

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
JANUARY 21, 2003**

**MAYOR JOSEPH M. BUTLER PRESIDING**

**PRESENT:**           **COUNCILWOMAN ROXANNE M. BURNS  
COUNCILMAN PETER L. CLOUGH  
COUNCILMAN PAUL A SIMMONS  
COUNCILMAN JEFFREY M. SMITH  
MAYOR BUTLER**

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

City Manager Corriveau presented the following reports to Council:

- 1 - Commissioner of Deeds
- 2 - Appointment to the Assessment Board of Review, Peter Salmon
- 3 - Authorizing the City of Watertown to Accept Title to Property Acquired by the NYSDOT, Bellew Avenue Reconstruction, PIN 775272
- 4 - Authorizing the City of Watertown to Accept Title to Property Acquired by the NYSDOT, Pearl Street Bridge Replacement, PIN 775234
- 5 - Approving Master Federal Aid and Local Aid Project Agreement, Downtown Watertown Streetscape Enhancement Project Phases I and II, PIN 780392, Preliminary Engineering/Design & Construction/Construction Inspection
- 6 - Authorizing Form Agreement for Trash Bin Service
- 7 - Approving the Special Use Permit Request Submitted by Matthew J. Cervini of GYMO, P.C., on Behalf of Don Davidson of Davidson Chevrolet, to Allow a Car Wash Facility in the 1000 Block of Coffeen Street, Parcel No. 8-29-103
- 8 - An Ordinance Establishing Fees for Trash Bin Service and Deposit Amounts
- 9 - Approving the Amendment Request Submitted by Daren L. Morgan, P.L.S., of LaFave White & McGivern, on Behalf of TOPED Development, LLC, to Change the Allowed Use of a 7.61 Acre Portion of Parcel No. 8-40-101.101 Located in Planned Development District No. 1 from Multi-Family Housing Use to Commercial Use

**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 January 6, 2003 was dispensed with and accepted as written by motion of Councilman Peter L. Clough, seconded by Council Paul A. Simmons and carried with all voting in favor thereof.

**COMMUNICATIONS**

From the Planning Board:

1. Recommending approval for a zone change request submitted by Daren L. Morgan, PLS, of LaFave White & McGivern, on behalf of Toped Development LLC, to change the allowed use of a 7.61 acre portion of Parcel No. 8-40-101.101 located at the end of College Heights Drive in Planned Development District No. 1 from multi-family housing use to commercial use.
2. Recommending approval for a Special Use Permit submitted by Matthew J. Cervini of GYMO, P.C., on behalf of Don Davidson of Davidson Chevrolet, to allow a car wash facility in the 1000 block of Coffeen St., Parcel No. 8-29-103.
3. Recommending site plan approval submitted by Matthew J. Cervini of GYMO, P.C., on behalf of Don Davidson of Davidson Chevrolet, for the construction of a 4,200 sq. ft. car wash facility in the 1000 block of Coffeen St., Parcel No. 8-29-103.

**ABOVE PLACED ON FILE**

From Joseph and Rose DeFranco and Andre Komar requesting a zone change for 286-288 Wealtha Avenue and 274 Wealtha Avenue from Residential A to Neighborhood Business.

**ABOVE PLACED ON FILE**

From the First Presbyterian Church inviting the Mayor and the City Council to attend various programs during their 200<sup>th</sup> Anniversary celebration this year.

**ABOVE PLACED ON FILE**

Minutes were received from the Library's board meeting.

Chief Robert Piche presented two Life Saving Medals to Officers Peter C. Keck and Glenn M. Brady. He explained both men rescued people from a structure fire at a three family dwelling on High Street, March 26, 2002.

**PRIVILEGE OF FLOOR EXTENDED**

**Donald Thompson**-710 Morrison stated R.A.S.S.P. was waiting for the results from the Converse Labs. He added they are still monitoring the ongoing situation at the American Rock Storage facility. Mr. Thompson continued they have concerns with the noise in the early morning, volume of salt being moved in high wind conditions and the diesel fumes

hovering in the air. He questioned the status of a proposal they submitted to amend the City Zoning Code Ordinances.

Mayor asked for an update.

Attorney Robert Slye stated he gave his report to staff 2-3 months ago.

City Manager Mary Corriveau remarked there would be an issue coming up on one of the work session agendas and the City Council could address it at that time. She continued there is no reason to wait until February to get the report.

After discussion it was Council's decision to put it on the agenda for the next work session.

**Wayne Zimmer**-139 Katherine Street questioned why the trucks drawing snow don't have their headlights on. Also, he asked who will repair the tow bins and how much does it cost for the apparatus to load them onto the truck.

Eugene Hayes, Superintendent of Public Works stated the trucks should be driving with their lights on. He added the tow bins carry a ten-year unconditional warranty from the manufacturer.

Mr. Zimmer asked who would pick up the trash outside of the bin.

Mr. Hayes stated the contract is clear and precise. He remarked that no trash would be picked up outside of the bin.

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

RESOLVED that the following individuals are hereby appointed  
Commissioner of Deeds for the term expiring December 31, 2004:

**City Employees**

Heather Rae Wood  
Jason J. Badaloto

**Non-City Employees**

Joanne Marie McClusky  
Frederick Lanham  
June S. Hackett

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

RESOLVED by the City Council of the City of Watertown, New York that Peter Salmon 229 Flower Avenue West, Watertown, New York is hereby appointed to the Assessment Board of Review for a five-year term commencing October 1, 2002 and expiring on September 30, 2007.

**SECONDED BY PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS the City and the New York State Department of Transportation have done a number of road and bridge projects within the City of Watertown, and

WHEREAS as part of these projects, the State has acquired lands in the Name of the People of the State of New York, and

WHEREAS due to the large number of projects statewide, the DOT has revised its policy to transfer ownership of these properties to the sponsoring municipality upon construction completion,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby agrees to accept ownership of properties acquired in support of the Bellew Avenue Reconstruction Project, PIN 775272, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to accept title to said properties on behalf of the City of Watertown.

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

Prior to the vote on the foregoing resolution, Councilman Clough questioned Mr. Hayes on the Pearl Street Project. He asked if anything was going to be done to the entrance off Huntington Street onto Factory Street. Councilman Clough stated there is always a traffic back up because there is no turn and no double lane as it should be.

Mr. Hayes stated he wasn't involved with the planning of it and he didn't know if they took into consideration the turning lane or not. He remarked you might want to contact the Engineering office.

Ms. Corriveau stated she would check into this. She was not aware if there would be any realignment at that intersection with the construction project.

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS the City and the New York State Department of Transportation have done a number of road and bridge projects within the City of Watertown, and

WHEREAS as part of these projects, the State has acquired lands in the Name of the People of the State of New York, and

WHEREAS due to the large number of projects statewide, the DOT has revised its policy to transfer ownership of these properties to the sponsoring municipality upon construction completion,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby agrees to accept ownership of properties acquired in support of the Pearl Street Bridge Replacement Project, PIN 775234, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to accept title to said properties on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PAUL A SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A SIMMONS**

WHEREAS the Downtown Watertown Streetscape Project Phases I & II, PIN 780392, is eligible for funding under Title 23 U.S. Code, as amended, and

WHEREAS the Federal Government has obligated funding for this project under the Federal TEA 21 Enhancement funds, and

WHEREAS the project calls for the apportionment of cost to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS the City Council of the City of Watertown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs for this project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City

of Watertown hereby authorizes City Comptroller, James Mills, to pay in the first instance 100% of the federal and non-federal share of the cost for the project, and

BE IT FURTHER RESOLVED that the total cost for the above mentioned project is \$1,430,000; with Federal Funding of \$1,100,000 and non-federal funding of \$275,000, and \$55,000 in local overmatch and that the City Council authorizes the appropriation of \$330,000 from the Capital Fund to cover the City's cost of participation in Phases I and II of the project, and

BE IT FURTHER RESOLVED that in the event that the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Watertown shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Manager thereof, and

BE IT FURTHER RESOLVED that the Mayor of the City of Watertown is hereby authorized and directed to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the City of Watertown with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all Project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project, and

BE IT FURTHER RESOLVED that this resolution will take effect immediately.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

Prior to the vote on the foregoing resolution, Councilwoman Burns asked Ms. Corriveau if the Streetscape improvements would be starting this Spring.

Ms. Corriveau stated that at this time the City Engineering department is in negotiations with the engineering firm to help us with the design. She added there is a meeting with the NYS DOT tomorrow morning to discuss that project and we hope to be moving forward this Spring. City Manager Corriveau remarked through the efforts of the Downtown Development Office, we have received the Main Street New York Grant which has leveraged \$25,000 towards this project.

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS the City Council of the City of Watertown has determined that it is in the best interest of the residents of the City to authorize the use of trash bins for City trash customers who elect to use them, and

WHEREAS the City Council has, by ordinance, established a quarterly rate for the trash bin service, together with an amount representing an appropriate deposit for the trash bins, and

WHEREAS the City Council has reviewed the attached “Trash Bin Agreement” to be entered into with any City resident desiring such service,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the “Trash Bin Agreement”, which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that said “Trash Bin Agreement” is hereby approved as the form City Agreement for the provision of trash collection services by the trash bin collection method.

**SECONDED BY MAYOR JOSEPH M. BUTLER AND CARRIED WITH ALL VOTING YEAS**

Referring to the foregoing resolution, Councilman Clough asked Mr. Hayes if we would be delivering the trash bins to the homeowners.

Mr. Hayes responded yes and explained the trash bin service and the billing procedures.

Mayor Butler questioned if the word was getting around concerning the small item pickup.

Mr. Hayes stated we are collecting more small items than we are getting telephone calls on.

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS GYMO, P. C., has made application for a Special Use Permit on behalf Don Davidson of Davidson Chevrolet to allow a car wash facility in the 1000 block of Coffeen Street, Parcel No. 8-29-103, and

WHEREAS the Jefferson County Planning Board was scheduled to review the request at its meeting held on December 23, 2002, pursuant to General Municipal Law Section 239-m, but was unable to establish a quorum at its meeting, leaving the local

Board free to make its final decision on the proposal, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on January 7, 2003, and recommended that the City Council of the City of Watertown approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on March 3, 2003, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2 and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow a car wash facility constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to Matthew J. Cervini of GYMO, P.C., on behalf of Don Davidson of Davidson Chevrolet to allow a car wash facility in the 1000 block of Coffeen Street, Parcel No. 8-29-103.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, FEBRUARY 3, 2003 AT 7:30 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

## **ORDINANCES**

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS the City Council of the City of Watertown has determined to provide trash bin service to any resident of the City desiring trash collection services by that method, and

WHEREAS the City Council of the City of Watertown desires to establish fees for service for the trash bin program, and

WHEREAS the City Council of the City of Watertown desires to adopt, by ordinance, a trash bin collection service and to establish the rates for those services and an amount of deposit to be made on any trash bin provided to its customers,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown, that Section 161-22 (C) of the Code of the City of Watertown shall be amended and renumbered to read as follows:

C. Preparation and collection of garbage and rubbish.

(1) City residents may contract with the City, upon a form to be prescribed by resolution of the City Council, for weekly garbage and rubbish pick up services by the City utilizing trash bins designed for that purpose. The quarterly cost for the trash bin pickup service and deposit required for the trash bins is established at Section A320-6 of the Watertown City Code.

(2) City residents otherwise utilizing the municipal garbage and rubbish pick up services shall be required to dispose of all garbage and rubbish in a disposable bag which must bear a City disposal sticker.

(3) In the event that a City resident decides to utilize a private garbage and rubbish pickup service, the resident is subject to the below-stated City enforcement collection fees in the event that the private pickup fails to remove the resident's garbage or rubbish and such garbage and rubbish is non-bagged as required by this section.

(4) Disposal bags cannot exceed 42 gallons. In no instance shall the bags be packed so as to contain more than 40 pounds of material. Collectible material must be properly sealed and presented and set at curbside no sooner than 7:00 p.m. on the day before scheduled collection and not later than 7:00 a.m. the day of scheduled collection. All non-bagged garbage and rubbish will be left and will be subject to prosecution as litter and also subject to a special collection fee, to be established by the City Council. Prosecutions for such litter shall subject the user to two additional fees.

(a) A charge of \$15.00 for the reinspection by the Department of Public Works.

(b) A per-bag charge of \$5.00 for each bag removed.

BE IT FURTHER ORDAINED by the City Council of the City of Watertown, that Section A 320-6 shall be amended to include the following fees in the following amounts:

Trash Bin Service:

32 gallon	\$39.00 per quarter
64 gallon	\$58.50 per quarter
96 gallon	\$78.00 per quarter

Trash Bin Deposit:

32 gallon	\$ 5.00 deposit
64 gallon	\$ 7.00 deposit
96 gallon	\$10.00 deposit

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED AS AMENDED**

**(UNANIMOUS CONSENT MOVED BY MOTION OF COUNCILMAN PETER L. CLOUGH AND SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

Prior to the vote on the foregoing ordinance Councilman Clough referred Council to page 2 of 2; paragraph 4 concerning the wording: non-bagged garbage and rubbish. He questioned if this would include a television or a grill. Mr. Clough added aren't we trying to push the stickers.

Ms. Corriveau stated any items with stickers would not be considered as litter. She continued that any bags or items left on the side of the trash bin would be considered as litter.

Councilman Clough questioned if we could make this ordinance any clearer other than all non-bagged garbage.

Attorney Slye stated the language came from the existing ordinance.

A discussion followed.

Eugene Hayes suggested Council use the wording all non-tagged instead of all non-bagged.

**MOTION TO AMEND THE ORDINANCE TO READ "ALL NON-TAGGED INSTEAD OF ALL NON-BAGGED" WAS MADE BY COUNCILMAN PETER L. CLOUGH, SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

After the vote to amend the foregoing ordinance, Councilman Clough referred to the \$15.00 charge for reinspection by the DPW and the \$5.00 per-bag charge for each bag

removed. He questioned Mr. Hayes on how we were handling the bags of litter that were on the street for sometimes weeks at a time.

Mr. Hayes explained those charges and stated this rule is not new but it has not been enforced in the past. He commented that if we had, you would have received many more calls.

Councilman Simmons questioned how rental property was handled. He asked who gets billed when a renter moves out and leaves bags of trash.

Ms. Corriveau stated we would continue to bill the landlord. She added it is the landlord's responsibility whether the trash is inside or outside and that policy won't change.

### **INTRODUCED BY COUNCILMAN PETER L CLOUGH**

BE IT ORDAINED where Daren L. Morgan, P.L.S., of LaFave White & McGivern, on behalf of TOPED Development, LLC, had made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the allowed use of a 7.61 acre portion of Parcel No. 8-40-101.101 located at the end of College Heights Drive in Planned Development District No. 1 from multi-family housing use to commercial use and

WHEREAS the Jefferson County Planning Board reviewed the proposed amendment request at its meeting held on January 28, 2003, pursuant to General Municipal Law Section 239-m, and

WHEREAS the Planning Board of the City of Watertown recommended that the City Council approve the requested amendment at its meeting held on January 7, 2003, and

WHEREAS the area which is sought to be amended is more particularly described as follows:

ALL THAT PARCEL of land located in the City of Watertown, County of Jefferson and State of New York, bounded and described as follows:

Beginning at a point in the west margin of College Heights Drive, said point being S 30 degrees 58 minutes 30 seconds W, 187.79 feet, S 16 degrees 13 minutes 20 seconds W, 109.86 feet and S 01 degrees 28 minutes 30 seconds W, 290.12 feet from an iron pipe in the northwest margin of College Heights Drive where the same is intersected by the south margin of Coffeen Street, and runs thence from the point of beginning along said west margin of College Heights Drive, the two following courses and distances: S 01 degrees 28 minutes 30 seconds W, 27.46 feet to an iron pipe; thence on a curve to the

right having a radius of 154.42 feet a distance of 94.63 feet to an iron pipe that is S 19 degrees 01 minutes 50 seconds W, 93.16 feet from the last described iron pipe; thence along the southwest end of College Heights Drive, S 53 degrees 43 minutes 30 seconds E, 50.00 feet to an iron pipe in the northwest line of lands of Community College Garden Apartments, Inc. (Liber 786 Page 140); thence along said line, on a curve to the right have a radius of 204.42 feet a distance of 36.47 feet to an iron pipe that is S 41 degrees 37 minutes 15 seconds W, 36.42 feet from the last described iron pipe; thence along the southwest line of Community College Garden Apartments, Inc. S 71 degrees 47 minutes 20 seconds E, 273.37 feet to an iron pipe at the southeast corner thereof and in the northwest line of lands of F.E.F. Inc. (Reputed Owner); thence along said line, S 20 degrees 53 minutes W, 361.90 feet to an iron pipe at the southeast corner of the parcel described herein and at a northeast corner of lands now or formerly owned by Fern E. Farquar (Reputed Owner); thence along the northeast line thereof, the three following courses and distances: N 69 degrees 06 minutes 45 seconds W, 491.82 feet to a concrete monument; thence S 29 degrees 27 minutes 45 seconds W, 13.29 feet to a concrete monument; thence N 58 degrees 43 minutes 05 seconds W, to and along the northeast line of lands of Sherwood Medical Company (Liber 1047 Page 269), 308.90 feet to a point in the former division line between the City of Watertown on the east and the Town of Watertown on the west; thence along said former division line, N 20 degrees 57 minutes E, 482.37 feet to a point in the existing division line between the Commercial Development area on the north and the Multi-Family Development area on the south; thence along said division line the three following courses and distances: S 28 degrees 23 minutes E, 196.10 feet to a point; thence S 89 degrees 08 minutes E, 259.74 feet to a point; thence S 88 degrees 31 minutes 30 seconds E, 88.86 feet to the place of beginning, containing 7.61 acres of land, more or less.

And,

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested amendment, and

WHEREAS a public hearing was held on the proposed amendment on February 3, 2003 after due public notice, and

WHEREAS the City Council has made a declaration of negative findings of the impacts of the proposed amendment according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the allowed use of a 7.61 acre portion of Parcel No. 8-40-101.101 located at the end of College Heights Drive in Planned Development District No. 1, as described above, shall be changed from Multi-Family Housing use to Commercial use, as shown on the preliminary site plan submitted to the City Engineer on December 24, 2002, and

BE IT FURTHER ORDAINED this Amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS**

**MOTION WAS MADE BY COUNCILMAN PAUL A. SIMMONS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, FEBRUARY 3, 2003 AT 7:45 PM**

**THE ORDINANCE “ADOPTING STANDARDS FOR THE ERECTION OF FENCES IN THE CITY OF WATERTOWN” WAS PRESENTED TO COUNCIL**  
(Introduced to Council on January 6, 2003;Laid Over Under the Rules; appears in its entirety on page 7 and 8 of the 2003 Minutes Book).

City Manager Mary Corriveau informed Council that a Public Hearing would have to be held on the foregoing ordinance.

**MOTION WAS MADE BY PETER L CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR TUESDAY, FEBRUARY 18, 2003 AT 7:45 PM**

**SECONDED BY COUNCILWOMAN ROXANNE BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE TWO (2) PUBLIC HEARINGS FOR THE 2003 CDBG BLOCK GRANT APPLICATION MONDAY, FEBRUARY 3, 2003 AT 8 PM AND TUESDAY, FEBRUARY 18, 2003 AT 7:30 PM**

**MOTION SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

Marlene Norfolk, City Assessor gave a presentation to the City Council on the Annual Reassessment Program with an update on its progress. She explained that it is a six-year plan which was started in 1999 and they are now in the fifth year of the plan. Ms. Norfolk remarked every year we have received certification and funding for meeting the standards for NYS under this plan. She explained the certification process. Ms. Norfolk referred to maps showing the different neighborhoods in the City during her presentation. Ms. Norfolk answered questions posed by Council concerning this program.

During the presentation there was a discussion concerning partial payment billing for taxes.

Mayor Butler stated this would mitigate the financial situation for the homeowners.

Mary Corriveau remarked the software the City has now won't accept partial payments therefore this would require some programming changes. She added that is something we would have to look into.

It was Council's decision to discuss this further at a work session.

Attorney Slye stated that if Council decided to go to an installment payment plan it would require significant revisions to our City Charter.

### **Restoration of the Public Square Fountain Statue**

City Council discussed the costs involved and the two different methods to be used by both Robinson Iron and Joseph Avola for the repair of the fountain statue.

Mary Corriveau stated the City Staff is very comfortable with Mr. Avola. She added Mr. Avola had a video showing the pieces he has done which could be purchased through Channel 7.

Mayor Butler stated it is an excellent opportunity for the community of Cape Vincent to help the City of Watertown. He continued this might spur others to get involved with our beautification projects.

Councilman Clough remarked that he has seen Mr. Avola's work and it is excellent. Mr. Clough stated that Mr. Avola would be supervising the inmates doing the work.

Councilman Smith requested the Engineering department look at the fountain and give their input on the repair.

Councilman Simmons asked Mr. Hayes if the DPW could do the installation.

Mr. Hayes stated that he believed it was within their capabilities.

Councilwoman Burns remarked it was very commendable that Mr. Avola and the Correctional Facility would want to take this project on. She continued she is familiar with his work and she agreed with Councilman Smith having the Engineering Department's input as well as the Planning Department's.

Mayor Butler stated he would like to get this process moving so the fountain could be up by the end of June.

Ms. Corriveau remarked we can discuss this with the Engineering Department and Council can address this issue once again at a work session.

### **Filling of Vacant Positions**

Ms. Corriveau stated earlier this year she asked Council about a vacant position of Tree Trimmer. She added that position has been filled with a person inside from the Parks and Recreation Department. City Manager Corriveau requested the Council's permission tonight to fill two positions; Motor Equipment Operator Heavy-Roads/Snow and Parks and Recreations Maintenance Worker.

It was the Council's decision to go ahead and fill those vacant positions.

### **Transit Bus Pre-Inspection**

Ms. Corriveau informed the Council that Mr. Cleaver and other City staff would be traveling to Oriskany, New York on February 4, 2003 to do a pre-inspection of the new transit buses. She added if everything goes well, we should have our new buses within one week.

Ms. Corriveau stated we could then start selling advertisements on our new buses.

### **FDRLO Presentation**

Ms. Corriveau informed the Council they were invited to a presentation concerning the Army's Residential Communities Initiative. She continued this meeting would be held on Thursday, January 30, 2003 at 7:00 p.m. in the Jules Center Amphitheater Room at JCC. Ms. Corriveau reiterated that their attendance was very important to hear what this process was going to be and the impact that it was going to have on the North Country and the City of Watertown.

### **Budget Preparation Forms**

Ms. Corriveau stated they had their first Capital Budget meeting today. She asked that Council submit their goals and objectives as well as any budget items.

### **EDZ Recommendations**

Mayor Butler stated that Council had before them the Empire Zone Board additions but he wasn't going to make any recommendations tonight. He informed Council this might be the last good opportunity they would have to add any parcels if they so desired. Mayor Butler questioned when they would hear back from Albany.

Councilman Simmons commented they have been working on other applications that have come down. He added this one was waiting on what Council decided tonight. Councilman Simmons continued there would be an Empire Zone Committee meeting

tomorrow and continued they would discuss the decisions made by Council tonight and then contact Mr. DeMaggio. He stated it would probably be a minimum of 45 days to hear back from Albany. Councilman Simmons remarked that Mr. DeMaggio's recommendation was for Council to keep the additions as small as they could. He added this was the first he had seen the list and questioned who made it up.

Mayor Butler commented that the Planning Department did.

Councilman Clough commented that the Council's input on the zone expansion in the City hadn't always been accepted in the past. He remarked he would wait until they heard back from Albany.

Councilman Smith questioned if the City Council voted the zone amendments down, would the new applications next year fall under the 75/25 Rule.

Councilman Simmons commented yes and continued the new rules hadn't been totally finished.

Mayor Butler informed the Council there was not enough land to allocate to include the entire City.

Councilman Simmons commented that Council should make sure they saved enough acreage in case there was an industry that wanted to come in.

Councilman Smith questioned how much acreage would be left over in the land bank if this zone amendment didn't go through.

City Manager Corriveau remarked she believed it to be between 380-400 acres.

Councilwoman Burns commented she wasn't going to make any recommendations tonight. She continued she wanted a clarification on this discussion of whether to make any additions or deletions since the plan has already been sent to Albany. She stated the Town of Watertown Town Board passed a resolution supporting the plan at our last work session. Councilwoman Burns questioned if there were any recommendations brought forward tonight, how did they fit into that process.

Mayor Butler commented the Town of Watertown went on record at our last work session saying they would support any modifications made in the City for additions. He questioned if they would support any deletions made by the Council. Mayor Butler added he also believed the Empire Zone Board would support additions in the City but stated Councilman Simmons would know better on that.

Councilman Simmons remarked he believed they would support the City Council. He added Mr. DeMaggio was holding the window open for a short time. Councilman Simmons addressed Councilman Smith commenting there would be 320 total acres in the land bank if the zone amendment was voted down. He again reminded Council of the

Empire Zone Board Committee meeting at 4:00 pm tomorrow concerning the boundary amendments if anyone wanted to attend.

Councilwoman Burns questioned why there would be a meeting on the boundary amendments when the list has been sent to Albany. She continued what would be accomplished by any City Council member attending a meeting tomorrow making a recommendation for boundary amendments.

Councilman Simmons stated that you could ask any questions you might have about a particular business.

Councilwoman Burns reiterated that she didn't feel that was the approach to take by discussing individual businesses.

Councilman Simmons commented the boundary amendments have been sent to Albany. He added the Empire Zone Board Committee thought it would be important for anyone who had questions to attend this meeting. He continued that they have made themselves available straight through this whole process.

Councilwoman Burns commented she was aware Council was free to attend these meetings at any time and ask questions. She questioned if the recommendations on the boundary revisions were still in the works even though the list has been sent to Albany.

Councilman Simmons commented we wanted to make sure we were ready when it comes back from Albany. He continued that no Council member has attended any of the Empire Zone Committee meetings. He added that any input has been through Mayor Butler.

Councilman Smith commented that he believed the object of appointing Councilman Simmons to the Board was to have a liaison to take back the Council's concerns. He continued if there was a need for Council to attend these meetings then there was no need for a liaison.

It was the decision of the City Council not to make any recommendations to add parcels at this Council meeting.

Mayor Butler commented he saw no need to discuss the Empire Zone recommendations at the next work session.

### **Snow Plowing**

Councilman Clough discussed complaints he had received with Mr. Hayes on the cutting back of snow banks on the North and South sides of the City. He remarked he didn't have any problems with the City streets but he had concerns with the banks being cut back too far with snow and ice being pushed onto the sidewalks and into the driveways. He questioned when the rest of the City snow banks would be cut back. Councilman

Clough continued he believed the streets should be taken care of before the snow was removed from the public parking lots.

Eugene Hayes, Superintendent of Public Works commented the public parking lots have always been a high priority. He explained they could change procedures but cautioned against it. Mr. Hayes explained the snow plowing operations. He stated that they have to plow the banks back before they freeze or the roads would narrow. Mr. Hayes commented the banks are only being pushed back to the curb and added the banks are being done today in the residential area.

Councilman Simmons commented he had a call from Breen Avenue. He commented the banks were so high at the corners the people were having a hard time getting out. He asked Mr. Hayes to take a look at that area. Councilman Simmons commended the DPW for keeping the streets clear.

Councilman Smith commented that as a reminder he would like to see more emphasis on the intersections. He continued he has had a few calls concerning this.

Mr. Hayes reiterated that we stress that now and he continued to explain this.

### **Black River Vision Project**

Mayor Butler explained this was a \$30,000 Grant approved by the Governor last June. He explained there would be 17 SUNY graduate students from the Environmental Science and Forestry coming here for a series of public meetings. Mayor Butler commented their mission was to come up with not only a vision for recreation on the Black River but also give a thorough strategic plan with goals and objectives. He continued it was a matching \$15,000/\$15,000 of which \$2,000 was in-house.

City Manager Corriveau asked if this was part of a Grant applied for with the Thompson Park Conservancy.

Mayor Butler responded no. He continued to explain that he did a review of the Black River Grants over the weekend. He added if Council wanted any more information, he would provide it for them.

### **Bennett Associates/Interviews**

Councilman Smith informed the Council he had requested Mayor Butler to include Mike Renzi in the interview process with Bennett Associates. He explained that young Mike Renzi works in management of Renzi Brothers and employs many people in this community.

Mayor Butler commented that Mr. Renzi had been contacted.

City Manager Corriveau commented Mr. Renzi has indicated that he would be out of town at that time.

**Snow Plowing**

Howard Sprague asked Mr. Hayes how long it took to plow the City. He commented he had been on many streets by 2:30 pm and they hadn't been plowed yet. He continued that it seems we are paying more in taxes and getting less.

Mr. Hayes commented this was a very complicated question and there were so many variables. He continued in the perfect storm, with no traffic on the road, and no snow after 8 o'clock at night, we should be in good shape by 8 o'clock the next morning.

**ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:55 PM BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILWOMAN BURNS WITH ALL VOTING IN FAVOR THEREOF**

-----  
Carol J. Van Dusen, Deputy City Clerk