

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
March 1, 2004
7:00 P.M.**

MAYOR JEFFREY A GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
MAYOR GRAHAM**

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

City Manager Corriveau presented the following reports to the Council:

- 1 – Finding that the Demolition of 29-39 Public Square (a Portion of the Iron Block) Will Not Have a Significant Impact on the Environment
- 2 - Accepting Bid for Iron Block Demolition
- 3 - Finding that the State Street Infrastructure Improvement Project Will Not Have A Significant Negative Impact on the Environment
- 4 - Authorizing Submission of an Application for Fiscal Year2004 Small Cities Community Development Block Grant Funding
- 5 - Authorizing Application for Grant, NYS Department of Criminal Justice Services, Store & Forward Expansion Project
- 6 - Authorizing the Issuance of \$328,000 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Demolition of Structures Located on Public Square, Which Are Either presently City-Owned or to be Acquired by the City, In and For Said City
- 7 - Ordinance Authorizing the Issuance of \$1,977,000 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay the Additional Costs of the Reconstruction of the Pearl Street Bridge, In and For Said City
- 8 – Ordinance Authorizing the Issuance of \$45,000 Serial Bonds of the City of Watertown, Jefferson County, New York to Pay the Cost of the Purchase and Installation of a Prefabricated Press Box to be Located at Mid-Field at the Fairgrounds Multi-Purpose Field In and For Said City

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 February 17, 2004 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Bradley and carried with all voting in favor thereof.

COMMUNICATIONS

From the Miss New York State Organization requesting \$5,000 in funding.

ABOVE PLACED ON FILE

From Attorney Joseph Lamendola on behalf of Preservation Watertown, asking that the SEQRA review on the Iron Block property be adjourned until the next Council meeting.

ABOVE PLACED ON FILE

From Stephen Yaussi urging Council to vote against the demolition of the Iron Block.

ABOVE PLACED ON FILE

From Preservation Watertown urging Council to delay voting on the contract for demolition of 29-39 Public Square to allow time for an adequate analysis of alternatives to demolition.

ABOVE PLACED ON FILED

From the City Assessor advising Council that the following persons have offered to negotiate the sale and purchase of the following described City owned properties:

Edward Demattia 313 Hamilton Street South	Lot: 317 Hamilton Street South Parcel Number 12-09-405 Lot Size: 51' x 115' approximately
Billy & Debra Beach 320 High Street	Lot: 316 High Street Parcel Number 6-06-125 Lot Size: 66' x 112' approximately
Carlos Vazquez P O Box 46 Peekskill, NY	Lot: 635 Olive Street Parcel Number 6-07-212 Lot Size: 50' x 90' approximately
Richie Brown 155 Union Street	Lot: 225 Rexford Place Parcel Number 10-05-107 Lot size: 56' x 90' approximately
Glenn Armstrong 507 Factory Street	Lot: Vacant Lot Factory Street Parcel Number: 6-05-304 (part of) Lot Size: 63' x 80' approximately

ABOVE PLACED ON FILE

Claim against the City was received from the Watertown Lodge No. 496 for damage to their cellar as a result of a blockage in the sewer pipe from Bradley Street.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

Sam Thomas, Winslow Street, addressed the chair reading from a prepared statement urging Council not to demolish the Iron Block. Mr. Thomas outlined the history of the building and the fact that it is an important part of downtown's historic district.

Brian Gorman, Preservation Watertown, addressed the chair requesting a delay in the demolition vote. He stated that the Iron Block is an integral part of downtown and if it is demolished the City would not only lose the buildings, the City also would not have the chance for historical funds which would be available through federal and state governments. Mr. Gorman referred to the letter from the New York State Office of Historic Preservation and stated that he feels the letter should be discussed and an analysis done before any demolition is voted on. He stated that Preservation Watertown would help work with the Council and would help do fundraising for the stabilization effort.

Mary Clemo, 1161 State Street, addressed the chair asking how the City could demolish a building that they don't own. She also asked what the City was going to offer Mr. Capone for the building and if it was true that the City offered Mr. Capone a tax write off as a charitable donation to the City if he turns the building over to them. She asked how this could be done and if it had been done in the past.

Steven Perry, 1226 Madison Avenue, addressed the chair urging Council not to demolish the Iron Block and to look at communities such as Glens Falls, Sackets Harbor and Kingston, Ontario, which have real pride and foresight from within their communities.

Deryl Johnson, Chaumont, addressed the chair urging council to hold off on the Iron Block demolition and asking them to read the recent Image of America book on the history of Watertown. She stated that Preservation Watertown wants to work cooperatively with the City to preserve the history of the community for future generations.

Carol Parker, former resident of Watertown, sang her own arrangement of "Big Yellow Taxi" with lyrics pertaining to the Woodruff Hotel and the Iron Block.

Laura Lynne Scherer, 142 Mechanic Street, addressed the Council urging as delay in the action to demolish. She referred to the impact caused by the demolition of the

buildings and the fact that it would be the entire population of Jefferson County that would be impacted by it. She said people object to the demolition because of the historic quality of the buildings, financial reasons and costs incurred in the demolition and also for personal reasons.

Kay VanBrocklin-Harrienger, 123 Keyes Avenue, addressed the chair also urging Council not to demolish the Iron Block. She explained that she and her husband have restored a home that had originally been condemned on Keyes Ave.

Rosemary Russell, 408 Franklin Street, addressed the chair also asking that the buildings be saved. She stated that once they have been taken down, the memories are gone also and there is nothing to replace them.

PUBLIC HEARING

AT 7:30 P.M., MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE CITY'S APPLICATION FOR THE SMALL CITIES CDBG FUNDING FOR THE FY 2004.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING OPEN.

Mr. Mix explained that the reason for this hearing is to gain input and comments on how the program has worked so far and to obtain suggestions for the upcoming round of grant funding. He referred to his memo and the handout sheet and explained that they would probably not be looking at rental rehab in this phase of the program. He also explained about monies being earmarked for materials for use by World Changers when they come to rehab properties in the City.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING CLOSED AT 7:39 P.M.

R E S O L U T I O N S

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City Council of the City of Watertown, New York is considering demolition of 29-39 Public Square (aka a portion of the Iron Block), and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Quality Review Act, and the regulations promulgated pursuant thereto, and

WHEREAS the proposed project would constitute an Action, and

WHEREAS the City Council has determined that the proposed project is a Type I Action, as that term is defined in NYCRR Section 617.2, and

WHEREAS no other involved agencies have been identified so a coordinated review is not necessary, and

WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part I of a Full Environmental Assessment Form has been prepared by City Staff, 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:

1. The City Council is hereby established as the lead agency for the project for the purpose of making a determination under the State Environmental Quality Review Act.
2. Based upon its examination of the Full Environmental Assessment Form and comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and this proposed project will not have a significant effect on the environment.
3. The Mayor of the City of Watertown is authorized to execute a Negative Declaration on behalf of the City Council.
4. This resolution will take effect immediately.

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

Prior to the vote on the foregoing resolution Council answered the questions on the SEQRA form as follows:

1. While they felt that there would be a physical change to the project site, none felt that it would have any negative impact.
2. Council answered no to this question concerning landforms.
3. Council answered no to this question concerning protected water body.
4. Council answered no to this question concerning non-protected water body.
5. Council answered no to this question concerning surface or ground water.
6. Council answered no to this question concerning drainage flow.
7. Council answered no to this question concerning air quality.
8. Council answered no to this question concerning endangered species.
9. Council answered no to this question concerning non-endangered species.
10. Council answered no to this question concerning agricultural land resources.
11. Council answered yes to the affect on aesthetic resources under bullet number 2, “proposed land uses, or project components visible to users of aesthetic resources

- which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.” Council agreed that this particular section would have the potential for large impact (discussed later under section 3 of the form)
12. Council answered yes to the impact of historic importance under bullet number 1, “proposed action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places”. Council agreed that this particular section would have the potential for large impact (discussed later under section 3 of the form).
 13. Council answered no to this question concerning the quality of open spaces.
 14. Council answered no to this question concerning the unique characteristics of the area.
 15. Council answered no to this question concerning the transportation systems.
 16. Council answered no to this question concerning the sources of fuel or energy.
 17. Council answered no to this question concerning the odors, noise, etc.
 18. Council answered no to this question concerning public health and safety.
 19. Council answered yes to the affect on the character of the existing community under bullet number 5, “proposed action will replace or eliminate existing facilities, structures or areas of historic importance to the community.” Council agreed that this particular section would have a small to moderate impact.
 20. Council answered yes to this question concerning public controversy.

Council asked Mr. Mix to clarify the historic status of the Iron Block.

Mr. Mix explained that it is within the Public Square Historic District and is listed as contributing buildings to the district. The significance of losing contributing buildings has to be looked at as what affect it has on the district as a whole. He stated that Council must determine if the Iron Block is significant to the district. He also commented on the affect of removing more and more buildings from the district. Mr. Mix explained that the buildings in the district are on both the State and Federal Historic Registers and were nominated by the City Historian in the 1980’s to be placed on these registers. Mr. Mix explained that the State was contacted so that they would be aware of what was going on. The City and this State office work closely together on numerous projects.

Ms. Scherer commented that out of the 61 original buildings in the district, ten have been demolished, not counting the Iron Block.

Councilwoman Burns asked Mr. Mix about the SEQRA that was done on the American Hotel and the fact that the demolition was listed as small to moderate impact.

Mr. Mix remarked that while he couldn’t answer as to whether the particular question was listed as small to moderate, he does remember that there wasn’t a lot of discussion about it at the time.

Councilman Clough asked if there was a follow-up to the letter by the City.

Mr. Mix remarked that no follow-up was necessary as it was just an opinion letter.

Councilman Clough asked if anyone had stepped forward with \$90,000 for stabilization or if anyone had tried to acquire the option for the property from the Watertown Trust.

Mrs. Corriveau stated that she and Mr. Mix had met with Mr. Beasley, Mr. Thomas and Mr. Smith on January 22nd and discussed the option. However, no one took any action on it.

Councilman Clough asked Attorney Slye to explain the Capone building situation.

Attorney Slye explained that Mr. Capone told him that he would give the City a quit claim deed. At that time, the deed and the tax lien will merge and the lien is discharged as a matter of law. Attorney Slye also commented that Mr. Capone's decision on how he reports it to the IRS has nothing to do with the City of Watertown. It is entirely up to him and his accountant on how he handles it. He also remarked that if the City takes the title in June for non-payment of taxes, whoever buys it would be buying a building that has already been condemned by Codes.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS LEGAL ADVICE MADE CONFIDENTIAL BY FEDERAL OR STATE LAW.

MOTION WAS SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Council moved into Executive Session at 8:12 p.m.

Council reconvened at 8:16 p.m.

Council then moved to part 3 of the form, Evaluation of the Importance of Impacts. They answered the questions concerning each one of the previous areas (11, 12 and 19) by discussing the probability of the impact occurring, the duration of the impact, its irreversibility, including the permanently lost resources of value, if any, whether the impact can or will be controlled, the regional consequence of the impact, its potential divergence from local needs and goals and whether known objections to the project relate to this impact.

Councilwoman Burns commented that Council needs to look at how the buildings relate to the rest of downtown. They have been condemned and are an eyesore. She stated that the demolition would be for the removal of blight. She remarked that she has received many complaints concerning the boarded up façade. She stated that in her opinion, it is not a negative impact. In addition, she commented that the City needs to look at the space as to the potential that it could have. She stated that while some people will be upset, the Black River is the future of Watertown and we need to move forward.

Councilman LaBouf concurred with Councilwoman Burns about her comments on the Black River and remarked that for many years there have been discussions about how to link the City and the Black River. He stated that we need to look at the positives in development of the site.

Mayor Graham commented that it is imperative upon the City administration to have a plan for the site whether it be landscaping or passage to the J.B. Wise lot or some other plan.

Councilwoman Burns commented that to offset the negative impact, the City would be opening up the site to view the Black River. The City also has plans relative to the T21 grant that would involve that area of downtown.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City Purchasing Department advertised and received sealed bids for the asbestos abatement and demolition of the Iron Block buildings located at 29, 31, and 35 Public Square, and

WHEREAS invitations to bid were issued to 21 prospective bidders with 11 bids being received and publicly opened on Thursday, January 22, 2004, at 11 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids with City Planning & Community Development Coordinator and Edward Olley, Jr., of GYMO, and are recommending that the City Council accept the bid of Ritter & Paratore Contracting, Inc., of Utica, New York, in the amount of \$218,849, as the lowest qualifying bid meeting City specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid of Ritter & Paratore Contracting, Inc., of Utica, New York, in the amount of \$218,849 for the asbestos abatement and demolition of the Iron Block buildings located at 29, 31 and 35 Public Square.

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

Prior to the vote on the foregoing resolution, Councilman Clough asked about the City's responsibility to the Cam's Pizza building and the fact that the City would not be responsible for the rear of the building.

Mrs. Corriveau advised Council that the City is photographing the current condition of the building. The back of Cam's is in a triangle shape and it doesn't touch the back of the Iron Block buildings. She also explained that there is funding to do repairs to the exterior walls of Cam's once the building is down.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City Council of the City of Watertown, in conjunction with the New York State Department of Transportation, is considering the reconstruction of State Street, and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Quality Review Act and the regulations promulgated pursuant thereto, and

WHEREAS the proposed project would constitute an action, and

WHEREAS the City Council has determined that the proposed project is an Unlisted Action as that term is defined in 6NYCRR Section 617.2, and

WHEREAS the action will not receive a coordinated review, and

WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by the project engineer, Clough Harbour & Associates, 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:

1. Based on its examination of the Short Environmental Assessment Form and comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and this proposed project will not have a significant negative effect on the environment.
2. The Mayor of the City of Watertown is authorized to execute a Negative Declaration on behalf of the City Council.
3. This resolution will take effect immediately.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS federal grant funding is available through the New York State Governor's Office for Small Cities (GOSC) to support local community development activities that are undertaken by eligible municipalities, and

WHEREAS the City of Watertown is eligible to apply for funding in the Fiscal Year 2004 competition under the Small Cities Community Development Block Grant (CDBG) Program, and

WHEREAS it has been determined that such funding should be used for a single purpose program to support a city-wide housing rehabilitation activities, and

WHEREAS this proposal has been considered at two public hearings conducted by the City Council on February 2 and March 1, 2004,

NOW THEREFORE BE IT RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized to sign and submit an application for Community Development Block Grant funding for consideration in the Fiscal Year 2004 Small Cities, and

BE IT FURTHER RESOLVED the Mayor is authorized to sign all agreements, certifications and other documents required to complete the applications and to accept grants and administer the programs that are to be proposed for CDBG funding.

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the New York State Department of Criminal Justice Services initiated a request for applications from eligible Police Departments to participate in the NY State Store & Forward Expansion Project grant funding, and

WHEREAS funding for the project is from Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne Formula Grant Program), administered by the United States Bureau of Justice Assistance, Office of Justice Programs, and

WHEREAS the program is designed to expand the use of cardscan/livescan equipment for the electronic capture and transmission of arrest data, fingerprint images and mugshots to New York State DCJS and the integration of fingerprint scanning technology into local police department's records management systems, and

WHEREAS the proposed Watertown Police Department project would include the acquisition of hardware and software associated with implementing the Livescan Store & Forward system, and

WHEREAS the total cost of the project is \$46,645 Federal funds will account for 75% of the project costs, totaling \$34,984, with the City of Watertown providing the 25% matching funds totaling \$11,661,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and directs City Manager Mary M. Corriveau to execute

the New York State Department of Criminal Justice Services grant application in the amount of \$46,645 for the purchase of Livescan equipment and software on behalf of the City of Watertown.

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

Prior to the vote on the foregoing resolution, Lt. Wells addressed the chair explaining the grant application, which would allow for the acquisition of hardware and software associated with implementing the Livescan Store and Forward System. The system will integrate with the Department's new Police Records Management and Field Reporting system to allow for full computerized booking processes with little or no duplication of information or effort. The department's arrest data, fingerprint and mugshot images will be processed electronically from the City P.D. computer server to the Store & Forward Host Agency, the Onondaga County Sheriff's Department, for final transmission to DCJS and then the FBI.

ORDINANCES

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project,

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the demolition of structures located on Public Square, which are either presently City-owned or to be acquired by the City, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$328,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$328,000 and that the plan for the financing thereof is by the issuance of the \$328,000 serial bonds of said City authorized to be issued pursuant to this bond ordinance; provided, however, that the amount of serial bonds ultimately to be issued will be reduced by the amount of any State and, or Federal aid received by said City for such class of objects or purposes.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 12-a of paragraph a of Section 11.00 of the Local Finance Law, as each structure to be demolished shall have been determined to be no longer of any use or value or dangerous or detrimental to human life, health or safety.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to

impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

(Unanimous consent moved by motion of Councilwoman Burns, seconded by Councilman Bradley and carried with all voting in favor thereof)

Commenting on the foregoing ordinance, Mayor Graham commented that it is incumbent upon the City to have plans that go beyond a vacant lot covered with crushed stone.

Councilman Bradley suggested putting a time limit on the development for the plans.

All Council members agreed that there needs to be a plan put in place.

Councilwoman Burns commented that it would be prudent to have a plan in an effort to overcome the negativity. She suggested that City staff could look into it.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by bond ordinances dated November 15, 1999 (Ordinance No. 10) and May 7, 2001 (Ordinance No. 1), the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$80,000 and \$543,000 serial bonds, respectively, of said City to pay expenses in connection with the reconstruction of the Pearl Street Bridge, including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforesaid reconstruction is \$2,600,000, and increase of \$1,977,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of \$1,977,000 serial bonds of said City to finance additional costs of said specific object or purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the reconstruction of the Pearl Street Bridge, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,977,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is \$2,600,000, and that the plan for the financing thereof is as follows:

- a. by the issuance of the \$80,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated November 15, 1999;
- b. by the issuance of an additional \$543,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated May 7, 2001; and
- c. by the issuance of an additional \$1,977,000 serial bonds of said City to be issued pursuant to this bond resolution; provided, however, that the amount of serial bonds ultimately to be issued will be reduced by the amount of any State and, or Federal aid received by said City for such specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law, calculated from May 31, 2001,

the date of issuance of the first obligations issued for the aforesaid specific object or purpose. It is hereby further determined that maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and,

accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Mayor Graham asked about the startup time for this project.

Mrs. Corriveau advised that pre-construction meetings begin this month.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the purchase and installation of a prefabricated press box to be located at mid-field at the Fairgrounds Multi-Purpose Field, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$45,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$45,000 and that the plan for the financing thereof is by the issuance of the \$45,000 serial bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED
WITH ALL VOTING YEA EXCEPT COUNCILMAN LABOUF VOTING NAY**

Prior to the vote on the foregoing ordinance, Councilman LaBouf asked if a presentation had been previously been given to Council. He commented that \$45,000 seems very high for a press box.

Councilman Clough explained that this project had been approved in the 2002-03 capital budget. At that time a lengthy presentation and discussion occurred.

Mrs. Corrieau explained that the original wooden structure had been deemed unsafe by Codes and last year a portable press box was brought in and used on a trailer. The costs would be for the press box, foundation, infrastructure including water/sewer lines and electric. In addition, the press box could house concessions. She explained that the City has not selected a vendor for the press box. However, we have to make sure the bonding is in place prior to starting the project.

Councilman LaBouf commented that as the City continues to bond, we must remember that our children will be paying for these things. He suggested that this would be good project for a fundraising effort.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

City Manager Review

Mayor Graham explained that the evaluations had been completed for the review of the City Manager. He has reviewed them with Mrs. Corriveau. He explained that the Council gave Mrs. Corriveau high marks on professionalism, integrity and attention to detail. He asked that a motion be made to accept the evaluations.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO ACCEPT THE EVALUATIONS OF THE CITY MANAGER COMPLETED BY EACH COUNCIL MEMBER AND TO HAVE THE EVALUATIONS FILED IN THE OFFICE OF THE CITY CLERK.

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

Miss New York State Organization

Councilwoman Burns remarked that she supports the request as it brings lots of people into the community for a weeklong event. However, she would like to see the event promoted better through advertising by the T.I. Council and the Greater North Country Chamber of Commerce.

Mrs. Corriveau explained that \$5,000 has been earmarked in the publicity account for the pageant. She will prepare the necessary paperwork for the next meeting.

Meeting with Jefferson County

Mayor Graham advised the Council that the County would like to have a meeting with City administration and a representative from the Council on Thursday at 5 p.m. Mayor Graham asked Councilman Clough to be the representative.

Mayor Graham then discussed the need for having legal representation present. After Council discussion, it was agreed that it wouldn't be necessary to have legal representation at this meeting, as it appears to be just a preliminary meeting.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:00 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk