



OFFICE OF THE COMMON COUNCIL

Stephanie Viscelli
President

Louise S. Glasso
City Clerk

Rome City Hall
198 N. Washington St.
Rome, NY 13440
www.romenewyork.com

Lori A. Trifeletti ♦ 1st Ward Sharie Fiorini-Parsons ♦ 4th Ward
John B. Mortise ♦ 2nd Ward Frank R. Anderson ♦ 5th Ward
Kimberly Rogers ♦ 3rd Ward Riccardo D. Dursi, Jr. ♦ 6th Ward
Lou DiMarco, Jr. ♦ 7th Ward

COMMON COUNCIL MEETING REGULAR SESSION

JULY 27, 2016
7:00 PM

1. CALLING THE ROLL OF MEMBERS BY THE CLERK

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. GENERAL PUBLIC HEARING

The time limit for speakers at the general public hearing shall be limited to five (5) continuous minutes. The President of the Common Council may extend this time up to an additional five (5) minutes at his discretion; and further extensions must be approved by a majority of the council.

5. RECOGNITION/APPRECIATION

6. READING OF THE MINUTES OF THE PRECEDING SESSION

(Motion in order that the reading of the minutes of the preceding session be dispensed with and that they be approved.)

7. PRESENTING OF PETITIONS AND COMMUNICATIONS

A. PETITIONS

B. COMMUNICATIONS

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

Midnight Mike's

443 S. James St. (Received & filed)

**

The following financial reports for quarter ended June 30, 2016 are on file in the City Clerk's Office: Jervis Library, Rome Historical Society, Capitol Theatre, Ava Dorfman Senior Citizen Council

**

Police Department's quarterly training report for April 2016 – June 2016 – On file in the City Clerk's Office.

8. NOTICES

Members of the council to meet with Matt Varghese on July 27th @ 5:30pm for a tour of Old City Hall

9. REPORT OF CITY OFFICIALS

10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

11. PRESENTING OF REPORT OF COMMITTEES

12. RESOLUTIONS

RES. NO. 94

A

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT A GRANT APPLICATION FOR \$150,000 WITH NEW YORK STATE CONSOLIDATED FUNDING FOR THE LIGHTING OF THE FORMER ROD MILL WATER TOWER IN ANTICIPATION OF THE 2017 CANAL BICENTENNIAL CELEBRATION. Seelig

RES. NO. 95

B

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT A GRANT APPLICATION WITH THE WATER QUALITY IMPROVEMENT PROJECT PROGRAM FOR THE NEEDED DISINFECTION EQUIPMENT AT THE CITY OF ROME'S WASTEWATER TREATMENT PLANT (FUNDING UP TO 85% OF THE CAPITAL COST AT A MAXIMUM OF 2.5 MILLION) Schmidt

RES. NO. 96

C

AUTHORIZING THE CITY OF ROME TO ADJUST WATER AND SEWER RENTS FOR PROPERTIES WITHIN THE CITY OF ROME Schmidt

RES. NO. 97

H

RESOLUTION DETERMINING THAT PROPOSED ACTIONS ARE TYPE II ACTIONS FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT. Nolan

RES. NO. 98

F

RESOLUTION DETERMINING THAT THE NORTH WEST ROME WATER SYSTEM IMPROVEMENTS – AMENDED PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT AND FILING OF A NEGATIVE DECLARATION NOTICE OF NON SIGNIFICANCE FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT. Schmidt

13. ORDINANCES

Current Legislation

ORD. NO. 9103

D

AUTHORIZATION TO ACQUIRE EASEMENT ON MARTIN STREET FROM ALBERT J. TAHAN & BERNADETTE A. QUENNEVILLE TO ALLOW THE CITY OF ROME ACCESS FOR UPGRADES TO THE SEWER SYSTEM THROUGH THE MARTIN STREET SANITARY SEWER EXTENSION PROJECT. Schmidt

ORD. NO. 9104

E

AUTHORIZATION TO ACQUIRE EASEMENT ON MARTIN STREET FROM ALBERT J. TAHAN & BERNADETTE A. QUENNEVILLE TO ALLOW THE CITY OF ROME ACCESS FOR UPGRADES TO THE SEWER SYSTEM THROUGH THE MARTIN STREET SANITARY SEWER EXTENSION PROJECT. Schmidt

ORD. NO. 9105

G

AUTHORIZING THE ISSUANCE OF \$1,601,000 IN BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF VARIOUS ROADS THROUGHOUT AND IN AND FOR SAID CITY. Nolan

14. LOCAL LAWS

15. TABLED LEGISLATION

16. VETOED LEGISLATION

17. ADJOURNMENT

% Ordinances require unanimous consent to be acted upon when first introduced

NEXT SCHEDULED COMMON COUNCIL MEETING: AUGUST 10, 2016

RESOLUTION NO. 94

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT A GRANT APPLICATION FOR \$150,000 WITH NEW YORK STATE CONSOLIDATED FUNDING FOR THE LIGHTING OF THE FORMER ROD MILL WATER TOWER IN ANTICIPATION OF THE 2017 CANAL BICENTENNIAL CELEBRATION

By Councilor _____:

WHEREAS, Edward Seelig, Deputy Director of the Department of Community and Economic Development for the City of Rome, New York has requested the authorization to submit a grant application to New York State Consolidated Funding for the lighting of the former Rod Mill Water Tower, in anticipation of the 2017 Canal Bicentennial Celebration. The required 50% matching funds will come from the ongoing waterfront improvements funded through local and state sources previously secured; now, therefore

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that Mayor Jacqueline M. Izzo and her designees are authorized to execute a grant application to New York State Consolidated Funding for the lighting of the former Rod Mill Water Tower, in anticipation of the 2017 Canal Bicentennial Celebration. The required 50% matching funds will come from the ongoing waterfront improvements funded through local and state sources previously secured; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Rome, New York, that Mayor Jacqueline M. Izzo and her designees are authorized to execute any and all other contracts, documents and instruments necessary to allow the City to expend grant funds and to fulfill the City of Rome's obligation under said application.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
 Dursi___ DiMarco___

ADOPTED:

DEFEATED:

Canalway Grants Program

Funding Available: Up to \$1 million

DESCRIPTION:

The "Canalway Grants Program" includes up to \$1.0 million in competitive grants available to eligible municipalities, and 501(c)(3) non-profit organizations along the New York State Canal System for canal related capital projects. The minimum grant request amount is \$25,000. The maximum grant request is \$150,000. Grant administration and pre-development costs shall not exceed 10% of the grant award amount.

FUNDING PRIORITIES:

Priority will be given to projects that are intended to further the goals and objectives of the NYS Canal Recreationway Plan and Regional Economic Development Councils Strategic Plans

Priority in this round of funding is being given to projects that recognize and support the bicentennial of the Erie Canal between 2017 and 2025 and result in noteworthy and sustainable recognition of the Canal System's significance, relevance, and heritage during and after the 2017-2025 bicentennial of Erie Canal construction.

The Canal Corporation's goal for the Erie Canal Bicentennial Celebration is to strengthen the Canal's identity by raising public awareness of the historical and current impact of the Canal, expand community engagement and participation in canal programs; and increase investment in the canal to generate economic and cultural benefits for all communities ensuring an enduring legacy. Information on the history of the canal can be found at: <http://www.canals.ny.gov/history/history.html>

NOTE: The New York State Council on the Arts (NYSCA) has established a grant program for cultural projects related to the Erie Canal Bicentennial. For more information on NYSCA grant criteria see: http://www.arts.ny.gov/public/guidelines/regional_economic_Dev/index.htm

Bicentennial related projects that include an Arts and Heritage component seeking funding through the New York State Council on the Arts CFA will be given priority consideration.

Applicants are also encouraged to explore additional state agency funding sources for historic preservation, waterfront development, recreational access and tourism marketing projects and/or programs.

Projects proposed for Canal funding should preserve and rehabilitate canal infrastructure, enhance recreational opportunities for water-based and land-side users, promote tourism, economic development, and revitalization in the canal corridor and enhance the connections between the canal and the corresponding region. Funding can be used to expand public access, increase recreational use, improve services for motorized and non-motorized boaters, improve services for Canalway trail users, and stimulate private investment along the NYS Canal System. Canal CFA projects are expected to offer a greater appreciation and understanding of canal and community history, and to promote the protection of environmental and historic canal resources.

In addition, proposed projects that are part of the following state wide initiatives will be looked upon favorably:

Downtown Revitalization Initiative

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

Opportunity Agenda Related Projects

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

Global NY Related Projects

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

Veterans’ Related Projects

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

NY Rising Related Projects

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

ELIGIBLE TYPES OF APPLICANTS:

- Municipalities
- Not-for-profit Corporations

Not-for-profit corporations are subject to New York State's Not-For-Profit Corporation Law. In order to apply under this program, a not-for-profit corporation must have proof of incorporation (or equivalent document) from the NYS Department of State or NYS Board of Regents, a charities registration number from the NYS Office of the Attorney General, and proof of tax-exempt status under the IRS code.

ELIGIBLE ACTIVITIES / PROGRAM BENEFIT REQUIREMENTS:

Eligible canal capital projects include, but may not be limited to: constructing new buildings, vessels or structures; constructing additions or improvements that enlarge, expand, enhance or extend existing buildings, vessels or structures; new systems in existing buildings, vessels or structures (HVAC, plumbing, electrical, mechanical, propulsion); substantial renovations or preservation of existing buildings, vessels or structures, including reconfigurations (removal or construction of walls, ceilings and flooring, windows, window frames, hulls); site preparation and improvements associated with a project (excavation, demolition, roadways, sidewalks, exterior lighting, sprinkler systems, utility hook-ups); acquisition of furnishings, fixtures, machinery and equipment with a useful life in excess of five years; constructing or rehabilitating segments of Canalway Trail; constructing or rehabilitating docks or bulkeaheds for the purpose of public access to and from the Canal System; and/or hazardous waste clean-up associated with a project.

PRE-APPLICATION REQUIREMENTS:

Boundary Eligibility: Projects must be located along one of the four canals of the Canal System (Erie, Champlain, Oswego and Cayuga-Seneca), trail linkages or connections to existing Canalway Trail segments, or the historic canal alignment. See map and list of eligible communities at <http://www.canals.ny.gov/community/grant-muni.html>

Applicants must demonstrate a minimum of 50% matching funds. Eligible matching funds include federal, local, private and **other agency** state funding (Canal Corporation funds may not be used towards matching funds).

Eligible match also includes the value of in-kind services and donations. See Award Criteria for more details on eligible match.

The applicant is responsible for obtaining all required permits and approvals from federal, state, and local agencies, such as the U.S. Army Corps of Engineers, NYS Department of Environmental Conservation and NYS State Office of Parks, Recreation and Historic Preservation, and any others that may be required by the NYS Canal Corporation.

Please note that the New York State Canal Corporation is subject to the State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent possible, make funding decisions consistent with the provisions of that Act.

SUCCESSFUL APPLICANT REQUIREMENTS:

For projects proposed by a municipality, the municipality will be lead agency for purposes of the State Environmental Quality Review Act (SEQRA) or will be responsible for initiating lead agency designation procedures, if there are other involved agencies. For new projects initiated after receipt of the grant award letter, the Canal Corporation shall be an involved agency. The municipality shall meet the procedural and substantive requirements of SEQRA and all other state, federal or local law, rules, regulations, ordinances, codes and requirements. For non-profit organizations, the Canal Corporation will determine whether it will proceed as lead agency, initiate the lead agency designation process or refer lead agency to the local municipality. If the project is a Type I or Unlisted Action, the Environmental Assessment Form will be required prior to contract for award. If a Determination of Significance has been established, documentation will be required prior to contract for award.

Grant funds will be provided on a reimbursement basis **ONLY**. Receipts, invoices and other documentation must meet the requirements of the Canal Corporation and the Office of the State Comptroller. Reimbursement will only be provided for projects or portions of a project initiated **after** the date of the grant award letter from the Canal Corporation. Projects may be initiated prior to receipt of the award letter, and **matching expense** documentation will be accepted for expenses up to one year prior to the date of the award letter, but reimbursement will **only** be provided for portions of the project initiated **after** the date of the award letter. Reimbursement payments **will not** be issued prior to final contract execution.

The Canal Corporation reserves the right to reallocate funding and grant awards based upon available funds and grant requests.

INELIGIBLE ACTIVITIES:

- Use of grant funds for land acquisition is prohibited (however the costs of acquisition may be used as a local match)
- Grant funds cannot be used to cover operating expenses

SELECTION CRITERIA

Each project will be rated with the following evaluation criteria. Criteria #1, Regional Council Endorsement will carry 20% weight and an independent weighting committee will assign weights for criteria #2 through #10. Final ranking of project applications will be based on a weighted scoring.

Vision, Regional and State wide Strategies

- Is the project endorsed by the corresponding Regional Economic Development Council?*
- Is the project consistent with the goals and objectives of the NYS Canal Recreationway Plan? Does it enhance an existing harbor, service port, lock project or the Canalway Trail, or improve public access to the Canal System and Canal related amenities?*
- Does the project recognize and support the bicentennial of the Erie Canal between 2017 and 2025? Will the project result in a noteworthy and sustainable recognition of the Canal System's significance, relevance, and heritage during and after the 2017-2025 bicentennial of Erie Canal construction?*
- Is the project consistent with regional or intermunicipal plans, including NYS Department of State "Local Waterfront Revitalization Program" (LWRP), Erie Canalway National Heritage Corridor Management Plan, or other regional and local plans?*
- Does the project address 2016 statewide REDC Initiatives including Downtown Revitalization, NYRising, Global NY, Opportunity Agenda, and Veteran's Related Projects?*

Public/ Stakeholders:

- Is widespread support from residents and other canal stakeholders demonstrated in the application?*

Financial Viability

- Are the project costs reasonable and clearly defined both in the Budget sheet and in the supporting documents?*

Innovation/Effectiveness

- Can the project increase canal visitation and/or participation in canal related activities?*
- Does the project protect or enhance historic and/or natural resources of the Canal System?*

Implementation

- Does the proposal reflect a reasonable and achievable timeframe for completion of the grant funded project including project milestones and identification of parties responsible for project oversight?*
- Does the proposal define a reasonable and achievable strategy for the long term operation and maintenance of the project?*

AWARD CRITERIA DETAILS

A 50% match will be required on all grants and must be fully documented according to the requirements of the Canal Corporation and the Office of the State Comptroller.

Principal types of applicant share are:

- **Cash:** Includes grants other than this grant request.
- **Force Account (Payroll of applicant):** Itemize according to job title or job assignment (on project). At the time of the reimbursement request, grant recipients will be required to document time worked, tasks, pay ratio and payment (including components and percentage of fringe benefit rate).
- **Professional Services:** The value of services provided by professional and technical personnel and consultants. Three-year retroactivity applies.
- **Supplies and Materials:** The current market value of items warehoused (not yet installed). Three-year retroactivity applies; use value current at time items were obtained.
- **Volunteer Labor:** Skilled and professional labor can be computed at the job rate. The value for labor (unskilled labor and work performed by professionals or skilled laborers in an area outside of their area of expertise) of an adult (18 and over) donating time to a project may be computed up to the amount identified as the Value of Volunteer Time for New York State at http://www.independentsector.org/volunteer_time
- (For example, a lawyer donating legal services may compute the value based on the standard billing rate, but the value for the same lawyer donating time painting walls will be computed up to the amount identified as the Value of Volunteer Time for New York State).
- **Equipment Usage:** Compute the value according to its fair market rental value in project location.
- **Real Property:** The value of all property acquired, donated or converted from other purposes should be included in the project schedule. One year retroactivity applies to all three categories.

Canal Corporation assistance toward the costs of the project shall not exceed 50% of the approved project cost. The Canal Corporation shall not be responsible for any increases in the total project costs beyond the grant approval amount indicated in the award letter from the Canal Corporation. Qualifying match types include in-kind services, federal funding, other state funding, donated services or volunteer labor, force account (paid labor), supplies, materials and land acquisition (however, grant funds CANNOT be used for land acquisition.) Donated professional services should be valued at the prevailing hourly rate with overhead costs.

Maintenance and operation of facilities receiving grants will be the responsibility of the applicant. All successful applicants will be required to enter into a formal contract and agree to other legal documents with the Canal Corporation to ensure the long term protection of the property and also restrict changes in the use of the property. A preservation covenant or conservation easement must be conveyed for work involving historic resources.

The liability for projects constructed, owned and maintained by awardees on real property not under the jurisdiction of the Canal Corporation will remain with the grant awardees. Projects on Canal Corporation real property must be designed and constructed with Canal Corporation approval and in accordance with engineering and design standards of the Canal Corporation. Projects must provide for public safety and must not interfere with canal operations or navigation. Projects will be required to meet all applicable insurance requirements.

Projects on Canal Corporation real property may require the purchase, lease or permitting of the real property from the Canal Corporation, in accordance with all applicable laws and regulations and the Canal Corporation's "Canal Real Property Management Policy" and standard operating procedures.

Project plans must be reviewed and approved by the Canal Corporation before advertisement or contract letting. Every project must comply with all applicable local, state and federal laws, rules, regulations, requirements, ordinances and codes.

ADDITIONAL RESOURCES

For more information, eligible applicants should contact the New York State Canal Corporation, 200 Southern Boulevard, Albany, NY, 12209, or call 518-436-3055.

RESOLUTION NO. 95

AUTHORIZING THE MAYOR OF THE CITY OF ROME TO SUBMIT A GRANT APPLICATION WITH THE WATER QUALITY IMPROVEMENT PROJECT PROGRAM FOR THE NEEDED DISINFECTION EQUIPMENT AT THE CITY OF ROME'S WASTEWATER TREATMENT PLANT (FUNDING UP TO 85% OF THE CAPITAL COST AT A MAXIMUM OF 2.5 MILLION)

By Councilor _____:

WHEREAS, Frederick Schmidt, Commissioner of the Department of Public Works for the City of Rome, New York has requested the authorization to submit a grant application to the Water Quality Improvement Project Program. This grant will provide funds for the needed disinfection equipment at the City of Rome's Wastewater Treatment Plant. Funding of up to 85% of the capital cost, capped at a maximum of 2.5 million, is available to assist with some of the costs of adding disinfection equipment; now, therefore

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that Mayor Jacqueline M. Izzo and her designees are authorized to execute a grant application to the Water Quality Improvement Project Program. This grant will provide funds for the needed disinfection equipment at the City of Rome's Wastewater Treatment Plant. Funding of up to 85% of the capital cost, capped at a maximum of 2.5 million, is available to assist with some of the costs of adding disinfection equipment, pursuant to the attached information which is made part of this Resolution; and

BE IT FURTHER RESOLVED, by the Common Council of the City of Rome, New York, that Mayor Jacqueline M. Izzo and her designees are authorized to execute any and all other contracts, documents and instruments necessary to allow the City to expend grant funds and to fulfill the City of Rome's obligation under said application.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti ___ Mortise ___ Rogers ___ Parsons ___ Anderson ___
Dursi ___ DiMarco ___

ADOPTED:

DEFEATED:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Permits
625 Broadway, Albany, New York 12233-3505
P: (518) 402-8111 | F: (518) 402-9029
www.dec.ny.gov

April 28, 2016

Richard J Kenealy
City of Rome
7180 E. Dominick Street
Rome, NY 13440

Re: New Requirement to Disinfect Sewage Treatment Plant Effluent
SPDES Permit No. NY 003 0864

Dear Mr. Kenealy:

This letter is to inform you of an anticipated State Pollutant Discharge Elimination System (SPDES) permit modification to require the addition of disinfection treatment of your sewage treatment plant effluent. We are also providing information about the availability of Water Quality Improvement Project (WQIP) program grants that may help you with funding the needed disinfection equipment.

To protect public health and the environment, State regulations require that sewage treatment plant discharges be disinfected. Our records indicate that your SPDES permit does not conform to this requirement; your permit does not currently require disinfection although your discharge impacts waters that could be used for swimming, fishing and contact recreation. Consequently, the Department of Environmental Conservation (Department) plans to initiate modification of your SPDES permit later this year to require disinfection treatment of your discharge. Anticipated permit language is attached to this letter.

To assist you with implementation of the disinfection requirement, we encourage you to apply for a WQIP program grant. Funding of up to 85% of the capital cost, capped at a maximum of \$2.5 million, is available to assist with some of the costs of adding disinfection treatment. Go to the WQIP webpage for further information - <http://www.dec.ny.gov/pubs/4774.html>. Funding is also available through the Clean Water State Revolving Fund administered by the New York State Environmental Facilities Corporation, see <http://www.nysefc.org/>.

The Department intends that permittees who have received this letter are eligible for WQIP funding as long as the rest of the WQIP eligibility criteria are met. Additional eligibility criteria are listed in the *WQIP Round 13 Request for Application* (see WQIP webpage).



Department of
Environmental
Conservation

If you would like to discuss the disinfection treatment requirement and the SPDES permit modification, please contact me at 518-402-8173. If you have questions concerning applying for WQIP funding, please contact WQIP staff at 518-402-8179. Questions concerning the availability of other grants or loans should be directed to Terry Deuel, New York State Water/Wastewater Co-Funding Coordinator at 607-753-3095.

Very truly yours,



Demissie Woyecha, P.E.
Environmental Engineer II

Attachment

cc: NYSDEC, Regional Water Engineer
NYSDEC, WQIP
NYSDEC, BWP Permit Coordinator
NYSEFC, Co-Funding Coordinator

RESOLUTION NO. 96

AUTHORIZING THE CITY OF ROME TO ADJUST WATER AND SEWER RENTS FOR PROPERTIES WITHIN THE CITY OF ROME

By Councilor _____ :

WHEREAS, Frederick Schmidt, Commissioner of Public Works for the City of Rome, has recommended that the City of Rome adjust water and sewer rents for properties within the City of Rome, New York; now, therefore

BE IT RESOLVED, that the Common Council hereby authorizes the City of Rome Treasurer, or his designee, to adjust water and sewer rents pursuant to Attachment "A", which is attached hereto and made a part of this Resolution.

Seconded by _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
 Dursi___ DiMarco___

ADOPTED:

DEFEATED:

Water Usage Adjustments

PROPERTY ADDRESS	PROPERTY OWNER	BILLING DATE	BILLING USAGE gals	ADJUSTED USAGE gals	CURRENT CHARGE	ADJUSTED CHARGE	COMMENTS
607 E Dominick Street	Luczynski	1-Jan-16	45750	18750	\$240.64	\$114.82	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter has been installed
607 E Dominick Street	Luczynski	1-Jan-16	N/A	N/A	\$154.31	\$66.80	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
607 E Dominick Street	Luczynski	1-Apr-16	54750	30750	\$306.90	\$185.46	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter has been installed
607 E Dominick Street	Luczynski	1-Apr-16	N/A	N/A	\$184.67	\$103.70	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
508 N George Street	WD Housing & Holdings LLC	1-Apr-16	409500	36750	\$1,588.80	\$216.46	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter has been installed
508 N George Street	WD Housing & Holdings LLC	1-Apr-16	N/A	N/A	\$1,381.24	\$123.96	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
411 N James Street	Lappin	1-Jan-16	66000	4500	\$335.60	\$69.98	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter has been installed
411 N James Street	Lappin	1-Jan-16	N/A	N/A	\$222.62	\$66.80	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
411 N James Street	Lappin	1-Apr-16	197250	10500	\$867.15	\$83.63	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter is being scheduled to be installed
411 N James Street	Lappin	1-Apr-16	N/A	N/A	\$665.32	\$66.80	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
747 Erie Blvd W	Giotti	1-Oct-15	375000	97500	\$1,353.53	\$481.13	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter has been installed

Water Usage Adjustments

747 Erie Blvd W	Ciotti	1-Oct-15	N/A	N/A	\$1,264.88	\$328.82	SEWER USAGE CHARGE adjusted to correspond with above usage correction.
701 Park Drive	Kaplan	1-Jul-16	832500	468000	\$3,026.13	\$1,786.83	water meter registered imperfectly, as per Code of Ordinances, Sec. 74-344 (c) property usage will be estimated by using the corresponding period of the previous year. New meter is scheduled to be installed
701 Park Drive	Kaplan	1-Jul-16	N/A	N/A	\$2,808.02	\$1,578.56	SEWER USAGE CHARGE adjusted to correspond with above usage correction.

RESOLUTION NO. 97

RESOLUTION DETERMINING THAT PROPOSED ACTIONS
ARE TYPE II ACTIONS FOR PURPOSES OF THE NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT

By Councilor _____

WHEREAS, the Common Council of the City of Rome, Oneida County, New York (the "City") is considering undertaking the reconstruction and resurfacing of existing City streets and roads not involving the addition of new travel lanes (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

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

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(4) and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ADOPTED:

DEFEATED:

RESOLUTION NO. 98

RESOLUTION DETERMINING THAT THE NORTH WEST ROME WATER SYSTEM IMPROVEMENTS – AMENDED PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT AND FILING OF A NEGATIVE DECLARATION NOTICE OF NON SIGNIFICANCE FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

By Councilor _____:

WHEREAS, The City of Rome, New York approved Ordinance No. 8941A on June 25, 2014 and approved a Negative Declaration – Notice of Determination of Non-Significance, dated March 12, 2015, for the Northwest Rome Water System Improvement Project; and

WHEREAS, The City of Rome, New York approved Resolution No. 61A on April 13, 2016, which amended the original project to increase the scope and to change the location of the tank and pump station; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations”), the City desires to comply with the SEQR Act and Regulations with respect to the Northwest Rome Water System Improvement Project; and

WHEREAS, the City of Rome, as Lead Agency, has completed Parts 2 and 3 of the full Environmental Assessment Form (EAF); and

WHEREAS, the City of Rome has consulted with all involved agencies identified including; Federal, State, County and Local agencies; and

WHEREAS, the City of Rome, hereby determines and declares that the Project will not have a significant environmental impact and has filed a Negative Declaration – Notice of Non-Significance Determination; and

WHEREAS, the City of Rome, maintains copies of all correspondence, approvals and permits on file to support the aforementioned declaration; and

WHEREAS, the City of Rome, will prepare, file, and publish its determination of significance in the Environmental Notice Bulletin and the Rome Sentinel;

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

1. The project constitutes a “Type I Action” under 6 NYCRR §617.5(c)(1 and 2)

and no further action under the SEQR Act and the Regulations is required, and that said Project will not have a significant effect on the environment.

2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
 Dursi___ DiMarco___

ADOPTED:

DEFEATED:

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number 151101

Date: July 14, 2016

This notice is issued pursuant to Part 617 of the Implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Rome as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Northwest Rome Water System Improvements - AMENDED

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

This is an amendment to the SEQRA package completed on June 25, 2014. Negative declaration and non-significance determination of March 12, 2015.

AMENDMENT-New location and parcel for the elevated water storage tank and pump station. Added area - new water mains within the public right of way on the following roads: approximately 8,500 lineal feet of 12-inch along NYS Route 46 and 49 from Seifert Rd. to the Erie Canal Village; approx. 4,100 lineal feet of 8-inch along Townline Rd. (1,500 feet) and NYS Route 46 (2,600 feet) west to Penny Street, 12-inch on Seifert Rd. from NYS 46/49 to approx. 1,000 feet past Shakes Rd., County Rte. 60-Elmer Hill Rd. (North of Williams Rd.) approx. 2,300 feet, County Rte 60-Elmer Hill Rd. (South of Williams Rd.) to subdivision Bishop Rd. approx. 2,350 feet, NYS Rte. 26 (South of Williams Rd.) to subdivision Glen Rd. approx. 2,850 feet, water main to allow connection between three (3) subdivisions Glen Rd. (NYS Rte. 26) Bishop Rd. (County Rte. 60-Elmer Hill Rd.) and Northgate Drive (Williams Rd.) approx. 1,100 feet; Tannery Rd. extension from Oswego Rd./Turin Rd. intersection to NYS 46/49 Verona boundary line approx. 1,100 feet.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Several locations throughout the City of Rome - See attached Figure

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

1. NYS DOH - 5-13-16 - E-mail
2. NYSDEC Division of Environmental Permits, Region 6 - 5-19-16 - Letter
3. Oneida County Department of Public Works - 5-23-16 - Letter
4. NYS DOT - 6-2-16 - Letter

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Mr. Fred Schmidt, Commissioner of Public Works, City of Rome

Address: 198 N. Washington Street, Rome, NY 13440

Telephone Number: (315) 339-7635

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of Rome, NY

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

Project: _____

Date: _____

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

3. Impact on the Surface Waters

The project may involve construction adjoining a freshwater wetlands (buffer zone) or in the beds or banks of water bodies. The project includes construction of new water mains within road right-of-ways. Water mains may run parallel and adjacent to freshwater wetlands (buffer zone). Buffer zones will be depicted on the drawings and reviewed with regulatory agencies prior to construction. Best management practices will be specified to minimize disturbance. Applicable permits will be obtained from regulatory agencies if required for work adjacent to wetlands (buffer zone) and crossings of water bodies. With Best Management Construction practices it is expected the proposed action will not result in a significant adverse environmental impact.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
from regulatory agency review

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Rome as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Northwest Rome Water System Improvements-AMENDED

Name of Lead Agency: City of Rome

Name of Responsible Officer in Lead Agency: Fred Schmidt

Title of Responsible Officer: Commissioner of Public Works

Signature of Responsible Officer in Lead Agency:

Date: 7/15/16

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Fred Schmidt, Commissioner of Public Works

Address: 198 N. Washington Street, Rome, NY 13440

Telephone Number: (315) 339-7635

E-mail: fschmidt@romecitygov.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project : _____
 Date : _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1, D.2.f., D.2.h., D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1, E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d.	The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e.	The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	<input type="checkbox"/>	<input type="checkbox"/>
f.	There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	<input type="checkbox"/>	<input type="checkbox"/>
g.	Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

ORDINANCE NO. 9103

AUTHORIZATION TO ACQUIRE EASEMENT ON MARTIN STREET FROM ALBERT J. TAHAN & BERNADETTE A. QUENNEVILLE TO ALLOW THE CITY OF ROME ACCESS FOR UPGRADES TO THE SEWER SYSTEM THROUGH THE MARTIN STREET SANITARY SEWER EXTENSION PROJECT.

By Councilor _____:

WHEREAS, the City of Rome is currently extending its water system through the Martin Street Sanitary Sewer Extension Project (“Project”); and

WHEREAS, the Project includes numerous upgrades to the City’s sewer system that will be installed on private property in connection with said Project; and

WHEREAS, the City of Rome has contacted several property owners in connection with this Project and requires easements for access to their properties, and

WHEREAS, the Project design calls for upgrades (“Project Upgrades”), including the installation of the new sanitary sewer transmission line, to be installed on private properties; and

WHEREAS, the City of Rome desires to access these properties for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said properties; and

WHEREAS, Frederick Schmidt, Commissioner of the Department of Public Works, opines that it is in the City of Rome’s best interest to acquire an easement from Albert J. Tahan & Bernadette A. Quenneville of 131 Henry Street, Rome, New York, at their property located on Martin Street identified by Tax Map No.259.001-003.008 “the Property” in connection with the Martin Street Sanitary Sewer Extension Project; and

WHEREAS, Albert J. Tahan & Bernadette A. Quenneville desire to grant an easement to the City of Rome for the sum of One and 00/100 Dollar (\$1.00); and

WHEREAS, said easement shall provide the City of Rome with access to the Property in order to repair, construct, modify or otherwise maintain the Project Upgrades and related equipment at the address noted; now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, that the Mayor is hereby authorized to enter into an Easement Agreement, and to execute any other necessary or appropriate documents, with Albert J. Tahan & Bernadette A. Quenneville of 131 Henry Street, Rome, New York, for their property located on Martin Street identified by Tax Map No.259.001-003.008, said easement being more specifically described in the attached Permanent Easement Agreement, description and map which are made a part of this Ordinance; and

BE IT FURTHER ORDAINED, by the City of Rome Common Council that this Ordinance shall take effect immediately upon adoption of this Ordinance.

Seconded by Councilor _____.

By Councilor _____:

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 9103

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ORDINANCE NO. 9103

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ADOPTED:

DEFEATED:

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PERMANENT EASEMENT AGREEMENT

Agreement made this 5th day of July, 2016, by and between **ALBERT J. TAHAN** and **BERNADETTE A. QUENNEVILLE** ("Tahan"), residing at 131 Henry Street, Rome, New York, 13440, hereinafter referred to as the Grantor, and the City of Rome ("City"), a municipal corporation with a principle place of business at Rome City Hall, 198 North Washington Street, Rome, NY 13440, hereinafter referred to as Grantee;

WHEREAS, the Grantee is currently extending the Grantee's sewer system through the Martin Street Sanitary Sewer Extension Project ("Project"); and

WHEREAS, the Project includes numerous upgrades to the Grantee's sewer system that will be installed on private property in connection with said Project; and

WHEREAS, the Project design calls for upgrades, including the installation of the new sanitary sewer transmission line to service properties along Martin Street from Mill Street to Route 233 overpass ("Project Upgrades"), to be installed on one (1) portion of the Grantor's property located at Martin Street in the City of Rome, New York (Tax Map #259.001-0001-003.008); and

WHEREAS, Grantee desires access to the Grantor's property at Martin Street (Tax Map #259.001-0001-003.008) for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said property; and

WHEREAS, Grantor desires to grant the requested access to City, and as owner of said property has authority to grant said access and enter into this Easement Agreement; and

NOW, THEREFORE, it is mutually agreed as follows: For the sum of one dollar (\$1.00) and other good and valuable consideration, the Grantor hereby grants and conveys

unto the Grantee a permanent easement over, across and under one (1) portion of Grantor's land at Martin Street (Tax Map #259.001-0001-003.008), which shall run with the land and be forever binding on Grantor, her heirs, executors, successors and assigns. Said easement shall be used by the Grantee for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said property; together with the right of the Grantee, and its assigns, to install, construct, repair, modify or otherwise maintain the Project Upgrades using whatever equipment is reasonably necessary, including motorized heavy equipment. The Grantor covenants that the Grantor, her heirs, executors, successors and/or assigns shall not construct any permanent structure within the bounds of the easement and shall never block, barricade, fence or in any other way hinder or obstruct the lawful access to the Project Upgrades by the Grantee. Grantee covenants that, in the event Grantee needs to disturb the property in order to do work relative to the Project Upgrades, the Grantee will at all times use its best efforts to restore said property to the state it was in before Grantee entered on to it.

This Easement Agreement represents the full agreement between the parties and does not create any additional obligations, duties, responsibilities or liabilities on the part of the Grantee relative to the Grantor or the property that is the subject of this agreement.

The areas encumbered by the said easement are depicted and fully described on the map and descriptions, which are attached hereto as Exhibit A and made a part hereof. That being a portion of the land conveyed to Albert J. Tahan and Bernadette A. Quenneville by deed dated January 4, 1999 and recorded in the Oneida County Clerk's Office on February 8, 1999 in Liber 2856 at page 368.

Reserving, however to the owner of any right, title or interest in and to the property described above as Map 8 and Parcel 10, and such owner's successor's or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purpose for, and as established by, the construction and is constructed, the maintenance, of the Project. The use of the above described parcel shall further be restricted to not allow any permanent structure and or landscaping to be constructed and/or planted within said permanent easement.

In witness whereof, the parties hereto have set their hands and seals the day and year first above written.

By: 
Albert J. Tahan

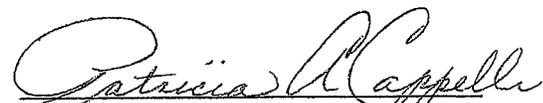
By: 
Bernadette A. Quenneville

The City of Rome, New York

By: _____
Jacqueline M. Izzo, Mayor

STATE OF NEW YORK
COUNTY OF ONEIDA) ss.:

On the 5 day of July, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Albert J. Tahan, Grantor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.


Notary Public - State of New York

PATRICIA A. CAPPELLI
Notary Public in the State of New York
Appointed in Oneida County
My Commission Expires Feb 17, 2018
4885484

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

On the 5 day of ~~July~~ in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Bernadette A. Quenneville, Grantor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.


Notary Public - State of New York

PATRICIA A. CAPPELLI
Notary Public in the State of New York
Appointed in Oneida County
My Commission Expires Feb 17, 2018
4885484

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

On the ____ day of June, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Jacqueline M. Izzo, Mayor, City of Rome, New York, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

Notary Public - State of New York

**Permanent Easement
For
Martin Street Sewers
Albert J. Tahan and Bernadette A. Quenneville
Reputed Owners**

Map 8/Parcel 10 - Permanent Easement

A Permanent Easement to be exercised in, on, over and under the property delineated and hereinafter described for the purposes of constructing, reconstructing, and maintaining thereon a sewer pipe line and appurtenances in and to all that piece or parcel of property hereafter designated as Map 8/Parcel 10, situate in the City of Rome, County of Oneida, and State of New York, being part of the lands of Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) as recorded in the Oneida County Clerk's Office in Liber 2856 at page 368.

Beginning at a point on the northerly highway boundary line of Martin Street and the division line between the lands of said Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) on the west and the lands of Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) on the east as recorded in the Oneida County Clerk's Office in Liber 2856 at page 373;

Thence, northeasterly - 16± feet along said division line to a point;

Thence, northwesterly - 125± feet across the lands of said Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) to the division line of the lands of said Albert J. Tahan & Bernadette A. Quenneville, (Reputed Owners) on the east and Pall Real-Estate, LLC (Reputed Owner) on the west as recorded in the Oneida County Clerk's Office in Instrument Number 2014-006897;

Thence, southwesterly - 15± along said division line to a point on said northerly highway boundary of Martin Street;

Thence, southeasterly - 125± feet along said highway boundary to the point of beginning, containing 1900± square feet (0.044± acre) of land, more or less.

Reserving, however to the owner of any right, title or interest in and to the property described above as Map 8/Parcel 10, and such owners' successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance, of the project. The use of the above described parcel shall further be restricted to not allow any permanent structure and/or landscaping to be constructed and/or planted within said permanent easement.

The above described parcel is shown on a map prepared by Bryant Associates, P.C. entitled "Lands to be acquired from Albert J. Tahan & Bernadette A. Quenneville (Reputed Owners)" as Map 8 Parcel 10.

DEED REFERENCES:

1. DEED FROM VOLLETTE TAHAN TO ALBERT J. TAHAN AND BERNADETTE A. QUENNEVILLE DATED JANUARY 4, 1999 AND RECORDED IN THE ONEIDA COUNTY CLERK'S OFFICE IN LIBER 2856 ON PAGE 388 ON FEBRUARY 8, 1999.
2. WARRANTY DEED FROM JOSEPH S. TAHAN TO ALBERT J. TAHAN AND BERNADETTE A. QUENNEVILLE DATED JANUARY 4, 1999 AND RECORDED IN THE ONEIDA COUNTY CLERK'S OFFICE IN BOOK 2856 ON PAGE 373 ON FEBRUARY 8, 1999.
3. WARRANTY DEED WITH LIFEN COVENANT FROM DAVID B. MANZOLINI TO PALL REAL-ESTATE, LLC DATED MAY 27, 2014 AND RECORDED IN THE ONEIDA COUNTY CLERK'S OFFICE IN INSTRUMENT 2014-006897 ON MAY 30, 2014.
4. DEED FROM THE PEOPLE OF THE STATE OF NEW YORK TO ROME HISTORICAL SOCIETY DATED NOVEMBER 18, 1980 AND RECORDED IN THE ONEIDA COUNTY CLERK'S OFFICE IN LIBER 2186 ON PAGE 29 ON NOVEMBER 18, 1980.

MAP REFERENCES:

1. MAP ENTITLED "NEW YORK STATE THRUWAY AUTHORITY CANALWAY TRAIL" TMS 13-23C, DATED SEPTEMBER 27, 2013.
2. MAP ENTITLED "STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION STANWIX - GRIFFISS AIR FORCE BASE STATE HIGHWAY S.N 77-57", D65957, DATED AUGUST 1, 1977.
3. NEW YORK STATE DEPARTMENT OF PUBLIC WORKS AND DIVISION OF HIGHWAYS, SH 14655 R02478, SHEET #4 DATED JUNE 2, 1937.
4. ACQUISITION MAP FOR THE RECONSTRUCTION OF A PORTION OF THE STANWIX - GRIFFISS AIR FORCE BASE ENTITLED "NEW YORK STATE HIGHWAYS - REVISED OWNERS' PLAN # 785-162, DATED APRIL 30, 1937.
5. MAP ENTITLED "PLANS FOR IMPROVING THE ROME ROADS, AUGUSTA AND WESTMORELAND SECTIONS", SH 184, SHEETS 28 & 9, DATED DECEMBER 20, 1955.
6. SUBDIVISION MAP ENTITLED "PROPOSED SUBDIVISION MAP PROPERTY OF GARRY R. COLEMAN" DATED OCTOBER 25, 1997 AND RECORDED IN THE ONEIDA COUNTY CLERK'S OFFICE JUNE 7, 1998 AS MAP #1307.

NOTE:

1. EXISTING UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN LOCATED AND SHOWN ON THIS SURVEY. THE LOCATION AND DEPTH OF ALL UTILITIES MUST THEREFORE BE CONSIDERED APPROXIMATE & NO GUARANTEE IS MADE BY BRYANT ASSOCIATES P.C. TO THE HORIZONTAL OR VERTICAL LOCATION OF SUCH FACILITIES, STRUCTURES AND UTILITIES. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY UNKNOWN TO THE SURVEYOR. THE HORIZONTAL & VERTICAL LOCATIONS OF ALL FACILITIES, STRUCTURES & UTILITIES IN THE FIELD PRIOR TO COMMENCING WORK.
2. SUBJECT TO ANY STATE OF FACTS AN ACCURATE AND UP TO DATE ABSTRACT OF TITLE WILL SHOW.
3. UNALTERED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS TO BE MADE IN ACCORDANCE WITH SECTION 17201, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
4. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN EMBOSSED SEAL OF THE SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

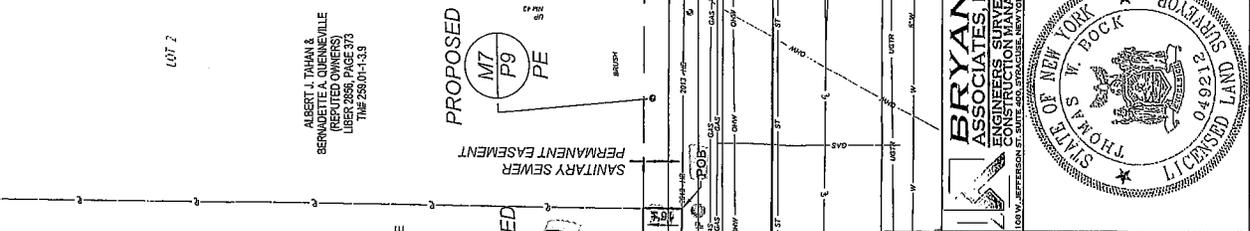
CITY OF ROME
 TM# 259.01-1-3.8
 LANDS TO BE ACQUIRED FROM
 ALBERT J. TAHAN &
 BERNADETTE A. QUENNEVILLE
 (REPUTED OWNERS)



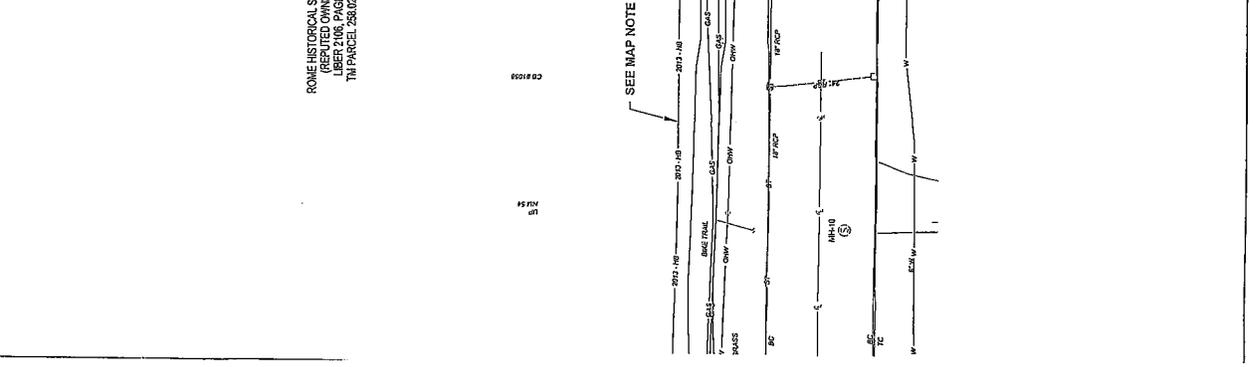
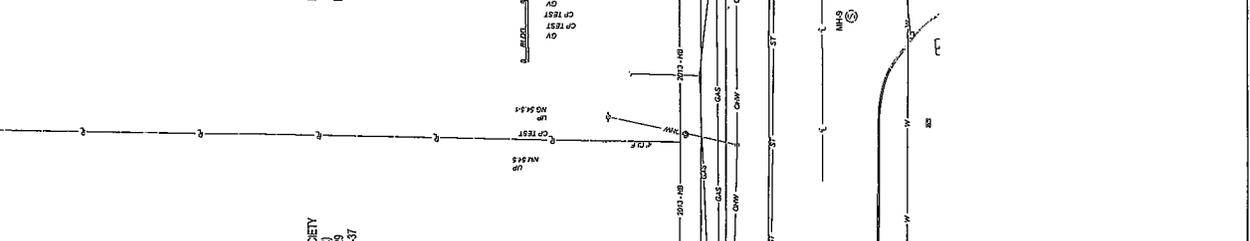
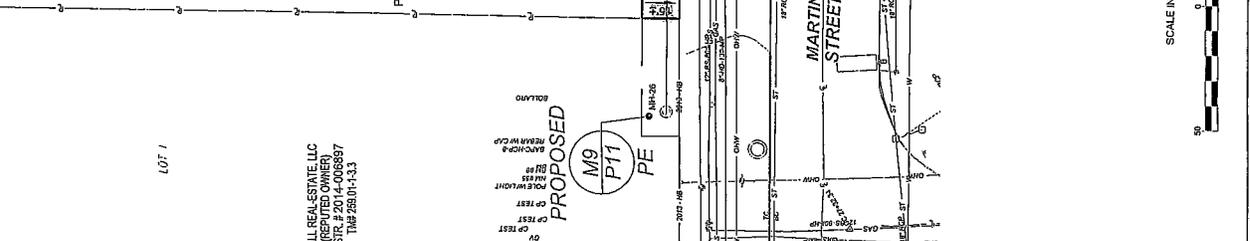
LOT 1
 LOT 2

ALBERT J. TAHAN &
 BERNADETTE A. QUENNEVILLE
 (REPUTED OWNERS)
 LIBER 2856, PAGE 373
 THE 259.01-1-3.3

ROME HISTORICAL SOCIETY
 (REPUTED OWNER)
 LIBER 2810, PAGE 237
 TM# PARCEL 2810-2-37



ALBERT J. TAHAN &
 BERNADETTE A. QUENNEVILLE
 (REPUTED OWNERS)
 LIBER 2856, PAGE 368
 TM# 259.01-1-3.8
 PARCEL 10 AREA - 1900± SQ FT OR 0.044± ACRE



BRYANT ASSOCIATES, P.C.
 ENGINEERS, SURVEYORS
 158 W. WATFORD ST. SUITE 200, STATE COLLEGE, NEW YORK 13843

THOMAS W. BOOK, P.E., L.S.
 LICENSE NO. 049218
 FOR BRYANT ASSOCIATES, P.C.

FEBRUARY 23, 2016

Thomas W. Book

HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY PREPARED UNDER MY DIRECTION. ORIGINALS HAVE EMBOSSED SEAL

LANDS TO BE ACQUIRED FROM
 ALBERT J. TAHAN &
 BERNADETTE A. QUENNEVILLE
 (REPUTED OWNERS)

CITY OF ROME
 TM# 259.01-1-3.8

ONEIDA COUNTY
 MAP 87
 PARCEL 10
 NEW YORK

ORDINANCE NO. 9104

AUTHORIZATION TO ACQUIRE EASEMENT ON MARTIN STREET FROM ALBERT J. TAHAN & BERNADETTE A. QUENNEVILLE TO ALLOW THE CITY OF ROME ACCESS FOR UPGRADES TO THE SEWER SYSTEM THROUGH THE MARTIN STREET SANITARY SEWER EXTENSION PROJECT.

By Councilor _____ :

WHEREAS, the City of Rome is currently extending its water system through the Martin Street Sanitary Sewer Extension Project (“Project”); and

WHEREAS, the Project includes numerous upgrades to the City’s sewer system that will be installed on private property in connection with said Project; and

WHEREAS, the City of Rome has contacted several property owners in connection with this Project and requires easements for access to their properties, and

WHEREAS, the Project design calls for upgrades (“Project Upgrades”), including the installation of the new sanitary sewer transmission line, to be installed on private properties; and

WHEREAS, the City of Rome desires to access these properties for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said properties; and

WHEREAS, Frederick Schmidt, Commissioner of the Department of Public Works, opines that it is in the City of Rome’s best interest to acquire an easement from Albert J. Tahan & Bernadette A. Quenneville of 131 Henry Street, Rome, New York, at their property located on Martin Street identified by Tax Map No. 259.001-003.009 “the Property” in connection with the Martin Street Sanitary Sewer Extension Project; and

WHEREAS, Albert J. Tahan & Bernadette A. Quenneville desire to grant an easement to the City of Rome for the sum of One and 00/100 Dollar (\$1.00); and

WHEREAS, said easement shall provide the City of Rome with access to the Property in order to repair, construct, modify or otherwise maintain the Project Upgrades and related equipment at the address noted; now, therefore,

BE IT ORDAINED, by the Common Council of the City of Rome, that the Mayor is hereby authorized to enter into an Easement Agreement, and to execute any other necessary or appropriate documents, with Albert J. Tahan & Bernadette A. Quenneville of 131 Henry Street, Rome, New York, at their property located on Martin Street identified by Tax Map No. 259.001-003.009, said easement being more specifically described in the attached Permanent Easement Agreement, description and map which are made a part of this Ordinance; and

BE IT FURTHER ORDAINED, by the City of Rome Common Council that this Ordinance shall take effect immediately upon adoption of this Ordinance.

Seconded by Councilor _____.

By Councilor _____:

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 9104

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ORDINANCE NO. 9104

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ADOPTED:

DEFEATED:

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PERMANENT EASEMENT AGREEMENT

Agreement made this 12th day of July, 2016, by and between **ALBERT J. TAHAN** and **BERNADETTE A. QUENNEVILLE** ("Tahan"), residing at 131 Henry Street, Rome, New York, 13440, hereinafter referred to as the Grantor, and the City of Rome ("City"), a municipal corporation with a principle place of business at Rome City Hall, 198 North Washington Street, Rome, NY 13440, hereinafter referred to as Grantee;

WHEREAS, the Grantee is currently extending the Grantee's sewer system through the Martin Street Sanitary Sewer Extension Project ("Project"); and

WHEREAS, the Project includes numerous upgrades to the Grantee's sewer system that will be installed on private property in connection with said Project; and

WHEREAS, the Project design calls for upgrades including the installation of the new sanitary sewer transmission line to service properties along Martin Street from Mill Street to Route 233 overpass ("Project Upgrades"), to be installed on one (1) portion of the Grantor's property located at Martin Street in the City of Rome, New York (Tax Map #259.001-0001-003.009); and

WHEREAS, Grantee desires access to the Grantor's property at Martin Street (Tax Map #259.001-0001-003.009) for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said property; and

WHEREAS, Grantor desires to grant the requested access to City, and as owner of said property has authority to grant said access and enter into this Easement Agreement; and

NOW, THEREFORE, it is mutually agreed as follows: For the sum of one dollar (\$1.00) and other good and valuable consideration, the Grantor hereby grants and conveys

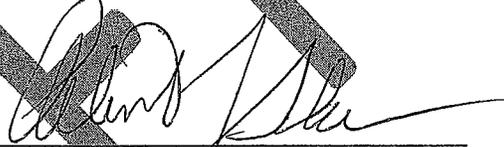
unto the Grantee a permanent easement over, across and under one (1) portion of Grantor's land at Martin Street (Tax Map #259.001-0001-003.009), which shall run with the land and be forever binding on Grantor, her heirs, executors, successors and assigns. Said easement shall be used by the Grantee for the purpose of accessing, installing, constructing, repairing, modifying or otherwise maintaining the Project Upgrades on said property; together with the right of the Grantee, and its assigns, to install, construct, repair, modify or otherwise maintain the Project Upgrades using whatever equipment is reasonably necessary, including motorized heavy equipment. The Grantor covenants that the Grantor, her heirs, executors, successors and/or assigns shall not construct any permanent structure within the bounds of the easement and shall never block, barricade, fence or in any other way hinder or obstruct the lawful access to the Project Upgrades by the Grantee. Grantee covenants that, in the event Grantee needs to disturb the property in order to do work relative to the Project Upgrades, the Grantee will at all times use its best efforts to restore said property to the state it was in before Grantee entered on to it.

This Easement Agreement represents the full agreement between the parties and does not create any additional obligations, duties, responsibilities or liabilities on the part of the Grantee relative to the Grantor or the property that is the subject of this agreement.

The areas encumbered by the said easement are depicted and fully described on the map and descriptions, which are attached hereto as Exhibit A and made a part hereof. That being a portion of the land conveyed to Albert J. Tahan and Bernadette A. Quenneville by deed dated January 4, 1999 and recorded in the Oneida County Clerk's Office on February 8, 1999 in Book 2856 at page 373.

Reserving, however to the owner of any right, title or interest in and to the property described above as Map 7 and Parcel 9, and such owner's successor's or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purpose for, and as established by, the construction and is constructed, the maintenance, of the Project. The use of the above described parcel shall further be restricted to not allow any permanent structure and or landscaping to be constructed and/or planted within said permanent easement.

In witness whereof, the parties hereto have set their hands and seals the day and year first above written.

By: 
Albert J. Tahan

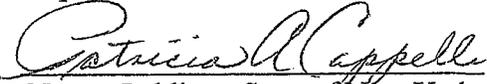
By: 
Bernadette A. Quenneville

The City of Rome, New York

By: _____
Jacqueline M. Izzo, Mayor

STATE OF NEW YORK
COUNTY OF ONEIDA ss.:

On the 12 day of June, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Albert J. Tahan, Grantor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.


Notary Public - State of New York

PATRICIA A. CAPPELLI
Notary Public in the State of New York
Appointed in Oneida County
My Commission Expires Feb 17, 2018
4885484

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

On the 12 day of July, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Bernadette A. Quenneville, Grantor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.



Notary Public - State of New York

PATRICIA A. CAPPELLI
Notary Public in the State of New York
Appointed in Oneida County
My Commission Expires Feb 17, 2018
4885484

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

On the ____ day of June, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Jacqueline M. Izzo, Mayor, City of Rome, New York, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.

Notary Public - State of New York

**Permanent Easement
For
Martin Street Sewers
Albert J. Tahan and Bernadette A. Quenneville
Reputed Owners**

Map 7/Parcel 9 - Permanent Easement

A Permanent Easement to be exercised in, on, over and under the property delineated and hereinafter described for the purposes of constructing, reconstructing, and maintaining thereon a sewer pipe line and appurtenances in and to all that piece or parcel of property hereafter designated as Map 7/Parcel 9, situate in the City of Rome, County of Oneida, and State of New York, being part of the lands of Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) as recorded in the Oneida County Clerk's Office in Liber 2856 at page 373.

Beginning at a point on the northerly highway boundary line of Martin Street and the division line between the lands of said Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) on the west and the lands of J&T Realty, LLC (Reputed Owner) on the east as recorded in the Oneida County Clerk's Office in Instrument 2003-001859;

Thence, northeasterly - 16± feet along said division line to a point;

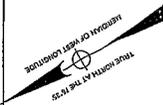
Thence, northwesterly - 100± feet across the lands of said Albert J. Tahan and Bernadette A. Quenneville (Reputed Owners) to the division line of the lands of Albert J. Tahan & Bernadette A. Quenneville, (Reputed Owners) on the east and of Albert J. Tahan & Bernadette A. Quenneville, (Reputed Owners) on the west as recorded in the Oneida County Clerk's Office in Liber 2856 at page 368;

Thence, southwesterly - 16± feet along said division line to a point on said northerly highway boundary of Martin Street;

Thence, southeasterly - 100± feet along said highway boundary to the point of beginning, containing 1581± square feet (0.036± acre) of land, more or less.

Reserving, however to the owner of any right, title or interest in and to the property described above as Map 7/Parcel 9, and such owners' successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance, of the project. The use of the above described parcel shall further be restricted to not allow any permanent structure and/or landscaping to be constructed and/or planted within said permanent easement.

The above described parcel is shown on a map prepared by Bryant Associates, P.C. entitled "Lands to be acquired from Albert J. Tahan & Bernadette A. Quenneville (Reputed Owners)" as Map 7 Parcel 9.



- DEED REFERENCES:**
1. WARRANTY DEED FROM JOSEPH S. TAHAN TO ALBERT J. TAHAN AND BERNADETTE A. QUENNEVILLE DATED JANUARY 4, 1989 AND RECORDED IN THE ONEDA COUNTY CLERKS OFFICE IN BOOK 2856 ON PAGE 373 ON FEBRUARY 8, 1989.
 2. WARRANTY DEED WITH LIEN CONVEYMENT FROM TOM J. CLEAREZYK TO JAT REALTY, LLC DATED NOVEMBER 28, 1997 AND RECORDED IN THE ONEDA COUNTY CLERKS OFFICE IN LIBER 2804 PAGE 134, ON DECEMBER 13, 1997.
 3. WARRANTY DEED WITH LIEN CONVEYMENT FROM MADONNA ENTERPRISES, INC. AND BRYANT ASSOCIATES, P.C. TO JAT REALTY, LLC RECORDED IN THE ONEDA COUNTY CLERKS OFFICE IN INSTRUMENT #2003-001699 ON JANUARY 24, 2003.
 4. WARRANTY DEED FROM MARCETTE TAHAN TO ALBERT J. TAHAN AND BERNADETTE A. QUENNEVILLE DATED JANUARY 4, 1989 AND RECORDED IN THE ONEDA COUNTY CLERKS OFFICE IN LIBER 2856 ON PAGE 388 ON FEBRUARY 8, 1989.
 5. WARRANTY DEED WITH LIEN CONVEYMENT FROM DAVID G. MANZON TO JAT REALTY, LLC DATED MAY 9, 2014 AND RECORDED IN THE ONEDA COUNTY CLERKS OFFICE IN INSTRUMENT 2014-008897 ON MAY 30, 2014.

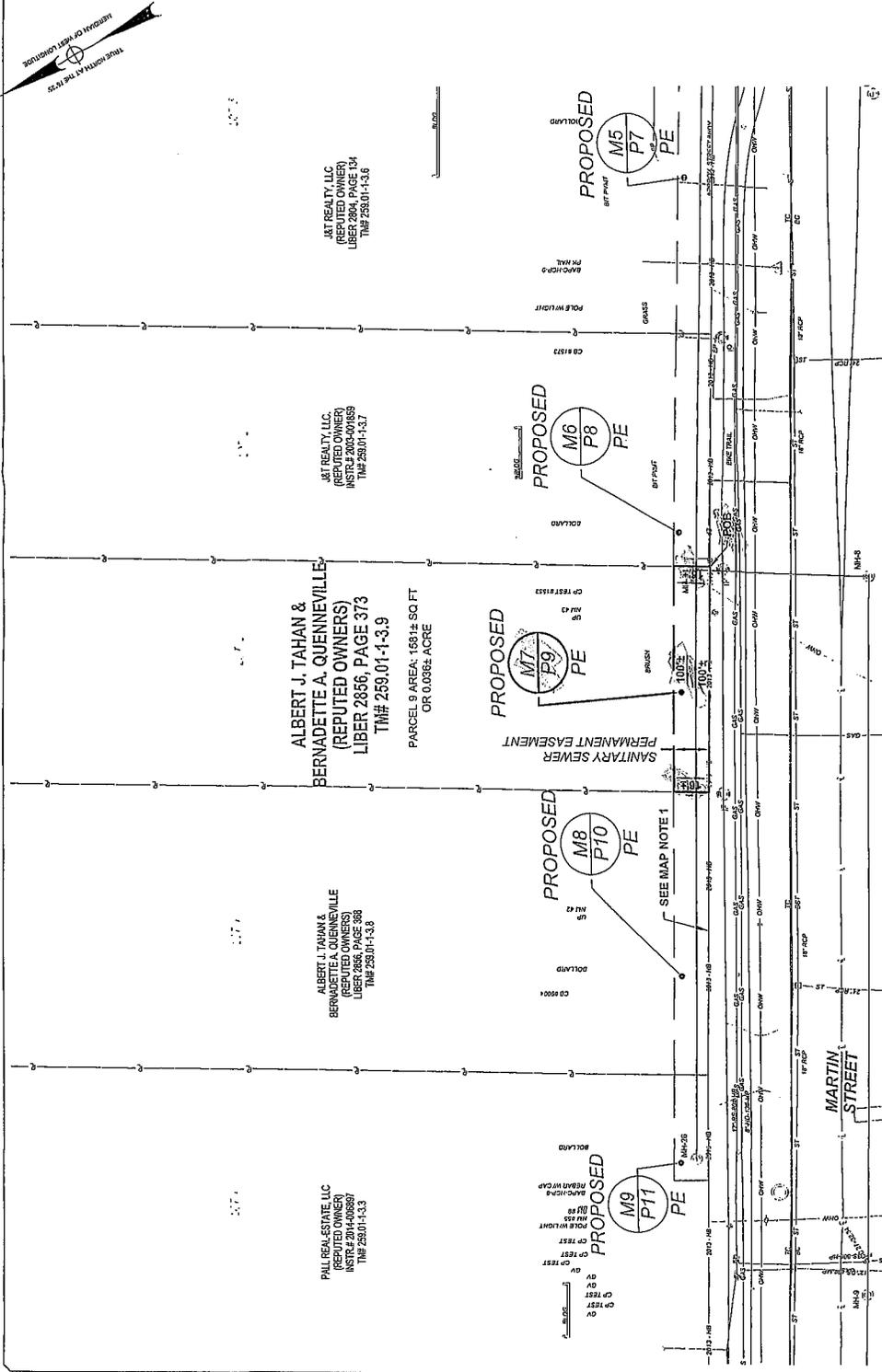
- MAP REFERENCES:**
1. MAP ENTITLED "NEW YORK STATE THRUWAY AUTHORITY CANALWAY TRAIL" T-AS 13-25C, DATED SEPTEMBER 27, 2013.
 2. MAP ENTITLED "STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION STANWIX - GRIFFISS MAR FORCE BASE STATE HIGHWAY S.M.75-57, D85597, DATED AUGUST 1, 1971.
 3. NEW YORK STATE DEPARTMENT OF PUBLIC WORKS AND DIVISION OF HIGHWAYS, SH 1945 R02476 SHEET 14 DATED JUNE 2, 1937.
 4. ACQUISITION MAP FOR THE RECONSTRUCTION OF A PORTION OF THE STANWIX - ORISKANY - WHITESBORO, SH 1846 ENTITLED "NEW YORK STATE RAILWAYS - REPUTED OWNER, PARCEL A", MAP #Z 28C - R2, DATED APRIL 30, 1937.
 5. MAP ENTITLED "PLANS FOR IMPROVING THE ROME ROADS, AUGUSTA AND WESTMORELAND SECTIONS", SH 854, SHEETS #8 & 9, DATED DECEMBER 20, 1906.
 6. SUBDIVISION MAP ENTITLED "PROPOSED SUBDIVISION MAP PROPERTY OF GARRY R. COLEMAN" DATED OCTOBER 26, 1987 AND RECORDED IN THE ONEDA COUNTY CLERKS OFFICE, JUNE 7, 1988 AS MAP # 1907.

NOTE:

1. EXISTING UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE PLANS, RECORDS AND SURVEYS. THEIR LOCATION AND DEPTH ARE NOT GUARANTEED. BRYANT ASSOCIATES, P.C. OR VERTICAL LOCATION OF SUCH FACILITIES, STRUCTURES AND UTILITIES, THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY UNKNOWN. THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL FACILITIES, STRUCTURES & UTILITIES IN THE FIELD PRIOR TO COMMENCING WORK.
2. SUBJECT TO ANY STATE OF FACTS AN ACCURATE AND UP TO DATE ABSTRACT OF TITLE WILL SHOW.
3. UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING A SURVEYORS SEAL OR SEAL OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
4. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYORS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

CITY OF ROME
 TM 250.01-1-3.9
 LANDS TO BE ACQUIRED FROM
 ALBERT J. TAHAN &
 BERNADETTE A. QUENNEVILLE
 (REPUTED OWNERS)

I HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY PREPARED UNDER MY DIRECTION. ORIGINALS HAVE EMBOSSED SEAL
 FEBRUARY 23, 2016
Thomas W. Boock
 THOMAS W. BOOCK, P.E., L.S.
 PLS LICENSE NO. 049212
 FOR BRYANT ASSOCIATES, P.C.



BRYANT ASSOCIATES, P.C.
 ENGINEERS, SURVEYORS
 CONSTRUCTION MANAGERS
 LICENSE NO. 049212
 LICENSED LAND SURVEYORS

ONEDA COUNTY
 MAP # 1907
 NEW YORK

ORDINANCE NO. 9105

AUTHORIZING THE ISSUANCE OF \$1,601,000 IN BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF VARIOUS ROADS THROUGHOUT AND IN AND FOR SAID CITY.

By Councilor _____:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, now, therefore,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York, as follows:

Section 1. The City of Rome, Oneida County, New York (the "City") is hereby authorized to undertake the reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, and grading or improving the rights of way, with flexible pavement of a type described in Local Finance Law Section 11(a)(20)(b), at an estimated maximum cost of \$2,201,000 and to issue an aggregate \$1,601,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$2,201,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the following:

- (a) the issuance of up to \$1,601,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance and pursuant to the provisions of the Local Finance Law; **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this ordinance shall be reduced dollar for dollar, it being anticipated that the City will receive approximately \$1,083,118 in CHIPS aid; and
- (b) the appropriation and expenditure of up to \$600,000 of proceeds of obligations issued pursuant to Bond Ordinance No. 8842 previously adopted by the City on June 26, 2013.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten (10) years pursuant to paragraph 20(b) of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, 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.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 8. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys 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 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof 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

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Treasurer, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor _____.

By Councilor _____:

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 9105

Seconded by Councilor _____.

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ORDINANCE NO. 9105

AYES & NAYS: Trifeletti___ Mortise___ Rogers___ Parsons___ Anderson___
Dursi___ DiMarco___

ADOPTED:

DEFEATED: