Plattsburgh, NewYork

Randal J. Stone
Assistant Chief

Plattsburgh Fire Department
65 Cornelia Street
Plattsburgh, NY 12901
Tel: 518-561-5965
Fax: 518-561-8236
stoner@cityofplattsburgh-ny.gov

MEMO

TO: Mayor Donald Kasprzak
Members of the Common Council

FROM: Assistant Fire Chief, Randal Stone

DATE: July 2, 2013

RE: Fire and Ambulance Responses

For this short two week period: Thursday, June 20, 2013 to Monday, July 1, 2013 our Department has responded to the following:

Fire Calls 35

- 1 grass fire
- 8 system activations
- 14 EMS assist
- 2 excessive heat scorch burns
- 1 outside rubbish fire
- 2 electrical wiring/equipment problem
- 4 MVA
- 1 extrication of victim
- 1 light ballast breakdown
- 1 dispatched/cancelled en route

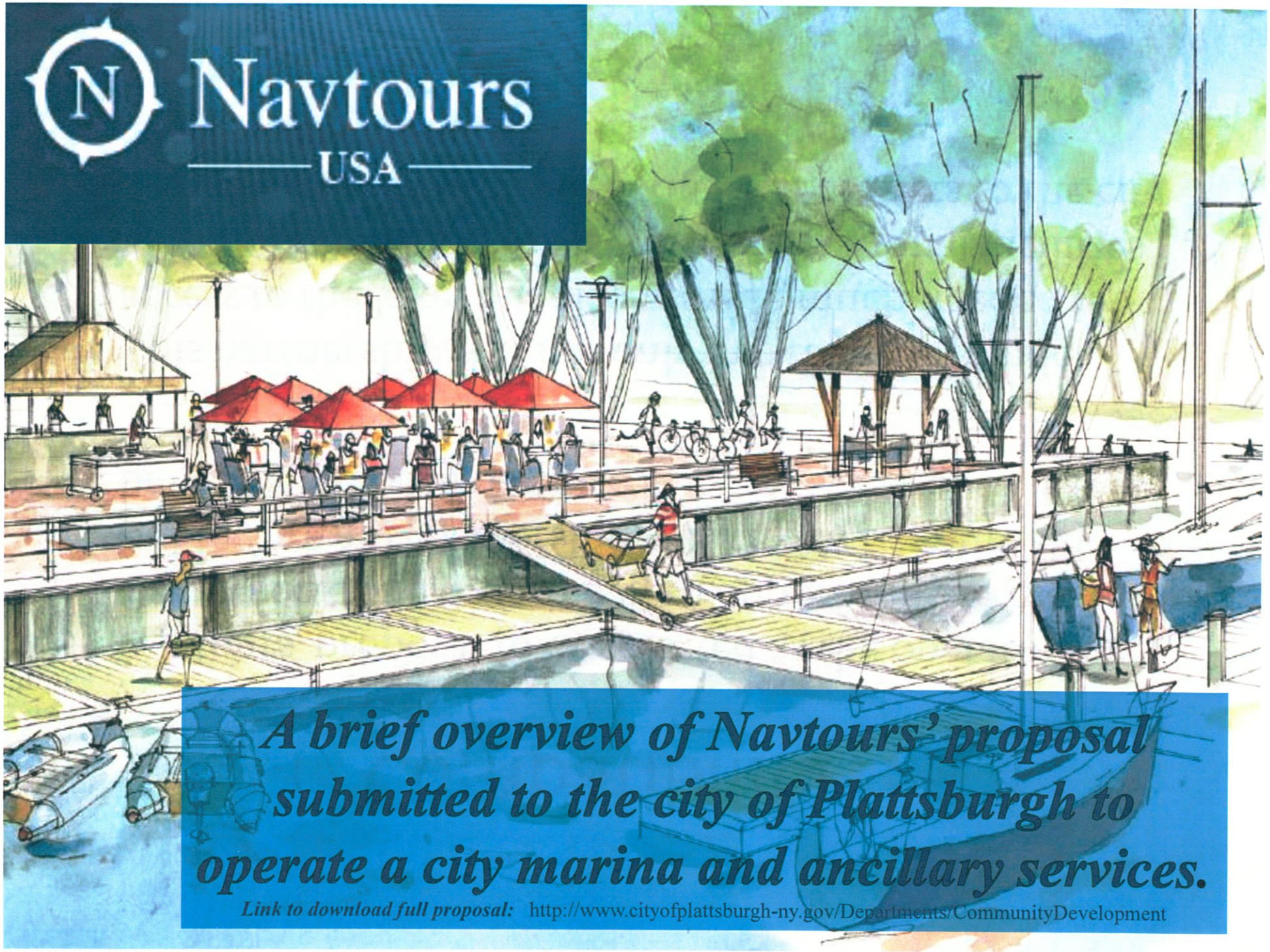
Ambulance Calls 84

Mutual Aid by CVPH 12

BUILDING INSPECTOR'S COMPLAINT REPORT: JULY 1, 2013

DATE	STREET #	STREET NAME	COMPLAINT	INSPECTOR	INSPECTION REPORT	CORRECTED	CORRECTION DATE
5/28/13		HOLLAND AVENUE	BUSINESS IN RESIDENTIAL AREA	JM	NO VIOLATIONS	NO CORRECTION REQUIRED	
6/20/13		BROAD ST	FENCE	CB		CORRECTIVE ACTION IN PROCESS	
6/20/13	46	COUCH ST	SOFA BY DUMPSTER	CB		CORRECTIVE ACTION IN PROCESS	
6/20/13	62	COUCH ST	GARBAGE AND TALL GRASS	CB		CORRECTIVE ACTION IN PROCESS	
6/20/13	67	BRINKERHOFF ST	GARBAGE	CB		CORRECTIVE ACTION IN PROCESS	
6/21/13	36	SOUTH PLATT ST	TALL GRASS	CB		CORRECTIVE ACTION IN PROCESS	
6/24/13	10	CHARLES WAY (102 MILLER ST)	ELECTRICAL	CB		CORRECTIVE ACTION IN PROCESS	
6/25/13	3	PINEWOOD DR	ROOF	KP		CORRECTIVE ACTION IN PROCESS	
6/25/13	94	MILLER ST	FENCE	KP	NO VIOLATION	NO CORRECTION REQUIRED	
6/27/13	88	PROSPECT AVE	NEGLECTED PROPERTY	CB		CORRECTIVE ACTION IN PROCESS	
6/28/13	5-7	CHARLES WAY (102 MILLER ST)	METER AND BOARD FALLING OFF	KP		CORRECTIVE ACTION IN PROCESS	
7/1/13	60	WATERHOUSE ST	DUMPING IN RIVER	KB		CORRECTIVE ACTION IN PROCESS	

Navtours
USA



A brief overview of Navtours' proposal submitted to the city of Plattsburgh to operate a city marina and ancillary services.

Link to download full proposal: http://www.cityofplattsburgh-ny.gov/Departments/CommunityDevelopment

Compatibility

- Navtours' proposal to be selected as the operator for the projected city marina is an opportunity to create a public/private partnership, which can be mutually beneficial to both parties.

- This partnership will not only increase the public access to the lake, but also provide much needed jobs with the expansion of Navtours' operational facilities and attract thousands of additional tourists to the city center every summer.

Who We Are

With over $2M in annual revenue, is recognized leader in nautical leisure activities.

Navtours is the largest sailboat charter company on Lake Champlain and in Canada. We have been established in New York State for the last fifteen years and now manage 25 charter sailboats on Lake Champlain in Plattsburgh.

Navtours manages the dock operations and ancillary services at three bases:

- Lake Champlain in Plattsburgh, New York with operational base located at the Plattsburgh Boat Basin

- Nassau, Bahamas with operational base located in the shadow of the Atlantis Resort and major commercial cruise ship ports.

- Great Exuma, Bahamas with operational base located at Yacht Haven Marina in partnership with Sandals Resorts.

In addition to offering bareboat and skippered charters, Navtours Inc., currently provides to the general public at their three operational bases:

- Sailing instruction
- Corporate sailing programs
- Boat tours
- Boat management/maintenance services
- Boat brokerage *(affiliated with the Jeanneau Lagoon, Beneteau Group)*
- Kayak rentals

Our Vision for the Plattsburgh City Marina and Dock Street Landing Building

The proposed public/private partnership of Navtours operating the Plattsburgh City Marina is a winning combination.

The implementation of our proposals to operate the marina and Dock Street Landing building will provide residents and visitors an expanded and revitalized way of accessing beautiful Lake Champlain.

In addition, our charter clients and visiting marina customers will bring increased revenue to downtown and local businesses.

Also, our proposals positively impact the community with jobs and increased international marketing for the city of Plattsburgh.

Following is a brief summary of our proposals and the benefits to the City of Plattsburgh...

(Link to download full proposal: http://www.cityofplattsburgh-ny.gov/Departments/CommunityDevelopment***)***

Plattsburgh City Marina – *A marina for the community*

•Navtours understands the Plattsburgh City Marina is a critical waterfront attraction used to provide access to the lake, transient visitation by boat, and a gathering place for community use.

•The Plattsburgh City Marina is also a business and, therefore, must be located, designed, built by professionals, and be operated to address market demand and provide a reasonable return on investment to the city and its operator (Navtours).

•The development of the Plattsburgh City Marina with Navtours as its operator is about aesthetics and quality of life for the residents/visitors of Plattsburgh, as well as creating an incentive to invest private dollars for the economic well being of the community.

Once the city has installed its docks built by a professional dock builder, Navtours will provide to the city the following marina operational services:

- Dock Management/Maintenance
- Mooring Management/Maintenance
- Transient Docking Management
- Parking Lot Management and Facilities Upkeep
- Public Restrooms
- Waste Pump Out
- Diesel (to be determined)

On water recreational activities in conjunction with the marina ...

Navtours will offer recreational activities to the general public to provide more on lake access:

- Sailboat charters both bareboat and skippered
- Sailboat tours per diem
- Sailing lessons – AYA Sailing School

Dock Street Landing Building

To complement its charter sailboat operations, Navtours will offer the following services itself or partner with experienced local residents who would be able to provide:

•Kayak, canoe, paddleboard rentals, lessons, and tours. - These services will originate from the Dock Street Landing building, but water access will be from the lake inlet already constructed on the other side of the parking lot.

•Bicycle rentals and tours – Bikes will be parked on the side of the building for easy customer access. Marina visitors can take advantage of Plattsburgh's numerous bike paths.

Café on the Lake

Waterfront activities, water sports, bicycling, kayaking, sailing, are all part of a healthy lifestyle. **Foods offered at the Plattsburgh City Marina located in the Dock Street Landing Building will be in continuity with this concept and will promote good health with a focus on using locally sourced food and inspired menu items produced in Plattsburgh.**

Navtours' conceptualization of this café includes the incorporation of catering from pre-established restaurants and businesses contributing to the menu items offered.

We will also offer soft ice cream and cold drinks to attract people to the area during the summer months.

Financing and Working Capital

The operations of the marina will result from the transfer of Navtours' current business from another marina. Therefore, Navtours will re-invest the money it collects from the dock lease fees to cover the operating costs of the marina. We do not anticipate that marina operations will create a need for additional working capital other than the fees we will collect from slip and mooring rentals.

Navtours will simultaneously renovate and reconfigure the existing Dock Street Landing building. Due to this additional investment, Navtours would appreciate to receive financing from the Economic Development Revolving Loan Program or Microenterprise Grant Program or any other financing programs available. **If grants or economic development loans are unavailable, Navtours can also secure its own financing and this project will not be comprised in any way.**

Revenue Sharing

The City of Plattsburgh's concept of establishing a marina clearly states the many obligations necessary for the operator to incur from the initial planning to the realization and the operations of the facilities. **We are prepared to take on this obligation to make this project a reality.**

Navtours agrees the royalties paid to the City should more than cover the cost of the debts incurred by the city with remaining amounts being sufficient to cover the operating costs of the marina.

In Conclusion

Our stability – Navtours has been in the marine business for more than 15 years

Our quality – Navtours' clients represent high wage earners & international business people. For example, each charter group spends an average of $800 in Plattsburgh's economy during the time of their charter (groceries, restaurants, diesel, gas, hotel, shopping...).

Our ethics – Navtours is governed by the highest integrity and ethics standards. Our company strives to be environmentally conscience with our operations.

Our professionalism – Navtours has great management & marketing expertise and we are recognized as a leading expert in the marine management business. Our marketing strategies will continue to benefit the economy of Plattsburgh now and in the future.

We are a local employer - Navtours USA employs more than 20 residents in the summer with more jobs projected with the expansion of our company. Our business has also created many summer jobs for local residents with an average salary of $15 per hour.

Our commitment - We seek to strongly establish our operations in Plattsburgh for the next ten years or longer.

Our expertise - Requirements for managing a public marina differ substantially from those required for managing a private marina. Our business deals with the public, customer service and dock management.

CVPH MEDICAL CENTER

Champlain Valley Physicians
Hospital Medical Center
75 Beekman Street
Plattsburgh, New York 12901-1493

Stephens M. Murphy, FACHE
President

Telephone: 518-561-2000
www.cvph.org

11th Annual Mayor's Cup Bike Ride
179 Tom Miller Road
Plattsburgh, NY 12901
June 21st, 2013

Agenda 7/2/13

Ms. Beth Carlin
City of Plattsburgh

Dear Ms. Carlin

The 11th Annual Mayor's Cup Bike Ride will soon be upon us. Per the department of Transportation we have been informed that we must ask for permission to use the roads for this purpose from each town the bicycle ride is proposed to travel through. Enclosed please find the proposed routes (we are doing 3 routes, a 22 mile, 50 mile and a 70 plus mile ride). We are planning on starting from the hospital grounds leaving by Prospect Street. We will be returning to the hospital grounds using Beekman Street. Please inform us as soon as possible if you foresee any road work in your area that would require us to alter our route for the safety of the riders. The ride will be taking place on Sunday July 14th, 2013 with staggered start times for the different rides. If you have any further questions please contact me at 562-4616, or e-mail me at BMacDonald@cpvh.org. Thank you very much for your time and consideration of this matter. Please accept my apologies for such late notification of this event.

P.D Notified

Sincerely,

Barbara MacDonald P.T

Barbara MacDonald PT

PLATTSBURGH, NEW YORK

Plattsburgh, NewYork

Richard A. Marks
City Chamberlain

Department of Finance
6 Miller Street
Plattsburgh, NY 12901
518-563-7704 TEL
518-563-1714 FAX

At a regular meeting of the Common Council of the City of Plattsburgh, New York, held June 14th, 2012, the following resolution was adopted:

By Councilor ; Seconded by Councilor

WHEREAS, the following resolution was adopted on June 14th, 2012, and

WHEREAS, the Capital Expenditure Plan adopted January 12th, 2012, includes a Recreation Department Facilities category, and

WHEREAS, the Engineering and Planning Department is establishing a 2012 Recreation Facilities Upgrades project that is included in the Capital Program adopted January 12th, 2012, and

WHEREAS, the cost of the 2012 Recreation Facilities Upgrades project has been estimated by the Engineering and Planning Department to provide for the costs to purchase and install materials and equipment for the project during 2012, as follows:

	2012 Capital Plan	2012 Estimated Cost
South Platt Park upgrade/replace stairs	$ 14,000	$ 14,000
South Platt Park restroom building replacement	80,000	80,000
South Platt basketball court repave	20,000	20,000
South Platt Park level rink area	15,000	15,000
South Platt Park dugouts	5,000	5,000
South Platt Park repair/replace fencing	5,000	5,000
South Platt Park skin minor league field infield	8,000	8,000
Penfield Park widen walking paths	45,000	45,000
Penfield Park restroom repairs	35,000	35,000
Penfield Park move/repair dog park fence	13,000	13,000
City Park upgrades (fence, post replacements, wood chips – playgrounds)	79,000	79,000
Total	$ 319,000	$ 319,000
Project Funding:		
General Fund Advance	$ 319,000	$ 319,000
Total	$ 319,000	$ 319,000

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 14th day of June, 2012 as follows:

1) That, the amount of Three Hundred Nineteen Thousand and 00/100 ($319,000.00) Dollars be and it is hereby appropriated to the Capital Project **2012 Recreation Facilities Upgrades (Project H7020.17)** for the cost of the Capital Project described above is hereby authorized to be expended for such purpose.

2) That, Three Hundred Nineteen Thousand and 00/100 ($319,000.00) Dollars of such appropriation be provided by an advance from the General Fund in order to provide for the cost of the project, but that such advance must be repaid to the General Fund by year end through funding of this portion of the project with Bond Anticipation Notes or Serial Bonding.

3) That, this resolution takes effect immediately.

On Roll Call,

CERTIFIED A TRUE COPY

_____

CITY CLERK

Plattsburgh, NewYork

Richard A. Marks
City Chamberlain

Department of Finance
6 Miller Street
Plattsburgh, NY 12901
518-563-7704 TEL
518-563-1714 FAX

At a regular meeting of the Common Council of the City of Plattsburgh, New York, held July 2nd, 2013, the following resolution was adopted:

By Councilor ; Seconded by Councilor

WHEREAS, the following resolution was adopted on July 2nd, 2013, and

WHEREAS, the Capital Expenditure Plan adopted January 12th, 2012, includes a Recreation Complex Facilities category, and

WHEREAS, the Engineering and Planning Department established a 2012 Rec Complex Facilities project that was included in the Capital Expenditure Plan adopted January 12th, 2012, and

WHEREAS, the cost of the 2012 Rec Complex Facilities project has been estimated by the Engineering and Planning Department to include the project items, and is being revised, as follows:

	2012 Capital Plan	2012 Estimated Cost	2013 Revised Cost
Crete Brothers Gym Boiler/HVAC	$ 80,000	$ 80,000	$ 150,000
New entrance sign / site 'hardscape'	50,000	50,000	50,000
Old bathhouse conversion analysis/ site prep	100,000	100,000	100,000
ADA access improvements/beach amenities	90,000	90,000	90,000
Beach pavilion roof replacement	-	-	20,000
Total	$ 320,000	$ 320,000	$ 410,000
Project Funding:			
General Fund Advance	$ 320,000	$ 320,000	$ 410,000
Total	$ 320,000	$ 320,000	$ 410,000

Now therefore,

BE IT RESOLVED, by the Common Council of the City of Plattsburgh, New York, this 2nd day of July 2013, as follows:

1) That, the amount of Four Hundred Ten Thousand and 00/100 ($410,000.00) Dollars is hereby appropriated to the **2012 Rec Complex Facilities (Project H7220.40)** for the cost of the Capital Project as revised above and is hereby authorized to be expended for such purpose.

2) That, Four Hundred Ten Thousand and 00/100 ($410,000.00) Dollars of such appropriation be provided by advances from the General Fund in order to pay for the project work not covered by outside funding sources until such time as a borrowing resolution be adopted by the Common Council authorizing the issuance of debt to pay for the project advances.

3) That, this resolution takes effect immediately.

On Roll Call,

CERTIFIED A TRUE COPY

_____

CITY CLERK

Plattsburgh, NewYork

Kevin R. Farrington, P.E.
City Engineer

Engineering & Planning Dept.
41 City Hall Place
Plattsburgh, New York 12901
518-563-7730
Fax: 518-563-3645

MEMORANDUM

TO: Richard Marks, City Chamberlain

FROM: Kevin Farrington, City Engineer KRF

DATE: June 21, 2013

REF: Request for Establishment of Capital Project

It is requested that the below approved budget amount be added to the already established Capital Project H7220.40 "2012 Recreation Complex Facilities:

12 RECREATION COMPLEX FACILITIES

	APPROVED BUDGET	
Crete Bros. Gym Boiler/HVAC	$ 70,000.00	General Fund

CC: Steve Peters
Carole Garcia

MUNICPAL LIGHTING DEPARTMENT
(A Municipally Owned and Operated Power System)
Plattsburgh, New York

William J. Treacy, P.E.
Manager

6 Miller Street
Plattsburgh, New York 12901
518-563-2200
Fax: 518-563-6690

July 1, 2013

To: Mayor Donald M. Kasprzak

Subject: Replacement 46/115 kV Transmission Line Construction - Bid No. 2013-5-3
Bid Review and Award Recommendation

The Management of the Plattsburgh Municipal Lighting Department and PLM Engineering have reviewed and evaluated the one bid received on June 21, 2013, for the above subject contract. Attached is PLM's review and recommendations.

We recommend award to **Northline Utilities, LLC., AuSable Forks, NY** in the total amount of **$ 549,824.00**. The bid is within the funding allotted for this project. If you have any questions, please contact me. Thank you for your attention to this matter.

Respectfully Submitted,

William Treacy
Manager

Enclosure: (1)

CC: City Clerk
Councilor Chris Jackson, PMLD Liaison
Kelly Clookey, MLD Finance Director
Bid 2013 -5-3 File

PLM
ELECTRIC POWER ENGINEERING
35 MAIN STREET, HOPKINTON, MA 01748 TEL: (508) 435-0200 FAX: (508) 435-4491

Project 9122-41

July 1, 2013

Mr. William Treacy, Manager
Plattsburgh Municipal Lighting Department
6 Miller Street, Suite 1
Plattsburgh, NY 12901

Dear Bill:

SUBJECT: Replacement 46/115 kV Transmission Line Construction - Bid No. 2013-5-3
Bid Review and Award Recommendation

Sealed bids for the above contract were opened on Friday, June 21, 2013 at 2:00 pm at the Plattsburgh City Clerk's office. This bid is for the relocation of the existing 46 kV and 115 kV transmission lines that cross the Graymont Quarry to a new Right of Way adjacent to the quarry. The bid was publically advertised and bid requests were sent directly to five qualified firms, three of which attended the prebid meeting, however only one bid was received.

Northline Utilities, LLC - $549,824.00 – Northline submitted a valid bid, including all required bid forms, and noted receipt of Addendum 1. They provided resume's for all relevant personnel, and included a list of "Proposal Clarifications & Assumptions". We have reviewed this list and feel that it is acceptable. We have previous positive experience with Northline on transmission related project, including the 115 and 46 kV line relocation associated with PMLD's Saranac Substation, and find them to be well qualified to perform the requirements of this project.

Based on the discussion above, we recommend award of the Bid for Replacement 46/115 kV Transmission Line Construction - Bid No. 2013-5-3 to **Northline Utilities** in the amount of **$549,824.00**. Northline is the lowest responsive and responsible bidder. In addition, we recommend that an amount be allocated to cover unforeseen changes during the project. Based on the size and scope of this contract, we recommend that approximately 10% contingency be allocated to cover unforeseen change orders. We therefore recommend that the total amount authorized for this contract be **$600,000.00**.

If you have any questions or comments concerning this correspondence, please do not hesitate to contact me.

Sincerely,

Michael C. Barrett

Michael C. Barrett
Principal Engineer

MUNICPAL LIGHTING DEPARTMENT
(A Municipally Owned and Operated Power System)
Plattsburgh, New York

William J. Treacy, P.E.
Manager

6 Miller Street
Plattsburgh, New York 12901
518-563-2200
Fax: 518-563-6690

July 1, 2013

To: Mayor Donald M. Kasprzak

Subject: St. Lawrence 1 and St Lawrence 2 Substation Upgrades – 46kV Breaker Replacement Construction, Phase 2 - Bid No. 2013-5-2 Bid Review and Award Recommendation

The Management of the Plattsburgh Municipal Lighting Department and PLM Engineering have reviewed and evaluated the two bids received on June 21, 2013, for the above subject contract. Attached is PLM's review and recommendations.

We recommend award to **M. Scher & Son, Inc., Albany, NY** in the total amount of **$ 287,400.00**. The bid is within the funding allotted for this project. If you have any questions, please contact me. Thank you for your attention to this matter.

Respectfully Submitted,

William Treacy
Manager

Enclosure: (1)

CC: City Clerk
Councilor Chris Jackson, PMLD Liaison
Kelly Clookey, MLD Finance Director
Bid 2013 -5-2 File

PLM
ELECTRIC POWER ENGINEERING
35 MAIN STREET, HOPKINTON, MA 01748 TEL: (508) 435-0200 FAX: (508) 435-4491

Project 9122-39 July 1, 2013

Mr. William Treacy, Manager
Plattsburgh Municipal Lighting Department
6 Miller Street, Suite 1
Plattsburgh, NY 12901

Dear Bill:

SUBJECT: 46kV Breaker Replacement Construction - Phase 2 - Bid No. 2013-5-2
Bid Review and Award Recommendation

Sealed bids for the above contract were opened on Friday, June 21, 2013 at 2:00 pm at the Plattsburgh City Clerk's office. This bid is for the replacement of the 10 existing 46 kV circuit breakers with new SF6 circuit breakers at St. Lawrence No. 1, No. 2 and No. 3 Substations. The bid was publically advertised and bid requests were sent directly to three qualified firms, all three of which attended the prebid meeting. Two bids were received.

M. Scher & Son, Inc. - $287,400.00 – Scher submitted a valid bid, including all required bid forms. They provided resume's for all relevant personnel and a list of reference projects. Scher indicated that they would for remove and dispose of the oil circuit breakers being removed at no additional cost. We have no previous experience with M. Scher and Son, Inc. on substation related projects. A review of the reference list provided notes several projects with higher voltages than that required under this project, including several repeat customer projects. Based on a review of the reference list, we Scher is qualified to perform the requirements of this project.

Northline Utilities, LLC - $325,750.00 – Northline submitted a valid bid, including all required bid forms. They provided resume's for all relevant personnel, and included a list of "Proposal Clarifications & Assumptions". We have reviewed this list and feel that it is acceptable. Northline included an additional cost of $14,764.21 for removal and disposal of the oil circuit breakers being removed. We have previous positive experience with Northline on substation related projects, including several within the PMLD system, and find them to be well qualified to perform the requirements of this project.

Based on the discussion above, we recommend award of the Bid for 46kV Breaker Replacement Construction - Phase 2 - Bid No. 2013-5-2 to **M. Scher & Son, Inc.** in the amount of **$287,400.00**. Scher is the lowest responsive and responsible bidder. In addition, we recommend that an amount be allocated to cover unforeseen changes during the project. Based on the size and scope of this contract, we recommend that approximately 10% contingency be allocated to cover unforeseen change orders. We therefore recommend that the total amount authorized for this contract be **$320,000.00**.

If you have any questions or comments concerning this correspondence, please do not hesitate to contact me.

Sincerely,

Michael C. Barrett

Michael C. Barrett
Principal Engineer

Proposal
Subject: Micro-Beautification – Westelcom Park (between 24/50 Margaret St.)
Date: June 21st, 2013
Proposed To: Margaret Hartmann, Community Development, Plattsburgh City Council
Submitted By: ROTA Gallery, North Country Herbalists, Jennifer Allen, Kaitlyn Donovan

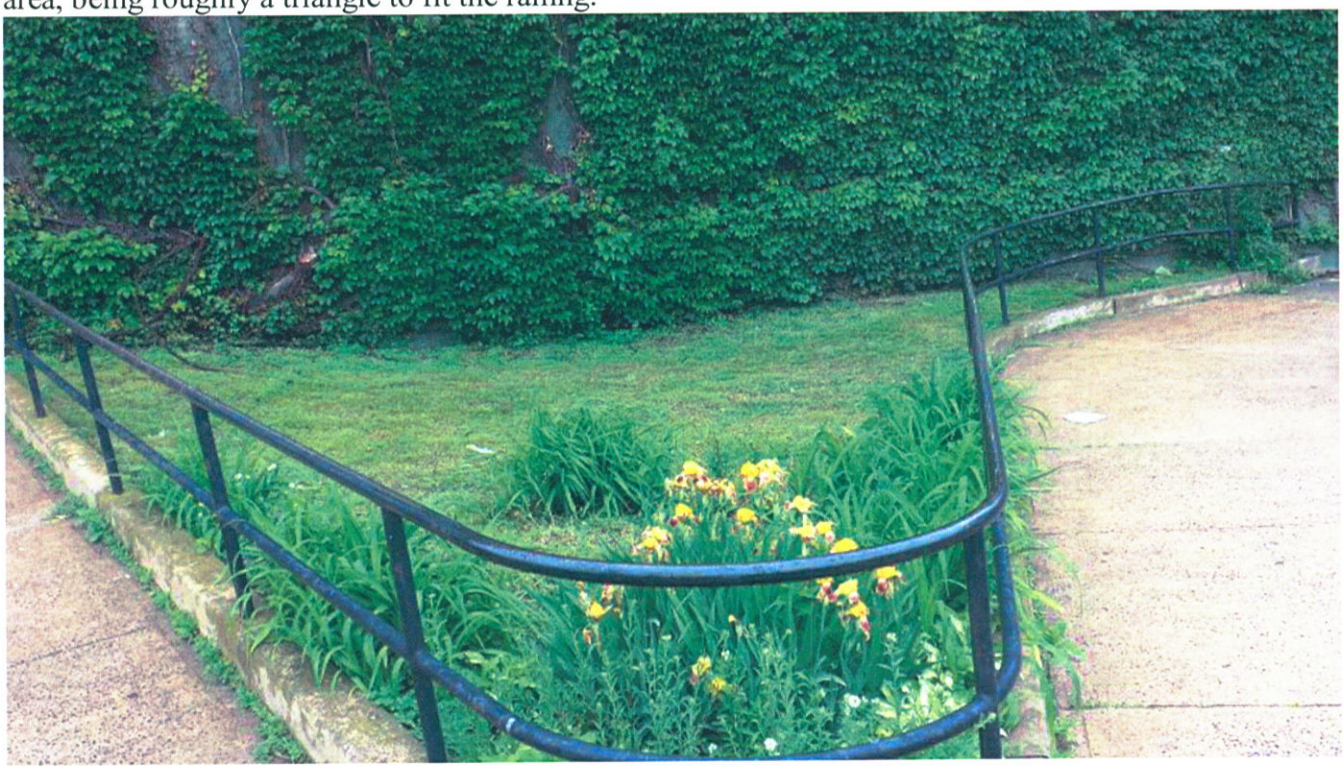
Introduction

The park area between 24 and 50 Margaret St. in the City of Plattsburgh (the City) is currently used as a public location and access point between Durkee and Margaret Streets, and allows easy foot traffic from the North and South lot parking to the businesses in the surrounding area. The park is maintained, but beautification has not been optimal in recent years for this high-visibility area.

A railing runs along the walkway from Durkee to Margaret. This walkway creates a significant bulge against the side of the 50 Margaret St. building, due to the shape of the railing, that is inaccessible to pedestrians. This area is an excellent location for a micro-beautification project.

Location & Size

Included below is a photograph of the location in question. The proposed plot is 17 feet by 23 feet in area, being roughly a triangle to fit the railing.



Garden Beautification

Proposing party will provide supplies and labor to till and cultivate a small garden. This effort will be co-sponsored by ROTA Gallery and the North Country Herbalists.

Plants & Education
Plantings will accompany a small sign naming and/or describing the plants, most of which will either be culinary herbs, flowers, or native plants with health benefits, environmental benefits, or value as edible plants.

Examples: Rosemary, Wild Thyme, Motherwort, St. John's Wort, Dalmation Sage, Catnip, Lavender, etc.

No poisonous or dangerous plants will be included in the selections. Proliferous growers will be contained in pots or trimmed before seeding to prevent excessive growth.

Local Artist Sculpture

ROTA Gallery will commission and supply an art sculpture from a local artist to display in the aforementioned plot. The sculpture will be either permanent or semi-permanent, affixed to a base adequate to keep the sculpture upright. The sculpture will be accompanied by a small placard identifying the artist, the sculpture, and ROTA Gallery as donor.

Maintenance

Mulch & Trimming
The North Country Herbalists will upkeep the plants, trimming and remulching on a regular basis, not to exceed once a month, and no less than once a quarter, as the garden requires. The group will also trim any plants that grow too near the walkway, and will keep the area clean and free of debris and excess or unsightly plant growth.

ROTA and North Country Herbalists do not own a lawnmower, and will *not* be able to maintain mowing of the space. Mowing will be considered during planting and mulching, however, to accommodate the current mowing routine.

Sculpture Cleaning & Moving
ROTA Gallery will provide a volunteer to clean the sculpture annually, or more frequently if vandalism, environment, or other influences necessitate action. If a later modification requires moving of the sculpture, ROTA will provide the labor for temporarily or permanently relocating the sculpture.

Recognition of Vandalism
Proposing parties recognize and accept that vandalism, partial or whole, may cause damage or destruction of the sculpture or garden, and do not request responsibility or compensation from the City in the event that such vandalism does occur.

Recognition of Personal Responsibility
All material needs will be provided by the proposing parties. Any injuries or other grievances sustained during the project, maintenance, or on the property will be the sole responsibility of the proposing parties and associated volunteers.

Closure Agreement

If the garden or sculpture grounds are no longer viable to maintain for all proposing parties, then the parties agree to remove any sculpture and/or remnants, and to retill the garden plot and sow with grass seed as deemed necessary by the City.

Non-inclusive Closure
If the sculpture must be removed but the garden is still maintained, the garden will be extended over the site of the sculpture. Likewise, if the garden must be discontinued, but the sculpture is still actively maintained, then the grass reseeding will be up to and around the base of the sculpture.

Signed: June 21st, 2013

Jennifer Allen
Organizer, North Country Herbalists
General Director, ROTA Gallery & Studios