal to buy or sell cannabis products. Any products sold on the illicit market are not tested or regulated by the State of New York and may pose risks to public health.

While there has been limited licensing for the cultivation of adult-use cannabis, there is currently no regulated legal retail marketplace for such products in New York State. Some people may be accessing cannabis products from the illicit marketplace where there is no testing or regulatory oversight. Packages and labels in the illicit marketplace are also unregulated and without oversight. These products may contain unsafe ingredients, contaminants, and byproducts, and may be available in potencies and quantities that can result in accidental overconsumption. Additionally, they are sometimes packaged in a manner that is attractive to youth.

Adult-use retail dispensaries will be coming soon following the adoption of regulations and licensing of retail establishments.

Resolution No. 2022

Resolved, that the following persons be and hereby are appointed Commissioners of Deeds, in and for the City of Syracuse, New York for a term to expire **DECEMBER 31, 2024**.

Adams, Miranda	HOME: 1016 Lancaster Avenue Syracuse, NY 13210
	BUSINESS: 421 Montgomery Street, Flr. 4 Syracuse, NY 13202
Alvarez, Angela	HOME: 116 Elderberry Lane Central Square, NY 13036
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Austin, Amy	HOME: 119 Delray Avenue Syracuse, NY 13224
	BUSINESS: 421 Montgomery Street, 4 th Floor Syracuse, NY 13224
Ayers, Gregory	HOME: 105 Kramer Drive Syracuse, NY 13207
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Barbour, Shannon	HOME: 8295 Larkspur Drive Baldwinsville, NY 13027
	BUSINESS: 421 Montgomery Street, 4 th Floor Syracuse, NY 13202
Broome, Ameeria	HOME: 1200 West Colvin Street Syracuse, NY 13207
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Cannon, Ghyra	HOME: 300 Audubon Parkway, Apt. 74 Syracuse, NY 13224

Chaverri, Andrew	HOME: 111 Dollin Street Liverpool, NY 13088
	BUSINESS: 421 Montgomery Street Syracuse, NY 13202
Clayton, Diana	HOME: 169 Oakley Drive East Syracuse, NY 13205
	BUSINESS: 421 Montgomery Street, 4 th Floor Syracuse, NY 13202
Cole, Damita	HOME: 111 Oriskany Drive Syracuse, NY 13210
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Dambrosio, Margaret	HOME: 133 Cresline Drive Syracuse, NY 13206
	BUSINESS: 421 Montgomery Street, 4 th Floor Syracuse, NY 13202
Degilorma Gandino, Diana	HOME: 141 Willumae Drive Syracuse, NY 13208
Denise Corriders, Carolyn	HOME: 206 Sutton Place Syracuse, NY 13214
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Dillenbeck, Codie	HOME: 4596 Otisco Road Tully, NY 13159
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Dixie, Walter	HOME: 1034 South Geddes Street Syracuse, NY 13204
	BUSINESS: 119 South Avenue Syracuse, NY 13204

Fetterly, Valerie

HOME: 227 Forbes Avenue
Syracuse, NY 13206

BUSINESS: 421 Montgomery Street #4
Syracuse, NY 13202

Gabriel-Dash, Lisa

HOME: 915 Granger Road
Syracuse, NY 13219

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Gates, Heather

HOME: 512 Jane Drive
Syracuse, NY 13219

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Gupta, Anju

HOME: 4911 Royal Crab Avenue
Syracuse, NY 13215

BUSINESS: 421 Montgomery Street
Syracuse, NY 13202

Gusman, Amanda

HOME: 323 Wheaton Road
Syracuse, NY 13203

BUSINESS: 233 East Washington Street
Syracuse, NY 13202

Hart, Jessica

HOME: 313 Bailey Road
North Syracuse, NY 13212

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Hecht, Robert

HOME: 225 Highbride Street, Apt. 18
Fayetteville, NY 13066

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Herrington, Syreeta	HOME: 15 Caton Drive Syracuse, NY 13214
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Hook, Joseph	HOME: 310 Powell Street Syracuse, NY 13209
	BUSINESS: 421 Montgomery Street Syracuse, NY 13202
Holman, Madea	HOME: 3001 Midland Avenue Syracuse, NY 13205
	BUSINESS: 119 South Avenue Syracuse, NY 13204
Ianuzzo, Lori	HOME: 4482 North East Town Line Road Marcellus, NY 13108
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
Irvin, Jacqueline	HOME: 204 Seeley Road Syracuse, NY 13224
Irvin, Shantell	HOME: 204 Seeley Road Syracuse, NY 13224
Johnson, Tiffany	HOME: 208 Dorwin Avenue Syracuse, NY 13205
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Jordan, Mari-Ama	HOME: 118 Bury Drive Syracuse, NY 13209
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202

Keeling, Tracy	HOME: 1048 Wadsworth Street Syracuse, NY 12308
	BUSINESS: 233 East Washington Street Room 231 Syracuse, NY 13202
Kelly, Solange	HOME: 359 West LaFayette Avenue, Apt. 1 Syracuse, NY 13205
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
Kinsey, Beth	HOME: 116 Remington Avenue, Apt. C Syracuse, NY 13210
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Kraus, Barbara	HOME: 220 Cadillac Street Syracuse, NY 13208
	BUSINESS: 233 East Washington Street Syracuse, NY 13202
Lacy, Tonya	HOME: 211 Kellogg Street Syracuse, NY 13204
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Lane, Aron	HOME: 406 Griffiths Street Syracuse, NY 13208
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
Lansing, Mark	HOME: 612 Cadillac Street Syracuse, NY 13208
	BUSINESS: 421 Montgomery Street Syracuse, NY 13202

Letizia, Careah Renee

HOME: 617 Montrose Avenue
Syracuse, NY 13219

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Luca, Stephen

HOME: 3084 Hope Place
Baldwinsville, NY 13027

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Majok, Chol-Awan

HOME: 106 Cornell Avenue
Syracuse, NY 13207

BUSINESS: PO Box 11061
Syracuse, NY 13218

Masterleo, Patricia

HOME: 126 Highland Avenue
North Syracuse, NY 13212

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Mays, Eric

HOME: 1167 Bellevue Avenue
Syracuse, NY 13204

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Mazzole, Christine

HOME: 103 Berwick Road North
Syracuse, NY 13208

BUSINESS: 421 Montgomery Street
Syracuse, NY 13202

McCann, Cindy

HOME: 11 Hickory Park Road
Cortland, NY 13045

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

McFarland, Lindsay	HOME: 8371 Centerport Road Port Byron, NY 13140
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
McGuire, Richard	HOME: 918 Boulevard Street Mattydale, NY 13211
	BUSINESS: 421 Montgomery Street, 4 th Floor Syracuse, NY
McIntyre Zemotel, Tammie	HOME: 225 Beechwood Avenue Liverpool, NY 13088
	BUSINESS: 421 Montgomery Street, 4th Floor Syracuse, NY 13202
Mercer, Yevette	HOME: 7674 Mountain Ash Liverpool, NY 13090
	BUSINESS: 421 Montgomery Street Syracuse, NY 13202
Merlino, Michael	HOME: 129 Wilson Street Syracuse, NY 13203
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
Monto III, James	HOME: 164 Forest Hill Drive Syracuse, NY 13206
Moria-Boynton, Jennifer	HOME: 147 Nichols Avenue Syracuse, NY 13206
	BUSINESS: 725 Harrison Street Syracuse, NY 13210
Morris, Gina	HOME: 353 Barker Road Jordan, NY 13080
	BUSINESS: Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202

O'Brien, Peter

HOME: 105 Kathleen Terrace
Camillus, NY 13031

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Olowu, Afi

HOME: 118 Jericho Drive
Syracuse, NY 12310

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Penev, Deyan

HOME: 503 Onondaga Road
Syracuse, NY 12319

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Proper, Erin

HOME: 316 Snowdale Drive
Syracuse, NY 13209

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Quigley, Alyssa

HOME: 8403 Silver Spruce Circle
Liverpool, NY 13090

BUSINESS: 421 Montgomery Street
Syracuse, NY 13202

Radesi, James

HOME: 2486 Masters Road
Marcellus, NY 13108

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Ramos, Hilda

HOME: 123 Sabine Street
Syracuse, NY 13204

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Ross, Sharon	HOME:	312 Ontario Street Syracuse, NY 13204
	BUSINESS:	421 Montgomery Street Syracuse, NY 13202
Ryder, Angela	HOME:	125 Hathaway Road Syracuse, NY 13214
	BUSINESS:	421 Montgomery Street, 4 th Floor Syracuse, NY 13202
Santos, Eduardo	HOME:	223 Orlando Avenue Syracuse, NY 13205
	BUSINESS:	Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Satalin, Christina	HOME:	610 Schuyler Street Syracuse, NY 13204
	BUSINESS:	421 Montgomery Street Syracuse, NY 13202
Seigler, Reginald	HOME:	231 Marguerite Avenue Syracuse, NY 13207
	BUSINESS:	Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202
Steinberg, Tammy	HOME:	209 Clover Ridge Drive Syracuse, NY 13206
	BUSINESS:	750 Harrison Street Syracuse, NY 13210
Skinkle, Vadra	HOME:	106 A Ball Road Syracuse, NY 13215
	BUSINESS:	Syracuse Housing Authority 516 Burt Street Syracuse, NY 13202

Vancamp, Tamara

HOME: 110 Stanley Drive
Syracuse, NY 13219

BUSINESS: 421 Montgomery Street, 4th Floor
Syracuse, NY 13202

Wilkerson, Tanyka

HOME: 325 Goodrich Avenue
Syracuse, NY 13210

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Wilks, Neil

HOME: 7715 State Route 31
Bridgeport, NY 13030

BUSINESS: 421 Montgomery Street
Syracuse, NY 13202

Wright, Alisha

HOME: 142 Saint Louis Avenue
Syracuse, NY 13207

BUSINESS: Syracuse Housing Authority
516 Burt Street
Syracuse, NY 13202

Ordinance No.

2022

**BOND ORDINANCE OF THE CITY OF
SYRACUSE AUTHORIZING THE ISSUANCE
AND SALE OF BONDS IN THE AMOUNT OF
THREE HUNDRED THOUSAND DOLLARS
(\$300,000.00) TO DEFRAY THE COST AND
EXPENSE OF THE DEPARTMENT OF PARKS,
RECREATION AND YOUTH PROGRAMS
CAPITAL IMPROVEMENT PROGRAM FOR
POOL IMPROVEMENTS**

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

Section 1. For the specific object or purpose of providing funds to defray the cost and expense of the 2022/2023 Capital Improvement Program for Pool Improvements with projects to include but not limited to the conversion of the Parks Department pools at Schiller Park, Upper Onondaga Park, and Kirk Park from chlorine to salt water pools, Americans with Disabilities Act (ADA) pool upgrades and accessibility equipment, Schiller Park Pool Repairs, and the purchase of parts, materials, and equipment needed to operate and maintain the pools, at a cost not to exceed Three Hundred Thousand Dollars (\$300,000.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. Three Hundred Thousand Dollars (\$300,000.00) is estimated as the maximum cost of the specific object or purpose for which such bonds are to be issued.

Section 3. The plan for financing such specific object or purpose consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of Three Hundred Thousand Dollars (\$300,000.00), thereby providing such sum for all the maximum cost of such specific object or purpose.

Section 4. It is hereby determined that the specific object or purpose for which bonds are to

be issued falls within subdivision 19 of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such class of objects or purposes is fifteen (15) years.

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

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

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

Section 7. The temporary use of available funds of the City of Syracuse, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this ordinance. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the

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

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

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

Section 10. The validity of the bonds hereby authorized may be contested only if such obligations are authorized for an object or purpose for which the City of Syracuse is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this ordinance are not substantially complied with, and an action, suit or proceeding

contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.

**ORDINANCE AUTHORIZING THE ENGINEERING
SERVICES AND CONSTRUCTION NEEDED, ALONG
WITH THE PURCHASE OF PARTS AND EQUIPMENT
FOR THE CITY OF SYRACUSE DEPARTMENT OF
PARKS, RECREATION AND YOUTH PROGRAMS
2022/2023 CAPITAL IMPROVEMENT PROGRAM FOR
POOL IMPROVEMENTS**

BE IT ORDAINED, that this Common Council hereby authorizes the engineering services and construction needed and the purchase of parts and equipment for the City of Syracuse Department of Parks, Recreation and Youth Programs 2022/2023 Capital Improvement Program for pool improvements including but not limited to those detailed in the attached Schedule "A", at a total cost not to exceed \$300,000.00; and the Director of Management & Budget is hereby authorized to enter into a contract or contracts therefor in the manner provided by law; professional services for the project shall be obtained in accordance with Section 5-205A (8) of the Syracuse City Charter; charging the cost thereof to proceeds of the sale of bonds in the amount of \$300,000.00 authorized contemporaneously herewith by ordinance of this Common Council.

SCHEDULE "A"

City of Syracuse | Department of Parks, Recreation, & Youth Programs
Proposed 2022/2023 – Capital Improvement Program – Parks Pools Improvements

Schedule A – Needed Pool Repairs

1. Saltwater Conversions
 - a. Schiller Park Pool
 - b. Upper Onondaga Park Pool
 - c. Kirk Park Pool
2. Pools ADA (Americans with Disabilities Act) Upgrades
3. Schiller Park Pool Repair
4. Additional Equipment and/or Materials as Required



SYRACUSE DEPARTMENT OF PARKS, RECREATION & YOUTH PROGRAMS

CITY OF SYRACUSE, MAYOR BEN WALSH

10-11

December 02, 2022

Julie LaFave
Commissioner

Patricia McBride
City Clerk
231 City Hall
Syracuse, NY 13202

RE: REQUEST FOR LEGISLATION – 2022/2023 CIP – Parks Pools Improvements

Dear Ms. McBride:

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

- Ordinance authorizing the sale and issuance of bonds to defray the cost of the 2022/2023 Parks Pools Improvements at a cost not to exceed \$300,000.00.
- Ordinance authorizing the Department of Parks, Recreation, & Youth Programs to proceed with the 2022/2023 Parks Pools Improvements, capital improvement program at a cost not to exceed \$300,000.00.

These funds will be used to repair, construction, and purchase of parts necessary for the continual operation and maintenance of nine Parks department managed pools, throughout the City of Syracuse. Projects will include but are not limited to the purchasing, construction, and engineering services related to the remaining salt-water pools conversion program, ADA and accessibility equipment, and any other parts or additional materials necessary for the repairs and upgrades to the pools.

Funds, not to exceed \$300,000.00, from the 2022/2023 Capital Improvement Program will be established in an account to be determined by the Commissioner of Finance.

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

Sincerely,

Julie LaFave
Commissioner

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

Office 315 473 4330
Fax 315 428 8513

www.syr.gov.net

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City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	12/02/22	Department:	Parks
Project Name:	22/23 Parks Pools Improvements		
Project Cost:	\$300,000		
Contact Name:	Julie LaFave		
Project Description:	These funds will be used to repair, construction, and purchase of parts necessary for the continual operation and maintenance of nine Parks department managed pools, throughout the City of Syracuse. Projects will include but are not limited to the purchasing, construction, and engineering services related to the remaining salt-water pools conversion program, ADA and accessibility equipment, and any other parts or additional materials necessary for the repairs and upgrades to the pools.		

Projected Time Line & Funding Source(s)

Estimated Start Date: _____ Estimated Completion Date: _____

Funding Source:	Dollar Amount:
Local Share: Cash Capital	
Local Share: Bonds (complete schedule below)	\$ 300,000.00
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify)	
Other (identify)	
Total Project Funding (must equal cost):\$	

Estimated Project Borrowing Timeline

Year	Fiscal Year	Estimated Amount to Borrow
1	2023	\$ 300,000.00
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$ 300,000.00

Approval to proceed with request for legislation is hereby granted.

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

Director of Administration: _____ Date: _____

Director of Management & Budget: _____ Date: 12-6-22

Commissioner of Finance: _____ Date: 12/7/2022

Ordinance No.

2022

**ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A GRANT AGREEMENT WITH
THE BLOOMBERG PHILANTHROPIES AND TO
EXECUTE A CONTRACT**

BE IT ORDAINED, that the Mayor be and he hereby is authorized to enter into a grant agreement with the Bloomberg Philanthropies for a grant in an amount not to exceed \$1,000,000.00; said funds will be used by the Office of Accountability, Performance & Innovation to assist the Office of Management and Budget in procurement reform, including but not limited to the digitizing of the procurement process; no City matching funds are required; and

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

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



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

12

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

December 5, 2022

Ms. Patricia K. McBride
City Clerk
231 City Hall
Syracuse, NY 13202

Re: Request to Legislation

Dear Ms. McBride,

On behalf of the Office of Accountability, Performance, & Innovation, please prepare legislation to be introduced at the next scheduled Common Council Meeting to authorize the acceptance of grant funding that Bloomberg Philanthropies will provide in order to support procurement reform, aided by the City's Innovation Team (role currently played by the API team).

The grant funds (\$1,000,000) will be used to digitize processes and support the work of our procurement team which will be working to enhance our procurement functions and introduce best practices of equity, efficiency, results-driven approach and strategic orientation. This work will be supported by our current Government Performance Lab Fellow, a collaboration previously approved by the Common Council in February.

This grant was awarded to the City of Syracuse, and will be administered by the Office of Accountability, Performance & Innovation.

The Department of Accountability, Performance & Innovation is also requesting a project to be set up for the reimbursed expenses in an account to be determined by the Commissioner of Finance.

Thank you.

Sincerely,

Timothy M. Rudd
Director of Management & Budget

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

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net



OFFICE OF ACCOUNTABILITY, PERFORMANCE & INNOVATION

CITY OF SYRACUSE, MAYOR BEN WALSH

Nicolas Diaz
Chief
Innovation &
Data Officer

December 2, 2022

Mr. Timothy Rudd
Director of Management and Budget
Division of Purchase
213 City Hall
Syracuse, NY 13202

**Conor
Muldoon**
Deputy Chief
Innovation &
Data Officer

Re: Request for legislation to accept Bloomberg grant funds

Dear Mr. Rudd,

Please request Mayoral and Council approval to authorize the acceptance of grant funding that Bloomberg Philanthropies will provide in order to support procurement reform, aided by the City's Innovation Team (role currently played by the API team).

The grant funds (\$1,000,000) will be used to digitize processes and support the work of our procurement team which will be working to enhance our procurement functions and introduce best practices of equity, efficiency, results-driven approach, and strategic orientation. This work will be supported by our current Government Performance Lab Fellow, a collaboration previously approved by the Common Council in February.

This grant was awarded to the City of Syracuse, and will be administered by the Office of Accountability, Performance & Innovation.

The Department of Accountability, Performance & Innovation is also requesting a project be set up for the reimbursed expenses in an account as determined by the Commissioner of Finance.

Warmest regards,

Nicolas Diaz
Chief Innovation & Data Officer
Office of Accountability, Performance & Innovation

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Ordinance No.

2022

**ORDINANCE LEVYING COUNTY TAX
(EXCLUDING ONONDAGA COUNTY
CONSOLIDATED SANITATION DISTRICT TAX)**

WHEREAS, pursuant to the Onondaga County Tax Collection Act (the "Act"), the Common Council is required to levy the Onondaga County tax within the City of Syracuse;

NOW THEREFORE,

BE IT ORDAINED, that the estimated amount heretofore certified to the Commissioner of Assessment and this Council by the County Legislature of the County of Onondaga as the amount necessary to be levied for Onondaga County purposes not including the Onondaga County Consolidated Sanitation District Tax in the City of Syracuse for the year 2023, to wit: Forty-Six Million One Hundred Ninety-One Thousand Seven Hundred Eighty-Two and 83/100 Dollars (\$46,191,782.83) be and hereby is imposed and levied upon the owners of and upon the real and personal property liable to taxation within the City of Syracuse, and that the proper officials of the City shall and hereby are directed to levy, assess, extend, raise and collect a tax upon such property liable to taxation in the City of Syracuse in the amount Forty-Six Million One Hundred Ninety-One Thousand Seven Hundred Eighty-Two and 83/100 Dollars (\$46,191,782.83) in the manner provided by law; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately; and

BE IT FURTHER ORDAINED, that this ordinance shall be subject to the approval of the Mayor; and

BE IT FURTHER ORDAINED, that the Commissioner of Finance be and is hereby directed to deliver a certified copy of this ordinance to the County Legislature of the County of Onondaga.

**ORDINANCE LEVYING ONONDAGA COUNTY
WATER DISTRICT TAX**

BE IT ORDAINED, that the estimated amount heretofore certified to the Commissioner of Assessment and this Council by the County Legislature of the County of Onondaga as the amount necessary to be levied for Onondaga County Water District purposes in the City of Syracuse for the year 2023, to wit: Two Hundred Ninety-Two Thousand Six Hundred Eighty-One and 61/100 Dollars (\$292,681.61) upon the owners of and upon real and personal property liable to taxation within the City of Syracuse, and the proper officials of the City shall and hereby are directed to levy, assess, extend, raise and collect a tax upon such property liable to taxation in the City of Syracuse in the amount of Two Hundred Ninety-Two Thousand Six Hundred Eighty-One and 61/100 Dollars (\$292,268.61) in the manner provided by law; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately; and

BE IT FURTHER ORDAINED, that this ordinance shall be subject to the approval of the Mayor; and

BE IT FURTHER ORDAINED, that the Commissioner of Finance be and is hereby directed to deliver a certified copy of this ordinance to the County Legislature of the County of Onondaga.

Ordinance No.

2022

**ORDINANCE LEVYING ONONDAGA COUNTY
SANITARY DISTRICT SEWER RENT**

WHEREAS, the Onondaga County Legislature, by Resolution adopted on June 5, 1978, consolidated all the sanitary districts and established as a successor thereto the Onondaga County Sanitary District; and

WHEREAS, pursuant to a Resolution adopted on November 28, 1978, the Onondaga County Legislature established a sewer rent schedule to defray all costs of operation and maintenance and all other costs including improvements and amounts required to pay all indebtedness and other obligations allocated on the basis of units as defined in said Resolution; and

WHEREAS, said sewer rent schedule, effective January 1, 2023, is to be levied, collected and enforced from the several lots and parcels of land within the district served by the sewer system for use of the same, in the same manner, and at the same time as other County charges; and

WHEREAS, the City has certified to the County that there are 67,516.23 "units" within the City of Syracuse; and

WHEREAS, the County has certified to the City of Syracuse that the amounts be included in the Onondaga County Sanitary District Abstract of the City of Syracuse for the fiscal year 2019:

City of Syracuse Apportionment	\$30,286,025.81
City Collection Fee	\$ 302,860.26
	\$30,588,886.07; and

WHEREAS, the Onondaga County Legislature, by Resolution dated December 6, 2022, has certified to the City for the fiscal year 2023 that the per unit charge shall be \$453.08; said unit is defined in the aforementioned sewer rent resolution;

NOW, THEREFORE,

BE IT ORDAINED, that the County of Onondaga has certified to the City of Syracuse as the amount necessary to be levied for the Onondaga County Sanitary District Sewer Rent for the year 2023, to wit: \$30,588,886.07 upon the owners of several lots and parcels of land within the City of Syracuse served by the Onondaga County Sewer District and liable to such payment the sanitary district sewer rent in the sum of \$453.08 per unit as defined in the aforementioned sewer rent resolution of the Onondaga County Legislature; and the proper officials of the City shall and hereby are directed to levy and collect against such property liable for such sewer rent in the City of Syracuse in the amount of \$30,588,886.07 in the manner provided by law; and

BE IT FURTHER ORDAINED, that this ordinance shall be subject to the approval of the Mayor; and

BE IT FURTHER ORDAINED, that the Commissioner of Finance be and he is hereby directed to deliver a certified copy of this ordinance to the County Legislature of the County of Onondaga.



13-15

DEPARTMENT OF FINANCE

OFFICE OF THE COMMISSIONER
CITY OF SYRACUSE, MAYOR BEN WALSH

December 2, 2022

Bradley O'Connor CPA
Commissioner of Finance

Matthew DeLany, CPA
First Deputy Commissioner

Veronica H. Voss
Deputy Commissioner

Ms. Patricia McBride, City Clerk
231 City Hall
Syracuse, New York 13202

RE: Request for Legislation – 2023 County Tax Levy

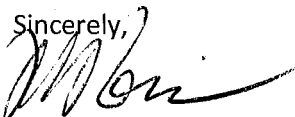
Dear Ms. McBride:

Please prepare legislation to be placed on the agenda for the regularly scheduled Common Council meeting of December 18, 2022 authorizing the 2023 Onondaga County tax levy. (See attached County Resolutions in support of the totals and applicable rates). The 2023 tax rates and dollar amounts are as follow:

County Tax Rate, including drainage - \$11.5676 per one thousand in assessment (as adopted by County Legislature on December 6, 2022). Total dollar amount is \$45,463,507.92 for County tax and \$728,274.91 drainage.

Water - \$.0384 per one thousand in assessment (as adopted by County Legislature on December 6, 2022). Total dollar amount is \$292,681.61.

Sewer - \$453.08 per unit (as adopted by County Legislature on December 6, 2022). Total dollar amount is \$30,588,886.07.

Sincerely,

Veronica H. Voss
Deputy Commissioner of Finance

cc: Frank Caliva, Chief Administrative Officer
Bradley O'Connor, Commissioner of Finance
Matt Oja, Commissioner of Assessment
Donald Weber, Director of Real Property-Onondaga County

Department of Finance
233 E. Washington St
City Hall, Room 128
Syracuse, N.Y. 13202

Office 315 448 8279
Fax 315 448 8424

www.syr.gov.net

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COUNTY OF ONONDAGA
DEPARTMENT OF FINANCE

J. RYAN MCMAHON, II
County Executive

*John H. Mulroy Civic Center, 15th Floor
421 Montgomery Street
Syracuse, New York 13202-2989
(315) 435-2426 Fax (315) 435-2421
www.ongov.net*

STEVEN P. MORGAN
Chief Fiscal Officer

DONALD WEBER
Director of Real Property

November 21, 2022

Patricia K. McBride, Syracuse City Clerk
231 City Hall
233 E. Washington Street
Syracuse, New York 13202

Re: County tax rates for City of Syracuse

The enclosed resolutions will be presented to the Onondaga County Legislature for approval on December 6, 2022. I have also enclosed a copy of the City Abstract. The City Abstract has already been approved as part of the adopted 2022 County Budget. The abstract has been updated to reflect the final equalization rates and apportionment among the towns and the City of Syracuse.

If you have any questions, please do not hesitate to contact me at 435-2857.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald Weber", with a stylized, flowing script.

Donald Weber
Director of Real Property Tax Services

Cc: Brad O'Connor, Commissioner of Finance
Matthew Oja, Commissioner of Assessment

County Tax - City of Syracuse

County State Aid:	186,128,775
County Tax Rate:	11.5676
County Sewer Rate:	453.08
County Water Rate:	0.0384

Total County Tax Levy Amounts

County General Fund Levy:	155,254,668.00
County Water Fund Levy:	1,696,205.00
County Sewer Fund Levy:	87,082,116.00

General Fund Taxes

City Apportionment:	25,340,078.00
City Abstract:	19,620,950.00
City Tax Collection Fee:	449,610.00
City Exemption Liabilities:	52,869.92
Total General Fund:	45,463,507.92

Water Fund Taxes

City Water Apportionment:	289,783.77
City Water Collection Fee:	2,897.84
Total Water Fund:	292,681.61

Sewer/Drainage Fund Taxes

City Sewer Apportionment:	30,286,025.81
City Sewer Collection Fee:	302,860.26
Subtotal Sewer:	30,588,886.07
City Drainage:	721,064.27
City Drainage Collection Fee:	7,210.64
Subtotal Drainage:	728,274.91
Total Sewer/Drainage Fund:	31,317,160.98

Total City Levy:	77,073,350.51
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Motion Made By

RESOLUTION NO. _____

ADOPTING THE ANNUAL BUDGET FOR THE COUNTY OF ONONDAGA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023 AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS WITH OTHER GOVERNMENTAL UNITS IN WHICH APPROPRIATIONS AND REVENUES ARE APPROVED BY ADOPTION OF THE 2023 BUDGET

WHEREAS, the Executive Budget for the year 2023 (on file with the Clerk of the Legislature) including the Capital Improvement Plan, the County Executive's Budget Message, and proposed local laws and resolutions to implement the Executive Budget having been duly presented to this Legislature by the County Executive; and

WHEREAS, the Ways and Means Committee of the Onondaga County Legislature has duly reviewed such Executive Budget, the Capital Improvement Plan and the Budget Message, each as submitted to the County Legislature by the County Executive; and

WHEREAS, pursuant to Resolution No. 117-2022, a Public Hearing as required by Article VI of the Charter was duly held on October 6, 2022, upon such Executive Budget, the Capital Improvement Plan and the Budget Message as submitted by the County Executive, upon due notice according to law, and at such time all persons desiring to be heard were heard; and

WHEREAS, the total Budget of \$1,431,573,889 (as amended by the Ways and Means Report) includes the sum of \$9,872,000 which amount is the contribution from the General Fund for the Onondaga Community College Budget for the fiscal year ending August 31, 2023, as adopted by Resolution No. 95-2022. From this total Budget amount can be deducted \$1,242,382,181 estimated revenues and refunds and the sum of \$33,937,040 representing appropriated prior year cash surplus, leaving a net budget subject to tax levy for County purposes of \$155,254,668. Of this amount \$9,872,000 represents the levy to support the Community College and \$145,382,668 for all other purposes; now, therefore be it

RESOLVED, that the County Executive's 2023 Budget (on file with the Clerk of this Legislature) be amended, altered, and revised by the Report of the Ways and Means Committee, as set forth following the final Resolved Clause of this resolution; and be it further

RESOLVED, that the County Executive's 2023 Executive Budget, as amended, altered and revised by the first Resolved Clause hereinabove, (which budget is attached hereto, follows and is made a part hereof) be and the same hereby is approved and adopted as the Annual County Budget for the fiscal year beginning January 1, 2023, for the County of Onondaga, and that the several amounts set forth and specified herein be and they hereby are appropriated for the purpose therein enumerated; and, be it further

RESOLVED, that there be levied, assessed and collected upon the taxable property of the County of Onondaga the further sum of \$9,872,000 for Onondaga Community College; and, be it further

RESOLVED, that there be levied, assessed and collected upon the taxable property of the County of Onondaga the further sum of \$145,382,668 for general County purposes other than the Onondaga Community College; and, be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to apportion the various amounts according to law upon the respective abstracts for the several towns and the City of Syracuse; and, be it further

RESOLVED, that the amounts appropriated for the fiscal year 2023 in each administrative unit using the expense code 641010-Regular Employee Salaries and Wages, and the number of regular positions authorized by this Legislature for such fiscal year be and they hereby are appropriated and authorized as follows:

1. That the position in each administrative unit set forth by the title listed and the corresponding number of such position allocated to such title and listed under the column "2023 Executive Positions" be authorized as the roster of regular positions for such unit, and the Salary Plan shall be amended to reflect the titles of positions created, abolished, reclassified or reallocated on the roster of regular positions.
2. That the rate of pay for each such position shall be determined by the salary grade set forth for each such position in the column adjacent to the position title in accordance with the appropriate County Salary Plan Grades Schedule printed in this Budget, or if applicable, by such other salary rate as is authorized by this Legislature in the County Salary Plan as amended and herein set forth for such position.
3. That the rate of pay to the individual filling each such position be determined in accordance with the rules of said Salary Plan, or other applicable resolution of this Legislature, which pay rate shall include the regular compensation rate, including maintenance, if any, and where applicable premium compensation such as longevity payments, education premium in grade, shift differential or any premium payments, exclusive of overtime premium, to which such individual may be entitled by resolution of this Legislature.
4. That the amount of money appropriated for the roster of regular positions in each such administrative unit be in the amount shown for "Regular Employees Salaries and Wages" in the column entitled "2023 Executive Positions" which amount is determined as follows: The "Total Annual Salaries and Wages" set forth in the column entitled "2023 Executive Positions", which is the sum of (1) annual salaries recommended for 2023 set forth for the incumbents listed in the roster of regular positions maintained by the Department of Personnel, (2) annual salaries recommended for 2023 for funded vacant positions in such roster computed at the starting salary amount, and (3) the amount recommended for any purpose set forth in the column entitled "2023 Executive Positions".

RESOLVED, that no overtime premium for any employee in any administrative unit shall be paid out of the amount appropriated for the expense code 641020-Overtime Wages, in the column entitled "2023 Executive Positions" unless authorized by this Legislature or by an executed collective bargaining agreement approved by this Legislature; and, be it further

RESOLVED, that the respective county administrative unit heads be and they hereby are authorized to employ as occasion may require, subject to the approval of the County Executive and/or Chief Fiscal Officer, such seasonal and temporary help at rates of pay authorized by this Legislature in the County Salary Plan as amended within the limits of the respective appropriations set forth in this Budget for such purposes in the expense code 641030 - Seasonal and Temporary Employee Wages, in the column entitled "2023 Executive Positions"; and, be it further

RESOLVED, that for all other objects and purposes, the several amounts as set forth in the column entitled "2023 Executive Positions" shall be appropriated; and, be it further

RESOLVED, that the County Executive is hereby authorized to execute any and all contracts with other units of government for which appropriations or revenues have been approved by adoption of this 2023 County Budget and to enter into contracts with authorized agencies pursuant to law; and, be it further

RESOLVED, there be levied and assessed and collected on the taxable property of the City of Syracuse, New York, subject to any further changes in equalization rates or taxable values through December 31, 2022, the following amounts for the purpose stated herein, and that the said amounts be included in the Abstract of the City of Syracuse for the fiscal year 2023:

Apportionment of County Taxes (Total levy = \$155,254,668)	\$ 25,340,078
Estimated cost for operation of Public Safety Building, 2023	\$ 1,294,578
Sheriff charges for operation of Syracuse City Jail-Justice Center, 2023	\$ 7,404,589
Syracuse-Onondaga County Planning Agency, 2023	\$ 1,101,635
Dept. of Children & Family Services (Youth Bureau), 2023	\$ 200,840
Dept. of Adult & Long Term Care Services (Office for the Aging), 2023	\$ 25,000
Operation of Branch Libraries in City of Syracuse, 2023	\$ 5,844,159
Negotiated cost of operation of the Center for Forensic Science, 2023	\$ 2,069,365
Operation and Maintenance of the New Criminal Courthouse, 2023	\$ 1,046,059
Department of Social Services - Economic Security, Hire Ground, 2023	\$ 250,000
STEAM School	\$ 0
2% Uncollected Charge for City-County Depts., 2023	\$ 384,725
City Collection Fee (1%)	\$ <u>449,610</u>
TOTAL	\$ 45,410,638

and, be it further

RESOLVED, that the County tax rate of the City of Syracuse for the fiscal year 2023 be and the same hereby is fixed at the rate of \$11.3848 per one thousand assessments, subject to any further changes in the equalization rates or taxable values through December 31, 2023; and, be it further

RESOLVED, that the Chief Fiscal Officer is hereby authorized to adjust the final County tax rate of the City of Syracuse based on equalization and assessment information certified to the County as of December 31, 2023; and, be it further

RESOLVED, that the Schedule of Rates to be Charged for Water and Water Service Provided by the Onondaga County Water District is hereby approved, consistent with Resolution No. 162-2014, and as amended most recently by Resolution No. 169-2016, provided within the County Executive's 2023 Executive Budget; and, be it further

RESOLVED, that the Clerk of this Legislature, upon consultation with the Chief Fiscal Officer, is hereby directed to publish this resolution with the total budget amount and amounts to be levied and assessed, as amended by this Legislature; and, be it further

RESOLVED, that if any clause, sentence, paragraph, or section of this resolution shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the proceeding in which such adjudication shall have been rendered; and, be it further

RESOLVED, that this resolution be certified as amended to the proper officials of the City of Syracuse pursuant to the laws of the State of New York and for publication in the Legislative Journal.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

BEAR TRAP – LEY CREEK DRAINAGE DISTRICT TAX – GENERAL APPORTIONMENT

WHEREAS, there was included in the 2023 budget an estimated amount of \$469,436 for operation and maintenance, plus debt service of \$34,675, plus \$1,000 for certiorari proceedings, less other revenues of \$28,264, making a total estimated 2023 budget amount of \$476,847 for the area within the Bear Trap-Ley Creek Drainage District within the City of Syracuse and portions of the Towns of Clay, Dewitt, and Salina; and

WHEREAS, it is provided in said budget and in the law pertaining thereto that the County shall be reimbursed for such appropriations by the several towns and municipalities within the drainage district, namely the City of Syracuse and the Towns of Clay, Dewitt, and Salina; now, therefore be it

RESOLVED, that the said amount of \$476,847 be and the same hereby is apportioned between the City of Syracuse and the Towns of Clay, Dewitt, and Salina, lying within said drainage district according to the equalized values of the real property in said City and Towns appearing on the assessment roll classes as residential and industrial as situated within the respective limits of such drainage district as follows:

City of Syracuse

Residential	\$54,722.48
Industrial	<u>54,998.53</u>
	\$109,721.01

Town of Clay

Residential	\$2,248.36
Industrial	<u>8,214.04</u>
	\$10,463.30

Town of Dewitt

Residential	\$33,386.97
Industrial	<u>179,729.95</u>
	\$213,116.92

Town of Salina

Residential	\$50,139.81
Industrial	<u>93,405.96</u>
	\$143,545.77

TOTAL

\$476,847

and, be it further

RESOLVED, that the sum of \$10,463.30 be and the same is hereby approved as the apportionment of the Town of Clay for said Bear Trap-Ley Creek Drainage District for the year 2023; and, be it further

RESOLVED, that the sum of \$213,116.92 be and the same is hereby approved as the apportionment of the Town of Dewitt for said Bear Trap-Ley Creek Drainage District for the year 2023; and, be it further

RESOLVED, that the sum of \$143,545.77 be and the same is hereby approved as the apportionment of the Town of Salina for said Bear Trap-Ley Creek Drainage District for the year 2023; and, be it further

RESOLVED, that a certificate of such apportionment be certified by the Clerk of the County Legislature and filed with the Supervisors and Board of Assessors of the Town of Clay, Dewitt, and Salina and the proper officials of the City of Syracuse; and, be it further

RESOLVED, that the City of Syracuse and the Towns of Clay, Dewitt, and Salina be and they hereby are directed to raise and pay the same by tax, contract or otherwise as provided by Article 11-A, Section 1170 of the Onondaga County Administrative Code.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

AUTHORIZING GENERAL APPORTIONMENT OF HARBOR BROOK DRAINAGE DISTRICT
TAX

WHEREAS, there was included in the 2023 Budget an estimated amount of \$279,426 for operation and maintenance, plus debt service of \$14,845, making a total 2023 estimated budget of \$294,271 for the area within the Harbor Brook Drainage District in the City of Syracuse and the Town of Geddes; and

WHEREAS, it is provided in such budget and in the law pertaining thereto that the County shall be reimbursed for such appropriation by the municipality and town within the drainage district, namely the City of Syracuse and the Town of Geddes; now, therefore be it

RESOLVED, that the said amount of \$294,271 be and the same hereby is apportioned between the City of Syracuse and the Town of Geddes to those areas lying within said drainage district according to the equalized value of the real property in said City and Town appearing on the said assessment roll as situated within the respective limits of such drainage district as follows:

City of Syracuse	\$280,134.17
Town of Geddes	<u>14,136.83</u>
Total	\$294,271.00

and, be it further

RESOLVED, that the sum of \$14,136.83 be and the same hereby is approved as the apportionment for the Town of Geddes for said Harbor Brook Drainage District for tax for the year 2023; and, be it further

RESOLVED, that a certificate of such apportionment be certified by the Clerk of the County Legislature and filed with the Supervisor and Board of Assessors of the Town of Geddes and with the proper officials of the City of Syracuse; and, be it further

RESOLVED, that the City of Syracuse and the Town of Geddes be and they hereby are directed to raise and pay the same by tax, contract or otherwise as provided by Article 11-A, Section 1170 of the Onondaga County Administrative Code.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

MEADOWBROOK DRAINAGE DISTRICT TAX GENERAL APPORTIONMENT

WHEREAS, there was included in the 2023 budget an estimated amount of \$223,541 for operation and maintenance, plus debt service of \$245,577, making a total 2023 estimated budget of \$469,118 for the area within the Meadowbrook Drainage District within the City of Syracuse and the Town of Dewitt; and

WHEREAS, it is provided in such budget and in the law pertaining thereto that the County shall be reimbursed for such appropriation by the municipality and town within the drainage district, namely the City of Syracuse and the Town of Dewitt; now, therefore be it

RESOLVED, that the said amount of \$469,118 be and the same is hereby apportioned between the City of Syracuse and the Town of Dewitt to those areas lying within said drainage district according to the equalized value of the real property in said City and Town appearing on the said assessment roll as situated within the respective limits of such drainage district as follows:

City of Syracuse	\$331,209.09
Town of Dewitt	<u>137,908.91</u>
TOTAL	\$469,118.00

and, be it further

RESOLVED, that the sum of \$137,908.91 be and the same hereby is approved as the apportionment for the Town of Dewitt for said Meadowbrook Drainage District tax for the year 2023; and, be it further

RESOLVED, that a certificate of such apportionment be certified by the Clerk of the County Legislature and filed with the Supervisor and Board of Assessors of the Town of Dewitt and with the proper officials of the City of Syracuse; and, be it further

RESOLVED, that the City of Syracuse and the Town of Dewitt be and they hereby are directed to raise and pay the same by tax, contract or otherwise as provided by Article 11-A, Section 1170 of the Onondaga County Administrative Code.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

2023 CITY DRAINAGE DISTRICT ABSTRACT

RESOLVED, there be levied and assessed and collected on the taxable property of the City of Syracuse, New York the following amounts for the purpose stated herein, and that the said amounts be included in the Abstract of the City of Syracuse for the fiscal year 2023:

Meadowbrook Drainage District Apportionment	\$331,209.09
Bear Trap-Ley Creek Drainage District Apportionment	109,721.01
Harbor Brook Drainage District Apportionment	280,134.17
City Collection Fee	<u>7,210.64</u>
	\$728,274.91

and, be it further

RESOLVED, in addition to the 2023 City Abstract that the County tax rate of the City of Syracuse for the above mentioned charges for the fiscal year 2023 be and the same hereby is fixed at the rate of \$0.1828 per one thousand assessments; and, be it further

RESOLVED, that this resolution be certified to the proper officials of the City of Syracuse pursuant to the laws of the State of New York.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

ONONDAGA COUNTY WATER DISTRICT, 2023 CITY ABSTRACT

RESOLVED, that there be levied and assessed and collected on the taxable property of the City of Syracuse, New York, the following amounts for the Onondaga County Water District for capital investment, and that the said amounts be included in the Onondaga County Water District for capital investment, and that the said amounts be included in the Onondaga County Water District Abstract of the City of Syracuse for the fiscal year 2023:

City of Syracuse Apportionment	\$289,783.77
City Collection Fee	+2,897.84
	\$292,681.61

and, be it further

RESOLVED, that the Onondaga County Water District tax rate for the City of Syracuse for the fiscal year 2023 be and the same hereby is fixed at the rate of \$0.0384 per one thousand assessment; and, be it further

RESOLVED, that this resolution be certified to the proper officials of the City of Syracuse pursuant to the laws of the State of New York.

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

ALLOCATION OF 2023 ONONDAGA COUNTY WATER DISTRICT SPECIAL ASSESSMENT
AMONG ZONES OF ASSESSMENT AND FIXING COMPOSITE RATES FOR THE SEVERAL
TOWNS AND THE CITY OF SYRACUSE WITHIN SAID DISTRICT

RESOLVED, that pursuant to the provisions of Section 270 of the County Law, the 2023 portion of the expense of establishing Onondaga County Water District and of providing therein the improvements authorized therefore be allocated to the two established Zones of Assessment in the manner following:

Zone 1	\$1,080,652
Zone 3	\$ 615,553

and, be it further

RESOLVED, that special assessments for the aforementioned purpose of Onondaga County Water District for the fiscal year 2023 for the several towns and the City of Syracuse, or portions thereof in said District, be and the same hereby are fixed and adopted according to the following schedule of composite rates, and that the respective Supervisors of the several towns, and the Commissioner of Finance of the City of Syracuse be and they hereby are authorized and directed to cause said special assessments to be levied, assessed and collected from the several lots and parcels of land within said District in accordance with the provisions of Section 490 of the Real Property Tax Law and with the following schedule of composite rates for the aforementioned purpose of Onondaga County Water District, each and all of which rates hereby ratified and confirmed.

<u>Tax Units</u>	<u>Rate per \$1,000 of Assessed Valuation</u>
Camillus	\$ 0.0500
Cicero	0.0560
Clay	1.4521
Dewitt	0.0485
Elbridge	0.0307
Fabius	0.0334
Geddes	0.0693
LaFayette 9X	0.0647
LaFayette	0.0348
Lysander	0.0485
Manlius	0.0485
Marcellus 9X	0.0515
Marcellus	0.0278
Onondaga	0.0621
Otisco	1.5353

Pompey 9X	0.0586
Pompey	0.0338
Salina	0.0485
Tully	0.0261
Van Buren	0.0485
Syracuse	0.0384

OCWD Assessment_2023
DW
mmd
dak

December 6, 2022 Motion

Made By Mr. May

RESOLUTION NO. _____

ONONDAGA COUNTY SANITARY DISTRICT GENERAL APPORTIONMENT

WHEREAS, there was a total estimated 2023 budget amount of \$87,082,116; and

WHEREAS, the Onondaga County Legislature by Resolution No. 260 -1978, consolidated all the sanitary districts and established as a successor thereto the Onondaga County Sanitary District; and

WHEREAS, pursuant to Resolution No. 563 -1978, the Onondaga County Legislature established a sewer rent schedule to defray all costs of operation and maintenance and all indebtedness and other obligations allocated on the basis of units as defined in said resolution; and

WHEREAS, said sewer rent schedule is effective January 1, 1979, as amended, and the said sewer rents are to be levied, collected and enforced from the several lots and parcels of land within the district served by the sewer system for use of the same, in the same manner and at the same time as other County charges, as provided by said sewer rent resolution, Article 11-A of the Onondaga County Administrative Code and the General Municipal Law of the State of New York; and

WHEREAS, the 2023 rate per unit as defined in said sewer rent resolution, before adjustments, has been fixed at \$448.58; and

WHEREAS, there are a total of 194,130.99 units in the Onondaga County Sanitary District times \$450.48 equals \$87,082,116.01; and

WHEREAS, of the total 194,130.99 units, 2,100.47 units are billed directly by the Department of Water Environmental Protection, totaling \$942,216.25; now, therefore be it

RESOLVED, that the Onondaga County Legislature does hereby approve and apportion between the following municipalities the units, monies and credits listed next to their respective names according to the several lots and parcels of land within said municipalities in the Onondaga County Sanitary District which are served by said district for the year 2023.

<u>MUNICIPALITY</u>	<u>UNITS</u>	<u>APPORTIONMENT - LEVY</u>
Syracuse	67,516.23	30,286,025.81
Camillus	9,869.90	4,427,380.59
Cicero	14,457.95	6,485,460.56
Clay	25,276.73	11,338,484.05
Dewitt	15,010.93	6,733,513.01
Geddes	13,810.83	6,195,179.35
Lysander	7,548.51	3,386,065.37

Manlius	10,181.63	4,567,214.56
Onondaga	6,396.89	2,869,478.58
Pompey	412.00	184,812.49
Salina	16,688.65	7,486,094.60
Van Buren	<u>4,860.27</u>	<u>2,180,190.79</u>
	192,030.52	\$86,139,899.76

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mmd

December 6, 2022

Motion Made By Mr. May

RESOLUTION NO. _____

ONONDAGA COUNTY SANITARY DISTRICT, 2023 CITY ABSTRACT

WHEREAS, the Onondaga County Legislature, by Resolution 260-1978, consolidated all the sanitary districts and established as a successor thereto the Onondaga County Sanitary District; and

WHEREAS, pursuant to the Resolution No. 563-1978, the Onondaga County Legislature established a sewer rent schedule to defray all costs of operation and maintenance and all other costs including improvements and amounts required to pay all indebtedness and other obligations allocated on the basis of units as defined in said Resolution; and

WHEREAS, said sewer rent schedule is effective January 1, 1979, as amended, and said sewer rents are to be levied, collected and enforced from the several lots and parcels of land within the district served by the sewer system for use of the same, in the same manner, and at the same time as other County charges as provided by said rent resolution, Article 11-A of the Onondaga County Administrative Code and the General Municipal Law of the State of New York; and

WHEREAS, the City has certified to the County that there are 67,516.23 "units" within the City of Syracuse; now, therefore be it

RESOLVED, that there be levied, collected and enforced against the several lots and parcels of land within the City of Syracuse served by the Onondaga County Sanitary District, in the same manner and at the same time as other County charges, the following amounts for the Onondaga County Sanitary District, for sewer rents as provided in Resolution No. 563-78 of the Onondaga County Legislature, and as sewer rents are defined in said Resolution, and that the amounts be included in the Onondaga County Sanitary District Abstract of the City of Syracuse for the fiscal year 2023:

City of Syracuse Apportionment	\$30,286,025.81
City Collection Fee	<u>302,860.26</u>
	\$30,588,886.07

and, be it further

RESOLVED, that for the fiscal year 2023 the appropriate officers of the City of Syracuse be and hereby are authorized and directed to cause to be levied, collected and enforced against the several lots and parcels of land within the City of Syracuse served by the Onondaga County Sanitary District, in the same manner and at the same time as other County charges, with the same force and effect and subject to the same discount, fees, penalties proceedings for the collection of taxes as prescribed in the Onondaga County Special Tax Act, City of Syracuse Charter and General Special Laws applicable to general City taxes, the amount of \$453.08 per unit as defined in the above mentioned sewer rent resolution, and said rent is hereby fixed at said sum; and, be it further

RESOLVED, that said sewer rent shall be levied, collected, and enforced in accordance with the provisions of Article 11-A of the Onondaga County Administrative Code and Article 14-F of the General Municipal Law of the State of New York where applicable; and, be it further

RESOLVED, that this resolution be certified to the proper officials of the City of Syracuse; and, be it further

RESOLVED, that a certificate of such apportionment be certified by the Clerk of the County Legislature and filed with the Supervisors and Board of Assessors of the respective towns; and, be it further

RESOLVED, that for the year 2023 the appropriate officers of said municipalities be and hereby are authorized and directed to cause to be levied, collected and enforced against the several lots and parcels of land within their respective municipality served by the Onondaga County Sanitary District, in the same manner and at the same time as other County charges, with the same force and effect and subject to the same penalties and proceedings for the collections of taxes as prescribed by law and to pay the same as provided by Article 11-A of the Onondaga County Administrative Code.

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mmd

Ordinance No.

2022

**ORDINANCE AUTHORIZING A CONTRACT
WITH FISHER ASSOCIATES, D.P.C. RELATIVE
TO PROVIDING SERVICES FOR THE
PRELIMINARY DESIGN PHASE FOR THE
MIDLAND AVENUE PAVING PROJECT
(OSTRANDER AVENUE TO ROUTE 173), PIN
3756.83**

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

WHEREAS, the Mayor has approved the retention of Fisher Associates, under the following terms:

- (1) Fisher Associates, D.P.C. shall provide all required services for the preliminary design phases for the Midland Avenue Paving Project (Ostrander Avenue to Route 173 (W. Seneca Turnpike)), Pin 3756.83;
- (2) The City shall pay to Fisher Associates, D.P.C. an amount not to exceed \$235,000.00 to be paid on a time-and-expense basis for all services under this agreement;

NOW, THEREFORE,

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

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Capital Account #599807.07.700375683 or another appropriate account as designated by the Commissioner of Finance.



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia K. McBride
Office of the City Clerk
233 E. Washington Street, Room 231
Syracuse, N.Y. 13202

Re: Request to Authorize Fisher Associates, D.P.C. for the Design Phase Fee for the Midland Avenue Paving Project (Ostrander Avenue to Rte. 173 (W. Seneca Turnpike)), PIN 3756.83.

Dear Ms. McBride:

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

An Ordinance authorizing an Agreement with Fisher Associates, D.P.C. for an amount not to exceed \$235,000.00 to be paid on a time and expense basis for all services required to complete the preliminary design phase for the Midland Avenue Paving Project (Ostrander Avenue to Rte. 173 (W. Seneca Turnpike)), PIN 3756.83 (The total project cost is estimated to be \$4,666,000.00).

The City is expected to incur all initial costs for this project, with subsequent 80% reimbursement from the Federal government through the Transportation Improvement Program (TIP). The scoping & preliminary design phase is receiving 15% Marchiselli Funding (\$38,400.00)). Costs will be charged to Capital Account No. 599807.07.700375683.

The selection of the consultant was completed following the federal and state procedures for professional services and in accordance with the City's RFQ procedures. The RFQ Committee made the recommendation of Fisher Associates, D.P.C. to the Mayor, and the Mayor approved of the selection of Fisher Associates, D.P.C. on August 23, 2022. Per the attached memorandum, the Mayor further approved the not-to-exceed fee.

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

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Mary E. Robison".

Mary E. Robison, P.E.,
City Engineer

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

www.syr.gov.net

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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

TO: Ben Walsh, Mayor

ATTN: Timothy M. Rudd, Director of Management & Budget

FROM: Mary Robison, P.E., City Engineer

DATE: December 2, 2022

RE: **MEMORANDUM OF APPROVAL OF FISHER ASSOCIATES, D.P.C. AS THE
ENGINEERING DESIGN CONSULTANT FOR THE MIDLAND AVENUE 2R
PAVING PROJECT (OSTRANDER AVENUE TO RTE. 173 (W. SENECA
TURNPIKE)), PIN 3756.83**

On August 23, 2022 you approved the selection of Fisher Associates, D.P.C. to provide professional engineering services for the design of the Midland Avenue 2R Paving Project (Ostrander Avenue to Rte. 173 (W. Seneca Turnpike)), PIN 3756.83. We have now completed the negotiations of the scope of services and fee with Fisher Associates, D.P.C.

We have negotiated an estimated maximum total cost not to exceed of \$235,000 for Fisher Associates, D.P.C. to complete the Preliminary Design of this project as detailed in their scope of services. We will negotiate a fee for final design services, construction administration and inspection services with Fisher Associates, D.P.C. once the full scope of the project has been determined, which will require amending this agreement at a later date.

Please advise if you approve of Fisher Associates, D.P.C.'s proposed total maximum fee not to exceed \$235,000 for the preliminary design of the Midland Avenue 2R Paving Project (Ostrander Avenue to Rte. 173 (W. Seneca Turnpike)). If you approve of Fisher Associates, D.P.C.'s fee, we will present this to the Common Council for its approval.

YES ☒

NO ☐

Comments: _____

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

Signature: _____ Date: 12/7/2022

www.syr.gov.net

cc: Project File

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

**BOND ORDINANCE AUTHORIZING THE
ISSUANCE AND SALE OF BONDS IN THE
AMOUNT OF THREE HUNDRED AND NINETY
THOUSAND DOLLARS (\$390,000.00) TO
DEFRAY THE COST AND EXPENSE OF THE
SCOPING, PRELIMINARY DESIGN, AND
DETAILED DESIGN PHASES OF THE KIRK
PARK PEDESTRIAN BRIDGE REPLACEMENT
PROJECT, PIN NO. 3950.79**

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

Section 1. For the specific object or purpose of providing funds to defray the cost and expense of the Scoping, Preliminary Design and Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN No. 3950.79 at an estimated maximum cost not to exceed Three Hundred and Ninety Thousand Dollars (\$390,000.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. Three Hundred and Ninety Thousand Dollars (\$390,000.00) is estimated as the maximum cost of the specific object or purpose for which such bonds are to be issued.

Section 3. The plan for financing such specific object or purpose consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of Three Hundred and Ninety Thousand Dollars (\$390,000.00), thereby providing such sum for the initial cost of such specific object or purpose, with additional bonds to be issued in the future to finance the balance of the Project.

Section 4. It is hereby determined that the specific object or purpose for which bonds are to be issued falls within subdivision 19 (c) of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such specific object or purpose is fifteen (15) years.

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

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

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

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

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

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

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

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

Section 11. This ordinance shall take effect immediately.



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Issuance and Sale of Bonds to Provide Funds for the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079.

Dear Ms. McBride:

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

An Ordinance Authorizing the Issuance and Sale of Bonds to Provide Funds for the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079 for a total amount not to exceed \$390,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$312,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

Mary E. Robison, P.E.,
City Engineer

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

www.syr.gov.net

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City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	12/01/22	Department:	Engineering
Project Name:	Kirk Park Pedestrian Bridge Replacement Project, PIN 395079		
Project Cost:	\$390,000.00		
Contact Name:	Mary E. Robison		
Project Description:	Pedestrian Bridge Replacement		
Projected Time Line & Funding Source(s)			
Estimated Start Date:	Winter 202/2023	Estimated Completion Date:	F Fall 2025
Funding Source:	Dollar Amount:		
Local Share: Cash Capital			
Local Share: Bonds (complete schedule below)	\$	78,000.00	
State Aid/Grant (identify) Marchiselli	\$	-	
Federal Aid/Grant (identify) TIP Funding Reimbursement	\$	312,000.00	
Other (identify)			
Other (identify)			
Total Project Funding (must equal cost):		\$	390,000.00
Estimated Project Borrowing Timeline			
<u>Year</u>	<u>Fiscal Year</u>	<u>Estimated Amount to Borrow</u>	
1	2022	\$390,000.00	
2			
3			
4			
5			
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$	390,000.00
The City is expected to incur all initial costs for this project with subsequent 95% reimbursement from the Federal government through the Transportation Improvement Program (TIP).			
Approval to proceed with request for legislation is hereby granted.			
Project in CIP Plan: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Reason("No"): of the CIP.			
\$39,000 is budgeted in FY23 and FY24, but are bringing both into FY23			
Director of Administration:	<i>Cary Dunsell</i>	Date:	12/8/22
Director of Management & Budget:	<i>[Signature]</i>	Date:	12-7-22
Commissioner of Finance:	<i>[Signature]</i>	Date:	12/8/22

Ordinance No.

2022

**ORDINANCE AUTHORIZING AN AGREEMENT
WITH THE NEW YORK STATE DEPARTMENT
OF TRANSPORTATION RELATIVE TO
FUNDING FOR THE SCOPING, PRELIMINARY
DESIGN AND DETAILED DESIGN PHASES OF
THE KIRK PARK PEDESTRIAN BRIDGE
REPLACEMENT PROJECT, PIN 3950.79**

WHEREAS, the City Engineer has requested legislation authorizing the Mayor to enter into an agreement with the New York State Department of Transportation (NYSDOT) relative to funding for the Scoping, Preliminary Design and Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN No. 3950.79 (hereinafter referred to as the "Project") at a cost not to exceed \$390,000.00, to be initially funded with bond proceeds and with repayment to be funded from 80% Federal funds and 20% Local Share; NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor be and he is hereby authorized to enter into an agreement with the New York State Department of Transportation relative to funding for the Project at a cost not to exceed \$390,000.00 with 80% reimbursement from the Federal Government through the Transportation Improvement Program (TIP) and 20% Local Share; and

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

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

BE IT FURTHER ORDAINED, that the Mayor of the City of Syracuse be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf

of the City of Syracuse with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, if necessary; and

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

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



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Mayor to enter into an Agreement with the New York State Department of Transportation for the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079.

Dear Ms. McBride:

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

An Ordinance Authorizing the Mayor to enter into an Agreement with the New York State Department of Transportation for the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079 for a total amount not to exceed \$390,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$312,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

A handwritten signature in cursive script that reads "Mary E. Robison".

Mary E. Robison, P.E.,
City Engineer

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


www.syr.gov.net



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget 
DATE: December 8, 2022
SUBJECT: Agreement - New York State Department of Transportation (NYSDOT)

Julie Castellitto
Assistant Director

On behalf of the Department of Engineering, I am requesting that the City of Syracuse authorize permission to enter into an agreement with New York State Department of Transportation (NYSDOT) for the Scoping, Preliminary and Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079 for a total amount not to exceed \$390,000.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$312,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

12/8/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079.

Dear Ms. McBride:

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

An Ordinance Authorizing the Scoping, Preliminary & Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN 395079 for a total amount not to exceed \$390,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$312,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

Mary E. Robison, P.E.,
City Engineer

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

www.syr.gov.net

Ordinance No.

2022

**ORDINANCE AUTHORIZING THE
ENGINEERING SERVICES AND
CONSTRUCTION NEEDED FOR THE
SCOPING, PRELIMINARY DESIGN AND
DETAILED DESIGN PHASES OF THE KIRK
PARK PEDESTRIAN BRIDGE REPLACEMENT
PROJECT, PIN NO. 3950.79**

BE IT ORDAINED, that this Common Council hereby authorizes the engineering services and construction needed for the Scoping, Preliminary Design, and Detailed Design Phases of the Kirk Park Pedestrian Bridge Replacement Project, PIN No. 3950.79 at a total cost not to exceed \$390,000.00 and the Director of Management & Budget is hereby authorized to enter into a contract or contracts therefor in the manner provided by law; professional services for the project shall be obtained in accordance with Section 5-205A (8) of the Syracuse City Charter; charging \$390,000.00 of the cost thereof to proceeds of the sale of bonds authorized contemporaneously herewith by ordinance of this Common Council.

Ordinance No.

2022

**BOND ORDINANCE AUTHORIZING THE
ISSUANCE AND SALE OF BONDS IN THE
AMOUNT OF SIX HUNDRED AND SEVENTY
THOUSAND DOLLARS (\$670,000.00) TO DEFRAY
THE COST AND EXPENSE OF THE SCOPING,
PRELIMINARY DESIGN, AND DETAILED
DESIGN PHASES OF THE ERIE BOULEVARD
WEST PEDESTRIAN AND BIKE IMPROVEMENTS
PROJECT, PIN NO. 3950.80**

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

Section 1. For the specific object or purpose of providing funds to defray the cost and expense of the Scoping, Preliminary Design and Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN No. 3950.80 at an estimated maximum cost not to exceed Six Hundred and Seventy Thousand Dollars (\$670,000.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. Six Hundred and Seventy Thousand Dollars (\$670,000.00) is estimated as the maximum cost of the specific object or purpose for which such bonds are to be issued.

Section 3. The plan for financing such specific object or purpose consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of Six Hundred and Seventy Thousand Dollars (\$670,000.00), thereby providing such sum for the initial cost of such specific object or purpose, with additional bonds to be issued in the future to finance the balance of the Project.

Section 4. It is hereby determined that the specific object or purpose for which bonds are to be issued falls within subdivision 20 (c) of paragraph (a) Section 11.00 of the Local Finance Law

and the period of probable usefulness of such specific object or purpose is fifteen (15) years.

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

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

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

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

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

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

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

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

such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Issuance and Sale of Bonds to Provide Funds for the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080.

Dear Ms. McBride:

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

An Ordinance Authorizing the Issuance and Sale of Bonds to Provide Funds for the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080 for a total amount not to exceed \$670,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$563,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

Mary E. Robison, P.E.,
City Engineer

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

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20

17



City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	12/01/22	Department:	Engineering																		
Project Name:	Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080																				
Project Cost:	\$670,000.00																				
Contact Name:	Mary E. Robison																				
Project Description:	Bike and Pedestrian Improvements																				
<p align="center">Projected Time Line & Funding Source(s)</p> <p>Estimated Start Date: Winter 2022/2023 Estimated Completion Date: F Fall 2025</p>																					
Funding Source:		Dollar Amount:																			
Local Share: Cash Capital																					
Local Share: Bonds (complete schedule below)		\$	134,000.00																		
State Aid/Grant (identify)	Marchiselli	\$	-																		
Federal Aid/Grant (identify)	TIP Funding Reimbursement	\$	536,000.00																		
Other (identify)																					
Other (identify)																					
Total Project Funding (must equal cost):		\$	670,000.00																		
<p align="center">Estimated Project Borrowing Timeline</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Fiscal Year</th> <th>Estimated Amount to Borrow</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2022</td> <td>\$670,000.00</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> </tr> </tbody> </table>				Year	Fiscal Year	Estimated Amount to Borrow	1	2022	\$670,000.00	2			3			4			5		
Year	Fiscal Year	Estimated Amount to Borrow																			
1	2022	\$670,000.00																			
2																					
3																					
4																					
5																					
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		\$	670,000.00																		
The City is expected to incur all initial costs for this project with subsequent 95% reimbursement from the Federal government through the Transportation Improvement Program (TIP).																					
Approval to proceed with request for legislation is hereby granted.																					
Project in CIP Plan: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Reason("No"): of the CIP.																					
\$67,000 is budgeted in FY23 and FY24, but are bringing both into FY23																					
Director of Administration:		Date:	12/8/22																		
Director of Management & Budget:		Date:	12-7-22																		
Commissioner of Finance:		Date:	12/8/22																		

Ordinance No.

2022

**ORDINANCE AUTHORIZING AN AGREEMENT
WITH THE NEW YORK STATE DEPARTMENT
OF TRANSPORTATION RELATIVE TO
FUNDING FOR THE SCOPING, PRELIMINARY
DESIGN AND DETAILED DESIGN PHASES OF
THE ERIE BOULEVARD WEST PEDESTRIAN
AND BIKE IMPROVEMENTS PROJECT, PIN
3950.80**

WHEREAS, the City Engineer has requested legislation authorizing the Mayor to enter into an agreement with the New York State Department of Transportation (NYSDOT) relative to funding for the Scoping, Preliminary Design and Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN No. 3950.80 (hereinafter referred to as the "Project") at a cost not to exceed \$670,000.00, to be initially funded with bond proceeds and with repayment to be funded from 80% Federal funds and 20% Local Share; NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor be and he is hereby authorized to enter into an agreement with the New York State Department of Transportation relative to funding for the Project at a cost not to exceed \$670,000.00 with 80% reimbursement from the Federal Government through the Transportation Improvement Program (TIP) and 20% Local Share; and

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

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

BE IT FURTHER ORDAINED, that the Mayor of the City of Syracuse be and is hereby

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

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

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



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Mayor to enter into an Agreement with the New York State Department of Transportation for the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080.

Dear Ms. McBride:

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

An Ordinance Authorizing the Mayor to enter into an Agreement with the New York State Department of Transportation for the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080 for a total amount not to exceed \$670,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$563,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

Mary E. Robison, P.E.,
City Engineer

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

www.syr.gov.net

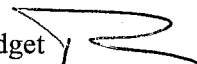
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OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget 
DATE: December 8, 2022
SUBJECT: Agreement - New York State Department of Transportation (NYSDOT)

Julie Castellitto
Assistant Director

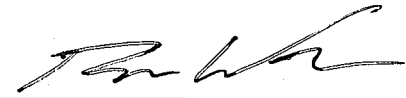
On behalf of the Department of Engineering, I am requesting that the City of Syracuse authorize permission to enter into an agreement with New York State Department of Transportation (NYSDOT) for the Scoping, Preliminary and Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080 for a total amount not to exceed \$670,000.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$563,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

12/2/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

Ordinance No.

2022

**ORDINANCE AUTHORIZING THE
ENGINEERING SERVICES AND
CONSTRUCTION NEEDED FOR THE
SCOPING, PRELIMINARY DESIGN AND
DETAILED DESIGN PHASES OF THE ERIE
BOULEVARD WEST PEDESTRIAN AND BIKE
IMPROVEMENTS PROJECT, PIN NO. 3950.80**

BE IT ORDAINED, that this Common Council hereby authorizes the engineering services and construction needed for the Scoping, Preliminary Design, and Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN No. 3950.80 at a total cost not to exceed \$670,000.00 and the Director of Management & Budget is hereby authorized to enter into a contract or contracts therefor in the manner provided by law; professional services for the project shall be obtained in accordance with Section 5-205A (8) of the Syracuse City Charter; charging \$670,000.00 of the cost thereof to proceeds of the sale of bonds authorized contemporaneously herewith by ordinance of this Common Council.



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance Authorizing the Scoping, Preliminary & Detailed Design Phases of the Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080.

Dear Ms. McBride:

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

An Ordinance Authorizing the Scoping, Preliminary & Detailed Design Phases of the Erie Boulevard West Pedestrian and Bike Improvements Project, PIN 395080 for a total amount not to exceed \$670,000.00.

The City is expected to incur all initial costs for this project, with subsequent 80% (\$563,000) reimbursement from the Federal government through the Transportation Improvement Program (TIP).

Account number to be designated by the Commissioner of Finance.

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

Very Truly Yours,

A handwritten signature of Mary E. Robison in black ink.

Mary E. Robison, P.E.,
City Engineer

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

www.syrgov.net

Ordinance No.

2022

**ORDINANCE AMENDING ORDINANCE NO. 303-
2022 APPROPRIATING FUNDS FOR THE
DEPARTMENT OF ENGINEERING FOR THE
PURCHASE OF ONE (1) NEW GPS UNIT AND
ASSOCIATED EQUIPMENT AND SERVICE**

BE IT ORDAINED, that Ordinance No. 303-2022 is hereby amended to read as follows:

BE IT ORDAINED, that this Common Council hereby appropriates the sum of \$27,000.00* from Account #599807.07.703032222** to an account to be determined by the Commissioner of Finance for the Department of Engineering; said funds are to be used by the Department of Engineering to purchase one (1) new GPS unit and associated equipment and service, in the manner provided by law.

BE IT FURTHER ORDAINED, that the additional \$1,500.00 in funding needed will be transferred from the Department of Engineering's operating budget account #510100.01.80400 to the project account #599807.07.703032222

_____ = new material

* previously read \$25,500.00

**previously read 2021/2022 Unallocated Cash Capital Account #59900 70199999



DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

23

2 December 2022

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

Ms. Patricia K. McBride
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: Amend Ordinance No. 303 of 2022 - Appropriation of Cash Capital for 21/22 Engineering GPS Equipment – increase appropriation by \$1,500.00 to a total appropriation not to exceed \$27,000.00

Dear Ms. McBride:

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

- Amend Ordinance No. 303 of 2022 authorizing Appropriation of Cash Capital for the Department of Engineering to purchase the 21/22 Engineering GPS Equipment at a cost not to exceed \$25,500.00. We will purchase one new GPS unit and associated equipment and service. Amend ordinance to increase appropriation by \$1,500 to a total appropriation not to exceed \$27,000.00 due to a price increase in equipment.

Advances in GPS antenna and receiver technology have greatly improved in the last few years. The purchase of this new unit and associated equipment and service will enhance our ability to collect field data for survey and GIS based projects. In addition, this GPS unit will be compatible with current cell phone technology.

The additional \$1,500.00 in funding needed will be transferred from the Department of Engineering's operating budget account #510100.01.80400. The account for this project is 599807.07.703032222.

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

Sincerely,

Mary E. Robison, P.E.
City Engineer

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

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10



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management & Budget
DATE: December 5, 2022
SUBJECT: Amend Ordinance #303-2022 – Engineering GPS Equipment

On behalf of the Department of Engineering, I am requesting that the City of Syracuse authorize permission to amend ordinance #303-2022 authorizing Appropriation of Cash Capital to purchase the 21/22 Engineering GPS Equipment at a cost not to exceed \$25,500. The Department of Engineering will purchase one new GPS unit and associated equipment and services. Amend ordinance to increase appropriation by \$1,500 to a total appropriation not to exceed \$27,000 due to a price increase in equipment.

Advances in GPS antenna and receiver technology have greatly improved in the last few years. The purchase of this new unit and associated equipment and service will enhance their ability to collect field data for survey and GIS based projects. In addition, this GPS unit will be compatible with current cell phone technology.

The additional \$1,500 in funding needed will be transferred from the Department of Engineering's operating budget account #510100.01.80400. The account for this project is 599807.07.703032222.

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

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

12/7/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No.

2022

**ORDINANCE AMENDING ORDINANCE NO. 697-
2021 AUTHORIZING A LEASE AGREEMENT
BETWEEN THE CITY OF SYRACUSE AND THE
SYRACUSE INDUSTRIAL DEVELOPMENT
AGENCY RELATIVE TO THE CENTER
ARMORY PARKING GARAGE**

BE IT ORDAINED, that Ordinance No. 697-2021 is hereby amended to read as follows:

WHEREAS, the Department of Public Works has requested that this Common Council authorize a lease agreement with the Syracuse Industrial Development Agency relative to the Center Armory Parking Garage located at 218 West Jefferson Street, Syracuse, New York; and

WHEREAS, this lease agreement shall be for a term of one (1) year with an option to renew for two (2) additional one (1) year periods subject to the approval of the Mayor and the Common Council; and

WHEREAS, pursuant to the lease agreement, the City will be responsible for maintenance and parking management for the Center Armory Garage, but there will be no additional monetary cost to the City for the lease except for a nominal fee to SIDA of \$1.00 per year for the lease; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute a lease agreement under the following terms:

1. The lease agreement for the Center Armory Garage shall be for a term of one (1) year with an option to renew for two (2) additional one (1) year periods subject to the approval of the Mayor and the Common Council; this lease agreement is hereby extended for the first one-year renewal period effective December 1, 2022 through November 30, 2023;
2. There shall be no monetary cost to the City for the lease for the term of the agreement, except for the nominal \$1.00 per year payment to SIDA for the lease;

3. Pursuant to the agreement, the City shall be responsible for the maintenance and for parking management services for the Center Armory Garage; and

BE IT FURTHER ORDAINED, that said amended lease agreement shall be subject to the approval of the Corporation Counsel as to terms, form and content.

_____ = new material



24

DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Patricia McBride
City Clerk
230 City Hall
Syracuse, New York 13202

RE: Request for Legislation – Amendment of Ordinance No. 697-2021, Center Armory Parking Garage Agreement with Syracuse Industrial Development Agency (SIDA)

Dear Ms. McBride:

The Department of Public Works would like to request an amendment to Ordinance No. 697-2021 to extend the lease agreement with the Syracuse Industrial Development Agency (SIDA) relative to the Center Armory Parking Garage located at 218 West Jefferson Street, Syracuse, New York for the first one (1) year renewal period. The renewal period shall be effective December 1, 2022 through November 30, 2023. The City will continue to be responsible for maintenance of the garage and parking management. There will be no additional monetary cost to the City except for a nominal fee to SIDA of \$1.00 per year for the lease.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Jeremy Robinson
Commissioner of Public Works

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

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OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director


Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management and Budget 
DATE: December 13, 2022
SUBJECT: Amend Ordinance #697-2021 – Syracuse Industrial Development Agency (SIDA)

On behalf of the Department of Public Works (DPW), I am requesting the City of Syracuse amend Ordinance #697-2021, to extend the lease agreement with the Syracuse Industrial Development Agency (SIDA) relative to the Center Armory Parking Garage located at 218 West Jefferson Street, Syracuse, New York for the first one (1) year renewal period. The renewal period shall be effective December 1, 2022 through November 30, 2023. The City will continue to be responsible for maintenance of the garage and parking management. There will be no additional monetary cost to the City except for a nominal fee to SIDA of \$1.00 per year for the lease.

Please indicate your concurrence by signing below and returning this memo to me so that I may forward a copy to the Common Council along with the legislation request for the next Common Council Meeting.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

DEC 13 2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Tim Rudd
Director of Management and Budget
City Hall Room 213
Syracuse, NY 13203

RE: Request for Legislation – Amendment of Ordinance No. 697-2021, Center Armory Parking Garage Agreement with Syracuse Industrial Development Agency (SIDA)

Dear Mr. Rudd:

The Department of Public Works would like to request an amendment to Ordinance No. 697-2021 to extend the lease agreement with the Syracuse Industrial Development Agency (SIDA) relative to the Center Armory Parking Garage located at 218 West Jefferson Street, Syracuse, New York for the first one (1) year renewal period. The renewal period shall be effective December 1, 2022 through November 30, 2023. The City will continue to be responsible for maintenance of the garage and parking management. There will be no additional monetary cost to the City except for a nominal fee to SIDA of \$1.00 per year for the lease.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Jeremy Robinson
Commissioner of Public Works

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No.

2022

**ORDINANCE AMENDING ORDINANCE NO. 412-
2022 AUTHORIZING PURCHASE, WITHOUT
ADVERTISING OR COMPETITIVE BIDDING, OF
HYDRAULIC REPAIR SERVICE AND PARTS
FOR VARIOUS TRUCKS FOR THE
DEPARTMENT OF PUBLIC WORKS DURING
THE FISCAL YEAR 2022/2023**

BE IT ORDAINED, that Ordinance No. 412-2022 is hereby amended to read as follows:

BE IT ORDAINED, subject to the approval of the Mayor, that the Common Council hereby authorizes the purchase of hydraulic repair service and parts for various trucks from Echelon Supply & Services Inc.* and/or OMNI Services Inc. for the Department of Public Works during the fiscal year 2022/2023 at a cost not to exceed \$30,000.00 without competitive bidding or formal advertising by reason of the fact it is impracticable to bid said item because the specific repair service and/or needed parts cannot be identified for purchase in advance due to the unpredictability of the specific work that may be required, and the vendor must be local as the parts need to be manufactured immediately for repairs to be done; and

BE IT FURTHER ORDAINED, that the Director of Management and Budget is hereby authorized to purchase said hydraulic repair service and parts for various trucks at a cost not to exceed \$30,000.00, charging the cost thereof to Budget Account #01.51320.540210 and/or 01.51320.540220 or another appropriate account as designated by the Commissioner of Finance; and

BE IT FURTHER ORDAINED, that this waiver is hereby authorized to be extended, where necessary, for a period not to exceed sixty (60) days after June 30, 2023 provided funding from the appropriation authorized by this Ordinance remains available.

* previously known as JGB Enterprises Inc.



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

December 13, 2022

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

Ms. Patricia McBride
City Clerk
City Hall
Syracuse, New York

RE: Amend Ordinance #412-2022, Annual Waiver Request for Repair Service and Parts for Hydraulics on Various Trucks

Dear Ms. McBride:

On behalf of the Department of Public Works, please prepare the following legislation to be introduced at the next scheduled Common Council Meeting:

- Amend Ordinance #412-2022 authorizing the purchase of repair service and parts for hydraulic repairs or parts on various trucks without formal advertising and competitive bidding during the 2022/2023 fiscal year from "JGB Enterprises Inc. and /or OMNI Services Inc." to "Echelon Supply & Service Inc. and/or OMNI Services Inc."

JGB Enterprises Inc. was purchased by Echelon Supply & Service Inc.

Total expenditures are estimated not to exceed \$30,000 and will be charged to account 01.51320.540210 and 01.51320.540220.

Thank you.

Sincerely,

Julie Castellitto
Assistant Director of Management and Budget

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

December 2, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Tim Rudd
Director of Budget
City Hall Room 213
Syracuse, New York 13202

Re: Amend Ordinance 412-2022, Waiver For the purchase of repair service and parts for hydraulic repairs or parts on various trucks

Dear Mr. Rudd,

Please request the introduction of the following legislation at the next meeting of the Common Council:

- Amend Ordinance 412-2022 authorizing the purchase of repair service and parts for hydraulic repairs or parts on various trucks without formal advertising and competitive bidding during the 2022/2023 fiscal year from *"JGB Enterprises Inc. and /or OMNI Services Inc."* to *"Echelon Supply & Service Inc. and / or OMNI Services Inc."*

JGB Enterprises Inc. was purchased by Echelon Supply & Service Inc.

Total expenditures are estimated not to exceed \$30,000 and will be charged to account 01.51320.540210 and 01.51320.540220.

Should you have any questions, please feel free to call me.

Very truly yours,

Jeremy Robinson
Commissioner of Public Works

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

Cc: Robin St. Hilaire, Secretary to Commissioner- DPW
John Yost, Garage Manager of MEM-DPW
Jenna Vendetti, Administrative Officer-DPW

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No.

2022

**ORDINANCE AMENDING ORDINANCE NO.
372-2020 AS LAST AMENDED BY ORDINANCE
NO. 628-2021 AUTHORIZING CONTRACT WITH
JMT, INC. RELATIVE TO PROVIDING SERVICES
FOR THE CITY OF SYRACUSE ON BEHALF OF
THE DEPARTMENT OF PUBLIC WORKS
RELATIVE TO THE OPERATION OF THE
TRAFFIC MANAGEMENT CENTER FORMERLY
KNOWN AS THE TRAFFIC CONTROL CENTER**

BE IT ORDAINED, that Ordinance No. 372-2020 as last amended by Ordinance No. 628-2021 is hereby amended to read as follows:

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

WHEREAS, the Mayor has approved the retention of JMT, Inc., under the following terms:

- (1) JMT, Inc. shall provide services for the City of Syracuse on behalf of the Department of Public Works relative to the operation of the Traffic Management Center (TMC) formerly known as the Traffic Control Center, which houses the City's interconnected signal system. The services to be provided shall include, but not be limited to (a) providing staffing of the Transportation Management Center at DPW during normal hours Monday through Friday (6am to 6pm); (b) monitoring the TMC which houses the City's interconnected signal system; (c) operators will troubleshoot issues with signal equipment as they are relayed to the TMC by the system, as well as congestion and transportation network concerns; and (d) JMT Traffic Engineers will assist the City with corridor studies, signal timing adjustments, and other higher-level planning and design activities;
- (2) This contract is for a one-year period effective as of the date of the execution of the contract with the option of three (3) one-year extensions subject to the approval of the Mayor and Common Council; the contract was extended for the first one (1) year period effective December 7, 2021 through December 6, 2022; the contract is hereby extended for the second one (1) year period effective December 7, 2022 through December 6, 2023;

- (3) The City shall pay to JMT, Inc an amount not to exceed \$432,486.00* to be paid on a time-and-expense basis for all services under this amended agreement. JMT shall invoice the City on a bi-weekly basis for all services.

; NOW, THEREFORE,

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

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Budget Account #01.81800.541500** or another appropriate account as designated by the Commissioner of Finance.

_____ = new material

* previously read \$407,660.00

** previously charged to Budget Account #541500.01.81800



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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Ms. Patricia McBride
City Clerk
City Hall Room 230
Syracuse, New York 13202

Re: Request for Approval for Renewal of the Agreement with JMT of New York, Inc. and the City of Syracuse Department of Public Works relative to the Operation of the Traffic Management Center

Dear Ms. McBride,

Please prepare legislation for the next meeting of the common council requesting authorization to renew the agreement between JMT of New York, Inc. and the City of Syracuse Department of Public Works relative to the Operation of the Traffic Management Center, exercising the second of the three (3) one (1) year extensions. This option is for the time period 12/7/2022 – 12/6/2023.

Amend ordinance # 628-2021 to the renewal date of 12/7/2022

The costs are not to exceed \$432,486.00 for the one year period and all expenditures will be charged to account 01.81800.541500 or another appropriate account designated by the Commissioner of Finance. The Traffic Management Center Operation Program PIN # 3756.84 is 80% reimbursable under the existing multi-year agreement with the New York State Department of Transportation, Ordinance #687-2019.

If you have any questions, please don't hesitate to contact me.

Thank you,

Jeremy Robinson
Commissioner of Public Works

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. Tim Rudd
Director of Management and Budget
City Hall Room 213
Syracuse, New York 13202

Re: Request for Mayor Approval for Renewal of the Agreement with JMT of New York, Inc. and the City of Syracuse Department of Public Works relative to the Operation of the Traffic Management Center

Dear Mr. Rudd,

Please prepare a letter to the Mayor requesting authorization to renew the agreement between JMT of New York, Inc. and the City of Syracuse Department of Public Works relative to the Operation of the Traffic Management Center, exercising the second of the three (3) one (1) year extensions. This option is for the time period 12/7/2022 – 12/6/2023.

Amend ordinance # 628-2021 to the renewal date of 12/7/2022

The costs are not to exceed \$432,486.00 for the one year period and all expenditures will be charged to account 01.81800.541500 or another appropriate account designated by the Commissioner of Finance. The Traffic Management Center Operation Program PIN # 3756.84 is 80% reimbursable under the existing multi-year agreement with the New York State Department of Transportation, Ordinance #687-2019.

Upon the Mayor's approval, please submit the accompanying request for legislation to the City Clerk to have this item placed on the next Common Council Agenda.

If you have any questions, please don't hesitate to contact me.

Approved: _____

Denied: _____

Date: 12-6-22

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

Thank you,

Jeremy Robinson
Commissioner of Public Works

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget
DATE: December 5, 2022
SUBJECT: Amend Agreement – JMT of New York, Inc.

On behalf of the Department of Public Works, I am requesting that the City of Syracuse renew the agreement with JMT of New York, Inc. relative to the operation of the Traffic Management Center, exercising the second of the three (3) one (1) year extensions. This option is for the time period 12/7/2022 – 12/6/2023.

Amend ordinance #628-2021 to the renewal date of 12/7/2022.

The costs are not to exceed \$432,486 for the one-year period and all expenditures will be charged to account 01.81800.541500 or another appropriate account designed by the Commissioner of Finance. The Traffic Management Center Operation Program PIN #3756.84 is 80% reimbursable under the existing multi-year agreement with the New York State Department of Transportation, ordinance #687-2019.

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

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

12/7/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

**ORDINANCE AUTHORIZING A CONTRACT
WITH TRANSCORE, INC. WITHOUT
ADVERTISING OR COMPETITIVE BIDDING,
RELATIVE TO PROVIDING SOFTWARE
SERVICES FOR THE CITY'S TRAFFIC
CONTROL SYSTEM ON BEHALF OF THE
DEPARTMENT OF PUBLIC WORKS DURING
FISCAL YEAR 2022/2023**

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

WHEREAS, the City is in need of software services for the Department of Public Works relative to the City's Traffic Control System during Fiscal Year 2022/2023 and as TransCore, Inc. developed the City's Traffic Control System, the software services to be provided are to upgrade the current system and are proprietary, making it impracticable to bid for these services; and

WHEREAS, the Mayor has waived the competitive bidding process and has approved the retention of TransCore, Inc., under the following terms:

- (1) TransCore, Inc. shall provide software services for the City's Traffic Control System on behalf of the Department of Public Works during Fiscal Year 2022-2023. The services to be provided shall be in accordance with the Proposal provided by TransCore, Inc. which is attached and incorporated herein as Appendix "A"; and
- (2) The City shall pay to TransCore, Inc. an amount not to exceed \$52,500.00 for all services to be provided under this agreement; NOW, THEREFORE,

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

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Budget Account #07.599807.14905.707562223 or another appropriate account as designated by the Commissioner of Finance.



30-30 47th Avenue, Suite 420
Long Island City, NY 11101
Phone: 832.786.5092

11/30/2022

Mr. Neil Burke
City of Syracuse
nmilcareck-burke@syr.gov

Re: Proposal to upgrade the City of Syracuse "The City" TransSuite system into a new WebUI version

Dear Mr. Burke;

The following presents TransCore proposal to upgrade the City's existing TransSuite system to include our new browser-based platform (TransSuite Web UI).

The City currently has the following TransSuite modules and subsystems:

- Traffic Control System "TCS"
- TransSuite ATMS Maps
- TransSuite ATMS Explorer
- TransSuite ® Video Control System (VCS)

The new TransSuite WebUI will include all above modules and will support all subsystems. All current TransSuite features and capabilities will be available in the new TransSuite WebUI.

1. Assumptions

- This Proposal is based on the current modules, features, and capabilities available in the existing TransSuite.
- The new WebUI will be installed on the designated production server while the Windows client system is still operational for a transition period.
- All server hardware and commercial off-the-shelf software including operating system and licenses needed for the TransSuite WebUI user interface will be provided by the City
- The City will send the server and the licenses to TransCore's office in Atlanta to be prepared and reconfigured
- The City to provides the licenses to update the servers from Windows Server 2012 to Windows Server 2019
- The City to provides the licenses to update SQL Server to SQL Server 2019
- The City to provide a server/ Web Server as per the attached specs
- The City to provide a valid certificate to allow access to the web server.

2. Work Scope

The following presents TransCore's scope to conduct this upgrade:

- 1- **The City of Syracuse** will provide the Hardware and required COTS (Windows server OS and SQL Servers license) as specified by TransCore previously. The city will send the server and the licenses to TransCore's office in Atlanta to be prepared and reconfigured
- 2- TransCore to setup virtual machines, install TransSuite latest version that includes the new Web UI and test with sample devices in Atlanta. TransCore will Ship the server back to Syracuse. The staff of City of Syracuse will mount the server in the rack and connect the cables. **(All IT work to be done by the City Staff)**



- 3- TransCore to provide onsite Production update—Migrate the database and history files from the old servers to the new servers, update the database there, complete the transition to the new server, and test and verify the system is working as expected. **(Work to be done onsite by TransCore Staff)**
- 4- TransSuite **Onsite** Training that includes:
 - **Windows based TransSuite** Training which will cover (TCS, MAPS, Explorer, and VCS) (Two Days)
 - **WebUI TransSuite Training** which will cover (TCS, MAPS, Explorer, and VCS) (Two Days)
 - Training Materials

3. Cost

TransCore's proposal for this upgrade is \$35,000.00. This price includes all work described above and TransSuite WebUI upgrade fees. This cost does not include a yearly maintenance fee.

If the City requires additional one year contract for System Maintenance, this will add Additional \$17,500 to the above price (a draft Maintenance contract is attached). Total cost with Maintenance will be \$52,500.00

Please do not hesitate to reach me out via email or to my phone shall you have any questions.

Sincerely,
TRANSCORE

A handwritten signature in black ink, appearing to read "Amar Ali".

Amar Ali
Sr. Project Manager



27

OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

December 13, 2022

Julie Castellitto
Assistant Director

Ms. Patricia K. McBride
City Clerk
City Hall
Syracuse, New York

Re: Waiver of Competitive Bid for traffic Management Center Diagnostic Software Tools

Dear Ms. McBride:

On behalf of the Department of Public Works, please prepare legislation to be introduced at the next Common Council Meeting for:

- Ordinance authorizing a contract for proprietary software services for the City's Traffic Control System without formal advertising and competitive bidding during the 2022/2023 fiscal year, from Transcore, Inc.

It is impractical to bid this contract due to the proprietary nature of the City's Traffic Control System, which was developed by Transcore, Inc.

Total expenditures are not to exceed \$52,500 and will be charged to Account #07.599807.14905.707562223.

Thank you.

Sincerely,

Julie Castellitto
Assistant Director of Budget

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

Cc: Jeremy Robinson, Commissioner of Public Works



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: Mayor, Ben Walsh
FROM: Julie Castellitto, Assistant Director of Management and Budget *ac*
DATE: December 13, 2022
SUBJECT: WCB to Enter a Contract – Transcore, Inc.


The Department of Public Works is requesting a waiver of the competitive bid process to enter a contract for proprietary software services for the City's Traffic Control System during the 2022/2023 fiscal year, from Transcore, Inc.

It is impractical to bid this contract due to the proprietary nature of the City's Traffic Control System, which was developed by Transcore, Inc.

Total expenditures are estimated not to exceed \$52,500 and will be charged to Account #07.599807.14905.707562223.

Please indicate your concurrence by signing below and returning this memo to me so that I may forward a copy to the Common Council along with the legislation request for the next Common Council Meeting.

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

DEC 13 2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net



DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

November 28, 2022

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Tim Rudd
Budget Director
231 City Hall
Syracuse, NY 13202

Re: Request for legislation w/c/b for Traffic Management Center Diagnostic Software Tools

Dear Mr. Rudd,

On behalf of the Department of Public Works, please prepare legislation to be introduced at the next scheduled Common Council meeting:

- Ordinance authorizing a contract for proprietary software services for the City's Traffic Control System without formal advertising and competitive bidding during the 2022/2023 fiscal year, from Transcore, Inc.

It is impractical to bid this contract due to the proprietary nature of the City's Traffic Control System, which was developed by Transcore, Inc.

Total expenditures are estimated not to exceed \$52,500 and will be charged to Account #07.599807.14905.707562223

Sincerely,

Jeremy Robinson
Commissioner of Public Works

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

Office 315 448-2489
Fax 315 448-8531

www.syr.gov.net

Cc: Jenna Vendetti, Fiscal Officer
Robin St. Hilaire, Secretary to the Commissioner of Public Works

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No.

2022

**ORDINANCE AUTHORIZING THE
ACCEPTANCE OF A QUALIFIED LIST OF
DEVELOPERS WHO RESPONDED TO THE
DEPARTMENT OF NEIGHBORHOOD AND
BUSINESS DEVELOPMENT'S RFQ #23-007 FOR
INFILL HOUSING PROJECTS AS PREVIOUSLY
FUNDED BY ORDINANCE NO. 295-2022**

WHEREAS, pursuant to Ordinance No. 295-2022 the Department of Neighborhood and Business Development appropriated ARPA funds and issued an RFQ (#23-007) to support the new construction or rehabilitation of single-family owner occupied units for income-eligible first time homebuyers ("Infill Housing Projects"), as well as the development of scattered-site two-family rental units at sites identified in accordance with the objectives of the Resurgent Neighborhood Initiative (RNI) and the results of the Housing Market Study, in the manner provided by law;

WHEREAS, following the completion of the Request for Qualifications Process the Department of Neighborhood and Business Development has recommended and the Mayor has approved the organizations set forth below to be eligible to perform RNI Infill Housing Projects subject to Common Council approval; NOW, THEREFORE,

BE IT ORDAINED, that the Commissioner of Neighborhood and Business Development (NDB) be and he hereby is authorized to select the agencies listed below for RNI Infill Housing Projects subject to the approval of the Common Council as to specific projects and contracts:

- **Albanese Organization Inc.**
- **Acacia Real Estate Development, Inc.**
- **Edgemere Development, Inc.**
- **Empire Housing**
- **Home Headquarters, Inc**
- **Housing Visions Inc.**
- **Jubilee Homes.**
- **Lakewood Development III**

- **NHP Foundation**
- **Pennrose**
- **A Tiny Home for Good, Inc.**

; and

BE IT FURTHER ORDAINED, that the duration of this qualification will be for twenty-four (24) months from the execution date with an optional one-year renewal; and

BE IT FURTHER ORDAINED, that all projects shall be subject to MWBE compliance monitoring and reporting with the additional requirement of local hiring for awarded projects of \$100,000 or greater; and

BE IT FURTHER ORDAINED, that any qualification documents executed by NBD shall be subject to review and approval by the Corporation Counsel.



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

28

December 2, 2022

Commissioner
Michael Collins

**Deputy Commissioner of
Neighborhood Development**
Michelle Sczpanski

**Deputy Commissioner of
Business Development**
Eric Ennis

Ms. Patricia McBride
City Clerk
231 City Hall
Syracuse, New York 13202

**Re: Acceptance of Bidders Qualified for Infill Housing Development Projects
Using American Rescue Plan Act (ARPA) Infill Housing Funds**

Dear Ms. McBride,

Please prepare legislation for the December 19, 2022 meeting of the Common Council on behalf of the Department of Neighborhood and Business Development to accept the following listing of developers who responded to the City's Request for Qualifications (RFQ #23-007), as approved by ordinance #22-295. Individual projects will come before the Council prior to receiving funding.

- Albanese Organization, Inc
- Acacia Real Estate Development, Inc
- Edgemere Development, Inc
- Empire Housing
- Home HeadQuarters, Inc
- Housing Visions, Inc
- Jubilee Homes
- Lakewood Development III
- NHP Foundation
- Pennrose
- A Tiny Home for Good, Inc

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

Office 315 448 8100
Fax 315 448 8036

www.syr.gov.net

Expenditures are estimated not to exceed \$11,000,000 through 12/31/2026 and will be charged to an account designation by the Commissioner of Finance. Funds will be used to support the cost of new construction or rehabilitation of single-family owner-occupied units for income-eligible first-time homebuyers, as well as the development of scattered-site two-family rental units at sites identified in accordance with the objectives of the Resurgent Neighborhood Initiative and the results of the Housing Market Study.

All projects involve M/WBE compliance monitoring and reporting, in addition to adherence to local hiring requirements for awarded projects of \$100,000 or

greater. The duration of this qualification will be for twenty-four (24) months from the execution date with an optional one-year renewal. I am happy to answer any questions at x8743 or by email at msczpanski@syr.gov

Sincerely,

A handwritten signature in black ink, appearing to be 'M Sczpanski', followed by a long horizontal line.

Michelle Sczpanski
Deputy Commissioner of Neighborhood Development

Cc: Michael Collins, Commissioner, NBD, Sharon Owens, Deputy Mayor

**ORDINANCE AMENDING CHAPTER 49 OF THE
REVISED GENERAL ORDINANCES OF THE CITY
OF SYRACUSE, AS AMENDED, BEING THE
BUSINESS CERTIFICATE OF USE ORDINANCE**

BE IT ORDAINED, that Section 49-16 of Chapter 49 of the Revised General Ordinances of the City of Syracuse, as amended, being the Business Certificate of Use Ordinance, be and is hereby amended to read as follows:

Section 49-16. Failure to Maintain Good Order at the Business Location.

(a) For the purposes of this Chapter, the Owner of a Business holding a certificate of use or conditional certificate of use shall be deemed to have failed to maintain good order at the Business location in the event a sufficient number of violations are found to have occurred relative to separate incidents at the subject Premises, resulting in the accumulation of twelve (12) or more points within a period of twelve (12) months or eighteen (18) or more points within a period of twenty-four (24) months in accordance with the following point system:

(1) Violations of the following State statutes and rules and regulations and City of Syracuse local laws, ordinances and rules and regulations, which have not resulted in a conviction or judgment, shall be assigned a point value of four (4) points:

- a. Article 220 of the Penal Law - Controlled Substances Offenses;
- b. Article 222 of the Penal Law - Cannabis;
- c. Article 225 of the Penal Law - Gambling Offenses;
- d. Article 230 of the Penal Law - Prostitution Offenses;
- e. Article 120 of the Penal Law - Assault and Related Offenses;
- f. Article 155 of the Penal Law - Larceny Offenses;
- g. Sections 165.40, 165.45, 165.50, 165.52 and 165.54 of the Penal Law - Criminal Possession of Stolen Property;
- h. The Alcoholic Beverage Control Law;
- i. Chapter 7-A of the Consolidated Laws, known as the Cannabis Law;
- j. Article 265 of the Penal Law - Firearms and other Dangerous Weapons;

- k. Section 270.00 of the Penal Law - Unlawfully Dealing with Fireworks and Dangerous Fireworks;
 - l. Section 415-a of the Vehicle and Traffic Law - Vehicle Dismantlers;
 - m. Section 175.10 of the Penal Law - Falsifying Business Records;
 - n. Sections 170.65 and 170.70 of the Penal Law - Forgery of and Illegal Possession of a Vehicle Identification Number;
 - o. Possession, use, sale or offer for sale of any alcoholic beverage in violation of Article 18 of the Tax Law and/or Section 260.20 of the Penal Law, or of any cigarette or tobacco products in violation of Article 20 of the Tax Law and/or Section 260.21 of the Penal Law;
 - p. Article 158 of the Penal Law - Welfare Fraud;
 - q. Article 178 of the Penal Law - Criminal Diversion of Prescription Medications and Prescriptions;
 - r. Section 147 of the Social Services Law - Food stamp program fraud;
 - s. Any violation of the New York State Uniform Fire Prevention and Building Code and the City of Syracuse's Zoning Ordinance, Property Conservation Code, Building Code, Electrical Code, Mechanical Code and Elevator Code which is life threatening and/or necessitates the declaring of the Premises as "unfit for habitation".
- (2) Violations of the following State statutes and rules and regulations and City of Syracuse local laws, ordinances and rules and regulations, which have not resulted in a conviction or judgment, shall be assigned a point value of three (3) points:
- a. The New York State Uniform Fire Prevention and Building Code and the City of Syracuse's Zoning Ordinance, Property Conservation Code, Building Code, Electrical Code, Mechanical Code and Elevator Code;
 - b. Operating a Business during hours which the Business is required to be closed pursuant to the State of New York's statutes and rules and regulations and/or the City of Syracuse's local laws, ordinances and rules and regulations;
 - c. Allowing persons on the Premises in excess of occupancy limits;
 - d. Section 14-25.1 of the Revised General Ordinances of the City of Syracuse, Health and Sanitation Ordinance - Littering;

- e. City of Syracuse Noise Control Ordinance, Chapter 40 of the Revised General Ordinances of the City of Syracuse;
 - f. Failure to have an entertainment and/or amusement license where the Business's current operation so requires;
 - g. Allowing or permitting the Premises to become disorderly, including allowing or permitting offenses against public order.
- (b) For purposes of this Chapter, in addition to the point system set forth in § 49-16(a), two (2) additional points shall be added to any of the violations specified in § 49-16(a) which have resulted in a conviction and/or judgment in favor of the prosecuting party.
- (c) For purposes of this Chapter, where more than one (1) violation of the State statutes and rules and regulations and City of Syracuse local laws, ordinances and rules and regulations set forth above in § 49-16(a) occurs during a single incident, the total points for the incident shall be the highest point value assigned to any single violation.
- (d) Businesses that have a conditional certificate of use shall be subject to this Section and any points they accumulate prior to the issuance of the certificate of use shall be carried forward to such certificate of use.

; and

BE IT FURTHER ORDAINED, that the provisions of this General Ordinance shall take effect immediately, and that all remaining sections of Chapter 49 of the Revised General Ordinances of the City of Syracuse, as amended, being the Business Certificate of Use Ordinance, not amended by this General Ordinance shall remain in full force and effect as previously adopted.



29

DIVISION OF CODE ENFORCEMENT

A DIVISION OF THE DEPARTMENT OF NEIGHBORHOOD
AND BUSINESS DEVELOPMENT
CITY OF SYRACUSE, MAYOR BEN WALSH

Michael Collins
NBD Commissioner

Jacob R. Dishaw
Director of Code
Enforcement

Thomas Steinberg
Deputy Director of
Code Enforcement

Ryan Shiel
Assistant Director of
Code Enforcement

Brian Eisenberg
Assistant Director of
Code Enforcement

Mediha Salkic
Director of Central
Permit Office

December 12, 2022

Hon. Patricia K. McBride
City Clerk
231 City Hall
Syracuse, NY 13202

Re: Request for Legislation – Amendment to Chapter 49 of the Revised General Ordinances of the City of Syracuse

Dear Ms. McBride:

Please prepare legislation to be placed on the agenda for the regularly scheduled Common Council meeting of December 19, 2022 to amend Chapter 49 of the Revised General Ordinances of the City of Syracuse (Business Certificate of Use) relative to Section 49-16 "Failure to maintain good order at the business location."

The Division of Code Enforcement, after consulting with the Corporation Counsel, believes that these amendments are necessary to provide improved enforcement options regarding businesses that threaten public safety and the general welfare of the City of Syracuse and its citizens by violating Chapter 7-A of the Consolidated Laws, also known as the Cannabis Law. A premises permitting said violation shall be assigned a point value of four (4) points pursuant to Section 49-16 of the General Ordinances of the City of Syracuse.

This amendment strengthens the current Business Certificate of Use General Ordinance by ensuring a business holding a certificate of use while violating the Cannabis Law is assessed points as to their failure to maintain good order at the business location, making Chapter 49 of the Revised General Ordinances of the City of Syracuse another tool by which the City of Syracuse can better ensure businesses comply with the Cannabis Law.

In addition to the amendment proposed above, the Division of Code Enforcement is requesting a technical amendment to the Penal Law provision cited at Section 49-16(a)(1)(b). Chapter 92 of the Laws of 2021, known as the Marihuana Regulation and Taxation Act, repealed Article 221 of the Penal Law ("Offenses Involving Marihuana") and replaced it with Article 222 of the Penal Law ("Cannabis"). The proposed technical amendment replaces the citation found at Section 49-16(a)(1)(b) from Article 221 of the Penal Law to Article 222 of the Penal Law.

Sincerely,

Jacob R. Dishaw

Director of Code Enforcement

Code Enforcement
201 East Washington
Street, Room 300
Syracuse, N.Y. 13202

Office 315 448 8695
Fax 315 448 8764

www.syr.gov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

13

Ordinance No.

2022

**ORDINANCE AUTHORIZING MAYOR TO
ACCEPT A GRANT FROM THE DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
AND EXECUTE A CONTRACT OR WRITTEN
INSTRUMENTS ASSOCIATED WITH THE
GRANT AS NECESSARY**

BE IT ORDAINED, that the Mayor be and he hereby is authorized to accept a grant from The Department of Housing and Urban Development in an amount not to exceed \$1,000,000.00; said funds will be used by the Department of Neighborhood & Business Development to support the cost of new construction of single-family and two-family housing as part of the City's Resurgent Neighborhood Initiative (RNI); no City matching funds are required; and

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

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



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

Commissioner
Michael Collins

**Deputy Commissioner of
Neighborhood Development**
Michelle Sczpanski

**Deputy Commissioner of
Business Development**
Eric Ennis

December 02,, 2022
Ms. Patricia McBride
City Clerk
231 City Hall
Syracuse, New York 13202

**Re: Legislative Request – Approval for the City of Syracuse to Accept Letter of
Invitation and Enter into a Grant Agreement with The Department of Housing and
Urban Development for The FY2022 \$1,000,000.00 Community Project Funding
Grant for Infill Housing Construction**

Dear Ms. McBride,

Please prepare legislation for the December 19, 2022 meeting of the Common Council on behalf of the Department of Neighborhood and Business Development to respond to HUD's Letter of Invitation and submit required materials to generate a Grant Agreement for \$1,00,000.00 to be directed towards The City's Resurgent Neighborhood Initiative (RNI) for new home construction.

These funds will be used to support the cost of new construction of single- and two-family housing. This funding will further production towards our goal of 50 owner occupied and 150 rental infill units. To date, 84 units have been completed or are in development.

I am happy to answer any questions and can be reached at x8109 or mcollins@syr.gov.

Sincerely,

Michael Collins
Commissioner, Neighborhood and Business Development

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

Office 315 448 8100
Fax 315 448 8036

www.syr.gov

Cc: Michelle Sczpanski, Deputy Commissioner, Neighborhood and Business Development
Sharon Owens, Deputy Mayor



OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget
DATE: December 5, 2022
SUBJECT: Grant Agreement – The Department of Housing and Urban Development

Timothy M. Rudd
Director

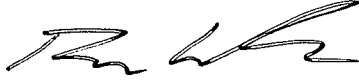
Julie Castellitto
Assistant Director

On behalf of the Department of Neighborhood & Business Development, I am requesting to respond to HUD's Letter of Invitation and submit required materials to generate a Grant Agreement with the Department of Housing and Urban Development for FY2022 for \$1,000,000 to be directed towards The City's Resurgent Neighborhood Initiative (RNI) for new home construction.

These funds will be used to support the cost of new construction of single- and two -family housing. This funding will further production towards our goal of 50 owner occupied and 150 rental infill units. To date, 84 units have been completed or are in development.

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

Thank you for your attention regarding this matter.



Mayor Ben Walsh
City of Syracuse, New York

12/7/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No.

2022

**ORDINANCE AUTHORIZING THE FUNDING
AGREEMENTS WITH VARIOUS
ORGANIZATIONS RELATIVE TO THE
DEPARTMENT OF NEIGHBORHOOD AND
BUSINESS DEVELOPMENT FOR THE
NEIGHBORHOOD COMMUNITY CENTER
IMPROVEMENT PROGRAM AS AUTHORIZED
BY ORDINANCE NO. 467-2022**

WHEREAS, pursuant to Ordinance No. 467-2022 the Department of Neighborhood and Business Development has established a Neighborhood Community Center Improvement Program and a Request for Proposals process has been completed by the City of Syracuse Office of Management and Budget, Division of Purchase, to solicit projects intended to address construction and/or repair projects at Neighborhood Community Centers in the City of Syracuse, in an effort to enable the Centers to improve the quality, efficiency, and accessibility of the services that they provide to residents of the City of Syracuse, in the manner provided by law;

WHEREAS, following the completion of the Request for Proposal Process the Department of Neighborhood and Business Development has recommended and the Mayor has approved the Dunbar Association, Huntington Family Centers, Jubilee Homes of Syracuse, Mercy Works, Inc., Syracuse Northeast Community Center, and the Westcott Community Center to receive funding in an amount not to exceed \$50,000.00 for each organization, with the Program having a total cost not to exceed \$300,000.00; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor be and he hereby is authorized to enter into agreements with the agencies listed below for the sum and purpose indicated below:

- **Dunbar Association:** An amount not to exceed \$50,000.00 to be used for a roof replacement project and the purchase of a clothes washer and dryer at the Community Center.
- **Huntington Family Centers:** An amount not to exceed \$50,000.00 to be used for a window and exterior door replacement project.

- **Jubilee Homes of Syracuse:** An amount not to exceed \$50,000.00 to be used for a parking lot resurfacing, exterior door and accessible ramp replacement project.
- **Mercy Works, Inc.:** An amount not to exceed \$50,000.00 to be used for projects involving Wifi and connectivity technology, lighting, HVAC, flooring and interior doors.
- **Syracuse Northeast Community Center:** An amount not to exceed \$50,000.00 to be used for projects involving accessible interior door upgrades, flooring and HVAC.
- **Westcott Community Center** An amount not to exceed \$50,000.00 to be used for projects involving an accessible exterior door, interior doors, electrical, flooring, water heater replacement and bathroom improvements.

; and

BE IT FURTHER ORDAINED, that the Agreements shall be deemed effective as of the date of execution and run through December 31, 2026; and

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



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Commissioner
Michael Collins

**Deputy Commissioner of
Neighborhood Development**
Michelle Sczpanski

**Deputy Commissioner of
Business Development**
Eric Ennis

Ms. Patricia McBride
City Clerk
231 City Hall
Syracuse, New York 13202

Dear Ms. McBride,

Please prepare legislation for the upcoming meeting of the Common Council on behalf of the Department of Neighborhood and Business Development to award funding to the following Neighborhood Community Centers who responded to the City's Request for Proposals (RFP #23-034) and have been deemed to have qualifying projects as defined in the Neighborhood Community Center Improvement Program, approved in ordinance #: 467-2022. Project descriptions provided in attached "Appendix A"

- Dunbar Association- not to exceed \$50,000
- Huntington Family Centers, Inc.- not to exceed \$50,000
- Jubilee Homes of Syracuse- not to exceed \$50,000
- Mercy Works, Inc.- not to exceed \$50,000
- Syracuse Northeast Community Center- not to exceed \$50,000
- Westcott Community Center- not to exceed \$50,000

Expenditures are estimated not to exceed \$300,000 through December 31, 2026. and will be charged to an account designation by the Commissioner of Finance.

I am happy to answer any questions at x8109 or by email at mcollins@syr.gov.

Sincerely,

Michael Collins
Deputy Commissioner of Neighborhood & Business Development

Cc: Sharon Owens, Deputy Mayor

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

Office 315 448 8100
Fax 315 448 8036

www.syr.gov

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Appendix A
NCCIP Legislative Request Letter

Agency	Project
Dunbar	Roof replacement & purchase of clothes washer and dryer
Huntington Family Centers	Window and exterior door replacement
Jubilee Homes of Syracuse	Resurface parking lot, exterior door and accessible ramp replacement
Mercy Works, Inc.	Wifi and connectivity technology, lighting, HVAC, flooring & interior doors
Syracuse Northeast Community Center	Accessible interior door upgrades, flooring, HVAC
Westcott Community Center	Accessible exterior door, interior doors, electrical, flooring, water heater replacement and bathroom improvements

December 8, 2022

**ORDINANCE AUTHORIZING THE MAYOR TO
EXECUTE CONTRACTS RELATIVE TO
PROVIDING EMERGENCY REPAIR SERVICES
FOR THE CITY ON BEHALF OF THE
DEPARTMENT OF NEIGHBORHOOD AND
BUSINESS DEVELOPMENT WHEN
LANDLORDS REFUSE TO ADEQUATELY
ADDRESS CRITICAL CODE VIOLATIONS AT
THEIR PROPERTIES PURSUANT TO THE
ARPA PROJECT AUTHORIZATION
PREVIOUSLY APPROVED BY ORDINANCE NO.
294-2022**

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

WHEREAS, a Request for Qualifications Process was conducted to find contractors to provide emergency repair services on behalf of the Department of Neighborhood and Business Development when landlords refuse to adequately address critical code violations at their properties on an as needed basis; and

WHEREAS, the Mayor has approved the retention of All Fix It Construction, Solid Rock Construction, Chiodo Heating & Air, and GC Constructing, under the following terms:

1. All of the aforementioned firms have been pre-approved to submit proposals to provide emergency repair services for the City on behalf of the Department of Neighborhood and Business Development when landlords refuse to adequately address critical code violations at their properties. The firms listed in this ordinance shall be the only firms able to submit proposals on any such emergency repairs required by the City of Syracuse for a twenty-four-month period effective as of the date the Mayor approves this Ordinance with the option of one (1) additional one (1) year extension subject to Mayor and Common Council approval; and
2. Requests for emergency repair services to be provided for the City when landlords refuse to adequately address critical code violations at their properties will be

packaged individually or in groups. The request for proposals covering the requested emergency repair services, however packaged, will be submitted to the pre-approved firms listed in this ordinance; and

3. Proposals from the pre-approved firms listed in this ordinance shall contain a lump sum quote setting forth the lump sum total cost for all the emergency repairs needed for the real property as identified in the City's request for proposals; and
4. The pre-approved firm that submits the lowest lump sum quote and is determined to be a responsible proposer will be awarded a contract for the emergency repair services on behalf of the Department of Neighborhood and Business Development for the real property identified in the City's request for proposals; and
5. The pre-approved firm awarded a contract for emergency repair services on behalf of the Department of Neighborhood and Business Development in response to requests for proposals shall provide all required emergency repair services on behalf of the Department of Neighborhood and Business Development/Division of Code Enforcement; and
6. None of the pre-approved firms are guaranteed either any minimum amount of emergency repair work or minimum amount of monies under the terms of this contract authorization; and
7. Expenditures on emergency repair services for the City to be provided on behalf of the Department of Neighborhood and Business Development when landlords refuse to adequately address critical code violations at their properties to the pre-approved firms over the twenty-four (24) month period shall not exceed \$150,000.00;

NOW, THEREFORE

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such contracts awarded for emergency repair services for the City to be provided on behalf of the Department of Neighborhood and Business Development when landlords refuse to adequately address critical code violations at their properties, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this contract shall be charged to the appropriate Department of Neighborhood and Business Development Budget Account designated by the Commissioner of Finance for the ARPA funds authorized in Ordinance No. 294-2022 or another appropriate account as designated by the Commissioner of Finance.



DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

December 1, 2022

Commissioner
Michael Collins

**Deputy Commissioner of
Neighborhood Development**
Michelle Sczpanski

**Deputy Commissioner of
Business Development**
Eric Ennis

Ms. Patricia McBride
City Clerk
231 City Hall
Syracuse, New York 13202

Dear Ms. McBride,

Please prepare legislation for the upcoming meeting of the Common Council on behalf of the Department of Neighborhood and Business Development to accept the following listing of contractors who responded to the City's Request for Qualifications (RFQ #23-073) and have been vetted as qualified to perform emergency repairs when landlords refuse to adequately address critical code violations, and to authorize the City to enter into contract with approved developers on a per project basis, as approved by ordinance #: 2022-294

- Ali Fix It Construction
- Solid Rock Construction
- Chiodo Heating & Air
- GC Contracting

Expenditures are estimated not to exceed \$186,000 through 12/30/2022 and will be charged to an account designation by the Commissioner of Finance. All projects involve M/WBE compliance monitoring and reporting, in addition to adherence to local hiring requirements for awarded projects of \$100,000 or greater. The duration of this qualification will be for twenty-four (24) months from the execution date with an optional one-year renewal. I am happy to answer any questions at x8743 or by email at msczpanski@syrgov.net.

Sincerely,

Michelle Sczpanski
Deputy Commissioner of Neighborhood Development

Cc: Sharon Owens, Deputy Mayor

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

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OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget
DATE: December 5, 2022
SUBJECT: Agreement – To Perform Emergency Repairs

On behalf of the Department of Neighborhood and Business Development, I am requesting that the City of Syracuse accept the following listing of contractors who responded to the City's Request for Qualifications (RFQ#23-073) and have been vetted as qualified to perform emergency repairs when landlords refuse to adequately address critical code violations, and to authorize the City to enter into contract with approved developers on a per project basis, as approved by ordinance #294-2022:

- Ali Fix It Construction
- Solid Rock Construction
- Chiodo Heating & Air
- GC Contracting

Expenditures are estimated not to exceed \$186,000 through 12/30/2022 and will be charged to an account designation by the Commissioner of Finance. All projects involve M/WBE compliance monitoring and reporting, in addition to adherence to local hiring requirements for awarded projects of \$100,000 or greater. The duration of this qualification will be for twenty-four (24) months from the execution date with an optional one-year renewal.

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

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

12/7/2022
Date

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

Office 315 448-8252
Fax 315 448-8116

www.syr.gov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

**RESOLUTION - TO HONOR THE SYRACUSE UNIVERSITY MEN'S SOCCER TEAM
FOR THEIR 2022 NATIONAL CHAMPIONSHIP**

WHEREAS, the Syracuse University Men's Soccer team, led by Coach Ian McIntyre, began their season with high expectations and came out strong, setting the bar high by winning seven of their first eight contests; and,

WHEREAS, the Orange men played their way to a 12-2-3 regular season record, their best since 2014, winning the conference's Atlantic Division outright and earning themselves one of the top two seeds in the ACC Men's Soccer Championship; and,

WHEREAS, Syracuse, riding high on confidence after their stellar regular season, entered the conference tournament determined to keep winning, and playing with incredible defense and a high-powered offense, prevailed in three straight games to claim the ACC Men's Soccer Championship; and

WHEREAS, Syracuse earned an automatic bid to the NCAA Tournament where the Orange were seeded No. 3, and after exciting wins over Penn, Cornell, and Vermont, Syracuse earned their place in the College Cup; and

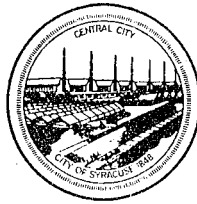
WHEREAS, 'Cuse were matched up against Creighton in the national semifinals, and playing with an unwavering resolve, fought their way to a hard-earned 3-2 victory and a chance to play for the National Championship; and

WHEREAS, on a cold Monday night in Cary, North Carolina, Syracuse battled against Indiana in a thrilling back-and-forth game that remained undecided after 110 minutes, sending the teams to penalty kicks, where Syracuse came out on top 7-6, winning the first-ever National Championship in program history; and

WHEREAS, the never-say-die attitude adopted by the Orange all year long took the fans on an adventurous, awe-inspiring ride, unifying the community around the team and makes Syracuse University only the fifth school ever to win the Men's National Championship in football, basketball, and soccer.

NOW THEREFORE,

BE IT RESOLVED, that the Syracuse Common Council, as duly elected representatives of the proud citizens of the City of Syracuse, do hereby congratulate Coach McIntyre and the entire Syracuse University Men's Soccer Team on a highly successful season, one that created lifelong memories and showed us all what can happen when you "Dare to Dream."



CITY OF SYRACUSE COMMON COUNCIL

PATRICK J. HOGAN
Councilor – 2nd District

December 13, 2022

Ms. Patricia K. McBride
City Clerk
321 City Hall
Syracuse, New York 13202

Dear Ms. McBride:

Please prepare a resolution for the waiver agenda of the Common Council meeting of Monday, December 19, 2022 honoring the Syracuse University Men's Soccer team on their victory over Indiana University in the 2022 Men's College Cup Final where they earned their first national championship in program history.

The Orange played Indiana to a 2-2 draw after a hard fought 110 minutes. Ultimately, the orange came on top in penalty kicks by a score of 7-6. The winning penalty was taken by team captain Amferny Sinclair, as he buried his shot in the top right corner and victory was claimed for the Orange.

The Orange for their first time in program history won their division, conference, and the national championship.

The extraordinary Syracuse Orange Men's soccer team was led by head coach Ian McIntyre, assistant coaches Jukka Masalin and Sean Taylor, and team captain Amferny Sinclair.

Thank you for your attention in this matter.

Sincerely,

Patrick J. Hogan
2nd District Councilor

Resolution No.

2022

**RESOLUTION MEMORIALIZING THE STATE
OF NEW YORK TO ALLOCATE FUNDS IN
SUPPORT OF MUNICIPAL ENFORCEMENT
EFFORTS RELATED TO THE CANNABIS LAW**

WHEREAS, in 2021 the New York State Legislature passed the Marijuana Regulation and Taxation Act, creating Chapter 7-A of the Consolidated Laws of the State of New York, the Cannabis Law (hereinafter referred to as the “Cannabis Law”), which was signed into law by Governor Andrew M. Cuomo, and took effect March 31, 2021; and

WHEREAS, the Cannabis Law established the Cannabis Control Board and the Office of Cannabis Management, which with the assistance of the New York State Attorney General, are responsible for the regulation and enforcement of the Cannabis Law; and

WHEREAS, the Section 133.4(c) of the Proposed Adult-Use Cannabis Regulations for the Cannabis Law, published on November 21, 2022, and attached hereto as Exhibit “A”, indicates that the Office of Cannabis Management is “authorized to take enforcement action or impose sanctions upon a license holder” in part by “referral to state or local, civil or criminal investigative or enforcement entities, or any combination thereof;” and

WHEREAS, in a press release from February 8, 2022, attached hereto as Exhibit “B,” the Office of Cannabis Management states it intends to work with governmental partners to enforce the Cannabis Law; and

WHEREAS, in an Office of Cannabis Management press release from July 7, 2022, titled “Office of Cannabis Management publicly identifies illicit retail operations,” attached hereto as Exhibit “C,” Chief Equity Officer at the Office of Cannabis Management Damian Fagon states the Office of Cannabis Management will work with “partners across government to investigate [stores selling unregulated cannabis products without a licenses] and hold them accountable;”

and

WHEREAS, Section 131 of Article 6 of the Cannabis Law and the Office of Cannabis Management's publication "What is in the Law: Local Government", the latter of which is attached hereto as Exhibit "D," indicate that local municipalities will be responsible for passing local laws and regulations governing the time, place and manner of adult-use retail dispensaries and adult-use on-site consumption licenses; and

WHEREAS, the burden of ensuring compliance with the Cannabis Law is largely placed on local governments and municipal agencies (hereinafter collectively referred to as "Local Governments"), such as the City of Syracuse Division of Code Enforcement, which will need to commit significant time, personnel and financial resources to ensure compliance; and

WHEREAS, the Cannabis Law seeks to establish a robust social and economic equity program to actively encourage members from communities disproportionately impacted by the policies of prohibition to participate in the new industry; and

WHEREAS, the Cannabis Law seeks to ensure public health and safety by administering a sophisticated quality assurance regulatory structure that includes standards for production and manufacturing, strict product testing, labeling, packaging and advertising so as to ensure products are safe for consumers and not targeted to youth; and

WHEREAS, it has been widely reported in news outlets, such as NPR, Bloomberg and Politico, articles from which are attached hereto as Exhibit "E," that the proliferation of illicit cannabis markets undermines the ability to establish a legal cannabis market, placing the social, economic, and public health and safety goals promised with cannabis reform in jeopardy; and

WHEREAS, the Office of Cannabis Management recognizes the threat posed by the proliferation of the illicit cannabis market, with Chief Equity Officer at the Office of Cannabis

Management Damian Fagon quoted in Exhibit "C" as acknowledging New York's efforts to create the nation's most equitable cannabis industry are "undercut" by "stores selling unregulated cannabis products without licenses" as they "don't contribute to our communities, they don't support our public schools and they don't protect consumers;" and

WHEREAS, the ability for the Cannabis Law to deliver upon its social, economic, and public health and safety goals is dependent upon the establishment of a strong legal cannabis market; and

WHEREAS, Local Governments are the critical component of ensuring compliance with the Cannabis Law which will allow for a thriving and successful legal cannabis market; and

WHEREAS, Local Governments are only entitled to a local excise tax imposed on the sale of cannabis products from a retail dispensary to a cannabis consumer at four percent (4%) of the product price, with twenty-five percent (25%) of this tax revenue going to the county and seventy-five percent (75%) going to the cities, towns, or villages within the county as a proportion of cannabis sales; NOW, THEREFORE

BE IT RESOLVED, that this Common Council hereby requests the appropriation of sufficient funds from the Governor of New York, Kathleen C. Hochul, and the New York State Legislature to support the municipal agencies tasked with ensuring compliance with the Cannabis Law so as to ensure the Cannabis Law delivers the social, economic, and public health and safety; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit copies of this Resolution to Governor Kathleen C. Hochul, New York State Assembly Members William B. Magnarelli and Pamela J. Hunter; New York State Senators Rachel May and John Mannion.

EXHIBIT "A"

Pursuant to the authority vested in the Cannabis Control Board by Section 13, 16, 17, 89, 132, and 133 of the Cannabis Law, Chapter II of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York is hereby amended, and a new Part 133 is added, to be effective upon filing with the Department of State, to read as follows:

Part 133

VIOLATIONS, HEARINGS, AND ENFORCEMENT

§ 133.1 Definitions

§ 133.2 Denial of Requests for Change or Amendment of License or Renewals of License

§ 133.3 Compliance Inspections and Enforcement Investigations Compliance

§ 133.4 Violations

§ 133.5 Corrective Action Plan

§ 133.6 Summary Suspension and Stop Work Orders

§ 133.7 Grounds for Suspension, Cancellation, Revocation, or Debarment of a License, and

Denial of Renewal, Change or Amendment of Licenses

§ 133.8 Notice of Hearing and Statement of Charges

§ 133.9 Request for Adjournment

§ 133.10 Answer or Responsive Pleadings

§ 133.11 Amendment of Pleadings

§ 133.12 Service of Papers

§ 133.13 Disclosure

§ 133.14 Responsibilities of the Administrative Law Judge

§ 133.15 Administrative Law Judge Hearings

§ 133.16 Subpoenas

(4) upon determination that the detention of the items seized are no longer necessary to ensure compliance with applicable regulations, the licensee shall be notified of that determination and the items may be returned to the licensee. The licensee shall acknowledge, in writing, receipt of the seized items at the time of such return.

§ 133.4 Violations

(a) Violation categories:

(1) Category 1 - Violations are such that they are immediate and severe threat to public health, safety or welfare.

(2) Category 2 - Violations are such that they create a severe threat to public health, safety or welfare.

(3) Category 3 - Violations are such that they create a potential threat to public health, safety or welfare.

(4) Category 4 - Violations are such that they create a climate which is conducive to abuses of Office regulations governing the cultivation, processing, production, distribution, sale, or delivery of cannabis or cannabis products.

(5) Category 5 - Violations are those that are inconsistent with the orderly operation of a regulated business engaged in the cultivation, processing, production, distribution, sale, or

delivery of cannabis or cannabis products or those that are inconsistent with said business's ability to operate in a manner that comports with applicable regulations.

(b) Unless engaged in a corrective action plan or remediation activities approved by the Office, a licensee shall not destroy, damage, alter, tamper with, remove or conceal potential evidence of a violation under this subdivision; attempt to do so, or ask or encourage another person to do so.

(c) In response to a violation of any provision of the Cannabis Law and other related regulations, the Office is authorized to take enforcement action or impose sanctions upon a license holder. Sanctions may include, but are not limited to, civil penalties, fees or fines, suspension, cancellation, or revocation of a license, debarment, non-renewal, a stop order to cease all licensed activity, seizure or quarantine of product, and referral to state or local, civil or criminal investigative or enforcement entities, or any combination thereof.

(d) The Office may, in its discretion, conduct multiple enforcement actions or impose sanctions pursuant to this Part to be applied concurrently or consecutively.

(e) Licensees shall comply with all laws of the State of New York and all applicable regulations of New York State agencies.

(f) A licensee shall supervise the conduct at the licensed premises at all times. A licensee will be held accountable for any violation of any applicable laws, rules, and regulations

EXHIBIT "B" Translate ▼**Office of Cannabis Management (/)****FEBRUARY 8, 2022****Office of Cannabis Management Announces Enforcement Action**

Cease and Desist Letters Sent to Suspected Violators Making Clear Cannabis Sales, Including “Gifting,” Are Only Allowed by Licensed Dispensaries

Illicit Sales Must Stop Immediately or Risk Losing Their Ability to Get a License in the Legal Industry

The New York State Office of Cannabis Management (OCM) today sent letters ordering businesses suspected of illegally selling cannabis, including the practice of “gifting,” to cease and desist those operations or risk the opportunity to get a license in the legal market as well as substantial fines and possible criminal penalties. The letters explain that while cannabis has been legalized for those aged 21 and over, selling it requires a license under the law.

Recent media reports have described business operators selling a product or service, including club memberships, to consumers and providing cannabis as a “gift” in return. This activity is illegal under the Marijuana Regulation and Taxation Act (MRTA). Through an initial investigation, the OCM has identified over two dozen alleged violators and sent letters to

each educating them on the law and directing them to stop their illegal activity immediately.

“We have an obligation to protect New Yorkers from known risks and to strengthen the foundation of the legal, regulated market we are building. We will meet the goals of the MRTA to build an inclusive, equitable and safe industry,” said **Cannabis Control Board Chair Tremaine Wright**.

“Therefore, these violators must stop their activity immediately, or face the consequences.”

“We want to make sure these operators fully understand the law and the consequences they face and now that these letters have been sent, we fully expect them to cease and desist their activities – if they don’t, we will take action,” said **OCM Executive Director Chris Alexander**. “New York State is building a legal, regulated cannabis market that will ensure products are tested and safe for consumers while providing opportunities for those from communities most impacted by the over criminalization of the cannabis prohibition, and illegal operations undermine our ability to do that. We encourage New Yorkers to not partake in illicit sales where products may not be safe and we will continue to work to ensure that New Yorkers have a pathway to sell legally in the new industry.”

No adult-use licenses have been issued in New York State to date. The only legal means of procuring, safe, tested cannabis products is through the Medical Cannabis Program (<https://cannabis.ny.gov/medical-cannabis>), where becoming a patient requires getting certified from a medical provider.

Under the MRTA, OCM’s role is to enforce the rules it develops for the three prongs of the industry it oversees – the Medical Cannabis Program, the Cannabinoid Hemp Program, and the Adult-use Cannabis Program. The office works with governmental partners to enforce the law. A sample letter is available here (<https://cannabis.ny.gov/enforcement-letter>).

To report illicit activity to the OCM, please send an email to enforcement@ocm.ny.gov (<mailto:info@ocm.ny.gov>).

Contact Office of Cannabis Management Press Office

✉ Contact us by email:

press@ocm.ny.gov

(<mailto:press@ocm.ny.gov>)

Office of Cannabis Management

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OFFICE OF CANNABIS MANAGEMENT PUBLICLY IDENTIFIES ILLICIT RETAIL OPERATIONS

Unlicensed Stores Present a Public Health Risk by Selling Untested Cannabis Products Illicit Stores Undercut Equity Goals of NY Cannabis Law

Today, the Office of Cannabis Management (OCM) publicly identified fifty-two illicit cannabis stores that were sent cease and desist letters, directing them to stop all illicit cannabis sales. These stores falsely depict their operations as legal cannabis dispensaries, but they are not licensed by New York State and are selling untested products that put public health at risk.

The letters sent notified these operators that their failure to cease operations could permanently bar them from receiving any cannabis licenses in New York State.

Additionally, the OCM has received referrals of additional illicit storefront operations from local law enforcement and the general public that are under review. If the storefronts named today by the Office of Cannabis Management don't cease operations, they will be referred by the OCM to the Cannabis Control Board for permanent barring from receiving any cannabis licenses in New York State.

"There are no businesses currently licensed to sell adult-use cannabis in New York State. Selling any item or taking a donation, and then "gifting" a customer a bag of untested cannabis does indeed count as a sale under New York's Cannabis Law," said **Tremaine Wright, Chair of New York's Cannabis Control Board**. "You need a license to sell cannabis in New York. Licensed sales and a regulated market are the only way New York's customers will be assured that the cannabis products they are purchasing have been tested and tracked from seed to sale. Sale of untested products put lives at risk. I implore these illegal store operators, and any other stores pretending to be legal operations, to stop selling cannabis products immediately."

"These stores are masquerading as licensed, regulated businesses, but they are nothing of the sort. They aren't creating opportunity, they are creating confusion - New Yorkers think they're buying a high-quality, tested product when they aren't," said **Chris Alexander, Executive Director of the Office of Cannabis Management**. "Not only are these stores operating in violation of New York's Cannabis Law, but they also are breaking state tax and several municipal laws. I look forward to working with other regulatory bodies across the state to hold these stores accountable for their flagrant violations of the law."

Regulated adult-use cannabis businesses will be required to, in addition to being licensed by the Cannabis Control Board, comply with all state and local laws including providing clear and verifiable information to consumers regarding the products that they are consuming, checking identification of consumers to ensure sales are not being made to young people, and collecting and depositing tax revenue that will support New York State's schools and help revitalize communities.

"New York is building the most equitable cannabis industry in the nation, one that prioritizes those communities most harmed under cannabis prohibition. Stores selling unregulated cannabis products without licenses undercut those efforts. Plain and simple," said **Damian Fagon, Chief Equity Officer at the Office of Cannabis Management**. "Illicit stores don't contribute to our communities, they don't support our public schools and they don't protect consumers. That's why we're working with partners across government to investigate these operations and hold them accountable."

No adult-use retail licenses have been issued in New York State to date. Currently, the only legal means of procuring, safe, tested cannabis products is through the Medical Cannabis Program, where becoming a patient requires getting certified from a medical provider.

As stated, illicit cannabis storefronts are not contributing to the New York state cannabis revenue fund, which is designed to invest revenue from cannabis sales back into communities. Said revenue will cover the administration of the program and implementation of the law and will then be split to support the following:

- 40 Percent to the State Lottery Fund for additional lottery grants to eligible school districts and to increase the amount of funding available for general public-school support

- 40 Percent to Community Grants Reinvestment Fund, which supports communities disproportionately impacted by cannabis prohibition. This locally focused programming will include job training and placement, reentry services for justice-involved New Yorkers, system navigation services, youth-serving programs, financial literacy services and much more

- 20 Percent to Drug Treatment and Public Education Fund

The OCM remains focused on improving public health outcomes for cannabis patients and consumers and is hard at work developing regulations for the broader adult-use program including expansive testing requirements to avoid adverse reactions to cannabis products. Unregulated vaping products, including cartridges labeled as containing THC, have been cited by the CDC as being responsible for thousands of cases of acute respiratory distress syndrome, across the country. The OCM is strongly encouraging New Yorkers not to visit these operations and to be aware that products being offered for sale are not safe for human consumption.

52 illicit cannabis storefronts and trucks received cease and desist letters. In total, 66 letters were sent because in some instances the associated LLC had an address for service on file with the NYS Department of State or a separate address was found for said owner. Head here (and scroll down to the "cease and desist" section) to view the letters.



What is in the Law Local Governments

EXHIBIT "D"

Overview

On March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law (collectively referred to as "OCM"). The OCM will issue licenses and develop regulations outlining how and when business can participate in the new industry. The OCM will also oversee the State's existing Medical Marijuana Program and Cannabinoid Hemp Program, previously regulated by the Department of Health.

The information below is a collection of key provisions from the MRTA which impact local governments and local officials. For additional information or to contact the Office of Cannabis Management, please visit our website at: www.cannabis.ny.gov or e-mail us at: info@cannabis.ny.gov.

Local Opt-out

Cities, towns, and villages can opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses from locating within their jurisdictions; however, municipalities cannot opt-out of adult-use legalization. Possession and use of cannabis by adults 21 years of age or older is legal in New York State.

To opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses, a municipality must pass a local law by December 31, 2021. This means that if a municipality has already passed a local law or resolution prohibiting adult-use cannabis licensees from operating in its jurisdiction, the municipality will have to pass a new local law conforming to the opt-out requirements outlined in the MRTA if the municipality still chooses to opt-out.

If a municipality does not opt-out by December 31, 2021, the municipality will be unable to opt-out at a future date. However, at any time a municipality may opt back in, to allow adult-use retail dispensaries and/or on-site consumption licenses, by repealing the local law which established the prohibition.

A municipality may choose to opt-out of both adult-use retail dispensaries and on-site consumption licenses or just one type of license (e.g. allow retail dispensaries but not on-site consumption licenses). Municipalities are prohibited from opting out of other adult-use license types from locating or operating within their jurisdiction. Additionally, municipalities are prohibited from opting out of medical cannabis or cannabinoid hemp license types. If a town passes a local law to opt-out, it only affects the area of the town outside of any village within the town. County governments are not permitted to opt-out of any adult-use license types.

Any local law opting out of adult-use retail dispensaries or on-site consumption licenses will be subject to a permissive referendum as outlined in section 24 of the Municipal Home Rule Law. This allows voters within the municipality to petition whether or not to approve the local law.

Local Control and Preemption

Except for the opt-out provision described in the section above, all municipalities including counties, are preempted from adopting any law, rule, ordinance, regulation, or prohibition pertaining to the operation or licensure of adult-use cannabis, medical cannabis or cannabinoid hemp licenses.

However, towns, cities and villages are permitted to pass local laws and regulations governing the time, place and manner of adult-use retail dispensaries and on-site consumption licenses, provided such laws and regulations do not make the operation of the license unreasonably impracticable. For example, cities, towns, and villages may pass laws and regulations pertaining to local zoning and the location of licensees, hours of operations and adherence to local building codes. Municipalities may not issue or require local licenses for cannabis businesses.

Notification to municipalities

At least 30 days prior to applying for an adult-use retail dispensary or on-site consumption license, an applicant must notify the municipality of the applicant's intent to apply for such license. The notification must be made to the clerk of the village, town, or city, or if in the city of New York, the community board in which the proposed premise is located. When the municipality expresses an opinion for or against the granting of the license, the opinion shall be deemed part of the record and used by the OCM to determine whether to grant or deny the application. The Cannabis Control Board must then respond in writing to the city, town, village, or community board, with an explanation of how such opinion was considered in the granting or denial of an application.

Adult-Use Taxation

The MRTA establishes three taxes on adult-use cannabis. First, there is a tax imposed on the distributor based on the milligrams (mg) of total THC in the product. There are different rates of tax depending on the cannabis product form.

- Edibles (e.g. food and beverages) are taxed at \$0.03 per mg of total THC
- Concentrates (e.g. vaporization oil, wax, shatter, and resin) are taxed at \$0.008 per mg of total THC
- Cannabis flower (e.g. loose flower, pre-rolls, or shake) are taxed at \$.0005 per mg of total THC

The mg per total THC tax accrues at the sale from a distributor to a retail dispensary and is paid to the State by the distributor. If the distributor is also the licensed retailer, such as a microbusiness or registered organization, the tax accrues at the time of the retail sale.

Second, there is a state excise tax imposed on the sale of cannabis products by a retail dispensary to a cannabis consumer at 9 percent of the products' price.

Third, there is a local excise tax imposed on the sale of cannabis products by a retail dispensary to a cannabis consumer at four (4) percent of the products' price. This tax is distributed to local governments based on where the retail dispensary is located. Twenty-five (25) percent of the tax revenue goes to the county and seventy-five (75) percent goes to the cities, town, or villages within the county as a proportion of cannabis sales. If a town and a village within the town both allow adult-use sales, the revenue shall be distributed based upon a distribution agreement between the town and village. If no such agreement exists, then the revenue distribution between the town and village shall be divided evenly.

Adult-Use Tax Revenue Distribution

All adult-use cannabis taxes are deposited in the New York State Cannabis Revenue Fund. First, the Cannabis Revenue Fund covers the costs of administering the cannabis programs and the implementing the MRTA, including costs to the OCM's operating costs, increasing Drug Recognition Expert training, and implementing incubators and workforce development for social and economic equity applicants.

After upfront costs, the remaining tax revenue is distributed into three separate funds:

- 40% to the State Lottery Fund for education
- 40% to the Community Grants Reinvestment Fund to issue grants to non-profit and community-based organizations in communities disproportionately impacted by cannabis prohibition, and other social equity initiatives.
- 20% to the Drug Treatment and Public Education Fund to development and implement statewide public education campaigns and provide substance use disorder treatment programs for youth and adults.

Public Consumption (Smoking)

The legislation adds cannabis to the existing Clean Indoor Air Act (CIAA), which establishes prohibitions on where cannabis can be smoked or vaporized. The smoking or vaporizing of cannabis is prohibited anywhere smoking tobacco is prohibited. Cannabis cannot be consumed when operating a motor vehicle. Pursuant to the CIAA, municipalities are authorized to make laws that are more restrictive than the CIAA.

Home Cultivation of Cannabis

New Yorkers 21 years of age and older can grow up to 6 cannabis plants in their home for personal use (3 mature plants and 3 immature plants) and a maximum of twelve plants per household (6 mature plants and 6 immature plants). ***Please be aware the home cultivation of cannabis is not allowed immediately.*** Pursuant to the MRTA, the home cultivation of cannabis is only permitted after the OCM issues regulations governing home cultivation of cannabis, which will occur within 18 months of the first adult-use retail sale. The MRTA also permits the home cultivation of medical cannabis for certified patients registered in the Medical Cannabis Program. Home cultivation for certified patients has an accelerated timeline, but is not authorized until the OCM issues regulations, which will occur on or before September 30, 2021.

- Cannabis plants must be kept in a secure place and not accessible to any person under 21.
- Home cultivated cannabis cannot be sold to anyone and is only intended for personal use.
- The use of compressed gas solvents, such as propane or butane, to process or extract home cultivated cannabis, will not be allowed.
- Local municipalities may enact and enforce regulations relating to home cultivation of cannabis, provided no municipality may completely ban or prohibit home cultivation.

Personal Possession

Adults over 21 can possess up to 3 ounces of cannabis and 24 grams of concentrated cannabis (like vaporization oil or an edible). Adults may possess up to five pounds of cannabis at their personal residence or grounds. Personal possession over the legal limit and the unauthorized sale of any amount of cannabis is illegal and subject to penalties.

Contact Us


Please visit our website or contact us using the e-mail and phone number below for more information.

Website: www.cannabis.ny.gov

Call: 1-888-OCM-5151

Email: info@cannabis.ny.gov

5 years after California legalized weed, the illicit market dominates

 [npr.org/2021/11/07/1053387426/5-years-after-california-legalized-weed-the-illicit-market-dominates](https://www.npr.org/2021/11/07/1053387426/5-years-after-california-legalized-weed-the-illicit-market-dominates)

November 7, 2021 5:01 PM ET Heard on All Things Considered

California voters legalized recreational marijuana, but its cannabis market remains largely illicit. NPR's Michel Martin speaks with reporter Amanda Chicago Lewis about why.

MICHEL MARTIN, HOST:

Tomorrow marks five years since California voters passed Proposition 64, legalizing the use of recreational marijuana and paving the way for the eventual cultivation and sale of legal weed in one of the world's largest economies. Five years later, cannabis is selling in record amounts, but fully legal weed makes up just a fraction of the state's marijuana market, with some experts estimating that 80 to 90% of cannabis sales in California still fall into a legal gray zone. In other words, the industry is, quote, "a mess." That's according to reporter Amanda Chicago Lewis. She's been reporting on cannabis for some years now and recently wrote about this in The Guardian. And she's with us now.

Thank you so much for joining us.

AMANDA CHICAGO LEWIS: Great to be here.

MARTIN: So I mentioned that most marijuana sales in California are still happening illicitly. I know this from your reporting. So the big question is, how does this happen? How does a state with legal recreational sales still find itself with most of the market operating illicitly?

CHICAGO LEWIS: Well, the problem is the legal market is expensive to join if you are a seller, if you're a grower. And it's expensive to participate in as a consumer. The big problem, really, with California is not what's happened in the last five years since the legalization ballot initiative passed but the 20 years before that, when California legalized medical cannabis but only really legalized the possession of the plant or growing for yourself if you had a doctor's recommendation. But you can't legalize a commodity and not legalize sales because we live under capitalism, and that's not how anything works. And so these businesses just became entrenched. And this laissez faire market took over.

MARTIN: So when we say that the sales are illicit, what does that mean? It doesn't really mean what it meant back in the day. It's not like - what? - people handing off in the parking lot somewhere.

CHICAGO LEWIS: So the illicit market, it means a lot of different things. You've got cartels, gangs from China, from Bulgaria, you know, running in the hills with AK-47s to protect their enormous illicit farms. You've got mom and pop shops that are operating in cities and counties that decided they were going to ban legal sales. And it's everything in between those things.

MARTIN: So as a consumer, is it clear whether a shop is legal or operating in that gray area?

CHICAGO LEWIS: You have to be a very attentive consumer to distinguish between legal and illegal businesses. Take a delivery service. A delivery service is pretty easy to hide the illegality around. And you could essentially be ordering from a drug dealer. The website you order from might not make that clear, and the products might look identical. In fact, I'm told the factories in China that produce packaging for many of the biggest legal brands in California also will turn around and sell counterfeit versions of the same packaging to illicit operators. And that's to say nothing of the fact that many licensed, legal operators in the cannabis industry in California tell me the only way they can turn a profit is to have one foot in the illegal market and one foot in the legal market because the illegal market is so much more profitable.

MARTIN: Just from a consumer standpoint, that sounds dangerous.

CHICAGO LEWIS: Yeah. Take the vape crisis, right? We saw all of these lung illnesses emerge in the summer of 2019 caused almost entirely by illegal cannabis vape pens. Cannabis itself is not a very dangerous drug. But when you process it with gross chemicals and you do so as cheaply as possible, you might get something disgusting on the other end. I spoke to people in Los Angeles who were buying vape pens that, you know, had made them sick and didn't even understand that they were going to illegal dispensaries.

MARTIN: And is there also a federal-state issue here in terms of capitalization, the difference between federal regulatory frameworks and state frameworks?

CHICAGO LEWIS: Absolutely. The inconsistency between state and federal law is causing enormous problems in the cannabis industry everywhere. In terms of running a legal business, it's very difficult to get a bank account, right? So then you're operating in cash. That can be very dangerous.

And almost more significantly, you end up having to pay a 70% effective tax rate because you're not able to take deductions on your federal taxes. So most businesses might pay 35%. You're paying 70%. That can be a huge cost for a small business.

But almost more significantly, since we're doing this weird, piecemeal, state-by-state legalization, any state that legalizes is naturally going to attract traffickers who grow weed under the cover of legalization and then send that weed to a state where it's not legal. And therefore, the price of a pound of cannabis is much higher. The best-case scenario that we've seen in terms of containing the illicit market in illegal state is Colorado. And Colorado has about a 30, 35% illicit market rate. That's the best-case scenario.

MARTIN: Before we let you go, do you have a sense of why policymakers - what do they think would make a difference in making this less of a mess?

CHICAGO LEWIS: You know, I've spoken a lot with the woman who used to run Governor Newsom's cannabis policy and now is the director of the Department of Cannabis Control, Nicole Elliott. And she's certainly aware that the illicit market is a huge problem. But also, there are things that she can't control. You know, the law has already been established and written that cities and counties are allowed to opt out of legalization, essentially.

She can't force a county to allow legal sales. She can't force Los Angeles to license more of its illicit stores. There's only about 200 legal dispensaries in Los Angeles, and there's estimated anywhere between a thousand and maybe 1,500 illicit stores.

And then I think part of what cannabis suffers from is that it's oddly a complex issue that isn't going to be prioritized by Congress, might not necessarily be prioritized by, you know, state leaders. Like, we're still in the middle of a pandemic. I sort of see that, you know, parallel markets, legal market and illicit market and maybe an in-between market that seems legal but isn't will probably persist not only in California but in the rest of the country for quite some time.

MARTIN: That was cannabis reporter Amanda Chicago Lewis. Amanda, thank you so much for your time.

CHICAGO LEWIS: Thanks for having me.

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The black market strangled California's legal weed industry. Now it's coming for New York.

P politico.com/news/2022/11/13/california-black-market-weed-new-york-00066470

By Julian-Shen-Berro and Shannon Young

11/13/2022 07:00 AM EST

NEW YORK — Inside a Brooklyn smoke shop, past rows of bongs and other paraphernalia, a display case is piled high with legal hemp and CBD — but a store employee has some advice.

“That’s not the stuff you want,” he confides to a reporter who had been wordlessly eyeing the display.

Unprompted, the worker reaches behind the counter — but not before idly musing, “you look like a cop” — and produces a plastic shopping bag containing what he says are genuine marijuana gummies, imported from California.

“I can sell you mushrooms, too,” he adds.

It’s become a familiar scene in New York City. The state legalized adult-use marijuana more than a year ago but is yet to issue a single dispensary license. The result has been a weed free-for-all: Cannabis seems to be for sale everywhere — head shops, bodegas, even from folding tables on street corners. Some dealers brazenly sell in public, and many boast their products were grown in California.

The outcome is not unlike what happened when California legalized marijuana. Six years later, illegal sellers and growers continue to thrive there. Despite those struggles, New York leaders decided to take a gentle approach with anyone selling without a license. Now, an industry expected to generate more than 20,000 new jobs and a could stumble on arrival as it competes with the booming black market.

Already, some legitimate companies that were planning major investments are heading for the hills.

“Everybody seems to be selling cannabis, and until there’s enforcement, there’s really no concern of a penalty.”

“Everybody seems to be selling cannabis, and until there’s enforcement, there’s really no concern of a penalty,” said Owen Martinetti of the Cannabis Association of New York, who is personally calling for stronger civil enforcement. “If there’s already competition and it’s not enforced, it kinda begs the question, are [the regulated stores] really set up for success?”

Blindsided

When New York became the 15th state to legalize cannabis last year, lawmakers saw an opportunity to reverse past wrongs. They expunged certain marijuana-related criminal records and offered priority on marijuana business licenses to “justice-involved people” with prior weed convictions.

Against that backdrop, lawmakers hesitated to throw the book at those now caught selling cannabis without a license and gave hazy enforcement instructions to the state’s Office of Cannabis Management.

“Since we didn’t think this was going to happen, we didn’t put anything in the bill that gave OCM and the police departments very clear-cut rules of the road to close them down,” said state Sen. Liz Krueger, a sponsor of the bill to legalize recreational cannabis.

Krueger believes police already have the right to seize illegal products and shutter offending shops. New York Mayor Eric Adams, a fellow Democrat, didn’t appear to share that viewpoint, however.

“A police officer can’t just walk in and conduct an apprehension, or an arrest, or confiscate the item — there’s a process,” he said last month. Adams, a retired police captain, urged New Yorkers to notify police about illegal shops and said he plans to lobby the state Legislature in January for greater clarity on what the NYPD and New York City Sheriff’s Office can do.

City Hall spokesperson Kayla Mamelak said Adams has clearly articulated that illegal businesses will not be tolerated.

“Multiple agencies — on both the city and state level — are coordinating closely to ensure compliance and equity in the emerging cannabis market,” she said in a statement. “The New York City Department of Finance’s Sheriff’s Office has conducted hundreds of business inspections so far this year to ensure compliance with all applicable laws. During the course of such inspections, thousands of products deemed to be contraband have been seized and criminal and civil penalties have been imposed when appropriate. We will continue to work collaboratively with all our partners to ensure compliance with all laws affecting the public safety of New Yorkers.”

Earlier this year, a bill stalled in Albany that would have strengthened penalties for illicit cannabis sales and clarified the OCM’s role in enforcement. Some lawmakers were concerned that the measure established new criminal penalties.

Many stores selling unregulated cannabis products are already licensed to sell alcohol, tobacco and lottery tickets. Governments could revoke offending stores’ licenses,” said Assembly Majority Leader Crystal Peoples-Stokes, but “we have not sought to do that at all.”

In August, Adams confiscated 19 trucks that were illegally selling cannabis. The alleged violation: Selling edibles and other food products without proper city Health Department permits.

Some smaller municipalities in other parts of the state have shut down stores, and the cannabis management office sent cease-and-desist letters to 52 retailers statewide earlier this year.

'Set up to fail'

But the recent enforcement push may not be enough to blunt the illegal market's impact, especially with the first regulated stores planned to open in the coming months.

"I think we're already approaching the point of no return," said an executive at a medical and adult-use cannabis company with operations in New York who requested their name be withheld because regulatory negotiations are ongoing. If lawmakers don't contain the issue by next year, "the first set of dispensaries will have been set up to fail, and the state will either have to spend money bailing them out or we will see people turning in their licenses."

In a statement, OCM spokesperson Aaron Ghitelman said the agency has maintained "an open line of communications with law enforcement and other government entities across the state" since it was created, adding it was committed to investigating and shutting down unlicensed shops.

"From the Town of Cheektowaga to the City of New York, OCM and law enforcement agencies have effectively stopped illicit activity throughout the state," he said. "This activity has included the seizure of products, the issuance of cease-and-desist letters, and removal of trucks used for the illicit sale of cannabis. ... These illicit shops undermine our Office's mission, and the equitable market we're building, and we will continue to enforce the laws on the books to end their operations."

Further complicating matters, New York consumers have become accustomed to the illicit market, and the state needs to persuade them to switch over to regulated weed if it wants the legal industry to succeed.

Illicit shops can sell at significantly lower prices. They don't pay taxes and licensing fees, and their wares are often sourced from states with cheaper production costs.

"Speaking as just one sponsor of the original bill, I am totally open to reevaluating how we tax, what formulas we use and how we calculate it" if current rates prove overly burdensome to legal operators, Krueger said.

The California-New York cannabis pipeline is "very old and very well established," according to Amanda Reiman, chief knowledge officer at cannabis intelligence company New Frontier Data.

California's black market undermined its own legal industry. Six years out from the state's vote to legalize recreational marijuana, illegal sales have and many operators have closed up shop. High taxes, local government opposition and competition from the underground market have stifled the success of the legal cannabis industry in the nation's most populous state.

"We have not been successful in California getting people to adopt the regulated market in any large way," Reiman said.

New York may experience a honeymoon period as the novelty of legal dispensaries pulls in consumers. But industry members worry long-term success will falter.

Time running out

The sooner legal dispensaries are established, the easier it will be to shut down unlicensed businesses, according to Peoples-Stokes, who added that she has "no desire to criminalize people for products that we made legal and didn't put regulations in place."

Meanwhile, New York has lost major cannabis investments. In August, Ascend Wellness scrapped a \$73 million bid to acquire a New York company's medical licenses, citing, among other issues, concerns over the state's establishment of the recreational market and insufficient policing of the illicit market.

"It's eroding trust, not only from investors, but also [longtime illegal] operators" who the state should be encouraging to go mainstream, the industry insider said. "They're not sure that the state is going to help them succeed if they make that transition."

If the industry sours, legal operators are "going to be putting a lot of pressure — politically and otherwise — on politicians," said Robert DiPisa, co-chair of the Cannabis Law Group at law firm Cole Schotz P.C.

"If you're not going to play by the rules, there has to be some sort of penalty," Martinetti said. "If we're going to spend money on a license and pay taxes and invest money and build these businesses, then there has to be a pull — there has to be a reason ... and that's got to be the concern of being challenged by the state."

New York City Is Cracking Down on Your Local Weed Bodega

B [bloomberg.com/news/features/2022-12-12/new-york-city-says-it-s-going-to-go-after-illegal-pot-sellers](https://www.bloomberg.com/news/features/2022-12-12/new-york-city-says-it-s-going-to-go-after-illegal-pot-sellers)

After handing out three dozen retail licenses in late November, city officials are now confronted with how to shut down a growing unsanctioned market.

By Amelia Pollard, Tiffany Kary, and Gregory Korte

December 12, 2022 at 11:00 AM EST

New York regulators and law enforcement are starting to crack down on an onslaught of illicit pot sellers exploiting the run-up to the state's first recreational marijuana sales.

Scores of so-called weed bodegas have popped up in storefronts across the city hawking pre-rolled joints, edibles and gummies that tout cannabis' psychoactive ingredient THC. The problem is, none of them are actually legal, licensed sellers. And the \$2 billion market in illegal sales poses a threat to New York's ambitions to launch a tax-generating industry of mom-and-pop shops owned by entrepreneurs impacted by past marijuana arrests.

New York state passed legislation two years ago that decriminalized pot, made it legal for individuals to consume cannabis and allowed New Yorkers to buy small amounts of weed. However, it took months to formulate regulations and grant licenses, creating a legal grayarea where law enforcement was reluctant to go after so-called legacy sellers who were being encouraged by New York's regulators to apply for licenses.

That all changed in late November when the city doled out its first batch of licenses to three dozen sellers who are now going through the process of setting up legal storefronts or delivery services with hopes of launching their businesses before year-end.

Now that there are legitimate cannabis businesses on the cusp of operating, regulators say they can work with law enforcement to go after unsanctioned sellers.

"It's taken a while to get started," said Axel Bernabe, chief of staff of New York State's Office of Cannabis Management, which oversees the marijuana market roll-out from its base in Albany. "We have ramped up in the last couple of weeks and will be coming out strong in the New Year."

Bernabe said there was a general reluctance to re-criminalize cannabis, but the influx of illicit sellers has now given rise to more widespread support for cracking down on the illegal stores.

He said there isn't a risk that New York will follow the path of California, where it took years for the state to tighten up rules. In that state the illicit market continues to overshadow the legal industry by billions, spurring requests for bailouts and tax breaks from licensed sellers and jeopardizing the stream of tax revenue California has earmarked for social programs.

"You can't have a sustainable business if you're competing with 20 pop-ups a block," he said.

Pot Task Force

New York's OCM and law enforcement declined to say exactly how many illegal sellers they believe to be operating in the city or how many storefronts they've closed down so far.

City Hall on Nov. 14 launched a task force to combat illegal cannabis sales composed of the New York Police Department, the sheriff's office, the city's department of consumer and worker protection, and the state's cannabis management office.

In its first week in operation, the group seized close to 100,000 packages, cartons and other cannabis products, which totaled around \$2.5 million, according to a city official familiar with the program who was unauthorized to speak publicly on the operations. The agencies also made two arrests and issued over 300 civil violations and more than 30 criminal court summonses.

In one instance, the sheriff's office confiscated nearly 250 pounds of cannabis – roughly equivalent to \$650,000 worth of wholesale marijuana – from an outpost in the Bay Ridge neighborhood of Brooklyn, according to a statement.

Still, that sum is a small dent compared with the almost \$2 billion of illegal pot sales in the state projected for 2022, as estimated by Cannabis Public Policy Consulting, an advisory firm that works with state governments and other agencies to track cannabis data. The market for adult-use cannabis sales is projected to reach \$1.3 billion in New York City alone by next year, according to a statement in August from the mayor's office.

One big concern for city officials is that the public doesn't understand that stores currently selling weed are doing so illegally. That's likely led to New Yorkers purchasing cannabis they think is regulated – and presumably tested – by the state.

About 40% of cannabis products purchased from illicit stores in the city were found to contain harmful contaminants such as E. coli, lead and salmonella, according to a released on Nov. 30 commissioned by the New York Medical Cannabis Industry Association.

“The regulated business ensures a quality control mechanism for the use and access to these products,” Sheriff Anthony Miranda said in an interview. “Whereas with the illicit market, there's no quality control there. We don't know what they're cross mixing these things with.”

Some of the illegal stores are also flouting the state's proposed regulations regarding where dispensaries can be located. One store in Park Slope, Brooklyn, is about a block from a public school and even closer to a playground. Dispensaries aren't allowed to be within 500 feet (152 meters) of either, according to OCM

Politics of Arrests

The politics of arresting people for selling marijuana is delicate, given a major force behind New York's decision to legalize pot sales was to create a safer, taxable market that would address the impacts of the past war on drugs on low-income communities and people of color.

“I think the state will get fairly active in shutting down illegal dispensaries,” said Mitch Kulick, a New York cannabis attorney. But given the industry's historical enforcement has been rife with discriminatory practices, he suspects the state will issue fines to landlords that rent space to unlicensed dispensaries instead of retailers themselves.

Vladimir Bautista, a co-founder of Happy Munkey, a cannabis lifestyle company vying for a dispensary license, said New York has to strike a balance between arresting people and creating what he called “Prohibition 2.0,” and hampering the viability of licensed sellers.

“Right now it looks like there's a free-for-all,” Bautista said during a recent panel hosted by Columbia Business School and the law firm Goodwin Procter.

Then there's the issue of how the law is currently written: A spokesperson for the NYPD said there's no express enforcement mechanism outlined in state laws as to when and how to act when an unlicensed shop is displaying cannabis for sale, only when someone is caught actually selling it.

“Even then, the penalties are limited due to issues with the law as written,” the NYPD said in a statement. “The NYPD continues to advocate for reasonable amendments to the law that would enable appropriate enforcement of violations.”

Although the task force has made some headway in confiscating THC products, coordinating between multiple agencies can have its pitfalls, said City Council Member Carlina Rivera, who represents Manhattan's East Village and adjacent neighborhoods.

Rivera said the NYPD has primarily operated on a complaint-driven basis and that she isn't always notified when police have shut down an illegal storefront.

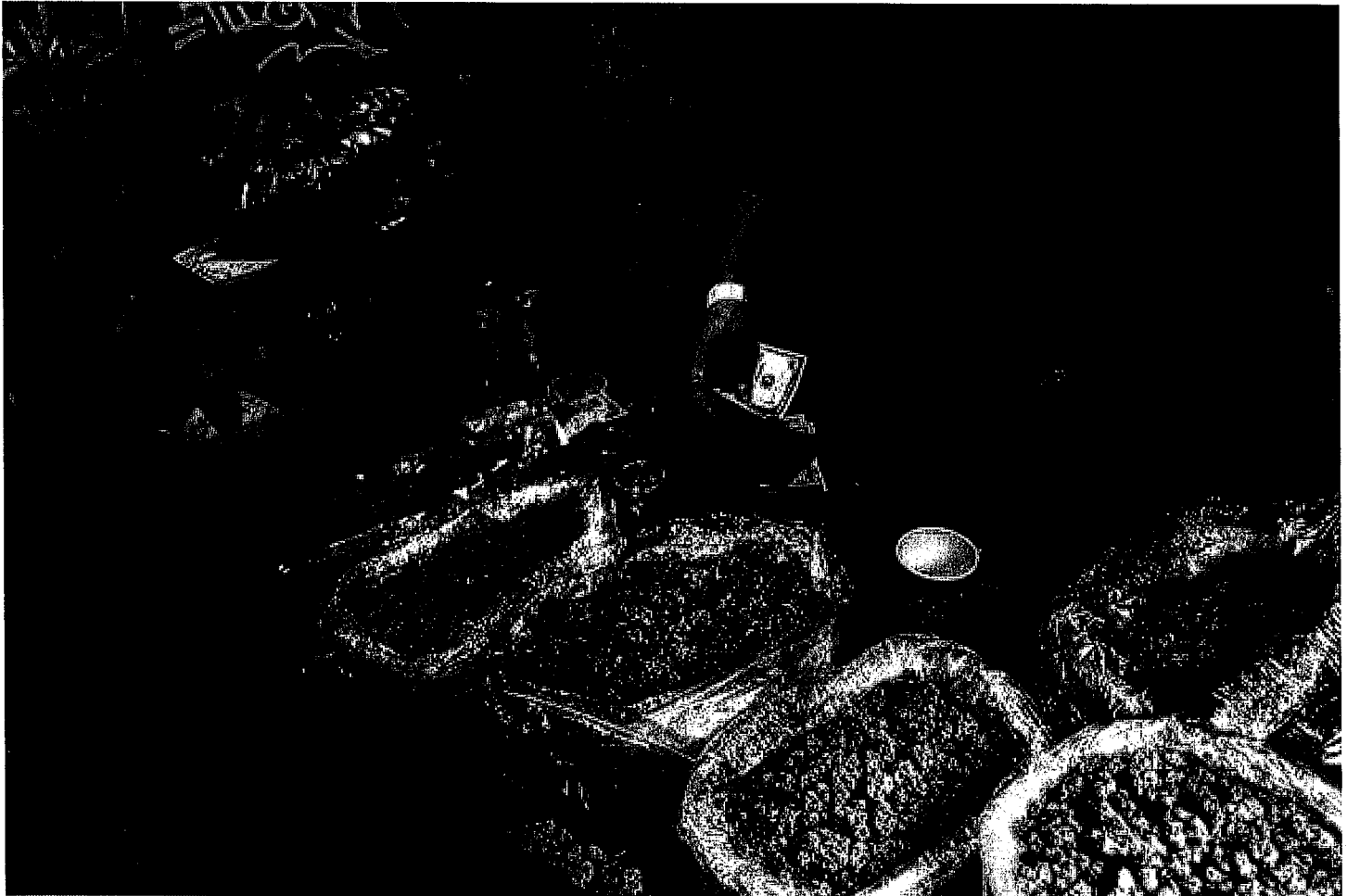
“If you’re operating in a gray area, you are not only jeopardizing your future of obtaining a legal license, but you’re also creating havoc in this legal market,” she said. “Purgatory is a good word for it.”

— *With assistance by Christian Richey and Matthew Townsend*

NEW YORK

The black market strangled California's legal weed industry. Now it's coming for New York.

Lax enforcement has allowed illicit sales to flourish — with little incentive to go mainstream.



New York legalized adult-use marijuana more than a year ago but is yet to issue a single dispensary license. The result has been a weed free-for-all. | Richard Vogel/AP Photo

By JULIAN SHEN-BERRO and SHANNON YOUNG
11/13/2022 07:00 AM EST



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But the recent enforcement push may not be enough to blunt the illegal market's impact, especially with the first regulated stores planned to open in the coming months.

"I think we're already approaching the point of no return," said an executive at a medical and adult-use cannabis company with operations in New York who requested their name be withheld because regulatory negotiations are ongoing. If lawmakers don't contain the issue by next year, "the first set of dispensaries will have been set up to fail, and the state will either have to spend money bailing them out or we will see people turning in their licenses."

In a statement, OCM spokesperson Aaron Ghitelman said the agency has maintained "an open line of communications with law enforcement and other government entities across the state" since it was created, adding it was committed to investigating and shutting down unlicensed shops.

"From the Town of Cheektowaga to the City of New York, OCM and law enforcement agencies have effectively stopped illicit activity throughout the state," he said. "This activity has included the seizure of products, the issuance of cease-and-desist letters, and removal of trucks used for the illicit sale of cannabis. ... These illicit shops undermine our Office's mission, and the equitable market we're building, and we will continue to enforce the laws on the books to end their operations."

Further complicating matters, New York consumers have become accustomed to the illicit market, and the state needs to persuade them to switch over to regulated weed if it wants the legal industry to succeed.

Illicit shops can sell at significantly lower prices. They don't pay taxes and licensing fees, and their wares are often sourced from states with cheaper production costs.

"Speaking as just one sponsor of the original bill, I am totally open to reevaluating how we tax, what formulas we use and how we calculate it" if current rates prove overly burdensome to legal operators, Krueger said.

The California-New York cannabis pipeline is "very old and very well established," according to Amanda Reiman, chief knowledge officer at cannabis intelligence company New Frontier Data.

California's black market undermined its own legal industry. Six years out from the state's vote to legalize recreational marijuana, illegal sales have far outpaced the regulated market, and many operators have closed up shop. High taxes, local government opposition and competition from the underground market have stifled the success of the legal cannabis industry in the nation's most populous state.

"We have not been successful in California getting people to adopt the regulated market in any large way."

Amanda Reiman, chief knowledge officer at cannabis intelligence company New Frontier Data.

"We have not been successful in California getting people to adopt the regulated market in any large way," Reiman said.

New York may experience a honeymoon period as the novelty of legal dispensaries pulls in consumers. But industry members worry long-term success will falter.

Time running out

The sooner legal dispensaries are established, the easier it will be to shut down unlicensed businesses, according to Peoples-Stokes, who added that she has

“no desire to criminalize people for products that we made legal and didn’t put regulations in place.”

Meanwhile, New York has lost major cannabis investments. In August, Ascend Wellness scrapped a \$73 million bid to acquire a New York company’s medical licenses, citing, among other issues, concerns over the state’s establishment of the recreational market and insufficient policing of the illicit market.

“It’s eroding trust, not only from investors, but also [longtime illegal] operators” who the state should be encouraging to go mainstream, the industry insider said. “They’re not sure that the state is going to help them succeed if they make that transition.”

If the industry sours, legal operators are “going to be putting a lot of pressure — politically and otherwise — on politicians,” said Robert DiPisa, co-chair of the Cannabis Law Group at law firm Cole Schotz P.C.

“If you’re not going to play by the rules, there has to be some sort of penalty,” Martinetti said. “If we’re going to spend money on a license and pay taxes and invest money and build these businesses, then there has to be a pull — there has to be a reason ... and that’s got to be the concern of being challenged by the

FILED UNDER: NEW YORK, KATHY HOCHUL

CityLab | Checkout

New York City Is Cracking Down on Your Local Weed Bodega

After handing out three dozen retail licenses in late November, city officials are now confronted with how to shut down a growing unsanctioned market.

By Amelia Pollard, Tiffany Kary, and Gregory Korte

December 12, 2022 at 11:00 AM EST

New York regulators and law enforcement are starting to crack down on an onslaught of illicit pot sellers exploiting the run-up to the state's first recreational marijuana sales.

Scores of so-called weed bodegas have popped up in storefronts across the city hawking pre-rolled joint edibles and gummies that tout cannabis' psychoactive ingredient THC. The problem is, none of them are actually legal, licensed sellers. And the \$2 billion market in illegal sales poses a threat to New York's ambitions to launch a tax-generating industry of mom-and-pop shops owned by entrepreneurs impacted by past marijuana arrests.

New York state passed legislation two years ago that decriminalized pot, made it legal for individuals to consume cannabis and allowed New Yorkers to buy small amounts of weed. However, it took months to formulate regulations and grant licenses, creating a legal gray area where law enforcement was reluctant to go after so-called legacy sellers who were being encouraged by New York's regulators to apply for licenses.

That all changed in late November when the city doled out its first batch of licenses to three dozen sellers who are now going through the process of setting up legal storefronts or delivery services with hopes of launching their businesses before year-end.

Now that there are legitimate cannabis businesses on the cusp of operating, regulators say they can work with law enforcement to go after unsanctioned sellers.

"It's taken a while to get started," said Axel Bernabe, chief of staff of New York State's Office of Cannabis Management, which oversees the marijuana market roll-out from its base in Albany. "We have ramped up in the last couple of weeks and will be coming out strong in the New Year."

Bernabe said there was a general reluctance to re-criminalize cannabis, but the influx of illicit sellers has now given rise to more widespread support for cracking down on the illegal stores.

He said there isn't a risk that New York will follow the path of California, where it took years for the state to tighten up rules. In that state the illicit market continues to overshadow the legal industry by billions

spurring requests for bailouts and tax breaks from licensed sellers and jeopardizing the stream of tax revenue California has earmarked for social programs.

"You can't have a sustainable business if you're competing with 20 pop-ups a block," he said.

• Read More: New York City Marijuana Deliveries to Start by Bicycle, Scooter

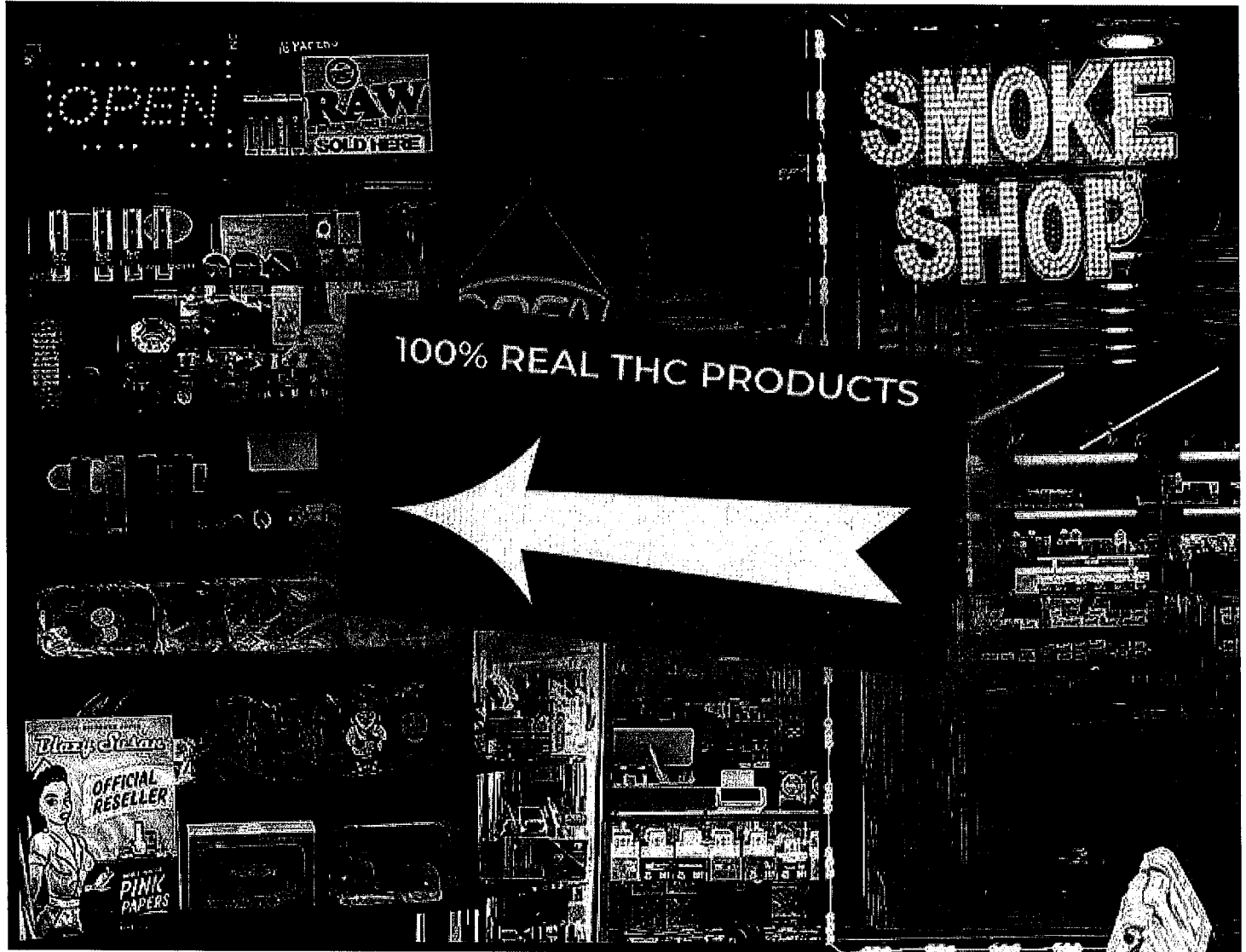


Illustration: 731

Pot Task Force

New York's OCM and law enforcement declined to say exactly how many illegal sellers they believe to be operating in the city or how many storefronts they've closed down so far.

City Hall on Nov. 14 launched a task force to combat illegal cannabis sales composed of the New York Police Department, the sheriff's office, the city's department of consumer and worker protection, and the state's cannabis management office.

In its first week in operation, the group seized close to 100,000 packages, cartons and other cannabis products, which totaled around \$2.5 million, according to a city official familiar with the program who was unauthorized to speak publicly on the operations. The agencies also made two arrests and issued over 300 civil violations and more than 30 criminal court summonses.

In one instance, the sheriff's office confiscated nearly 250 pounds of cannabis – roughly equivalent to \$650,000 worth of wholesale marijuana – from an outpost in the Bay Ridge neighborhood of Brooklyn according to a statement.

Still, that sum is a small dent compared with the almost \$2 billion of illegal pot sales in the state projected for 2022, as estimated by Cannabis Public Policy Consulting, an advisory firm that works with state governments and other agencies to track cannabis data. The market for adult-use cannabis sales is projected to reach \$1.3 billion in New York City alone by next year, according to a statement in August from the mayor's office.

One big concern for city officials is that the public doesn't understand that stores currently selling weed are doing so illegally. That's likely led to New Yorkers purchasing cannabis they think is regulated – an presumably tested – by the state.

About 40% of cannabis products purchased from illicit stores in the city were found to contain harmful contaminants such as E. coli, lead and salmonella, according to a report released on Nov. 30 commissioned by the New York Medical Cannabis Industry Association.

"The regulated business ensures a quality control mechanism for the use and access to these products," Sheriff Anthony Miranda said in an interview. "Whereas with the illicit market, there's no quality control there. We don't know what they're cross mixing these things with."

Some of the illegal stores are also flouting the state's proposed regulations regarding where dispensaries can be located. One store in Park Slope, Brooklyn, is about a block from a public school and even closer to a playground. Dispensaries aren't allowed to be within 500 feet (152 meters) of either, according to OCM regulations.

- Read More: NY's Legal Recreational Weed Market Is Now Ready to Open



Treaty brand CBD oils at the Hudson Cannabis farm in Hudson, New York. *Photographer: Angus Mordant/Bloomberg*

Politics of Arrests

The politics of arresting people for selling marijuana is delicate, given a major force behind New York's decision to legalize pot sales was to create a safer, taxable market that would address the impacts of the past war on drugs on low-income communities and people of color.

"I think the state will get fairly active in shutting down illegal dispensaries," said Mitch Kulick, a New York cannabis attorney. But given the industry's historical enforcement has been rife with discriminatory practices, he suspects the state will issue fines to landlords that rent space to unlicensed dispensaries instead of retailers themselves.

Vladimir Bautista, a co-founder of Happy Monkey, a cannabis lifestyle company vying for a dispensary license, said New York has to strike a balance between arresting people and creating what he called "Prohibition 2.0," and hampering the viability of licensed sellers.

"Right now it looks like there's a free-for-all," Bautista said during a recent panel hosted by Columbia Business School and the law firm Goodwin Procter.

Then there's the issue of how the law is currently written: A spokesperson for the NYPD said there's no express enforcement mechanism outlined in state laws as to when and how to act when an unlicensed

shop is displaying cannabis for sale, only when someone is caught actually selling it.

“Even then, the penalties are limited due to issues with the law as written,” the NYPD said in a statement. “The NYPD continues to advocate for reasonable amendments to the law that would enable appropriate enforcement of violations.”

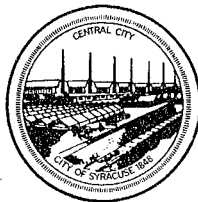
Although the task force has made some headway in confiscating THC products, coordinating between multiple agencies can have its pitfalls, said City Council Member Carlina Rivera, who represents Manhattan’s East Village and adjacent neighborhoods.

Rivera said the NYPD has primarily operated on a complaint-driven basis and that she isn’t always notified when police have shut down an illegal storefront.

“If you’re operating in a gray area, you are not only jeopardizing your future of obtaining a legal license but you’re also creating havoc in this legal market,” she said. “Purgatory is a good word for it.”

— With assistance by Christian Richey and Matthew Townsend

Common Council Office
314 City Hall
Syracuse, N.Y. 13202



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Council Office: (315) 448-8466
Fax: (315) 448-8423

CITY OF SYRACUSE COMMON COUNCIL

CHOL MAJOK
Councilor – 3rd District

December 13, 2022

Hon. Patricia K. McBride
City Clerk
231 City Hall
Syracuse, NY 13202

Dear Ms. McBride:

Please prepare a Memorializing resolution to be placed on the waiver agenda of the Common Council meeting of Monday, December 19, 2022 requesting that the New York State Legislature and the Governor of the State of New York provide greater financial support to municipalities to enforce the Cannabis Law.

The burden of ensuring compliance with the Cannabis Law is being placed largely on the agencies of municipalities, such as the City of Syracuse Division of Code Enforcement. This requires these agencies to commit significant time, personnel and financial resources to this task. This memorializing resolution requests that the New York State Legislature and the Governor of the State of New York appropriate sufficient funds to assist municipalities in ensuring compliance with the Cannabis Law.

Thank you for your assistance in this regard.

Sincerely,

Chol Majok
3rd District Councilor

ORDINANCE NO.

2022

**ORDINANCE ADOPTING A NEGATIVE DECLARATION FOR THE ACQUISITION
BY EMINENT DOMAIN OF CERTAIN PERMANENT EASEMENTS LOCATED AT
100-102 MADISON ST AND WARREN ST S, SYRACUSE, NEW YORK**

WHEREAS, the Common Council is considering the proposed acquisition by eminent domain of certain permanent easements to access, inspect, maintain, repair and/or replace existing utilities that serve certain property owned by the City and to provide for continued access for pedestrian ingress and egress at 100-120 Madison St and Warren St S, Syracuse, New York, Syracuse, NY (the "Property"); and

WHEREAS, pursuant to EDPL Section 206, the acquisition of these permanent easements is de minimis and no public hearing was required; and

WHEREAS, EDPL Section 201 states that prior to acquiring land by eminent domain, a condemnor must inform the public and review the public use to be served by the proposed public project and the impact on the environment and residents of the locality where such project will be constructed; and

WHEREAS, the Property is also known as Tax Map Parcel Nos. 102.-12-2.2 and 102.-12-1.3 and more commonly known as 100-120 Madison St & Warren St S, Syracuse, New York (the "Property").

WHEREAS, General City Law Section 20(2) states that the City of Syracuse may acquire land by eminent domain in order to serve any public use or purpose, which includes any use that would contribute to the health, safety, general welfare, convenience or prosperity of the community; and

WHEREAS, stated purpose for the proposed condemnation is to acquire permanent easements to access, inspect, maintain, repair and/or replace existing utilities that serve the property owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA") the Council prepared or caused to be prepared part 1 of a Short Environmental Assessment Form ("SEAF"), attached hereto as Appendix "A" for the proposed acquisition; and

WHEREAS, the Council desires to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations"), with respect to the acquisition of the Property by eminent domain (the "Action").

NOW, THEREFORE, BE IT RESOLVED, that the Council confirms and adopts the following conclusions:

1. The Council hereby classifies the Action as "Unlisted" under SEQRA.

2. The Council has determined that there no other involved agencies, or in the alternative, has elected to conduct an uncoordinated review.

3. The Council has compared the impacts that may reasonably be expected to result from the Action to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations and evaluated the issues of causation and significance in light of the standards under the same Section of the Regulations.

4. The Council has not identified any significant adverse environmental impacts associated with the Action and none are known to the Council. Based upon its review, and for the reasons set forth in the SEAF, the Council hereby determines that the Action will not have any significant adverse impacts on the environment and reaches the following further conclusions:

- (A) The Action will not result in: (i) substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems; (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of a resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such species; or (iii) other significant adverse impacts to natural resources;
- (B) The Action will not affect a critical environmental area as designated pursuant to 6 NYCRR § 617.14(g);
- (C) The Action will not conflict with the community's current plans or goals as officially approved or adopted;
- (D) The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (E) The Action will not result in a major change in the use of either the quantity or type of energy;
- (F) The Action will not result in the creation of a hazard to human health;
- (G) The Action will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses;
- (H) The Action will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (I) The Action will not result in the creation of a material demand for other actions that would result in one or more of the above consequences;

- (J) The Action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and
- (K) The Action will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c).

5. The information available concerning the Action was sufficient for Council to make its determination and the requirements of SEQRA including 6 NYCRR Part 617 have been met.

6. The Council hereby approves and adopts the SEAF for the Action (Parts 1, 2, and 3), issues a Negative Declaration, and will not require the preparation of an environmental impact statement for the Action.

7. The Council hereby directs the Corporation Counsel to execute the SEAF and to make any filing(s) and publication required by law related to this Negative Declaration.

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

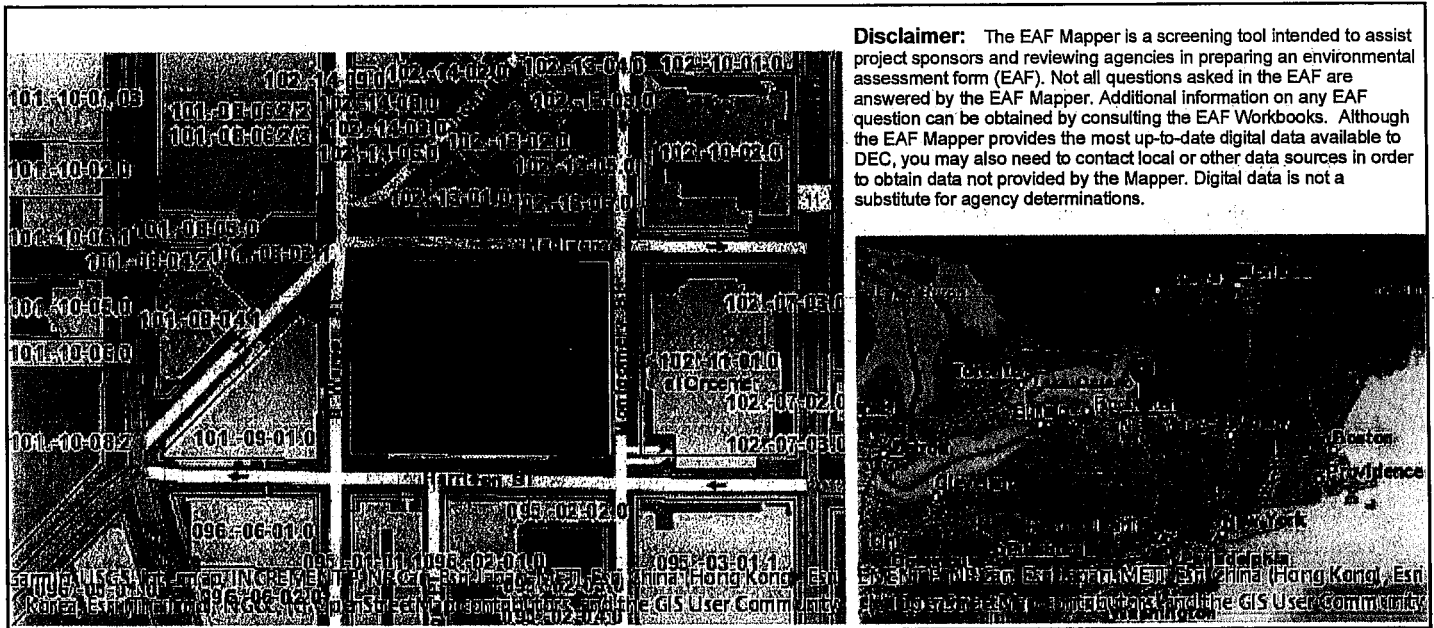
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Acquisition of Permanent Easements for Pedestrian Access and Utilities			
Project Location (describe, and attach a location map): Tax Map Parcel Nos. 102.-12-2.2 and 102.-12-1.3 and more commonly known as 100-120 Madison St & Warren St S, Syracuse, New York			
Brief Description of Proposed Action: The City intends to exercise its power of eminent domain to acquire by condemnation certain permanent easements to access, maintain, repair replace existing utilities that serve the Tech Garden property owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress.			
Name of Applicant or Sponsor: City of Syracuse		Telephone: 315-448-8400	
Address: City Hall, 233 E. Washington St.		E-Mail: skatzoff@syrgov.net	
City/PO: Syracuse		State: NY	Zip Code: 13202
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			3.7+/- acres 0 acres 0 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____			
NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____			
NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Peregrine Falcon	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 2px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City of Syracuse</u> Date: <u>December 16, 2022</u> Signature: <u><i>Dusan De Katzoff</i></u> Title: <u>Corporation Counsel</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Peregrine Falcon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Exhibit "A"

Bargain and Sale Deed, with Covenants against Grantor's Acts – Individual or Corporation.
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT – THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the ____ day of _____ 2022

BETWEEN

THE CITY OF SYRACUSE, a municipal subdivision of the State of New York having an office address at 201 East Washington Street, 6th Floor, Syracuse, New York 13202, party of the first part,

and

TOWERS REALTY LR, LTD., a Florida limited partnership having an address at of 250 Broadway, 30th Floor, New York, New York 10007, party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, all those plats and or parcels of land set forth on the legal description attached hereto and marked as "Schedule A" which is incorporated herein by reference.

IT BEING intended to convey from the party of the first part to the party of the second part all that parcel situated and lying underground beneath the Datum Level referenced upon Schedule A and currently used as an underground parking facility and shown as Lot 235A on the Re-Subdivision on Block 134, City of Syracuse Map prepared by Lehr Land Surveys, dated November 26, 2018 and last revised September 28, 2022 and recorded October 24, 2022 in the Onondaga County Clerk's Office as Map Number 13382; together with and subject to the reciprocal easements, rights and obligations contained within that Reciprocal Easement Agreement by and between the party of the first part and the party of the second part presented for recording contemporaneously herewith.

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

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

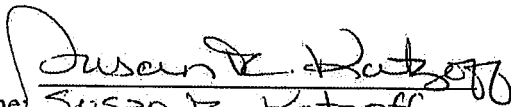
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement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

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

Signature and acknowledgment are on the following page.

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

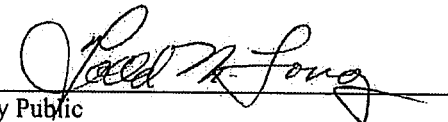
THE CITY OF SYRACUSE a municipal
subdivision of the State of New York

By: 
Name: Susan R. Katzoff
Title: Corporation Counsel

STATE OF NEW YORK :
: SS.:
COUNTY OF Onondaga :

On the 7th day of November, 2022 before me, the undersigned, personally appeared Susan R. Katzoff, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument.

TODD M. LONG
NOTARY PUBLIC-STATE OF NEW YORK
No. 02LO6319286
Qualified in Onondaga County
My Commission Expires February 23, 2023


Notary Public

SCHEDULE A
Legal Description

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Syracuse, County of Onondaga and State of New York being part of Block 134 in said City, and being more particularly described as the area below the horizontal plane which lies between the approximate elevations of 37 feet and 39 feet City of Syracuse Datum, it being intended that the beginning point of the horizontal plane shall start at the top surface of the garage membrane closest to the floor of the plaza, which membrane is located between the exterior surface of the ceiling of the underground garage closest to the plaza and the underside of the floor of the plaza closest to the garage and/or, as applicable, below any structures constructed upon the plaza, or and in any location where the membrane does not exist, the horizontal plane shall be a comparable elevation located immediately below the exterior surface of the plaza, including any stairs or sidewalks extending to street-level areas within the parcel along South Warren Street, Harrison Street and Montgomery Street (all of the foregoing shall hereinafter referred to as the "Garage Level Space"). For the avoidance of doubt, the membrane shall become part of the subterranean parcel so subdivided hereby.

It being the intent hereof, to convey the subsurface parking garage area below Tax Parcel No.102-12-02.2, together with ingress and egress over ramps which extend to street level areas on Harrison Street and Montgomery Street, together with any appurtenant easements as they now exist.

The above described parcel is also described as **ALL THAT TRACT OR PARCEL OF LAND**, situate in the City of Syracuse, County of Onondaga and State of New York being part of Block 134 in said City, and being more particularly described New Lot 235A according to a map entitled Re-Subdivision On Block 134, City of Syracuse prepared by Lehr Land Surveyors dated November 26, 2018, last revised on September 28, 2022 and recorded in the Onondaga County Clerk's Office on October 24, 2022 as Map Number 13382.

SUBJECT TO the ingress and egress easement to and from the vehicular ramp at Montgomery Street contained in the deed from The Mutual Life Insurance Company of New York to the City of Syracuse and recorded in the Onondaga County Clerk's Office at book 4192, page 13 shall remain in full force and effect, and shall not merge into title.

TOGETHER WITH AND SUBJECT TO the easements, rights and obligations contained with the Reciprocal Easement Agreement between the City of Syracuse and Towers Realty LR, LTD., dated _____, 2022 and recorded in the Onondaga County Clerks Office contemporaneously herewith.

**ORDINANCE ADOPTING DETERMINATION AND
FINDINGS TO ACQUIRE PERMANENT EASEMENTS
SUPPORTING CITY OWNED PROPERTY**

WHEREAS, the City of Syracuse (the “City”) is authorized to condemn property pursuant to Section 20 of the New York State General City Law and the New York State Eminent Domain Procedure Law; and

WHEREAS, The City previously adopted an ordinance determining that the acquisition was an unlisted action and would not have a significant adverse impact on the environment; and

WHEREAS, the City must comply with Article 2 of the New York State Eminent Domain Procedure Law which requires, among other things, that the Agency make certain findings and a determination; and

WHEREAS, the City seeks only to acquire permanent easements to access, inspect, maintain, repair and/or replace existing utilities that serve the property owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress, and, as a result, the taking is de minimis under Section 206 of the EDPL and no public hearing is required.

WHEREAS, based upon the City’s own independent review of such documents and comments received, and for the reasons discussed in Attachment “A” annexed hereto and made a part hereof, the City has determined that acquisition of the interest will serve a public use benefit or purpose, is appropriately located, and will not have an adverse impact on the environment or residents of the locality.

NOW, THEREFORE, BE IT ORDAINED by the City that:

- Section 1. Pursuant to the New York State Eminent Domain Procedure Law, the City intends to exercise its power of eminent domain to acquire by condemnation certain permanent easements to access, maintain, repair replace existing utilities that serve the Tech Garden property, located at 235 Harrison St and Warren St, owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress.
- Section 2. The Determination and Findings set forth in Attachment “A” annexed hereto are hereby adopted and incorporated by reference into this Ordinance.
- Section 3. The City Clerk, together with the City’s attorneys, are authorized and directed to cause this Ordinance and attached Determination and Findings to be filed and distributed in accordance with applicable provisions of law.
- Section 4. The officers and employees of the City are hereby authorized, empowered and directed, for and on behalf of the City, to perform any and all actions and to execute any and all documents on behalf of the City as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing Ordinances.
- Section 5. This Ordinance shall take effect immediately.

ATTACHMENT "A"
DETERMINATION AND FINDINGS

Determination and Findings by the City of Syracuse (the "City") pursuant to Eminent Domain Procedure Law ("EDPL") Section 204 in connection with the proposed acquisition by eminent domain of permanent easements across certain real property known as Tax Map Parcel No. 102.-12-2.2 and more commonly known as 100-120 Madison St & Warren St S, Syracuse, New York (the "Property").

Generally, General City Law Section 20(2) states that the City of Syracuse may acquire land by eminent domain in order to serve any public use or purpose, which includes any use that would contribute to the health, safety, general welfare, convenience or prosperity of the community. The purpose for the proposed condemnation is to obtain certain permanent easements over existing walkways and utility runs that benefit real property owned by City of Syracuse, known as the Syracuse Tech Garden and located at 235 Harrison Street.

Specifically, the City owns fifty percent (50%) of a two-level subterranean garage located beneath the Property, together with the Syracuse Tech Garden and plaza that sits above the portion of the subterranean garage owned by the City. Towers Realty LR, Ltd. ("**Towers**") owns the remaining fifty percent (50%) of the subterranean garage together with the multi-story office towers and plaza that sit above ground over it's portion of the garage.

The City wishes to convey, and Towers wishes to purchase, the City's 50% interest in the subterranean garage. The City has subdivided the property such that the City's portion of the subterranean garage is now a separate and distinct parcel from the above ground improvements; namely, the Tech Garden and plaza which the City will continue to own. However, the garage has several utility lines that serve the Syracuse Tech Garden property. As such, the conveyance of the City's interest in the garage to Towers was conditioned on Towers granting various access and utility easements to the City to access, maintain, repair and replace those utilities that serve the Syracuse Tech Garden property and to provide for continued access over the plaza for pedestrian ingress and egress. Although Towers is willing to grant such easements, the Towers' lender is not willing to consent to the granting of such an easements. As a result, the City is required to acquire the access and utility easements via eminent domain.

The deed, along with a metes and bounds description of the Property is attached as **Exhibit "A"** and survey is attached as **Exhibit "B"**.

At its meeting on December 19, 2022, the Common Council classified the Project as an "Unlisted" action under the New York State Environmental Quality Review Act ("**SEQRA**"), determined that there were no other involved agencies and determined that the acquisition of the permanent easements would not have any significant adverse impacts on the environment. The City's SEQRA determination and findings, along with a copy of the Environmental Assessment Form (EAF), are attached as **Exhibit "C"**. The Common Council made the following findings concerning the potential for adverse impacts to the environment:

- (A) The Action will not result in: (i) substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems; (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of a resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on threatened or endangered species of

animal or plant, or the habitat of such species; or (iii) other significant adverse impacts to natural resources;

- (B) The Action will not affect a critical environmental area as designated pursuant to 6 NYCRR § 617.14(g);
- (C) The Action will not conflict with the community's current plans or goals as officially approved or adopted;
- (D) The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (E) The Action will not result in a major change in the use of either the quantity or type of energy;
- (F) The Action will not result in the creation of a hazard to human health;
- (G) The Action will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses;
- (H) The Action will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (I) The Action will not result in the creation of a material demand for other actions that would result in one or more of the above consequences;
- (J) The Action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and
- (K) The Action will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c).

As the City seeks only to acquire permanent easements to access, inspect, maintain, repair or replace existing utility lines that serve property owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress, the taking is de minimis under Section 206 of the EDPL and no public hearing is required.

Pursuant to EDPL Section 204(B)(1), the City concludes that the acquisition of the permanent easements will serve a legitimate public purpose. The Tech Garden, which is located on property owned by the City, is Central New York's hub for tech entrepreneurs to find a full range of incubation services needed to achieve their venture goals. The Tech Garden plays a vital role in the economic growth and development of the community by investing in, supporting, and educating entrepreneurs. Providing pedestrian access and utilities to the building housing the Tech Garden is necessary so that the Tech Garden can continue its vital programming. Accordingly, acquisition of the permanent

easements across the Property will contribute to the health, safety, general welfare, convenience and prosperity of the community.

Pursuant to EDPL Section 204(B)(2), the City concludes that the Property is the appropriate location for the permanent easements because the utilities and the property served by those utilities already exist. Relocating the existing utilities that serve the Tech Garden is neither feasible nor cost effective. Likewise, pedestrian access to the Tech Garden already exists over the plaza and there is no alternative access available. The characteristics of the Property, the location of the existing pedestrian access and utilities in proximity to the Tech Garden property make the Property uniquely situated to satisfy the public purpose of the acquisition.

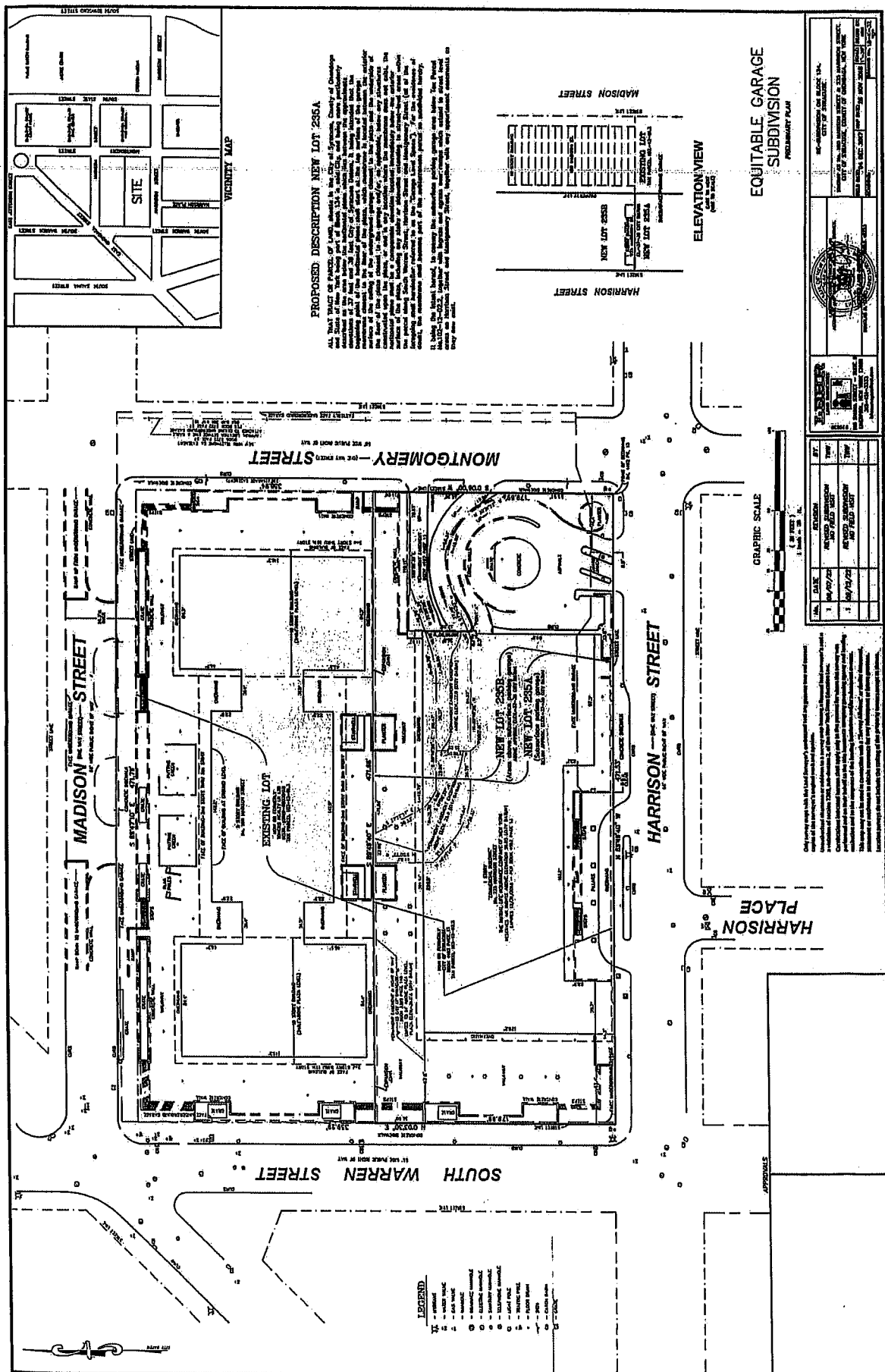
Pursuant to EDPL Section 204(B)(3), the City concludes that the general effect of the acquisition on the Environment will be negligible. The acquisition of the permanent easements will not result in any changes to existing conditions, but will allow the City to access, maintain, repair and replace existing utilities City and to provide for continued access over the plaza for pedestrian ingress and egress – actions which would be considered Type II actions requiring no further environmental review but for the need to acquire these rights via eminent domain.

DETERMINATION

Based on due consideration of the record and the foregoing findings, it is determined that the City should exercise its power of eminent domain to acquire the above-described permanent easements to promote and permit the purposes to be achieved in connection with the transfer of the City's interest in the garage.

Copies of this Determination and Findings by the City are available and will be forwarded without cost and upon request, by writing to the City Clerk.

ATTENTION: ANY PERSON WHO WISHES TO SEEK JUDICIAL REVIEW OF THIS DETERMINATION AND FINDINGS, OR WHO CLAIMS TO BE AGGRIEVED BY SUCH DETERMINATION AND FINDINGS AND WISHES TO CHALLENGE SAME, MUST DO SO, IF AT ALL, (1) BY DULY COMMENCING A LEGAL PROCEEDING IN THE APPELLATE DIVISION, SECOND DEPARTMENT, SUPREME COURT, STATE OF NEW YORK, APPELLATE DIVISION, FOURTH DEPARTMENT, 50 EAST AVENUE, SUITE 200, ROCHESTER, NEW YORK 14604, NO LATER THAN _____, OTHERWISE ANY SUCH CHALLENGE OR JUDICIAL REVIEW MAY BE TIME BARRED, AND (2) BY DULY SERVING A DEMAND UPON THE CITY TO FILE THE RECORD UNDERLYING THIS DETERMINATION AND FINDINGS. THE APPELLATE DIVISION MAY CONSIDER THE PUBLIC USE, BENEFIT OR PURPOSE TO BE SERVED BY THE PROPOSED ACQUISITION AND OTHER MATTERS SET FORTH IN NEW YORK EMINENT DOMAIN PROCEDURE LAW SECTION 207. UNDER SECTIONS 207 AND 208 OF THE EMINENT DOMAIN PROCEDURE LAW, THE EXCLUSIVE VENUE FOR ANY CHALLENGE TO THIS DETERMINATION AND FINDINGS IS THE ABOVE-DESCRIBED APPELLATE DIVISION. ANYONE WISHING TO CHALLENGE THIS DETERMINATION AND FINDINGS IS ADVISED TO CONSULT AN ATTORNEY PROMPTLY.



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

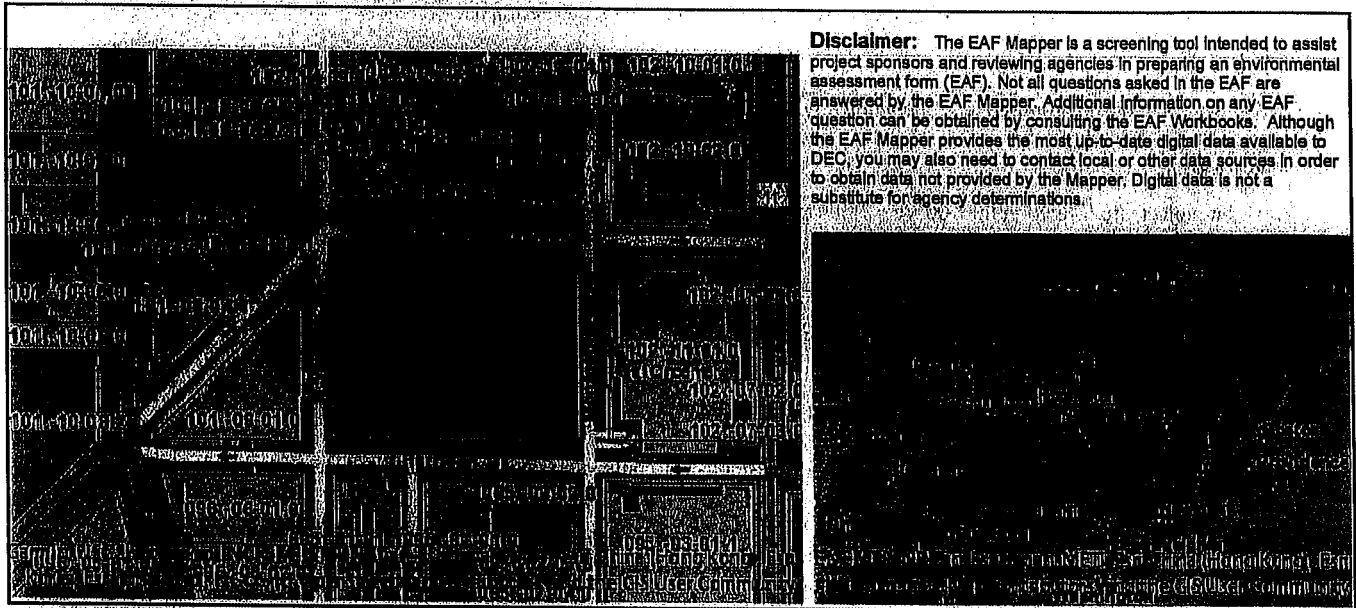
Part 1 - Project and Sponsor Information			
Name of Action or Project: Acquisition of Permanent Easements for Pedestrian Access and Utilities			
Project Location (describe, and attach a location map): Tax Map Parcel Nos. 102.-12-2.2 and 102.-12-1.3 and more commonly known as 100-120 Madison St & Warren St S, Syracuse, New York			
Brief Description of Proposed Action: The City intends to exercise its power of eminent domain to acquire by condemnation certain permanent easements to access, maintain, repair replace existing utilities that serve the Tech Garden property owned by the City and to provide for continued access over the plaza for pedestrian ingress and egress.			
Name of Applicant or Sponsor: City of Syracuse		Telephone: 315-448-8400 E-Mail: skatzoff@syr.gov.net	
Address: City Hall, 233 E. Washington St.			
City/PO: Syracuse		State: NY	Zip Code: 13202
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			3.7+/- acres 0 acres 0 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: NOT APPLICABLE	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Peregrine Falcon	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>City of Syracuse</u> Date: <u>December 16, 2022</u>		
Signature: <u>Susan De Kato</u> Title: <u>Corporation Counsel</u>		

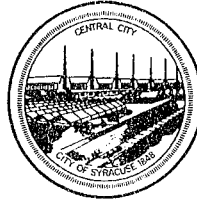
EAF Mapper Summary Report

Friday, December 16, 2022 11:15 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Peregrine Falcon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Common Council Office
314 City Hall
Syracuse, N.Y. 13202



35-36
Council Office: (315) 448-8466
Fax: (315) 448-8423

CITY OF SYRACUSE COMMON COUNCIL

MICHAEL GREENE
Councilor-at-Large

December 16, 2022

Ms. Patricia K. McBride
City Clerk
City Hall, Room 231
Syracuse, New York 13202

Dear Ms. McBride,

Please prepare an ordinance for the December 19, 2022 Common Council Meeting Waiver Agenda, authorizing the City of Syracuse to initiate an eminent domain proceeding under the New York State Eminent Domain Law (Chapter 839 of the Laws of 1977) to obtain necessary easement rights in the Equitable Tower Parking Garage owned by Towers Realty LR, LTD ("Towers").

In addition, please prepare an ordinance authorizing the adoption of a negative determination in accordance with the attached environmental assessment form. relative to the Corporation Counsels request under New York State Eminent Domain Law (Chapter 839 of the Laws of 1977) to obtain necessary easement rights in the Equitable Tower Parking Garage owned by Towers Realty LR, LTD ("Towers").

This proposed action is related to the settlement of the Towers lawsuit against the City of Syracuse alleging breach of contract relative to the City's leasehold interest in the North Parcel of the Equitable Tower Parking Garage and to secure easement rights detailed in the legislation.

Thank you for your attention in this matter.

Sincerely,

Michael Greene
Councilor-at-Large



35

DEPARTMENT OF LAW
OFFICE OF THE CORPORATION COUNSEL
CITY OF SYRACUSE, MAYOR BEN WALSH

December 16, 2022

Susan R. Katzoff
Corporation Counsel

Joseph W. Barry III
First Assistant
Corporation Counsel

Lee R. Terry
Senior Assistant
Corporation Counsel

Todd M. Long
Senior Assistant
Corporation Counsel

Catherine E. Carnrike
Meghan E. Ryan
Amanda R. Harrington
John C. Black Jr.
Ramona L. Rabeler
Sarah M. Knickerbocker
Danielle B. Pires
Patrick J. Parkinson
Danielle R. Smith
Zachary A. Waksman
John J. Connor
Gregory P. Fair
Darienn P. Balin
Trevor McDaniel
Meir Teitelbaum

VIA HAND DELIVERY

Patricia McBride, City Clerk
231 City Hall
Syracuse, New York 13202

Re: Towers Realty LR, LTD v. City of Syracuse-SEQRA Determination for Eminent Domain proceeding relative to Tax Map Parcel No. 102.-12-2.2 and more commonly known as 100-120 Madison St & Warren St S, Syracuse, New York (the "Property")

Dear Ms. McBride:

Please place on the Common Council agenda for its meeting of December 19, 2022, a proposed ordinance to authorize the adoption of a negative determination in accordance with the environmental assessment form attached here to as Appendix "A" relative to the Corporation Counsel's request to initiate an eminent domain proceeding under the New York State Eminent Domain Law (Chapter 839 of the Laws of 1977) to obtain necessary easement rights in the Equitable Tower Parking Garage and over the plaza each owned by Towers Realty LR, LTD ("Towers") located at 100-120 Madison St & Warren St S, Syracuse, New York (the "Property").

This proposed action is related to the settlement of the Towers lawsuit against the City of Syracuse alleging breach of contract relative to the City's leasehold interest in the North Parcel of the Equitable Tower Parking Garage.

Very Truly Yours,


Joseph W. Barry III
First Assistant Corporation Counsel

Department of Law
Office of Corp. Counsel
233 E. Washington St.
City Hall, Room 300
Syracuse, N.Y. 13202

Office 315 448-8400
Fax 315 448-8381
Email law@syrgov.net

www.syrgov.net



36

DEPARTMENT OF LAW
OFFICE OF THE CORPORATION COUNSEL
CITY OF SYRACUSE, MAYOR BEN WALSH

December 14, 2022

Susan R. Katzoff
Corporation Counsel

Joseph W. Barry III
First Assistant
Corporation Counsel

Lee R. Terry
Senior Assistant
Corporation Counsel

Todd M. Long
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VIA HAND DELIVERY

Patricia McBride, City Clerk
231 City Hall
Syracuse, New York 13202

Re: Towers Realty LR, LTD v. City of Syracuse-Eminent Domain

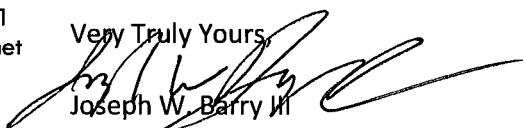
Dear Ms. McBride:

Please place on the Common Council agenda for its meeting of December 16, 2022, a proposed ordinance to authorize the City of Syracuse to initiate an eminent domain proceeding under the New York State Eminent Domain Law (Chapter 839 of the Laws of 1977) to obtain necessary easement rights in the Equitable Tower Parking Garage owned by Towers Realty LR, LTD ("Towers").

This proposed action is related to the settlement of the Towers lawsuit against the City of Syracuse alleging breach of contract relative to the City's leasehold interest in the North Parcel of the Equitable Tower Parking Garage; and in particular, to secure the following easement rights:

- (1) Access. An easement for ingress, egress and access, over, upon, across and through the garage and the plaza and related areas so as to provide for the associated ingress and egress to and on the property;
- (2) Utilities. An easement in favor of the City permitting the City to install, operate, maintain, use, inspect, repair, connect into, and replace, in, on and through the parking garage portion of the property certain utilities benefitting the City property. The City shall be exclusively responsible for the maintenance of all utility lines benefitting the City property; and
- (3) Other. Any and all other easements necessary to effectuate the terms of the settlement agreement between the parties.

Very Truly Yours,


Joseph W. Barry III

First Assistant Corporation Counsel