

ROME

the copper city

OFFICE OF THE COMMON COUNCIL
CITY HALL • ROME, NEW YORK 13440-5815

Stephanie Viscelli
Common Council President

Cam T. Tien
1st Ward

John B. Mortise
2nd Ward

Kimberly Rogers
3rd Ward

Ramona L. Smith
4th Ward

Frank R. Anderson
5th Ward

Riccardo D. Dursi, Jr.
6th Ward

A. Robert Tracy
7th Ward

Jean I. Grande
City Clerk

COMMON COUNCIL MEETING **Regular Session**

MARCH 13, 2019
7:00 p.m.

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 Jervis Library financial report for quarter ended 12/31/18 is on file in the City Clerk's Office.

8. NOTICES

9. REPORT OF CITY OFFICIALS

10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

11. PRESENTING OF REPORT OF COMMITTEES

12. RESOLUTIONS

RES. NO. 38 APPOINTING COMMISSIONERS OF DEEDS. **Grande**

RES. NO. 39 ISSUING SEQRA NEGATIVE DECLARATION FOR THE LIBERTY GEORGE PARKING GARAGE DEMOLITION AND PARKING DEVELOPMENT PROJECT. **Andrews**

RES. NO. 40 AUTHORIZING AMENDMENT TO THE 2018 GENERAL CITY BUDGET.
Nolan

13. ORDINANCES

ORD. NO. 9344 AUTHORIZING THE CLOSING OF A PORTION OF NORTH JAMES STREET FROM ERIE BOULEVARD TO WEST LIBERTY STREET ALONG WITH A PORTION OF WEST DOMINICK STREET FOR THE "2019 CYCLING THE ERIE CANAL EVENT" AND FURTHER AUTHORIZING THE USE OF THE FORT STANWIX PARKING GARAGE IN THE CASE OF INCLEMENT WEATHER. **Rogers**

14. TABLED LEGISLATION

15. ADJOURNMENT

THE NEXT COMMON COUNCIL MEETING IS SCHEDULED FOR MARCH 27, 2019.

RESOLUTION NO. 38

APPOINTING COMMISSIONERS OF DEEDS.

By Councilor _____:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individuals be and are hereby appointed Commissioners of Deeds for the City of Rome, New York, for a term to expire December 31, 2020:

Ramona L. Smith	Indian Creek Lane, Rome New York
Cam T. Tien	Floyd Avenue, Rome New York
Janine Bongiorno-Halpin	Elm Street, Rome, New York

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor _____.

AYES & NAYS: Tien ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ADOPTED ___

DEFEATED ___

RESOLUTION NO. 39

**ISSUING SEQRA NEGATIVE DECLARATION FOR
THE LIBERTY GEORGE PARKING GARAGE DEMOLITION
AND PARKING DEVELOPMENT PROJECT.**

By Councilor _____:

WHEREAS, the City of Rome (CITY) is undertaking the Liberty George Parking Garage Demolition and Parking Development Project; and

WHEREAS, the City has previously determined that the proposed project is an Unlisted Action under SEQRA; and

WHEREAS, on December 12, 2018 the Common Council of the City adopted Resolution No. 142 proposing that it serve as the Lead Agency for the purposes of conducting a coordinated SEQRA Review of the proposed project; and

WHEREAS, a letter was sent to all Involved Agencies advising them of the proposed project, providing them with the Part I Environmental Assessment Form, advising them that the City proposed that it serve as Lead Agency, and asking each Agency to offer written comments on whether they objected to the Council serving as Lead Agency and whether the proposed project may have any impact on the environment; and

WHEREAS, each of the Involved Agencies ultimately consented to the City's proposal and the City has been duly designated as SEQRA Lead Agency for the purposes of conducting the SEQRA Review of the proposed project; and

WHEREAS, the City has reviewed the proposed project and Part I of the Full Environmental Assessment Form, and has prepared Part 2 of the Full Environmental Assessment Form; now, therefore

BE IT RESOLVED, that the City of Rome Common Council has been duly designated as SEQRA Lead Agency for SEQRA Review of the proposed project; and

BE IT FURTHER RESOLVED, that the Common Council hereby determines that the project will not result in any large or important impacts and, therefore, is one which will not have a significant impact on the environment, and adopts and authorizes the filing of a SEQRA Negative Declaration - Notice of Determination of Non-Significance for the proposed project.

Seconded by Councilor _____.

AYES & NAYS: Tien ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ADOPTED ___

DEFEATED ___

Project: Liberty George Garage Demo/Parking

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Rome Common Council

Name of Lead Agency

Stephanie Viscelli

Print or Type Name of Responsible Officer in Lead Agency

Date

President

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)



ONEIDA COUNTY
DEPARTMENT OF PLANNING
Boehlert Center at Union Station
321 Main St., Utica NY 13501
Phone: (315) 798-5710 Fax: (315) 798-5852

ANTHONY J. PICENTE, JR.
County Executive

REGINA A. VENETTOZZI
Interim Commissioner

GENERAL MUNICIPAL LAW, SECTIONS 239-l, -m, or -n
NOTICE OF COUNTY RECOMMENDATION

Oneida County Referral Number: OC-79717

Applicant: City Of Rome


Municipality: City of Rome

Location: 150 North George Street

Subject Action: Demolish existing 4 story parking garage located on the parcel.

NO RECOMMENDATION AS TO FINAL ACTION

Date: 2/21/2019


Regina A. Venettozzi
Interim Commissioner of Planning

NOTE: Section 239-m of the General Municipal Law of the State of New York requires that the municipal agency having jurisdiction over this matter, shall, within thirty (30) days after its final action, file with this Department a report describing the final action.

The "NO RECOMMENDATION" only states that significant Countywide or intermunicipal impacts have not been identified. There may be significant local impacts or controversy. This statement does not address the proposed action's compliance with all applicable local regulations; or with any other county, state, or federal requirements, including the provisions of the New York State Environmental Quality Review Act (SEQRA).



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

October 10, 2018

Ms. Kiva VanDerGeest
Planner
City of Rome
198 N. Washington
Rome, NY 13440

Re: CEQR
Liberty George Parking Garage Redevelopment
City of Rome, Oneida County, NY
18PR06598

Dear Ms. VanDerGeest:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 6

207 Genesee Street, Utica, NY 13501-2885

P: (315)793-2554 F: (315) 793-2748

www.dec.ny.gov

February 12, 2019

Department of Community & Economic Development
Rome City Hall
198 North Washington Street
Rome, New York 13440-5815

239 Review Project

Liberty/George Street Parking Garage Demolition
City of Rome, Oneida County

Dear Department:

The Department of Environmental Conservation (DEC) has received the above referenced submittal dated January 31, 2019 and received February 4, 2019. The DEC has no objections to the Rome Common Council being Lead Agency for this project.

You will need to submit the following in order to expedite any forthcoming permit application or technical review. The DEC offers the following checklist of items to be considered when evaluating the need for additional permits:

SPDES General Permit for Construction Activity (GP-0-15-002):

- The developer is required to apply for coverage under the DEC's Stormwater program prior to starting construction.
- Submit Notice of Intent to Discharge (GP-0-15-002)
- Stormwater Pollution Prevention Plan is required.
- If you anticipate disturbing one or more acres, but less than five acres, you are required to file for coverage under New York State's General Stormwater permit – GP-0-15-002.
- If you anticipate disturbing five or more acres of soil, you will need written authorization from the Regional Water Engineer.



Department of
Environmental
Conservation

Environmental Justice:

- We strongly suggest the Lead Agency to consider Environmental Justice issues in their review of the physical conditions that will be affected by the proposed action per Part 617.2(l).

Solid Waste:

- Construction and demolition debris, or C&D debris, as defined under 6 NYCRR Part 360.2(b)(61) constitutes “waste resulting from construction, remodeling, repair and demolition of structures, buildings and roads. C&D debris includes fill material, demolition wastes, and construction wastes. Materials that are not C&D debris (even if generated from construction, remodeling, repair and demolition activities) include municipal solid waste, friable asbestos-containing waste, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, fluorescent lights, furniture, appliances, tires, drums, fuel tanks, containers greater than 10 gallons in size, and any containers having more than one inch of residue remaining on the bottom.”
 - DEC requires transportation by a registered Part 364 regulated hauler when transporting greater than 10 cubic yards of C&D (including non-friable asbestos). Transportation of friable asbestos-containing waste requires a permitted Part 364 regulated hauler if shipments are greater than 2,000 pounds.
 - Non-friable asbestos waste is considered Construction and Demolition debris (C&D) and must be disposed of at a permitted or registered facility.
- Friable asbestos-containing waste is defined under 6 NYCRR Part 360.2(b)(117) as “any waste containing greater than one percent asbestos that can be crumbled, pulverized, or reduced to powder by hand pressure when dry; and any asbestos-containing waste that is collected in a pollution control device designed to remove asbestos. This definition does not include friable asbestos-containing wastes that are discarded by a household.”
 - The DEC does not regulate the packaging of asbestos waste, however, in order for a landfill to accept asbestos waste for disposal it must be packaged in accordance with EPA, OSHA, and NYSDOL requirements. Generators should always be sure to check with the disposal facility prior to transportation to insure the facility is authorized to accept the waste and for any specific packaging/handling instructions which may exist.
 - DEC does not regulate the removal of asbestos containing materials which may only be completed by certified individuals. The removal process is overseen by the NYS Department of Labor (DOL). Municipalities with questions about removal requirements should contact their local DOL office, while questions on training/certification may be directed to the local office of the NYS Health Department.
 - Public concerns regarding exposure and other health-related issues should be directed to the NYS Department of Health, Toxic Substance Assessment Program.

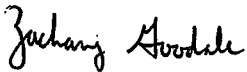
- Generally, lead based paint debris is considered “de minimus” based on the fact that the debris as a whole consists mainly of building parts (doors, window frames, painted woodwork, etc.). Therefore these wastes should be managed as Construction & Demolition debris per 6 NYCRR Part 360.2(b)(61).
 - If the contractor considers the amount of lead based paint material to be significant they should contact the Oneida Herkimer Solid Waste Authority (OHSWA) for information and/or sampling instructions. Questions related to the handling, characterization and/or sampling of waste materials should be directed to the OHSWA.

Additional Comments:

Please note that this review only pertains to the demolition of the existing parking garage. If any future development is agreed upon, please submit plans for the proposed project for a separate review.

Any changes made to the plans submitted could have an impact on this determination.

Sincerely,



Zachary Goodale
Environmental Analyst
NYSDEC - Utica

cc: file

ecc:

RESOLUTION NO. 40

AUTHORIZING AMENDMENT TO THE 2018 GENERAL CITY BUDGET.

By Councilor _____:

WHEREAS, David C. Nolan, Treasurer for the City of Rome, has requested to amend the 2018 budget to break out solar credits which were formerly all in AG1000.2150 between the Tannery and newly created Onyx solar accounts, and to increase accounts for previously unbudgeted Pave New York and Extreme Winter Recovery Aid; now, therefore

BE IT RESOLVED, that the Common Council of the City of Rome hereby authorizes an amendment to the 2018 Budget

Decrease AG1000.2150	Solar Power Credits-Tannery	\$290,000.00
Increase AG1000.2151	Solar Power Credits-Onyx	\$290,000.00
Increase AG1000.3501	CHIP Aid	\$341,135.44
Increase AG5112.209	Streets CHIPS Street Program	\$341,135.44; and

BE IT FURTHER RESOLVED, that the City of Rome Treasurer is directed to make such changes as may be necessary to effectuate the amendment authorized hereby and that same be consistent with the City's policies and procedures.

Seconded by Councilor _____.

AYES & NAYS: Tien ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ADOPTED ___

DEFEATED ___

ORDINANCE NO. 9344

AUTHORIZING THE CLOSING OF A PORTION OF NORTH JAMES STREET FROM ERIE BOULEVARD TO WEST LIBERTY STREET ALONG WITH A PORTION OF WEST DOMINICK STREET FOR THE "2019 CYCLING THE ERIE CANAL EVENT" AND FURTHER AUTHORIZING THE USE OF THE FORT STANWIX PARKING GARAGE IN THE CASE OF INCLEMENT WEATHER.

By Councilor _____:

WHEREAS, Kimberly Rogers, 3rd Ward Councilor, has requested the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, along with a portion of West Dominick Street from South James Street and continuing West and ending in front of Berkshire Bank (to give access to the parking lot directly across from the bank), from 4:00 p.m. on Thursday, July 11, 2019, to 7:00 a.m. on Friday, July 12, 2019, in conjunction with the "2019 Cycling the Erie Canal Event"; now, therefore

BE IT ORDAINED, that the Common Council of the City of Rome, New York, does hereby authorize the closing of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, along with a portion of West Dominick Street from South James Street and continuing West and ending in front of Berkshire Bank (to give access to the parking lot directly across from the bank), from 4:00 p.m. on Thursday, July 11, 2019, to 7:00 a.m. on Friday, July 12, 2019, in conjunction with the "2019 Cycling the Erie Canal Event"; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the above organization hosting said event providing the City of Rome with a certificate of insurance in the amount of \$1,000,000 per occurrence for bodily injury and death/property damage and a minimum general aggregate coverage of \$2,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of a portion of North James Street, from the southerly boundary of where North James Street intersects with West Liberty Street to the intersection of North James Street and Erie Boulevard, along with a portion of West Dominick Street from South James Street and continuing West and ending in front of Berkshire Bank (to give access to the parking lot directly across from the bank) , as outlined hereinabove; and

BE IT FURTHER ORDAINED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area; and

BE IT FURTHER ORDAINED, that during the aforesaid time frame of 4:00 p.m. on Thursday, July 11, 2019 to 7:00 a.m. on Friday, July 12, 2019, in conjunction with the "2019 Cycling the Erie Canal Event", the Fort Stanwix Parking Garage, 2nd floor level, with security and staffing provided by the "2019 Cycling the Erie Canal Event", shall be made available to the cyclists participating in the "2019 Cycling the Erie Canal Event" in the case of inclement weather.

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. 9344.

Seconded by Councilor _____.

AYES & NAYS: Tien ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ORDINANCE NO. 9344

AYES & NAYS: Tien ___ Mortise ___ Rogers ___ Smith___ Anderson___ Dursi ___ Tracy ___

ADOPTED ___

DEFEATED ___