

Dianne Kufel

From: John Bolton <jb0559@yahoo.com>
Sent: Tuesday, December 12, 2023 8:45 AM
To: Gary Butterfield; Dianne Kufel; Chris Strong; LouAnn StGermain; Patricia Gustafson; Anthony Burkinshaw; Chance Fieldson
Subject: [External] Smoking in Parks

ATTENTION: This email message was received from someone outside the Village of North Syracuse. Please DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Team,
Wanted to share this with everyone as it's a topic for Thursdays meeting. Copied from another municipality.

"Parks and Recreation"

"Prohibited uses and activities,"

Smoking: Smoke and vaping free zones.

- A. Tobacco or marijuana smoking and/or vaping and tobacco or marijuana use shall be prohibited in all village-owned buildings owned, leased, used, operated, or maintained by the Village of North Syracuse or any department of the Village of North Syracuse (hereinafter "Village building"), without exception.
- B. Tobacco or marijuana smoking (or vaping) and tobacco or marijuana use in any form shall also be prohibited within 30 feet of any Village building not located in a park, recreation area or playground.
- C. Tobacco or marijuana smoking (and vaping) and tobacco or marijuana use of any type shall be prohibited in all Village-owned parks, playgrounds, and recreation areas.
- D. The Village Board further determines and declares that all Village-owned parks, recreation areas and playgrounds shall be designated as tobacco-free and marijuana free zones.

John Bolton
315-546-3605
jb0559@yahoo.com

ARTICLE II
Outdoor Smoking
[Adopted 3-11-2019 by L.L. No. 1-2019]

§ 276-11. Legislative authority.

- A. Pursuant to the New York State Constitution, the City Council of the City of Newburgh may adopt and amend laws pertaining to the protection, conduct, safety, health and well-being of the persons and property in the City.
- B. The Clean Indoor Air Act, adopted by the New York State Legislature as Public Health Law, Article 13-E, § 1399-n et seq., addresses indoor smoking only and specifically provides that "nothing herein shall be construed to restrict the right of any county, city, town, or village to adopt and enforce additional local law, ordinances or regulations which comply with at least the minimum applicable standards set forth in this article."
- C. The Marihuana Regulation and Taxation Act (MRTA), adopted by the New York State Legislature as Cannabis Law, Chapter 7-A, provides that nothing in the MRTA is intended to limit the authority of any government agency to allow smoking cannabis in any location where smoking tobacco is prohibited. **[Added 10-12-2021 by L.L. No. 5-2021]**

§ 276-12. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CANNABIS PRODUCT or CANNABIS-RELATED PRODUCT — Any product containing cannabis or hemp, as those terms are defined in the MRTA, that is used or intended for the purpose of smoking or inhaling. "Cannabis product" or "cannabis-related product" does not include any product that has been excluded from the definition of "cannabis" or "hemp" by the MRTA or approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a drug product or for other medical purposes and is being marketed and sold solely for that approved purpose. **[Added 10-12-2021 by L.L. No. 5-2021]**

CHILDREN — Persons under the age of 18 years.

CITY-OWNED BUILDING — Any structure owned by the City of Newburgh, except for any vacant structure not used for municipal purposes and any such structure that is subject to a written lease to another party, provided such lease was entered into prior to the effective date of this article and provided such lease does not give the City the authority to regulate outdoor smoking on the leased premises.

E-CIGARETTE — Any electronic device composed of a mouthpiece, heating element, battery and electronic circuits that provides a vapor of liquid nicotine, cannabis product, or cannabis-related product, and/or other substances mixed with propylene glycol, to the user as he or she simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name. **[Amended 10-12-2021 by L.L. No. 5-2021]**

ENTRANCE — The location by which persons may enter a building, typically consisting of a door or doorway, which may be associated with a stoop or steps and/or a ramp and for the purposes of this chapter, "entrance" includes the stoop, steps or ramp leading from the sidewalk or pavement to such a door or doorway.

EXIT — The location by which persons may leave a building, typically consisting of a door or doorway, which may be associated with a stoop or steps and/or a ramp and for the purposes of this chapter, "exit" includes the stoop, steps or ramp leading from the sidewalk or pavement to such a door or doorway.

FACILITY — The structures and activity areas, which may be partially enclosed or unenclosed, associated with an operation (which operation may be governmental, recreational, educational, commercial or of another type).

MASS TRANSIT SHELTER — A structure that has a roof and intended for use by persons waiting for a bus or other mass transit vehicle.

MOBILE VENDING — An activity consisting of the offering of goods and/or services for sale from a nonpermanent base of operations, including but not necessarily limited to a cart, kiosk, table or vehicle.

OUTDOOR DINING — An activity consisting of the provision of facilities that are available to members of the public (with or without payment) for eating and/or drinking in an area that is not fully enclosed by a permanent structure (walls, roof, etc.).

OUTDOOR RECREATION AREA — An area that is not fully enclosed and that is designated for recreational purposes or activities.

PAVILION — A structure that is at least partially unenclosed (for example, with open sides) and that is intended for public use.

PERMIT — Written permission for an activity proposed to be conducted on property of the City of Newburgh, including any conditions placed upon such permission, issued and signed by the appropriate regulatory authority of the City.

PLAYGROUND — An outdoor recreation area that is designed and intended for use by children and for the purposes of this article, a playground that is fenced or otherwise physically demarcated shall be deemed to include all of the area inside such fence or demarcation; a playground that is not fenced or otherwise demarcated shall be deemed to include all open space that is associated with or adjacent to it.

PLAYING FIELD — That portion of an outdoor recreation area that is set up and marked in some way for the playing of one or more specific games (such as baseball, football or soccer) and for the purposes of this article, a playing field that is fenced or the outside perimeter of which is otherwise physically demarcated shall be deemed to include all of the area inside such fence or demarcation, together with any bleachers or other, designated viewing area; a playing field that is not fenced or otherwise demarcated (as to its outside perimeter) shall be deemed to include all of the area customarily required for playing the game for which it is being used, together with any bleachers or other designated viewing area.

SMOKE — The emission produced by the burning of a tobacco product or tobacco-related product, cannabis product or cannabis-related product, or the heating of an e-

cigarette which creates a vapor.[Amended 10-12-2021 by L.L. No. 5-2021]

SMOKING — The burning of a tobacco product or tobacco-related product, cannabis product or cannabis-related product, or the heating or ignition of an e-cigarette which creates a vapor.[Amended 10-12-2021 by L.L. No. 5-2021]

TOBACCO PRODUCT or TOBACCO-RELATED PRODUCT — Any manufactured product containing tobacco or nicotine, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, shisha, powdered and/or dissolvable tobacco products, liquid nicotine and electronic cigarette cartridges, whether packaged or not; any packaging that indicates it might contain any substance containing tobacco or nicotine; or any object utilized for the purpose of smoking or inhaling tobacco or nicotine products. "Tobacco product" or "tobacco-related product" does not include any product that has been approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a tobacco use cessation product or for other medical purposes and is being marketed and sold solely for that approved purpose.[Amended 10-12-2021 by L.L. No. 5-2021]

§ 276-13. Outdoor smoking prohibited in certain public places.

Smoking shall not be permitted and no person shall smoke in the following outdoor areas:

A. Smoking shall be prohibited in the following City parks:

- (1) Downing Park (the area between and bounded on the north by South Street; on the east by Dubois Street; on the south by Third Street and on the west by Robinson Avenue; as shown on the Tax Map of the City of Newburgh as Section 17, Block 9, Lot 1 and Section 17, Block 10, Lot 1).
- (2) Delano-Hitch Recreation Park, including the Activity Center, Stadium, Skateboard Park, Aquatic Center and Athletic Fields (the area between and bounded on the north by Washington Street; on the east by Robinson Avenue; on the south by South William Street and on the west by Lake Street; as shown on the Tax Map of the City of Newburgh as Section 34, Block 4, Lot 1.22).
- (3) Newburgh Landing Park (the area between and bounded on the north by Fourth Street, on the west by Front Street, on the east by the Hudson River and on the south by Third Street).
- (4) Clinton Square Park (the area between and bounded on the south by Third Street, on the east by Bush Avenue, on the north by Bush Avenue and on the west by Fullerton Avenue).
- (5) Ward Brothers Memorial Rowing Park (the area beginning at the intersection of Renwick Street and River Street, along the former line of the Newburgh New Windsor Turnpike, along the westerly boundary of the Wastewater Treatment Plant property, as shown on the Tax Map of the City of Newburgh as Section 49, Block 1, Lot 5.1).

- (6) Hasbrouck Street Park (10-14 Hasbrouck Street, as shown on the Tax Map of the City of Newburgh as Section 38, Block 3, Lot 35.1).
- (7) Tyrone H. Crabb Memorial Park (Grand Street and South Street, as shown on the Tax Map of the City of Newburgh as Section 12, Block 2, Lot 6).
- (8) Audrey L. Carey Family Park (Liberty Street, as shown on the Tax Map of the City of Newburgh as Section 18, Block 8, Lot 1.2).

B. Smoking shall be prohibited in the following outdoor recreation areas:

- (1) Lily Street Tennis Courts (Lily Street, as shown on the Tax Map of the City of Newburgh as Section 16, Block 2, Lot 1).
- (2) Gidney Avenue Basketball Court (Gidney Avenue, as shown on the Tax Map of the City of Newburgh as Section 11, Block 4, Lot 34.1).
- (3) Washington Street Boat Launching Ramp (foot of Washington Street).
- (4) Frank Masterson Recreation Area.

C. Smoking shall be prohibited in other areas or at events where persons cannot readily escape nearby secondhand smoke, as follows:

- (1) Within any outdoor dining area, whether covered or not, located on City-owned property as follows:
 - (a) Within any seating area for outdoor dining and/or drinking associated with a bar or restaurant that is on City property and subject to a City license and that is in use for that purpose; and
 - (b) Within any seating area for outdoor dining and/or drinking, established or maintained by the City or its agent, that is in use for that purpose.
- (2) On any public property that is within 25 feet of the area occupied by a mobile vending cart or other mobile vendor operating on City-owned or City-leased property.
- (3) At outdoor events on City-owned property, as follows:
 - (a) Within the outdoor seating and viewing areas for open-air concerts, dances, parades, other performances, lectures, motion-picture or video presentations or similar open-air presentations for which a permit from the City is required and when in use for that purpose.
 - (b) Within the outdoor seating and viewing areas associated with unenclosed or partially enclosed sports areas or similar open-air recreational facilities.
 - (c) During outdoor festivals, block parties and similar events on public property, for which a permit from the City is required, that will involve the concentration of persons in small or constrained spaces. For such an

event, smoking is prohibited within the area covered by the City permit, except within a designated smoking area as described in Subsection C(3)(d), below.

- (d) If the sponsor of an outdoor event [per Subsection C(3)(a), (b) or (c) above] wishes to allow smoking at the event, the sponsor must propose and request from the City a designated smoking area associated with the event, which must be so marked, may not be in a permanently smoke-free area and would result in little or no direct exposure of nonsmokers to secondhand smoke; if no such exception is requested and granted, the event must be entirely smoke free.
- (4) Any licensee or permit holder for an outdoor dining area, vending or outdoor event on City-owned property shall be required to inform members of the public of applicable restrictions on outdoor smoking (for example, through signs posted on a mobile vending cart, at the perimeter of an outdoor dining area or outdoor event and/or in the publicity for an event).

D. Smoking shall be prohibited in certain other areas, as follows:

- (1) Outside City-owned buildings, as follows: at all times, on any public property within 25 feet of any entrance or exit or window or ventilation intake for any building owned by the City of Newburgh.
- (2) Inside, or on any public property within 25 feet of, any mass transit shelter.
- (3) At facilities leased or licensed to others, as follows:
 - (a) Whenever the City is negotiating a new or renewed lease or license for use of City land or buildings, the City shall include in such lease or license a provision that will apply outdoor smoking rules comparable to those for other, comparable City property (as set forth herein).
 - (b) As for existing leases, where this article would not apply automatically, the City shall ask such lessees to agree (voluntarily) to operate the outdoor areas of the leased premises in a manner that is consistent with City regulation of smoking in comparable outdoor areas.

§ 276-14. Penalties for offenses.

Any person found to be in violation of any provision of this article by smoking in an area where outdoor smoking is hereby prohibited shall be guilty, upon conviction, of an offense punishable by a fine of not less than \$50 for the first violation; not more than \$100 for a second violation; and not more than \$250 for the third and each subsequent violation. Each day on which a violation occurs shall be considered a separate and distinct violation.

§ 276-15. Severability.

The provisions of this article are declared to be severable, and if any section or

subsection of this article is held to be invalid, such invalidity shall not affect the other provisions of this article that can be given effect without the invalidated provision.

ARTICLE I
Tobacco Retail License
[Adopted 1-12-2015 by L.L. No. 2-2015]

§ 276-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADMINISTRATIVE HEARING — A hearing by the City Manager or his designee.

ADULT-ONLY ESTABLISHMENT — A facility where the operator ensures or has a reasonable basis to believe (such as checking identification of any person appearing to be under the age of 26) that no person under the age of 21 is permitted entrance.

AGE-VERIFIED CUSTOMER — Any individual who has presented a driver's license or other photographic identification card issued by a government entity or educational institution indicating that the individual is of legal age. Such identification need not be required of any individual who reasonably appears to be at least 25 years of age; provided, however, that such appearance shall not constitute a defense in any proceeding alleging a violation of this article. It shall be an affirmative defense to a violation of this article that the tobacco retailer successfully performed a transaction scan of an individual's identification as defined by New York Public Health Law Section 1399-cc and that a tobacco product or tobacco-related product was provided to such individual in reasonable reliance upon such identification and transaction scan.

APPLICANT — An individual, partnership, limited liability company, corporation, or other business entity seeking a tobacco retail license.

CITY CLERK — The City Clerk or Deputy City Clerk.

FIRE DEPARTMENT — The City of Newburgh Fire Department, including the Bureau of Fire Prevention and the Bureau of Code Compliance.

LEGAL AGE — The minimum age at which individuals are permitted to legally purchase tobacco products or tobacco-related products.

NEW TOBACCO RETAIL LICENSE — Any tobacco retail license that is not a renewed tobacco retail license.

PERSON — Any natural person, company, corporation, firm, partnership, business, organization, or other legal entity.

POLICE DEPARTMENT — The City of Newburgh Police Department.

RENEWED TOBACCO RETAIL LICENSE — A tobacco retail license issued to an applicant for the same location at which the applicant possessed a valid tobacco retail license during the previous year.

SCHOOL — A public or private pre-kindergarten, kindergarten, elementary, middle, junior high or high school or alternative school.

TOBACCO PRODUCT or TOBACCO-RELATED PRODUCT — Any manufactured product containing tobacco or nicotine, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, shisha, powdered

and/or dissolvable tobacco products, liquid nicotine and electronic cigarette cartridges, whether packaged or not; any packaging that indicates it might contain any substance containing tobacco or nicotine; or any object utilized for the purpose of smoking or inhaling tobacco or nicotine products. However, "tobacco product" or "tobacco-related product" does not include any product that has been approved by the U.S. Food and Drug Administration, pursuant to its authority over drugs and devices, for sale as a tobacco use cessation product or for other medical purposes and is being marketed and sold solely for that approved purpose.

TOBACCO RETAILER — Any person who sells or offers for sale any tobacco product or tobacco-related product or any employee of such a person.

TOBACCO RETAIL LICENSE — A license issued by the City Clerk to a person to engage in the retail sale of tobacco products or tobacco-related products in the City of Newburgh.

§ 276-2. Tobacco retail license required.

- A. Starting March 1, 2015, no person shall sell, offer for sale, or permit the sale of tobacco products or tobacco-related products to consumers in the City of Newburgh without a valid tobacco retail license issued by the City Clerk. A tobacco retail license is not required for a wholesale dealer who sells tobacco products or tobacco-related products to retail dealers for the purpose of resale only and does not sell any tobacco products or tobacco-related products directly to consumers.
- B. All tobacco retail licenses issued pursuant to this section are nontransferable and nonassignable and are valid only for the applicant and the specific address indicated on the tobacco retail license. A separate tobacco retail license is required for each address at which tobacco and tobacco-related products are sold or offered for sale. Any change in business ownership or business address requires a new tobacco retail license.
- C. All tobacco retail licenses issued pursuant to this section are valid for no more than one year and expire on February 28 following the effective date of the tobacco retail license. As set forth in § 276-8, a tobacco retail license may be revoked by the Police Department prior to its expiration date for cause.
- D. Applications for a new tobacco retail license shall be made on a form specified by the City Clerk, at least 30 days prior to March 1, 2015. The City Clerk may require such forms to be signed and verified by the applicant or an authorized agent thereof.
- E. Applications for a renewed tobacco retail license shall be made on a form specified by the City Clerk at least 30 days prior to the expiration of the current license. The City Clerk may require such forms to be signed and verified by the applicant or an authorized agent thereof.
- F. Applications for a new or renewed tobacco retail license shall be accompanied by the fee set forth in § 276-7.
- G. The issuance of any tobacco retail license pursuant to this article is done in the

discretion of the City of Newburgh and shall not confer upon licensee any property rights in the continued possession of such a license.

§ 276-3. Issuance of licenses.

- A. Upon the receipt of a completed application for a new or renewed tobacco retail license and the fee required by § 276-7, the Police Department and the Fire Department, upon the showing of proper credentials and in the discharge of their duties, may enter to inspect the location at which tobacco sales are to be permitted. The Police Department also may ask the applicant to provide additional information that is reasonably related to the determination of whether a license may issue.
- B. At the request of the Police Department or Fire Department, the Corporation Counsel is authorized to make application to the City Court of the City of Newburgh or any other court of competent jurisdiction for the issuance of a search warrant to be executed by a police officer in order to conduct an inspection of any premises believed to be subject to this article. The Police Department or Fire Department may seek a search warrant whenever the owner, managing agent, or occupant fails to allow inspections of any dwelling unit contained in the rental property where there is a reasonable cause to believe that there is a violation of this article, the New York Uniform Fire Prevention Building Code Act, or of any code of the City of Newburgh or any applicable fire code.
- C. No tobacco retail license shall be issued by the City Clerk to an applicant if one or more of the following bases for denial exists:
 - (1) The information presented in the application is incomplete, inaccurate, false, or misleading;
 - (2) The fee for the application has not been paid as required;
 - (3) The applicant does not possess a valid certificate of registration as a tobacco retail dealer from the New York State Department of Taxation and Finance at the location for which an application is requested;
 - (4) The applicant seeks a new tobacco retail license at a location for which this article prohibits the issuance of a new tobacco retail license;
 - (5) The applicant has previously had a tobacco retail license issued under this article revoked;
 - (6) A tobacco retail license issued under this article for the same address or location previously has been revoked;
 - (7) The applicant has been found by a court of law or administrative body to have violated any federal, state or local laws pertaining to:
 - (a) Trafficking in contraband tobacco products or illegal drugs;
 - (b) The payment or collection of taxes on tobacco products;

- (c) The display of tobacco products or of health warnings pertaining to tobacco products; or
- (d) The sale of tobacco products;
- (8) The applicant is not in compliance with all applicable New York State Uniform Building Code, Fire Prevention Code, Property Maintenance Code, Electrical Code and Plumbing Code and the Code of Ordinances of the City of Newburgh; and
- (9) The applicant has not paid to the City of Newburgh outstanding fees, fines, penalties, or other charges owed to the City of Newburgh.

§ 276-4. Limitation on number of licenses issued.

- A. In the first year subsequent to the effective date of this article, a tobacco retail license shall only be issued to an applicant for the same location at which the applicant possessed a valid certificate of registration as a tobacco retail dealer from the New York State Department of Taxation and Finance 180 days prior to the effective date of this article.
- B. Except for the first year subsequent to the effective date of this article, the total number of new and renewed tobacco retail licenses issued by the City Clerk in a given year shall not exceed the number of tobacco retail licenses that were issued in the previous year.
- C. Starting on March 1, 2016, the City Clerk shall issue only one new tobacco retail license for every two tobacco retail licenses that were revoked during the previous year or for which no renewal application was submitted.
- D. Whenever the number of valid applications for a new tobacco retail license exceeds the number of new tobacco retail licenses that may be issued under this section, licenses shall be granted using the following priorities:
 - (1) New tobacco retail licenses shall be granted, first, to any applicant who will sell tobacco products or tobacco-related products at an adult-only facility.
 - (2) New tobacco retail licenses shall be granted, second, to any applicant that held a valid tobacco retail license in the prior year for an establishment within 1,000 feet of the nearest property line of a school and who is not seeking renewal of that license. If there are more valid applications from such applicants for new tobacco retail licenses than the number of available new tobacco retail licenses, the new tobacco retail licenses shall be granted to those applicants by lottery.
 - (3) Any remaining available new tobacco retail licenses shall be granted to eligible applicants by lottery.

§ 276-5. Certain locations.

- A. No tobacco retail license shall be issued to any seller of tobacco products or tobacco-related products that is not in a fixed, permanent location.
- B. With the exception of the first year subsequent to effective date of this article, no new tobacco retail license shall be issued to any establishment within 1,000 feet of the nearest point of the property line of a school.

§ 276-6. Required license display.

- A. Any tobacco retail license issued pursuant to this article shall be displayed prominently at the location where the tobacco products or tobacco-related products are sold so that it is readily visible to customers.
- B. Selling, offering for sale, or permitting the sale of any tobacco product or tobacco-related product without a valid tobacco retail license displayed in accordance with § 276-6A constitutes a violation of this article.

§ 276-7. Required fee.

- A. Each application for a new or renewed tobacco retail license shall be accompanied by a fee as set forth in Chapter 163, Fees, of the Code of Ordinances of the City of Newburgh.
- B. Starting two years after the effective date of this article, the City Council may, on an annual basis, modify the fee required pursuant to § 276-7A. The fee shall be calculated so as to recover the cost of administration and enforcement of this article, including, for example, issuing a license, administering the license program, retailer education, retailer inspection and compliance checks, documentation of violations, and prosecution of violators but shall not exceed the cost of the regulatory program authorized by this article. All fees and interest upon proceeds of fees shall be used exclusively to fund the program. Fees are nonrefundable except as may be required by law.

§ 276-8. Revocation or suspension of licenses.

Any person who is found to be in violation of the terms and conditions of this article or for violation of any federal, state, or local law or regulation pertaining to a) the display of tobacco products or tobacco-related products or of health warnings pertaining to tobacco products or tobacco-related products, or b) the sale of tobacco products or tobacco-related products shall have their City of Newburgh license suspended for up to three months for a first offense, six months for a second offense, or revoked for a third offense, after notice and an opportunity to be heard at an administrative hearing before the City Manager or his designee.

§ 276-9. Enforcement; penalties for offenses.

- A. The Police Department shall enforce the provisions of this article. The Police Department and the Fire Department may conduct periodic inspections in order to ensure compliance with this article. Nothing in this article shall preclude the Fire

Department and its Bureau of Fire Prevention and Bureau of Code Compliance from enforcing the New York State Uniform Fire Prevention and Building Code in accordance with all other New York State and local laws, rules and regulations.

- B. In addition to the penalties provided for in § 276-8, any person found to be in violation of this article shall be guilty, upon conviction, of an offense punishable by a fine of not less than \$500 for the first violation; not more than \$1,000 for a second violation; and not more than \$2,000 for the third and each subsequent violation within a two-year period or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment. Each day on which a violation occurs shall be considered a separate and distinct violation.

§ 276-10. Severability.

The provisions of this article are declared to be severable, and if any section or subsection of this article is held to be invalid, such invalidity shall not affect the other provisions of this article that can be given effect without the invalidated provision.

Dianne Kufel

From: Michael Laflair <MichaelLaflair@ongov.net>
Sent: Tuesday, January 2, 2024 11:07 AM
To: Michael Laflair
Subject: [External] 2024 Onondaga County Main Street Application
Attachments: 2024 Main Street Applicant Fact Sheet.pdf; Main Street 2024 Cover Sheet.pdf; MSFundingReqApp 2024.pdf

ATTENTION: This email message was received from someone outside the Village of North Syracuse. Please DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Good morning - the funding application for the Onondaga County 2024 Main Street Program is now open. Attached please find the 2024 application, 2024 fact Sheet and 2024 Cover Sheet.

Please review the fact sheet to ensure that work and properties that are submitted are eligible. Applications are due at close of business on Friday, February 16th, 2024. Completed applications can be sent via email (michaellaflair@ongov.net) or mailed to my attention at

Onondaga County Community Development
335 Montgomery St., 2nd Fl. (Old Carnegie Library)
Syracuse, NY 13202

Regards,

Michael W. La Flair
Administrative Planning & Funding Coordinator
Onondaga County Community Development
335 Montgomery St., 2nd Fl. (Old Carnegie Library)
Syracuse, NY 13202
(315) 435-3558 x 5826

Onondaga County Main Street Revitalization and Beautification Grant Program

- Onondaga County is offering municipalities up to \$500,000 to improve your main street areas
 - It is a comprehensive grant program that provides funding for local revitalization efforts to grow the retail business district
 - It can be a main street in a village, a business district in a town or a business district in a hamlet
 - If municipalities have multiple areas within their towns/villages they can submit multiple applications
 - Eligible rehabilitation properties are limited to existing commercial and mixed-use structures; New Construction is not eligible
 - Applicant cannot have any open code violations in the municipality; property taxes must be currently paid on all properties
 - Applicant must own property at the time of submittal
 - The expectation is that the property owner will provide a minimal of 25% of the funds. To leverage funding and maximize participants, municipalities are allowed to require larger matching amounts
 - Improvement examples include:
 - Improve business facades – this includes (but is not limited to) painting, siding, new windows, doors, fencing, signage, dumpster enclosures, decking/patios and visible, angled roofing that impacts the façade of the structure
 - Items not considered eligible include (but not limited to) HVAC, plumbing, any interior work, equipment, insulation, flat roofs
 - Parking Lot improvements and/or sidewalk replacements are not eligible
 - Elected officials should work together with local businesses to develop a proposal that will positively impact a main street area:
 - Proposals will be evaluated and municipalities selected based on the overall impact of the project
 - Proposals should attempt to leverage other funding sources to combine with the County Main Street funding
 - Proposals should include the individual proposed activities with all supporting documentation, an explanation of how it will impact a main street area, and the overall proposed request
- Onondaga County Community Development will assist you throughout the process
- Recipients of funding in previous rounds of the Onondaga County Main Street or the New York State Main Street programs are eligible
- Municipalities with open Main Street grants from previous rounds are eligible to apply
- **The grant is a reimbursable grant. Once awardee shows proof that matching funds have been spent, remaining funds are reimbursed as submitted up to the agreed upon award amount**
 - Partial reimbursements are allowed once your match has been satisfied
- Applications are due back by February 16th, 2024

**Municipal Cover Sheet
Onondaga County Community Development
Main Street Funding Request**

Please utilize this as your cover sheet for you application submittal.

Completed funding requests must be submitted to Community Development by February 16, 2024.

GENERAL INFORMATION

Municipality _____

Contact _____
(name)

Number _____
(phone)

Email _____

<u>Proj St. Address</u>	<u>CD Request</u>	<u>Match</u>	<u>Total Investment</u>
Totals			

Onondaga County Community Development Main Street Funding Request

Assistance with completing this funding request is available by contacting Michael La Flair at 315-435-3558.

Completed funding requests must be submitted to Community Development by February 16, 2024.

1. GENERAL INFORMATION

Address _____

Contact _____
(name) (phone)

Engineer/Architect
(if applicable) _____
(name of firm)

(name of contact) (phone)

Signature _____

2. PROJECT DESCRIPTION and COST ESTIMATES (Attach the proposal)

Describe the work you are proposing to do and estimated costs for each item proposed.

3. IMPLEMENTATION

Describe your implementation schedule if funds are available in spring 2024.

4. BUDGET (Attach a budget)

Other funds include personal and/or other grant sources.

a. Total estimated cost of project: \$ _____

b. Total funds to be provided from other sources: \$ _____

c. Amount of funds requested from CDD: \$ _____

5. BUDGET DOCUMENTATION

Provide proof of budget accuracy with copies of quotes and/or invoices.

6. TOWN STATEMENT NO OPEN CODE VIOLATIONS (attach letter)

A letter from the municipality that property owner has no open Code Violations and all property taxes are current. This applies **TO ALL** the properties owned by the applicant within the municipality

All documents must be included in order to be eligible for consideration.

RECEIVED

JAN 02 2024

**VILLAGE OF N. SYRACUSE
CLERK/TREASURER**

*Pricing
Same
as
Last
year*

Syracuse Signal Systems, Inc.
410 Marcellus Street
Syracuse, NY 13204

315-426-8712 office

TRAFFIC SIGNAL ON-CALL REPAIR CONTRACT

FOR THE PERIOD OF:

January 1, 2024 – December 31, 2024

Syracuse Signal Systems, Inc. 410
Marcellus Street.
Syracuse, N Y 13204

Village of North
Syracuse
600 S. Bay Rd
North Syracuse, NY
13212

SUBJECT: On call service for the traffic light(s) and controller(s) at: Centerville & South Bay and flashing beacon on South Bay Rd.

Dear Madame/Sir;

Syracuse Signal Systems, Inc. agrees to furnish and deliver to the above, the services for which the bid is made and at the price as follows;

Signal & Controller on-call service rate - \$225 per month, billed quarterly (does not include sales tax, this will be included in invoice if required). This rate includes initial response and routine repairs without additional payment. Routine repairs typically include LAMP/LED changes, load relay replacements and all other minor repairs. Most calls are minor repairs. Additional payment to Syracuse Signal Systems above this basic service rate shall be made for all major repairs, equipment upgrades, modifications, or enhancements as stipulated in the general provisions of this contract.

THE GENERAL PROVISIONS OF THE CONTRACT SHALL BE AS FOLLOWS:

1. INTENT OF CONTRACT. It is the intent of this contract that Syracuse Signal, for the stated monthly fee will:

- a. Sustain material, tools, equipment, and insurance necessary to be on call and available for repair of traffic light(s) and control(s) so as to provide continuous operation.
- b. Respond to calls directly from DOT, Police, and /or 911 Dispatch without necessity of being contacted by owner for permission to do work.

2. LIMITATION OF CONTRACT. Syracuse Signal Systems, Inc. claims no liability for the integrity of the owner's equipment. Our "service call" role is simply to respond to calls to make such repairs as necessary to get a malfunctioning signal back in service. The basic contract does not include a thorough inspection of the signals nor their condition. The basic service call does not include re-inspection or preservation of cabinet safety equipment. The basic service call is for a specific purpose--to make the signal work again, and that is all we do in our role as a service call contractor.

3. CONTRACT PERIOD. The terms of the purchase order issued to Syracuse Signal Systems based on these specifications shall be from January 01, 2024 to December 31, 2024 inclusive.

4. CONTRACT TERMINATION. It shall be the prerogative of (owner) to terminate any purchase order so issued. If performance is not entirely satisfactory. This termination shall be without penalty to the owner. It shall also be the prerogative of Syracuse Signal Systems to terminate the contract without penalty to Syracuse Signal Systems (30) days after the owner receives written receipt of such intent. Syracuse Signal Systems reserves the right to terminate this agreement should the prior quarter's payment not be received.

5. AVAILABILITY FOR SERVICE. Syracuse Signal Systems shall be available (365) days per year, (24) hours per day, for the emergency repair of the subject equipment to insure continuous operation. The telephone numbers listed at the end of this contract may be used for service requests and all authorized calls for emergency service shall be responded to quickly.

6. MODIFICATION OF OPERATION OF CONTROLLER (when required). Syracuse Signal Systems will check with the proper State, County, and local officials for necessary approvals. The modification will then be performed and if any new equipment is required, material charges will apply.

7. INSURANCE. Contractor's liability insurance certificate is provided per request.

8. INVOICING. At the end of each quarter, basic maintenance invoices will be presented to the owner. All other invoices (modifications or major repair) will present when the work is completed.

9. ROUTINE SERVICE CALLS - Routine service calls for repair shall be made as necessary without additional cost to the owner and shall include basic response, labor, repair, and replacement of components, but shall be limited to three (3) hours labor and/or \$100.00 in material costs. Any repair requiring more than 3 hours of labor and/or \$100.00 in material costs shall be considered a major repair as stipulated in paragraph 11.

10. MAJOR REPAIR. Syracuse Signal Systems, Inc. makes no guarantees of the owner's equipment, and shall not be responsible for major repairs of *said* equipment without additional payment by the owner to Syracuse Signal Systems, Inc. A major repair shall be construed as any repair requiring more than 3 hours of labor and/or \$100.00 in material costs. When any major repair is required, the owner shall be notified as to the extent and cost of the repair. The owner has the option of seeking competitive bids or negotiating a price for repair with Syracuse Signal Systems. Major repairs can be resultant from; but not limited to damage from natural or environmental cause, accidents, construction work (e.g., road milling operations), vandalism, theft, age related wear, obsolescence, or from malfunction of major components, regardless of age.

**11. PAYMENT FOR MODIFICATIONS, ENHANCEMENTS OR UP-
GRADES.** The intent of the contract is to respond and repair the signal in its current state at the time of contract signing. Syracuse Signal Systems, Inc. shall not be responsible for equipment replacement, modifications, or upgrades even if the owner is required to do so by the roadway governing authority (Village, City, County, or State) without additional payment from the owner.

If the terms and conditions of this contract are satisfactory, please sign where indicated and return one copy to Syracuse Signal Systems, Inc.

Sincerely yours,

Scott Strachan
President
Syracuse Signal Systems

It is agreed that Syracuse Signal Systems will be available for on-call and repair work for the traffic control equipment per the above contract for a period of one year, from January 1, 2024 to December 31, 2024 inclusive.

**SIGNATURES FOR TRAFFIC SIGNAL ON-CALL REPAIR CONTRACT
WITH SYRACUSE SIGNAL SYSTEMS, INC.**

Village of North Syracuse
Representative
Contact Phone Number
Contact Email

Date _____

Syracuse Signal
Systems, Inc.

Date _____

Service Telephones:

Office: 315-426-8712

Mike McNeill: 315-391-3482

Jaime Strachan: 315-657-6431

MEMORANDUM OF AGREEMENT

Addendum To Collective Bargaining Agreement

This Memorandum of Agreement is entered into on September 1, 2023, ("Agreement"), between the Village of North Syracuse ("Village") and the Teamsters Local 1149 ("Teamsters or Unit").

WHEREAS, the Village and Teamsters are parties to a Collective Bargaining Agreement for the period of September 1, 2023 to May 31, 2024 ("CBA"); and,

WHEREAS, the parties recognize the changing and competitive hiring landscape and market to attract and retain police officers for the Village as well as the need for flexibility and added incentives in the hiring process, and,

WHEREAS, the parties have reached this Agreement, subject to ratification by the membership of the Unit and by the Trustees of the Village of North Syracuse; and

NOW, THEREFORE, the parties agree to amend all affected articles of the CBA as follows:

1. TERM OF AGREEMENT:

The term of this Agreement is September 1, 2023 through May 31, 2024.

2. RETENTION PAYMENT STRUCTURE:

a. Existing Officers: Effective September 1, 2023: All existing full-time officers employed as of the date of this Agreement will receive an up-front payment of Seven Thousand Five Hundred Dollars (\$7,500.00) conditioned upon being continually employed by the Village of North Syracuse for a total of twenty-four (24) months from the date of payment. If an officer

3. LATERAL TRANSFERS

Effective 1/1/2024 any full-time police officer transferring from another police agency who has completed their full FTO training shall receive a upfront payment of (\$7,500) Seven Thousand Five Hundred Dollars. Conditioned upon being continually employed by the Village of North Syracuse for a total of twenty-four (24) months from the date of payment. If an officer receiving payment leaves the employment of the Village for any reason prior to the Expiration of the 24-month term, the officer shall forfeit the retention payment and shall re-pay the Village the full sum of the (\$7,500) Seven Thousand Five Hundred Dollars immediately upon termination of employment.

4. OTHER TERMS AND CONDITIONS REMAIN IN EFFECT

Except as modified herein, all other terms and conditions contained in the CBA and subsequent MOAs shall remain in full effect.

VILLAGE OF NORTH SYRACUSE

By: _____
Gary Butterfield-Mayor
Dated:

TEAMSTERS LOCAL 1149

By: _____
Joe Farrance – Principal Officer/Secretary-Treasurer
Dated:

2024 BOARD MEETING SCHEDULE

Approved: **Resolution:**

The 2024 Annual Meeting will be held on Thursday, July 11TH, 2024 at 6:30pm (combined with Board Meeting)

Meetings are held on the 2nd and 4th Thursday of each month (unless otherwise noted) at the North Syracuse Community Center, 700 South Bay Road, Upstairs.

Thursday	January 11th	@ 6:30pm Community Center – Upstairs
Thursday	January 25th	@ 4:30pm Community Center – Upstairs
Thursday	February 8th	@ 6:30pm Community Center – Upstairs
Thursday	February 22nd	@ 4:30pm Community Center – Upstairs
Thursday	March 14th	@ 6:30pm Community Center – Upstairs
Thursday	March 28th	@ 4:30pm Community Center – Upstairs
Thursday	April 11th	@ 6:30pm Community Center – Upstairs
Thursday	April 25th	@ 4:30pm Community Center – Upstairs
Thursday	May 9th	@6:30pm Community Center – Upstairs
Thursday	May 23rd	@4:30pm Community Center – Upstairs
Thursday	June 13th	@ 6:30pm Community Center – Upstairs
Thursday	June 27th	@4:30pm Community Center – Upstairs
Thursday	July 11th	@ 6:30pm Community Center – Upstairs Annual Meeting and Board Meeting Combined
Thursday	July 25th	@ 4:30pm Community Center – Upstairs
Thursday	August 8th	@ 6:30pm Community Center – Upstairs
Thursday	August 22nd	@ 4:30pm Community Center – Upstairs
Thursday	September 12th	@ 6:30pm Community Center – Upstairs

Thursday	September 26th	@ 4:30pm Community Center – Upstairs
Thursday	October 10th	@ 6:30pm Community Center – Upstairs
Thursday	October 24th	@ 4:30pm Community Center – Upstairs
Thursday	November 14th	@ 6:30pm Community Center – Upstairs
Tuesday	November 26th	@ 4:30pm Community Center – Upstairs
Thursday	December 12th	@ 6:30pm Community Center – Upstairs
Thursday	December 26th	@ 4:30pm Community Center – Upstairs

