

AGENDA
Council Meeting
Tuesday, November 13, 2012
7:00 P.M.

I. Call to Order

II. Pledge of Allegiance

III. Public Hearing

IV. Presentation

V. Personal Appearance

(Anyone wishing to address the Council should notify the Clerk prior to the meeting)

VI. Correspondence

VII. Consent Agenda

(All Matters listed under this item are considered to be routine and will be enacted by one motion in the form below without separate discussion. If discussion is desired, the item will be removed from the consent agenda and considered separately.)

1. Approval of previous minutes
2. Approval of warrant

VIII. Appointments

1. Steven Schlieter, re-appointed to a 3 year term to the Zoning Board, term to expire 12/31/2014. (Mr. Schlieter has served since 6/23/08.)

IX. Items for Council Action

1. A resolution supporting Home Rule Legislation to allow St. Lawrence County to consider a sales tax increase. (Bill #62)
2. A resolution calling for a voluntary Tobacco Free Policy in City playgrounds and recreational fields. (Bill #63)
3. A resolution to accept the 2013 Preliminary Budget and direct that the Preliminary Budget be filed with the City Clerk and the Comptroller of the City of Ogdensburg. (Bill #64)
4. A resolution to establish a public hearing date for the Preliminary 2013 Budget for the City of Ogdensburg. (Bill #65)
5. A resolution calling for a public hearing on a Local Law which would amend Chapter 215 (Sections 39, 40 and 41) of the OMC entitled "Water Rates". (Bill #66)
6. A resolution introducing a local law and providing for public notice and public hearing to authorize a property tax levy in excess of the 2% cap. (Bill #67)

7. A resolution approving the transfer of 817 Ford Street back to the original owners in lieu of payment of the back taxes and reimbursement of the expenses incurred by the City. (Bill #68)
8. A resolution authorizing the City Manager to submit a Brownfield Revolving Loan Fund Application to the U.S. Environmental Protection Agency (EPA). (Bill #69)

X. Old Business

XI. New Business

XII. Items for Discussion

1. Tree Inventory and Management Plan

XIII. Executive Session

1. PBA Negotiations

XIV. Adjournment

Business of the City Council
City of Ogdensburg

SUBJECT:
Resolution supporting Home Rule
Legislation.

FOR AGENDA OF: November 13, 2012
BILL #: 62
DEPT. OF ORIGIN: Mayor and Council
DATE SUBMITTED: October 24, 2012
EXHIBITS: Resolution
APPROVED BY CITY MANAGER FOR SUBMITTAL

APPROVED AS TO FORM BY CITY
ATTORNEY

EXPENDITURE REQUIRED: \$	AMOUNT BUDGETED: -0-	APPROPRIATION REQUIRED: \$
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SUMMARY STATEMENT

This resolution supports Home Rule Legislation to allow St. Lawrence County to consider a sales tax increase.

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

**RESOLUTION SUPPORTING HOME RULE LEGISLATION
TO ALLOW ST. LAWRENCE COUNTY TO CONSIDER
A POSSIBLE INCREASE OF SALES TAX**

BE IT RESOLVED, that the City of Ogdensburg respectfully requests that Senator Patricia A. Ritchie, Senator Joseph A. Griffo and Senator Elizabeth O' C. Little sponsor home rule legislation to allow St. Lawrence County to consider a possible increase of sales tax; and

BE IT FURTHER RESOLVED, that copies of said resolution will be sent to all Assembly Members representing St. Lawrence County, to the leadership of the Assembly and Senate, and to the Governor.

Business of the City Council
City of Ogdensburg

SUBJECT:
Voluntary Tobacco Free Policy in City
playgrounds and recreational fields.

FOR AGENDA OF: November 13, 2012

BILL #: 63

DEPT. OF ORIGIN: Director of Parks &
Recreation

DATE SUBMITTED: October 24, 2012

APPROVED AS TO FORM BY CITY
ATTORNEY

EXHIBITS:

Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE
REQUIRED: \$

AMOUNT
BUDGETED: -0-

APPROPRIATION
REQUIRED: \$

SUMMARY STATEMENT

This is a resolution calling for a voluntary Tobacco Free Policy in City playgrounds and recreational fields.

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

**A RESOLUTION CALLING FOR A VOLUNTARY PLAYGROUND AND RECREATIONAL
FIELD TOBACCO-FREE POLICY IN THE CITY OF OGDENSBURG**

WHEREAS, the Ogdensburg City Council believes that tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at City-owned playground equipment and youth recreational fields is detrimental to their health and can be offensive to those using such facilities; and

WHEREAS, the Ogdensburg City Council believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

WHEREAS, cigarettes, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the City's recreational facilities, and pose a risk to toddlers due to ingestion; and the City's Strategic Management Plan has stated goals for a "Safe and Secure Community" and a "Beautiful City"; and

WHEREAS, the City Council asks parks users to refrain from using tobacco within 100-feet of all city-owned playground equipment found at Kids Kingdom, Grove Street Park, New York Ave. Park and Hamilton Street Park and established youth recreational fields at Montroy Park, Park Street, Champlain Street and Monnet Park. It is the intent of the City Council, in enacting this policy, to provide for the public health, safety, and welfare by protecting the public and the environment from tobacco-related litter; by discouraging the inherently dangerous behavior of tobacco use around non-tobacco users, especially children; by protecting the public from exposure to secondhand smoke where they play, exercise, and relax; by reducing the potential for children to wrongly associate tobacco use with a healthy lifestyle; and by affirming and promoting a healthy environment in and around our recreational areas; and

WHEREAS, according to the St. Lawrence County Tobacco Community Partnership, tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the following:

- Tobacco-related illness is the leading cause of preventable death in the United States, accounting for about 443,000 deaths each year;
- In New York State there are 25,500 deaths every year from causes attributable to smoking; and
- Tobacco use can cause chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth; and

WHEREAS, secondhand smoke has been repeatedly identified as a health hazard, as evidenced by the following:

- The U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke;
- Secondhand smoke exposure causes as many as 300,000 children in the United States to suffer from lower respiratory tract infections, such as pneumonia and bronchitis, exacerbates childhood asthma, and increases the risk of acute, chronic, middle ear infection in children;
- Secondhand smoke has been designated as a known human carcinogen by the Environmental Protection Agency and the Public Health Service's National Toxicology Report;

- The 2006 U.S. Surgeon General Report on Involuntary Exposure to Secondhand Smoke concludes that even brief exposures to secondhand smoke may increase the severity of asthma attacks and lower respiratory tract infections, especially in children, and have adverse effects on the heart; and
- Secondhand smoke is responsible for approximately 47,400 deaths among nonsmokers each year in the United States;

WHEREAS, smokeless tobacco is not a safe alternative to smoking and also causes death and disease, as evidenced by the following:

- Smokeless tobacco use causes leukoplakia, a disease causing white patches to form in the user's mouth that can become cancerous;
- Smokeless tobacco products are known to cause lung, larynx, esophageal, and oral cancer; and
- The regular use of snuff doubles the user's risk of cardiovascular disease and death;

WHEREAS, exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke occurs at significant levels outdoors, as evidenced by the following:

- Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from the burning cigarette;
- To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move nearly 25 feet away from the source of the smoke, about the width of a two lane road; and
- A 2006 study by the California Air Resources Board found that at typical outdoor locations, persons may be exposed to tobacco smoke levels as high as indoor secondhand smoke concentrations;

WHEREAS, cigarette butts are a major and persistent source of litter, as evidenced by the following:

- Over two billion cigarette butts are discarded every day worldwide, and Americans alone discard more than 175 million pounds of cigarette butts every year;
- Cigarette filters have been found in the stomachs of fish, birds, and other animals that mistake them for food, thus swallowing harmful plastic and toxic chemicals; and
- Cigarette filters and plastic wraps from cigarette packages are not biodegradable and cigarette related waste discarded in parks, along sidewalks, and in street gutters make their way through storm drains into creeks and rivers leaking dangerous chemicals into our watershed;

WHEREAS, cigarette butts pose a health threat to young children, as evidenced by the following:

- In 2004, American poison control centers received nearly 8,000 reports of children poisoned by the ingestion of cigarettes, cigarette butts, and other tobacco products; and
- Children who ingest cigarette butts can experience vomiting, nausea, lethargy, and gagging.

BE IT RESOLVED that the City Council supports this voluntary policy and asks park users to refrain from using tobacco within 100-feet of all city-owned playground equipment and established youth recreation fields.

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution to accept the Preliminary Budget for 2013.

FOR AGENDA OF: November 13, 2012

BILL #: 64

DEPT. OF ORIGIN: City Clerk

DATE SUBMITTED: October 25, 2012

APPROVED AS TO FORM BY CITY ATTORNEY _____ CLEARANCES: _____

EXHIBITS: Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL _____

EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

A resolution to accept the 2013 Preliminary Budget and direct that the Preliminary Budget be filed with the City Clerk and the Comptroller of the City of Ogdensburg.

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR CILLEY	_____	COUNCILLOR HOSMER	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION TO ACCEPT THE
2013 PRELIMINARY BUDGET

WHEREAS, as required by the City Charter, the City Manager has submitted a preliminary budget for fiscal year 2013 to the City Council on or before November 1, 2012,

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby accepts the preliminary budget and directs that the preliminary budget be filed with the City Clerk and the City Comptroller, and

BE IT FURTHER RESOLVED, and noted, that the preliminary budget is a public record and is available for inspection by the general public at the Office of the Comptroller.

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution to establish a public hearing date for the 2013 Preliminary Budget

FOR AGENDA OF: November 13, 2012

BILL #: 65

DEPT. OF ORIGIN: City Clerk

DATE SUBMITTED: October 25, 2012

CLEARANCES: _____

APPROVED AS TO FORM BY CITY ATTORNEY _____

EXHIBITS: resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL _____

EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

A resolution to establish a public hearing date for the Preliminary 2013 Budget for the City of Ogdensburg.

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR CILLEY	_____	COUNCILLOR HOSMER	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION
ESTABLISHING A PUBLIC HEARING
FOR THE 2013 PRELIMINARY BUDGET
OF THE CITY OF OGDENSBURG

BE IT RESOLVED, that the Ogdensburg City Council hereby establishes a public hearing on the Preliminary Budget of the City of Ogdensburg for 2013, said public hearing to be held at 7:00 pm on December 3, 2012 in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed resolution in summary form.

Business of the City Council
City of Ogdensburg

SUBJECT: Resolution calling for a Public Hearing to amend Chapter 215 of the OMC entitled "Water Rates"

FOR AGENDA OF: November 13, 2012

BILL #: 66

DEPT. OF ORIGIN: City Comptroller

DATE SUBMITTED: November 2, 2012

APPROVED AS TO FORM BY CITY ATTORNEY _____ CLEARANCES: _____

EXHIBITS: Resolution & Local Law

APPROVED BY CITY MANAGER FOR SUBMITTAL _____

EXPENDITURE REQUIRED: 0	AMOUNT BUDGETED: 0	APPROPRIATION REQUIRED: 0
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SUMMARY STATEMENT

This resolution would call for a public hearing on a Local Law which would amend Chapter 215 (Sections 39, 40 and 41) of the OMC entitled "Water Rates".

RECOMMENDED ACTION

Recommend approval.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON	_____	COUNCILLOR ASHLEY	_____
COUNCILLOR CILLEY	_____	COUNCILLOR HOSMER	_____
COUNCILLOR MORLEY	_____	COUNCILLOR SKAMPERLE	_____
COUNCILLOR STEVENSON	_____		

RESOLUTION

INTRODUCING LOCAL LAW # OF 2012

BE IT RESOLVED that proposed Local Law # of the year 2012 entitled:

Amendment to the OMC Chapter 215 entitled Water Rates be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on Monday, December 3, 2012, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed Local Law in summary form.

Local Law # of 2012

§ 215-39 Rates for metered service; meter reading, installation and repair.

A. The following schedule of rates for metered water service is hereby fixed and established effective the first billing date after January 1, 2013, and upon filing with the Secretary of State:

Meter Size (inches)	Water Allowed (gallons)	Minimum Quarterly Rate
5/8	20,310	65.00
3/4	27,170	86.95
1	40,780	130.50
1 1/4	55,000	176.00
1 1/2	67,900	217.50
2	135,800	434.75
3	204,700	655.25
4	273,000	873.75

\$3.20 per 1,000 gallons of water used

B. Meters shall be read and billed monthly or quarterly at the discretion of the City.

C. Meters shall be installed and repaired by the City of Ogdensburg. The cost of such installation and repair for all meters is to be charged to the customer.

§ 215-40. Flat-rate charges.

The following schedule of rates for flat-rate service is hereby fixed and established effective the first billing date after January 1, 2013 and upon filing with the Secretary of State:

Type of Use	Rate
Single-family residence, per year	\$260.00
Multi-family residence for each family unit or each tenant, per year	260.00
Rooming houses; private homes with additional rooms to rent or commercial rooming houses	
Minimum annual rent	260.00
Annual rooms to hire (annual rent)	65.00

Commercial or office units in a commercial/residential mixed structure (where metering is determined impractical by City Engineer), per commercial or office unit per year.

260.00

§ 215-41. Miscellaneous charges

The following schedule of rates is hereby fixed and established for the period effective the first billing after January 1, 2013, and upon filing with the Secretary of State:

Type	Rate
Fire protection for unoccupied metered or unmetered premises or where service is shut off and/or meter is removed by DPW employees. If this type of service is performed by other than DPW personnel the property owner is not entitled to the fire protection rate.	\$130.00
Fire hydrant on private property	258.00
Swimming pools (filling of), per occasion	86.00
Circus (in advance), per day	86.00
Service disconnect or seal by the City, per occasion	36.00
Service reconnection by the City, per occasion	36.00
Water service turn/off, per occasion	32.00
Annual rooms to hire (annual rent)	65.00

Business of the City Council
City of Ogdensburg

SUBJECT:
Resolution introducing a Local Law and
providing for Public Hearing and Public
Notice

FOR AGENDA OF: November 13, 2012

BILL #: 67

DEPT. OF ORIGIN: City Comptroller

DATE SUBMITTED: October 25, 2012

APPROVED AS TO FORM BY CITY
ATTORNEY

CLEARANCES: _____

EXHIBITS: Resolution & Local Law

APPROVED BY CITY MANAGER FOR
SUBMITTAL

EXPENDITURE
REQUIRED: -0-

AMOUNT
BUDGETED: -0-

APPROPRIATION
REQUIRED: -0-

SUMMARY STATEMENT

A resolution introducing a local law and providing for public notice and public hearing to
authorize a property tax levy in excess of the 2% cap.

RECOMMENDED ACTION

Passage of this resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

RESOLUTION
INTRODUCING LOCAL LAW # FOR 2012

BE IT RESOLVED that proposed Local Law # of the year 2012 entitled:

AMENDMENT to authorize an override of the property tax cap for 2013, be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on Monday, November 26, 2012, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

Local Law No. _ of the year 2012

City of Ogdensburg, County of St. Lawrence

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Ogdensburg to adopt a budget for the fiscal year commencing 1/1/2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council of the City of Ogdensburg, County of St. Lawrence, is hereby authorized to adopt a budget for the fiscal year commencing 1/1/2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

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

Business of the City Council
City of Ogdensburg

SUBJECT:
A resolution to transfer 817 Ford Street

FOR AGENDA OF: November 13, 2012

BILL #: 68

DEPT. OF ORIGIN: City Comptroller

DATE SUBMITTED: November 2, 2012

APPROVED AS TO FORM BY CITY
ATTORNEY

EXHIBITS:

Resolution

APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE
REQUIRED: -0-

AMOUNT
BUDGETED: -0-

APPROPRIATION
REQUIRED: -0-

SUMMARY STATEMENT

A resolution approving the transfer of 817 Ford Street back to the original owners in lieu of payment of the back taxes and reimbursement of the expenses incurred by the City.

RECOMMENDED ACTION

Approval of this resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

RESOLUTION TO TRANSFER 817 FORD STREET

WHEREAS, the City recently took title to a parcel of property located at 817 Ford Street, Tax Map Number 48.071-9-11 through the tax sale process, and

WHEREAS, the owner has requested to have the property returned to them, upon payment of the back taxes and reimbursement of the expenses incurred by the City, and

WHEREAS, the City Council has agreed to the request that the parcel be returned to the original owners, and

WHEREAS, the back taxes and expenses have been paid by the original owners

NOW BE IT THEREFORE RESOLVED, that the City Council does hereby approve the return of 817 Ford Street to Mr. and Mrs. Douglas Dishaw.

Business of the City Council
City of Ogdensburg

SUBJECT:
Resolution Authorizing the City Manager
to Submit a Brownfield Revolving Loan
Fund Application

FOR AGENDA OF: November 13, 2012
BILL #: 69
DEPT. OF ORIGIN: Planning Office
DATE SUBMITTED: November 7, 2012
EXHIBITS: Resolution

APPROVED AS TO FORM BY CITY
ATTORNEY

APPROVED BY CITY MANAGER FOR SUBMITTAL

EXPENDITURE REQUIRED: -0-	AMOUNT BUDGETED: -0-	APPROPRIATION REQUIRED: -0-
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SUMMARY STATEMENT

This resolution authorizes the City Manager to submit a Brownfield Revolving Loan Fund Application to the U.S. Environmental Protection Agency (EPA).

RECOMMENDED ACTION

Approval of resolution.

MOVED BY: _____

SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR NELSON _____

COUNCILLOR ASHLEY _____

COUNCILLOR CILLEY _____

COUNCILLOR HOSMER _____

COUNCILLOR MORLEY _____

COUNCILLOR SKAMPERLE _____

COUNCILLOR STEVENSON _____

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A
BROWNFIELD REVOLVING LOAN FUND APPLICATION TO
THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)**

WHEREAS, the Brownfields Revolving Loan Fund grants provide funding for a grant recipient to capitalize a revolving fund and to make loans and provide subgrants to carry out cleanup activities at brownfield sites; and

WHEREAS, the City of Ogdensburg desires to expand our current revolving loan fund to make such loans and provide subgrants to carry out cleanup activities; and

WHEREAS, the City, as an eligible applicant, may apply for up to \$1,000,000.00 to clean up sites contaminated with petroleum and/or hazardous substances; and

WHEREAS, for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and, as such, no further action is necessary regarding the same;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized and directed to submit a Revolving Loan Fund application to the U.S. Environmental Protection Agency for community-wide use with emphasis on properties within the Waterfront Brownfield Opportunity Area (WFBOA) and, upon approval of said request, to enter into and execute a project agreement with U.S. Environmental Protection Agency.