

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
January 3, 2006
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
COUNCILMAN JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving Agreement Between the City of Watertown and State of New York Unified Court System
- 2 - Approving Change Order No. 1 to Contract for Flower Memorial Library Renovation Project, General Contract, Ritchie Brothers, Inc.
- 3 - Approving Community Capital Assistance Program Grant Disbursement Agreement for Roswell P. Flower Memorial Library
- 4 - Approving Agreement for Professional Services with the New York State Zoo at Thompson Park
- 5 - Authorizing the City Manager to Enter Into a Contract Extension with Camoin Associates – Economic & Market Condition Analysis Related to the LWRP
- 6 - Approving the Agreement with New York State Department of State, Divisional Coastal Resources for a \$50,000 Downtown Awareness Campaign Grant
- 7 - Authorizing the City Manager to Enter Into and Execute an Amended Agreement for a \$95,000 Grant Through the New York State Department of State for the Completion of a Local Waterfront Revitalization Program
- 8 - Authorizing the City Manager to Enter Into and Execute the Project Agreement for a \$95,000 Grant Through the New York State Department of State for the Completion of a Local Waterfront Revitalization Program
- 9 - Police Chief Recruitment
- 10 - Monthly Financial Report
- 11 - Fort Drum Area Quality Communities Project and Joint Land Use Study

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of December 19, 2005 was dispensed with and accepted as written by motion of Councilman LaBouf, seconded by Councilman Smith and carried with all voting in favor thereof.

COMMUNICATIONS

From Norman Wayte, tenant of the Marcy Building, concerning the failure of a landowner to remove trash from the rear section of a building located next to the Marcy Building on State Street.

ABOVE PLACED ON FILE

From Gail C. Millard, Town of Watertown, copying the City of Watertown on letters that he has sent to DANC regarding current and projected tonnages at the landfill for the region being served now.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Paul Simmons, 246 Central Street, addressed the chair thanking Mrs. Corriveau and Mrs. Dutton for the work they did on First Night Watertown.

Wayne Zimmer, Katherine Street, addressed the chair concerning the proposed Council pay raises. He stated that a person serving on Council now compared to a person serving 10 years ago would receive \$10,000 less in pay and benefits.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown, New York is responsible for providing and maintaining space for the operation of City Court, and

WHEREAS reimbursement for such services is available to the City from the Unified Court System of the State of New York,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Court Cleaning and Minor Repair Program Agreement between the City of Watertown and the State of New York Unified Court System for Fiscal Year 2005-2006, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS on August 1, 2005, the City Council of the City of Watertown approved the bid submitted by Ritchie Brothers, Inc., Gouverneur, New York, in the amount of \$625,800.00 for the General Contract for the Flower Memorial Library, Phase I Restoration and Reconfiguration Project, and

WHEREAS Interim City Engineer Gary E. Pilon is now asking that the City Council approve Change Order No. 1 to this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 to the General Contract with Ritchie Brothers, Inc., in the amount of \$6,013.00, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PETER L. CLOUGH

Commenting on the foregoing resolution, Councilman Bradley remarked that he had some questions concerning the figures. He explained that he had done some comparisons and there were pricing issues which he would like to have answers to prior to voting on the resolution.

Mrs. Corriveau explained that there would be no problem in tabling the resolution.

MOTION WAS MADE BY COUNCILMAN BRADLEY TO TABLE THE FOREGOING RESOLUTION.

MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has been awarded a grant sponsored by Senator James W. Wright for \$300,000 from the Community Capital Assistance Program through the Empire State Development Corporation for renovations at Roswell P. Flower Memorial Library, and

WHEREAS it is necessary to enter into a formal agreement between the City of Watertown and the New York State Urban Development Corporation doing business as

Empire State Development Corporation, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Grant Disbursement Agreement between the City of Watertown and Empire State Development Corporation for the Community Capital Assistance Program Grant in the amount of \$300,000, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, and the City Comptroller, James E. Mills, are hereby authorized and directed to execute the Grant Disbursement Agreement and any other documents required to accept and administer the Grant.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Councilman LaBouf thanked Senator Wright and his staff for help in securing this funding.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the New York State Department of State, Division of Coastal Resources awarded the City of Watertown a \$95,000 grant under Title 11 of the Environmental Protection Fund to complete a Local Waterfront Revitalization Program for the Black River within the City, which includes a permanent Black River exhibit, and

WHEREAS the City Council desires to enter into an agreement with the New York State Zoo at Thompson Park (previously know as the New York State Living Museum) to create, implement and maintain the permanent Black River Exhibit, and

WHEREAS the City Council agrees to pay the New York State Zoo at Thompson Park the sum of \$14,400 for this work and the New York State Zoo at Thompson Park agrees to match the amount of \$14,400 with both in-kind service and cash match,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the agreement with the New York State Zoo at Thompson Park for the creation, implementation and maintenance of a permanent Black River Exhibit, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Prior to voting on the foregoing resolution, Councilman LaBouf asked about the displays.

Ms. Angela Baier, Executive Director of the Thompson Park Zoo, addressed the chair explaining that this refers to the exhibit which was opened in May of 2005.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the New York State Department of State, Division of Coastal Resources previously awarded the City of Watertown a Quality Communities Demonstration Project grant, and

WHEREAS the City of Watertown entered into an agreement with Camoin Associates to complete an Economic and Market Condition Analysis as part of that grant, and

WHEREAS Camoin Associates needs additional time to complete the Economic and Market Condition Analysis, and

WHEREAS the City desires to have the Economic and Market Condition Analysis complete,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute a contract extension Agreement on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Prior to voting on the foregoing resolution, Councilman Smith asked if the original agreement had a provision for assessing fines or penalties if one party was late.

Mrs. Corriveau explained that there were no delay penalty clauses and there was a definite end date of December 31st. However, she explained that the population has changed dramatically and a revised projection has been requested. This will be for the City, but will also look at it regionally and how it affects the City.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the New York State Department of State, Division of Coastal Resources has announced that the City of Watertown has been awarded a \$50,000 grant under Title 11 of the Environmental Protection Fund to implement a Downtown Awareness Campaign, and

WHEREAS the City Council desires to undertake a Downtown Awareness Campaign, which will assist in revitalization of the Downtown, and

WHEREAS the City must enter into an Agreement with the New York State Department of State for this project,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the Grant Agreement on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Mrs. Corriveau explained that this is the grant that the City received notice on in May 2004. We are now to the point where defined components of the work plan and the scope of the work plan have been done.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the New York State Department of State, Division of Coastal Resources awarded the City of Watertown a \$95,000 grant under Title 11 of the Environmental Protection Fund to complete a Local Waterfront Revitalization Program for the Black River within the City, which includes the Whitewater Suitability and Feasibility Study, and

WHEREAS the City entered into a contract with New York State Department of State Agreement #C006357, that contained certain tasks, and

WHEREAS there are unused monies left in this contract, and

WHEREAS the New York State Department of State authorized a change to the scope and added additional tasks to be completed with regards to the North Shore access by the Route 3 wave, and

WHEREAS the City Council desires to revitalize the waterfront along the Black River, and improve access to the North Shore of the Route 3 wave area of the river, and

WHEREAS the City must amend the NYS Department of State Agreement #C006357 to include additional work items with regard to the design of the North Shore access,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the amended Agreement #C006357 on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Mrs. Corriveau explained that this is for the north shore access.

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the New York State Department of State, Division of Coastal Resources awarded the City of Watertown a \$95,000 grant under Title 11 of the Environmental Protection Fund to complete a Local Waterfront Revitalization Program for the Black River within the City, which includes the Whitewater Suitability and Feasibility Study, and

WHEREAS the City of Watertown entered into an agreement with Recreation Engineering and Planning to provide a certain scope of services within the Whitewater Suitability and Feasibility Study,

WHEREAS the City Council desires to continue to revitalize the waterfront along the Black River, and do so by improving access to the North Shore of the Route 3 wave area of the Black River, and

WHEREAS the City must amend the agreement with Recreation Engineering and Planning to include the expanded scope of services which includes the design of the North Shore access at the Route 3 wave, as per the amended agreement with the NYS Department of State Agreement #C006357, and

WHEREAS the City must amend the agreement with Recreation Engineering and Planning to extend the length of their contract to September 1, 2006,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the amended agreements with Recreation Engineering and Planning on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project, and

BE IT FURTHER RESOLVED that approval of the this amendment to the Agreement with Recreation Engineering and Planning is contingent upon approval of the amended Grant Agreement with the New York State Department of State, Division of Coastal Resources.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

LOCAL LAW

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS Local Law No. 12 of 2005 was adopted December 19, 2005, and

WHEREAS the purpose of Local Law No. 12 of 2005 was to increase the compensation for the Mayor and City Council members, and

WHEREAS Local Law No.12 of 2005 is subject to permissive referendum, and the time for filing of petitions has not yet expired, and

WHEREAS the City Council of the City of Watertown deems it to be in the best interest of the citizens of the City, not to increase the salary of elected officials as proposed by Local Law No.12 of 2005,

NOW THEREFORE BE IT ENACTED by the City Council of the City of Watertown that Local Law No. 12 of 2005, is hereby rescinded in its entirety, and

BE IT FURTHER ENACTED that this local law shall take effect immediately upon filing with the New York Secretary of State and that the City Clerk of the City of Watertown is hereby directed not to file Local Law No. 12 of 2005 with the Secretary of State.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF

MOTION WAS MADE BY COUNCILMAN SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING LOCAL LAW FOR TUESDAY, JANUARY 17, 2006 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN BRADLEY VOTING NAY

**** ** ***

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Police Chief Position

Councilman Clough asked if the position could be filled before June if the City hired from within.

Mrs. Corriveau explained that she doesn't anticipate the results of the exam sooner than 60 days from when it is given. She remarked that she does not recommend hiring prior to that.

Councilman Clough asked if the City Manager would ask for Council input.

Mrs. Corriveau responded that she will be looking to the Council for input on the qualities and characteristics needed as well as what Council sees as the challenges that the new Police Chief will face. She explained that she would also be looking to people in the community for their input. However, she will not look to Council or the public as far as the selection is concerned. She also commented that she is not looking for input as to whether the hiring should be done from inside or outside the department.

Councilman Smith asked if the March time was the only time available for the exam.

Mrs. Corriveau remarked that at this time, March is the only time it can be given. She remarked that the City had no guarantees that by only testing the internal candidates that they would have had someone on the eligibility list. Therefore, the March testing for both inside and outside candidates is necessary. She also explained that the promotional list is binding. Therefore, if there were three candidates on it, she would have to appoint from that list.

Mayor Graham commented that he doesn't believe the Council should get into the business of skewing the process to hire from within or without.

Mrs. Corriveau commented on a recent Watertown Daily Times article and stated that one of the statements was wrong. The minimum qualifications did change for the internal list, as well. She reviewed those changes with the Council.

Library Board Vacancy

Mayor Graham commented that there is a vacancy on the library board. The position is nominated by the Mayor and ratified by the Council. He asked for names to be submitted to him by the Council members.

Council Photo

Discussion was held concerning the Council's official photo. It was decided that Burns Photography would take the photo on Tuesday, January 17th at 6:30 p.m.

City Engineer Position

Mrs. Corriveau explained that interviews were conducted last week and will be conducted this week and next. She hopes to make a selection when the process is completed.

Fort Drum Area Quality Communities Project and Joint Land Use Study

Council concurred that a resolution should be drafted endorsing this community initiative. The resolution will be ready for consideration at the January 17th meeting.

Public Meetings

Mrs. Corriveau referred to her memo concerning the public meetings for the annual revaluation program and the open inspections for the residential properties included in the upcoming auction.

Councilman Clough remarked that the annual revaluation program meetings are very important and he hadn't seen anything about them in the media.

Mr. Phelps, City Assessor, explained that he had done a press release and had distributed it to the media.

Councilman Clough responded that the public has misinterpretations about the assessments and it is very important to get the correct information out to them.

Councilman LaBouf commented that he concurred with Councilman Clough.

Councilman Smith asked if another meeting could be scheduled for near the end of January.

Mr. Phelps commented that following the two meetings that are scheduled, there would be informal reviews held. He remarked that his hope was that the smaller meeting tomorrow evening would generate interest in the larger meeting to be held at the North Side League.

Councilman Smith remarked that it might still be advantageous to have meetings at the end of the month just to explain the process in general.

Councilman Clough commented that he knows Council members will receive calls about this.

Mayor Graham responded that it would be naive to think holding meetings ahead of time will mellow the response. He stated that people are going to be mad when they get their new assessments and Council will receive calls.

Councilman LaBouf commented that Council members need to give the proper message out to the people when they call. He stated that they need to know the basic information.

Mr. Phelps explained that pamphlets, which will answer some of the questions, would be going out with the notices.

County Home

Mrs. Corriveau advised Council that City crews would begin working with County crews on the demolition of the County Home tomorrow.

114 William Street

Mrs. Corriveau referred to an email she had received from Mrs. Dickson whose residence abuts 114 William Street. Mrs. Dickson would like to purchase the property and indicated that she had been promised the right to buy it at some point. Mrs. Corriveau told Council that she needed to know if Council still wished to have it on the auction list. She explained that usually if the City offers property to the abutting property owners, it is offered to all abutting owners.

Councilman LaBouf remarked that it should be offered to all.

Councilman Bradley commented that if this were sold to Mrs. Dickson, it would affect the access to the properties on which the businesses that front State Street are located.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO REMOVE 114 WILLIAM STREET FROM THE AUCTION LIST.

MOTION WAS SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING YEA

Rules were waived by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

First Night

Councilman LaBouf commended Mrs. Corriveau and Mrs. Dutton, as well as Tom O'Riley and Sara Daniels on the success of First Night Watertown.

Christmas Tree Pickup

Councilman LaBouf commended the DPW crews for picking up the discarded Christmas trees throughout the City.

Trash Complaint

Mayor Graham asked about the trash complaint from Mr. Wayte.

Mrs. Corriveau explained that Mr. McWayne had spoken with the building manager and she will take care of the trash. She explained that this is more of a tenant problem, than a property owner problem.

Turf Field

Mayor Graham asked for an update on this.

Mrs. Corriveau explained that discussions concerning this would be held during capital budget preparation.

Councilman Clough commented that two county legislators have shown an interest in involving the County and making it a joint project with the City.

Councilman Smith remarked that when he served on the Fairground Task Force it was made up of both the City and the County and he would encourage working with the County on this.

Black Clawson Property

Mayor Graham asked about this property and the plans and time frame for any rehab.

Councilman LaBouf remarked that this would seem to fall inline with the LWRP subcommittee's goal for cleanup of the river and would require a tremendous use of their time and talent.

Councilman Smith asked if there were any brownfield funds left.

Mrs. Corriveau explained that while there is still a majority of the \$200,000 grant available, it is not being used because the property has not been transferred to the City of Watertown. While the City could take title, they would still like to have the prior owner pay the cleanup expenses. She commented that they are hoping there will be some resolution to this in the coming months.

Attorney Slye explained that Black Clawson has now become BC Holdings Inc. The City has sued for overdue tax obligations. In addition, their assets are unknown and there is no evidence of a formal winding up of the corporation or dissolution of the corporation. Attorney Slye also explained that the alternative to requiring the prior owner to cleanup the site would be for the City to take title to the contaminated land and then be responsible for the clean up.

Mayor Graham commented that he sees no resolution in it through this method. He questioned at what point do you take the risk of acquiring it.

Attorney Slye commented that he would agree and was not prepared to make a judgment on that.

Mrs. Corriveau explained that it was no different than the Abe Cooper site. That site was cleaned differently in different portions of the site based on what that portion was going to be used for. She explained that they are trying to get to the position to make a recommendation to City Council and it might be in a three to four month time frame.

Mayor Graham remarked that the fact that this corporation is not listed as dissolved, does not mean that it hasn't been.

Councilman Bradley asked about the possibility of taking a small portion of the property.

Mrs. Corriveau responded that this was not possible.

Housing Issues

Councilman LaBouf remarked that the Council should look at long term projects for the housing needs. He asked what needed to be done on the Ogilvie site to be able to offer it for development.

Mrs. Corriveau explained that the phase 1 and phase 2 environmentals have been done. Now there needs to be plan to address the issues of petroleum contamination on site. She remarked that the extent is not known. Once the process is started, it has to continue until the area is cleaned. Testing has not been done under the slab and there is probably petroleum there.

Councilman LaBouf responded that this is a prime piece of property and no one will show interest if the testing isn't completed.

Mrs. Corriveau explained that environmentals had been completed on the property. She will have a summary report prepared for the Council work session next week.

Councilman LaBouf commented on the Water Street property and asked if Council needs to do things to open this property up for developers.

Mrs. Corriveau explained that the Water Street property has a lot of environmental issues tagged to it. It may be necessary to segment off some of the property. She also commented that the City owns the Water Street site, but does not have title to the Ogilvie site.

Councilman LaBouf responded that at this point, with the climate regarding the housing situation, we cannot sit back and wait to see if developers are willing to step forward to develop the sites.

Mayor Graham commented that the site of the recent demolition on TenEyck Street would be another location for building as well. He also asked about the Watertown Housing Authority being an entity in increasing housing in the community. He stated that he found it strange that an entity with “housing” in their name has nothing to do with helping to solve the housing problem in the community.

Mrs. Corriveau commented that there is some property behind East Hills that has not been developed yet. However, it would be better to ask Mr. Goewey about this.

Mayor Graham questioned if the Housing Authority buildings would even be viable in a few years.

Mrs. Corriveau explained that they do receive funding to maintain their facilities.

Annual Revaluation Program

Mr. Phelps presented this program to the Council members. He explained the procedure for the revaluation and outlined the neighborhoods throughout the City and the approximate percentages that the property assessments would be raised.

Councilman Bradley asked Mr. Phelps about cooperating with the County and having the City information on the County’s GIS site.

Mr. Phelps explained that the City and the County use a different software and they are not compatible at this time. Also, the assessment dates for the County and the City are different. Up to this point, they have not worked out a procedure for updating this assessment information. He explained that the City’s site is very well done and has all the information that is needed. However, they have every intention of working on the cooperative effort in the future.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:53 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk