

**COUNCIL WORK SESSION
CITY OF WATERTOWN
March 13,2006
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**

Self Funded Health Insurance Annual Update

Terry Dowd, Senior Vice President and Chief Financial Officer of POMCO, presented the Council with the self-funded health insurance annual update. He outlined the drug plan expenses as well as major medical, outpatient and inpatient hospital services. He compared total dollars spent for the last six months in 2004-05 and 2005-06. He also explained that while there is a projected increase of 16%, if it is factored in with the decrease of last year, the increase is approximately 7%.

Mayor Graham remarked that the projection is disturbing and mentioned that a family plan would cost \$2,000 more.

Mrs. Corriveau explained that the fact that the projection goes up doesn't mean a 16% increase in premiums. She explained that the expenses in the plan have remained flat for two years in a row and they are looking at a 7% increase in the upcoming budget. Mrs. Corriveau also advised that the City as well as the employees contribute to the plan.

Councilman Smith asked if what Mr. Dowd was speaking about was a 16% increase in the money paid out compared to the money paid out last year, not compared to the budget.

Mr. Dowd stated that this was correct.

Mrs. Corriveau explained that they had raised rates in 2003-04 by 12% and that level stayed the same in 2004-05. She stated that there will be an increase this year, but there are monies in the plan to pay the expenses.

Councilman Smith asked about the types of claims that exceed \$25,000.

Mr. Dowe explained that emergency room visits, lab work, outpatient services and radiation therapy are up.

Councilman Smith asked about the way inpatient services are paid.

Mr. Dowd stated that most are DRG based.

Councilman Smith asked how the comp claims are factored into this.

Mrs. Corriveau explained that the comp claims are not in this. The City is self insured for compensation claims.

City Planning Board

Planning Board members met with City Council to discuss site plan review as well as other matters.

Mr. Norman Wayte, Chair of the Planning Board, explained that the board would like to take on more responsibility and would like to be able to make the final determination of site plan review instead of it coming to the Council after the Planning Board has already reviewed it. He also explained that the members would like to attend more training. He asked for input from the Council.

Mayor Graham remarked that he appreciated all that the board does. He remarked that he realizes there is a lot of thought that goes into each decision and many times, it is not an easy decision to make. He commented that people like to go to a body of elected officials, such as Council to express their concerns on these types of matters. This gives the people ability to influence by their vote on Election Day.

Mr. Wayte commented that by allowing the Planning Board to make the final decision, it would give the board more credibility. He also commented that one of the visions that the board has is that Washington Street should be healthcare services, which would have a low impact on the area. He remarked that the board felt that neighborhood business and commercial is not the best way to go on the street.

Mayor Graham observed that controversy is, in some cases, part of the site plan review process. He commented that when Council looks at each site plan, they could only look at the plan in a very narrow sense. He also commented that there has been absolutely no suggestion that Walgreens will be placed on the block between Thompson Boulevard and Green Street.

Attorney Slye advised that site plan approval is entirely different than special use permits or zoning. He explained that when Council considers special use permits, they do so as an administrative body. If an applicant meets the site plan review, they are entitled to a site plan approval. He questioned why the City goes the extra step in asking Council to approve the site plan. He explained that most municipalities have Planning Boards that make the final determination, as well as doing the SEQRA reviews. He mentioned that one of the gaps in City's site plan process is that no public hearings are held.

Mr. Wayte commented that the board does allow people to speak at each board meeting. He commented that he does realize that this will take a transition.

Discussion centered on the muffler shop located on Arsenal Street and the controversy that occurred there.

Mr. Wayte explained that the board's role was to keep to the site plan review and stay away from personal agendas that some of the homeowners in the area had. He stated that Munro Muffler went above and beyond the call of duty in meeting the site plan. He stated that the board had to take all the emotions out of it and just look at the facts.

Mayor Graham asked what someone who had not been approved by the Planning Board could do.

Attorney Slye stated that they could sue. He explained that the decision has to meet the legal standards and cannot be arbitrary and capricious.

Councilman Smith asked who has the responsibility for enforcing the requirements if the Planning Board does have the final determination.

Attorney Slye stated that Code Enforcement has that responsibility. He also commented that conditions of a site plan are continuing conditions.

Mrs. Corriveau commented that Code Enforcement would be responsible for enforcing the requirements whether it was approved by Council or by the Planning Board.

Councilman Clough discussed the issue of the truck deliveries at Munro, as well as the salt pile issue.

Councilman Smith remarked that he sees the benefit of the Planning Board performing the administrative function for site plan review. He asked if there was a down side.

Attorney Slye commented that he is not aware of any. However, it is something that Council would have to approve.

Councilman Clough remarked that Council's determination on a site plan is looked at as a relief valve by a lot of people.

Mr. Mix commented that there is no basis for this, as Council shouldn't be seen as an appeals board. He commented that a lesson was learned from the muffler show site plan and that was that we shouldn't tell them how to operate their business. He also commented that imposing an operational requirement in a site plan is a bad idea.

Councilman Smith commented that it would have made a big difference if the building had been turned to face Arsenal Street.

Attorney Slye advised that when people purchase commercial property, they are entitled to do what the zoning law states that they can do. He remarked that we need to fix something so that in the future, garage doors are not allowed to be facing residences.

Councilman Smith questioned if Council could have denied the site plan and insisted on having the building moved 45 degrees.

Mr. Mix explained that the site was not large enough to have this done.

Mayor Graham wondered if the duties currently being done by the board could be done by the City Planner.

Mr. Mix responded that the Planning Dept. and the Planning Board have two different roles and have to be kept separate.

A short discussion was held relative to vision and land use plans.

Attorney Slye explained that some of these issues, such as examining certain areas of the City for developing in certain ways, are more for a Planning Commission than for a Planning Board.

Councilman Bradley remarked that Mr. Kehoe, who purchased property on Franklin Street, was well within his bounds to do what he wanted to with the site at that time. However, the Planning Board didn't allow it because they didn't think it was "pretty". In that case, the board went from being administrative to being visionary.

Mayor Graham commented that the health service district designation was thought up after the fact.

Mr. Mix remarked that the land use plan was adopted as a guideline for future zone changes.

Mr. Wayte asked if there was a possibility of exploring the board's suggestions. He also commented that he liked the idea of a commission, as he knows there are some problems with zoning issues that need to be addressed.

Mayor Graham asked for a report on how a commission is set up and what the scope of the commission would be.

The work session ended at 8:47 p.m.

Donna M. Dutton
City Clerk