

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
March 18, 2002
7:00 P.M.**

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 JERRY C. HILLER
ASSISTANT CITY MANAGER MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

Assistant City Manager Mary M. Corriveau presented the following reports to the Council:

- No. 1 - Amending Supplemental Benefits for Employees Ordered to Active Duty in Connection with the Attacks of September 11, 2001.
- No. 2 - Accepting Bid for Spring Tree Planting, Island Tree Company
- No. 3 - Authorizing Application for AIP Grant, Watertown International Airport, Access Road Rehabilitation Design
- No. 4 - Authorizing Application for AIP Grant, Watertown International Airport, General Aviation Apron Rehabilitation Design
- No. 5 - Authorizing Application for AIP Grant, Watertown International Airport, Security Entry System
- No. 6 - Authorizing Application for AIP Grant, Watertown International Airport, Security Fencing.
- No. 7 - Intentionally Left Blank.
- No. 8 - Approving the Site Plan for Construction of a 60,000 Sq. Ft. 76 Unit Community Assisted Living Facility Located Between Ives Street, Kieff Drive and Jewell Drive, Parcels No. 14-49-101, 14-49-101.001, 14-49-101.004 & 14-49-101.15 Through 14-49-101.32
- No. 9 - Approving the Site Plan for the Construction of a Two-Story, 8,968 Sq. Ft. Bank Building Located at 1000 Coffeen Street, Parcels No. 8-29-103.001, 8-29-103.002 and a Subdivided Portion of Parcel No. 8-29-103
- No. 10 - Approving the Site Plan for Construction of a 2,630 Sq. Ft. Addition at 929 Arsenal Street, Parcel No. 9-11-133
- No. 11 - Approving the Site Plan for the Construction of a 7,000 Sq. Ft. Advance Auto Parts Building Located at 1200 Arsenal Street, Parcel No. 8-50-101.3
- No. 12 - Approving the Special Use Permit Request to Allow an Automobile Sales Lot and Tenant Parking Area at 302 Mechanic Street, Parcel No. 6-04-214

No.13 -An Ordinance Authorizing the Issuance of \$88,000 Serial Bonds of the City of Watertown, Jefferson County, New York, To Pay The Cost Of The Removal and Replacement Of The Roof At the City-Owned Property At 337 Engine Street, In And For Said City

No.14 -7:15 p.m. Local Law No. 4 – Local Law Adopting Chapter 177 of the Watertown City Code for the Maintenance of Properties in the City of Watertown

No.15 -7:30 p.m. Local Law No. 5 – A Local Law Requiring the Licensing of Private Refuse and Recyclables Haulers and the Inspection and Registration of Vehicles Used for Hauling Refuse and Recyclables

No.16 - Monthly Report

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Mayor Butler opened the meeting by congratulating the IHC Girl's Basketball Team for winning the state championship.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of March 4, 2002 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

Mayor Butler proclaimed the month of April as **National Autism Awareness Month** in the City of Watertown

COMMUNICATIONS

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

1. Michael Romeo, 413 Tilden Street, for property located at 412 Tilden Street, Parcel No. 4-03-215.000, a vacant lot.
2. Daniel J. Kirby, 1030 Bradley Street, for property located at M337-45 Pamela Avenue, a vacant lot.

ABOVE PLACED ON FILE

The following communication was received from the City's Planning Department:

1. Recommending approval of the site plan request submitted on behalf of David and Lyndell Massey of Motors-N-More for the construction of an automobile sales lot at 302 Mechanic Street, Parcel No. 6-04-214 contingent upon the drainage plan being constructed by August 1, 2002.
2. Recommending approval of the site plan request submitted on behalf of Redwood National Bank for the construction of a two-story 8,968 sq. ft. bank building located at 1000 Coffeen Street, Parcel No. 8-29-103.001, 8-29-103.002 and a

subdivided portion of Parcel No. 8-29-103 contingent upon the applicant addressing all nine items listed in the Planning Officer's memorandum of February 27, 2002.

3. Recommending approval of a special use permit request submitted on behalf of David and Lyndell Massey of Motors-N-More to allow an automobile sales lot and tenant parking area at 302 Mechanic Street, Parcel No. 6-04-214.
4. Recommending approval of the site plan request submitted on behalf of P.J. Simao of Onondaga Development LLC for the construction of a 2,630 sq. ft. addition at 929 Arsenal Street, Parcel No. 9-11-133 contingent upon the applicant revising the curbing layout at the entrance/exit drive to conform to the City Engineering Department's requirements as well as conforming to the department's drainage requirements for the site.
5. Recommending approval of the site plan request submitted on behalf of P.J. Simao of Onondaga Development LLC for construction of a 7,000 sq. ft. Advance Auto Parts building located at 1200 Arsenal Street, Parcel No. 8-50-101.3 contingent upon a) the applicant meeting the requirements of and coordinate with the Water Department relative to the water line installation; b) submitting the landscaping plan for the front portion of the property which conforms to the buffer zone guidelines; c) submitting an agreement and plan for the sanitary sewer lateral to the Engineering Department for review and d) submitting a final grading plan to the Engineering Department for approval.
6. Recommending approval of the site plan request submitted by GYMO, P.C. for the construction of a 60,000 sq. ft., 76 unit community assisted living facility located between Ives Street, Kieff Drive and Jewell Drive, Parcels No. 14-49-101, 14-49-101.001, 14-49-101.004, 14-49-101.005 and 14-49-101.32 contingent upon a) the applicant addressing the 12 summary issues listed in the Planning Office memorandum of February 28, 2002; b) that the drainage and stormwater management pond agreements be finalized and put in writing where required; c) that the Fire Department approves the turning radii at the parking lot entrance and the drop off entrance; and d) that a revised plan be submitted to the City Council for their review.

ABOVE PLACED ON FILE

Notice of Class Certification (2002 Tax Year) was received on behalf of CSX Transportation Corp.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Phillip Sprague, 1308 Sunset Ridge, addressed the chair on behalf of the proposed assisted living facility. He explained that the project is being done in conjunction with Samaritan Keep Home, Ives Hills Retirement Community and the Henry Keep Home. He also explained that the facility would fill a void in care that is not currently available.

Donald Thompson, 710 Morrison Street, addressed the chair concerning the salt pile. He stated that the hole in the pad has not been repaired. He asked what the status of the research was.

Attorney Slye explained that he had posed some questions to Mr. Converse on Thursday and is now waiting for a reply from him. The City is continuing to pursue the testing.

Olivia Russell, 728 Morrison Street, addressed the chair reading from a prepared statement regarding her concerns for the health risks caused by the salt pile. She asked Council if they could promise her the salt pile wouldn't harm her.

Mayor Butler stated that while he couldn't promise her this, the City is actively pursuing the testing and research.

William Stoodley, 632 State Street, addressed the chair urging Council to do everything they can to support the Emerson Place project. He stated that business owners in that area have invested their own money in their businesses without help from public funds. He commented that this project will benefit the City as a whole and will increase land values.

Dan Francis, 463 Harris Drive, addressed the chair asking about the resolutions for the Airport Improvement grants. He asked if this was a grant with no matching funds.

It was explained that there would be a 5% local share. Mayor Butler also explained that they are still in talks with the County about the airport.

Esther Smith, 933 LeRay Street, addressed the chair urging Council not to make cuts in the Police or Fire Departments.

Capt. David Lachenuer, President of the Watertown Firefighters' Association, addressed the Council concerning the cost-cutting proposal which the Union had submitted to the City for consideration. He made comments on various parts of the proposal and listed some of the items which had not been addressed in the Chiefs' memo reviewing the proposal.

Mayor Butler commented that it was good of the Fire Department to come through with the proposal.

Mr. Hiller explained that he was prepared to discuss this last week in Executive Session. As it was not done at that time, it can be discussed in Executive Session this evening.

Battalion Chief Patrick Wiley, Watertown Fire Department, addressed the chair in support of Capt. Lachenuer's comments. He stated that the Fire Department received a letter from Mr. Hiller requesting cost savings and revenue plans. This proposal is what the association came up with and now it is time to discuss it. Chief Wiley commented that this is not the case of giving back 5% now and then down the road taking it to an arbitrator and trying to get it back.

Randall Lockwood, Manager of the Great American Store, addressed the chair urging Council to take the necessary measures to move the Emerson Place project forward.

PUBLIC HEARINGS

AT 7:15 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 4 OF 2002, ADOPTING PROPERTY MAINTENANCE CODE FOR THE CITY OF WATERTOWN.

MAYOR BUTLER DECLARED THE HEARING OPEN.

David Cheney, 135 Park Drive East and State Street business owner, addressed the chair in support of this law. He read from a prepared statement praising Council members for the work they do each week for City government. He stated that the Council must make tough decisions that, while not always popular with a vocal few, are the right decisions for the residents of the City. He stated that Watertown has problems with illegal drugs, slumlords and apathetic property owners. He also commented that there are many profit driven landlords who only want the rent money, but do not put any monies back into improving the properties. Mr. Cheney also urged Council to support a landlord registration law as he felt that would be a benefit to the entire community. He also commended Neighbors of Watertown's effort with the Emerson Place project.

April Griffin, 666 Davidson Street, addressed the chair opposing the property maintenance law. She stated that she may not be able to afford to paint her house and questions the fine of \$50.00 per day. She asked if banks and other vacant property owners would also be fined if they were not in compliance.

Mayor Butler explained that they would be. He also explained that there would be a board of appeals as well as possible grant programs available to help property owners.

Tim Montondo, 740 Mill Street, addressed the chair opposing the property maintenance law and asked if each homeowner was going to receive a copy of the law so they could comply.

It was explained to Mr. Montondo that copies of the law have been and will continue to be available in the City Clerk's Office.

Mr. Montondo's daughter addressed the chair stating that the outside of a house isn't as important as people. She questioned if it is right to judge people by the way they look rather than what is on the inside.

Dan Francis, 463 Harris Drive, addressed the chair commenting that this is a very emotional issue and commending Councilwoman Burns for her stand on the issue. He suggested that Council table the local law this evening.

Gary Beasley, Executive Director of Neighbors of Watertown, addressed the chair commending Council for their efforts to adopt a property maintenance code for the City. He stated that if we want businesses to come into the community, we have to get rid of some of the blight. He stated that this is a compassionate but firm way to improve the community. He also mentioned that there are federal and state funds for rental rehab. However, the landlords must show some interest in obtaining these funds.

Howard Sprague, 1409 Ives Street, addressed the chair asking what this would do to the tax rolls. He stated that the City already has laws on the books to handle these types of situations. He questioned why the City doesn't enforce the laws they already have.

Rosemary Russell, 408 Franklin Street, addressed the chair urging Council to pass the property maintenance code. She stated that some of these landlords take the money from the rents and put it in their own homes and let the rental properties deteriorate. She mentioned blighted properties located on Keyes, Winslow and Clay Streets.

Bart Bonner, Brookside Drive, addressed the chair stating that the first thing the City would do after a property owner fixed up his property would be to raise the assessment and the taxes.

Bill Stoodley, 632 State Street, addressed the chair stating that this is a quality of life issue. He also remarked that this isn't about us as individual taxpayers. This is about investing in our City. He also commented that out of town landlords should have to register.

MAYOR BUTLER DECLARED THE HEARING CLOSED AT 7:50 P.M.

Prior to the following public hearing, Mayor Butler explained that if this law were adopted, it would affect all haulers. He also commented that NYS DEC law states that any refuse-hauling vehicle traversing streets in the City of Watertown is not allowed to leak on to the streets. The vehicle must also be covered and there is a \$1,000 violation penalty. He commented that the penalty in the City Code proposal is less stringent.

AT 7:50 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 5 OF 2002 ADOPTING REGULATIONS FOR THE LICENSING OF PRIVATE HAULERS AND THE INSPECTION AND REGISTRATION OF VEHICLES USED FOR HAULING REFUSE AND RECYCLABLES.

MAYOR BUTLER DECLARED THE HEARING OPEN.

Phillip Reed, Waste Management, addressed the chair asking questions about the proposed law.

Mr. Hayes answered his questions and explained that the inspection will be done by placing 2” of water in the truck body to see that it isn’t going to leak.

Mr. Reed asked if this would involve the commercial pickup vehicles also.

Attorney Slye explained that this law is only for 1,2 and 3 family dwellings.

Mr. Reed listed the various state and federal taxes the company now pays on all of their vehicles.

Wayne Zimmer, 139 Katherine Street, addressed the chair voicing his opposition to the proposal.

Walter Delles, Evans Mills, addressed the chair asking what would happen if he had to drive through the City with a load of garbage which wasn’t picked up in the City.

Attorney Slye stated that if a hauler is merely driving through the City and is not picking up in the City, the statute would not apply to them.

Mr. Delles asked if he could pick up a couch in the City since it isn’t refuse.

Attorney Slye stated that if a hauler is picking up in the City, he needs to be registered.

Craig Schaffer, Rock Bottom Enterprises, addressed the chair commenting that many of the trash haulers are residents of the City. He also explained that there are strict rules regarding the disposal of freon and wondered if the City was aware of them.

Howard Sprague, 1409 Ives Street, addressed the chair suggesting that either the City get out of the trash business or they should really advertise and sell themselves. He also commented that the small haulers would pick up things such as wet cardboard that the City would not.

Alice Griffin, 666 Davidson Street, addressed the chair commenting that she uses a private hauler because it is cheaper for her. When questioned, Mrs. Griffin admitted that the private hauler does not pick up the recyclables. She commented that she thought the private hauler should do so in the future.

Mr. Hayes answered questions posed by Mrs. Griffin about taxes and the past history of the refuse collection system.

Larry Wenk, Wenk’s Trash Hauling, addressed the chair concerning the fire extinguisher and explained that the state only requires him to carry a 5lb. Extinguisher.

Mr. Hayes explained that the requirement in the proposed law is based on the recommendations of the Chief Gaumont.

Dan Francis, 463 Harris Drive, addressed the chair commenting that he doesn't feel government should be competing with private enterprise.

Bridget Weed, Tilden Street, addressed the chair asking whom she should call to pick up a couch.

It was suggested that she contact a private hauler.

MAYOR BUTLER DECLARED THE HEARING CLOSED AT 8:30 P.M.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the Federal Government is activating members of the Reserves of the U.S. Armed Forces and National Guard in response to the September 11, 2001 attacks on the World Trade Center and the Pentagon, and

WHEREAS officials and employees of the City of Watertown who are required to respond to active duty may experience financial and personal hardships in this service to their country, and

WHEREAS on November 5, 2001 the City Council adopted a resolution approving Supplemental Military Leave Benefits for employees and officials of the City of Watertown called to active duty in response to the terrorist attacks of September 11, 2001, and

WHEREAS those benefits authorized employees to carry additional leave time into calendar year 2002, but required the employees to use their accumulated leave time by March 31, 2002, and

WHEREAS the Unions representing these employees are asking that the timeframe for using the vacation be extended to September 30, 2002,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the amendment to the provision of supplemental benefits to its unionized, management, and management confidential employees, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler is authorized and directed to execute this supplemental benefits document on behalf of the City of Watertown.

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

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Purchasing Department advertised and received sealed bids for the purchase and planting of 165 trees within the City of Watertown, and

WHEREAS invitations to bid were issued to seventeen (17) prospective bidders, and

WHEREAS the four (4) bids received were publicly opened and read on March 11, 2002 at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver and City Planner Michael A. Lumbis have reviewed the bids received and are recommending that the City Council approve the bid submitted by Island Tree Company, Wellesley Island, New York, in the amount of \$29,995.00, and

WHEREAS funding for this project is supported by a grant through Niagara Mohawk's 10,000 Trees Grant Program,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the bid submitted by Island Tree Company, Wellesley Island, New York, in the amount of \$29,995.00, for the purchase and planting of 165 trees within the City of Watertown.

SECONDED BY COUNCILMAN JEFFREY M. SMITH

MOTION WAS MADE BY COUNCILMAN CLOUGH TO TABLE THE FOREGOING RESOLUTION UNTIL THE COUNCIL IS SUPPLIED THE LIST OF OTHER BIDDERS.

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

Mrs. Corriveau prepared copies of the list for Council members.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO TAKE FROM THE TABLE THE FOREGOING RESOLUTION.

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

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Councilman Smith asked why the work was being done at the quarry.

Mr. Hayes explained that the quarry, which is located in the Town of Pamela, needs tidying up. This would allow for a “screen” to block the mouth of the quarry. The city is trying to be a good neighbor.

Mrs. Corriveau also explained that there is no City share involved in the funds for this project.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City of Watertown has been notified that funding exists under the Federal Aviation Administration, Airport Improvement Program to support projects at the Watertown International Airport, and

WHEREAS the Superintendent of Public Works, Eugene P. Hayes, has reviewed the needs at the Airport with the City’s Airport Engineers, Bernier Carr & Associates and Dufresne-Henry, and

WHEREAS the existing airport access road is in extremely poor condition, with several areas exhibiting structural failure, and

WHEREAS by completing the design of this project the City will be in a position to apply for funding for the rehabilitation of the access road, and

WHEREAS the Airport Improvement Program funding is 90% Federal; 5% State and 5% Local,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of an application under the Federal Aviation Administration Airport Improvement Program to support design of the airport access road at the Watertown International Airport with a total cost of \$40,000, and

BE IT FURTHER RESOLVED that City Manager Jerry C. Hiller is hereby authorized and directed to execute the application on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

Prior to the vote on the foregoing resolution, Councilman Smith commented that he would not support the four AIP resolutions since there is a 5% local share requirement. He stated that he does not see where the City can afford to do this nor does he see where

the City is obligated to do this. He questioned why the architectural engineering is not done in-house.

Mr. Hayes explained the past practices involving these projects and how using another firm a few years ago and doing it in-house resulted in some things not being funded. He explained that using the outside firm of Bernier Carr in conjunction with Dufresne-Henry allows for better leverage for the grants. He also explained that this might be the last chance the City has of getting this type of funding.

Councilman Smith commented that the City crews build roads every day and questioned why they couldn't do the work at the airport.

Councilman Simmons stated that he also had questions about doing these things in-house. However, these things need to be done to keep the property up. Otherwise, the City won't be able to find someone else to take it over.

Mr. Hiller commented that the Engineering department is actively involved in other projects. He asked Mr. Hayes if the City was eligible for reimbursements if the work was done in-house.

Mr. Hayes stated that he didn't know. However, some of this work is work that was left by the wayside four years ago by the other firm.

Councilman Smith commented that in light of the budget, he would rather spend the money in the City.

Mayor Butler commented that the airport is important in creating jobs and economic input for the area. He stated that many businesses use the airport and the City is trying to transition the airport into a partnership.

Councilman Clough commented that he knew Mayor Butler and Mr. Hiller had been working diligently on talks with the County.

Councilwoman Burns remarked that these projects are still only keeping the airport up to minimum standards.

INTRODUCED BY COUNCILWOMAN PETER L. CLOUGH

WHEREAS the City of Watertown has been notified that funding exists under the Federal Aviation Administration, Airport Improvement Program to support projects at the Watertown International Airport, and

WHEREAS the Superintendent of Public Works, Eugene P. Hayes, has reviewed the needs at the Airport with the City's Airport Engineers, Bernier Carr & Associates and Dufresne-Henry, and

WHEREAS the existing general aviation apron is in extremely poor condition, with considerable settlement adjacent to existing storm drainage structures, and some paved areas have degraded to the point that they serve as little more than gravel parking areas, and

WHEREAS the rehabilitation of this apron will bring the condition back to a serviceable level, and

WHEREAS by completing the design of this project the City will be in a position to apply for funding for the rehabilitation of the apron, and

WHEREAS the Airport Improvement Program funding is 90% Federal; 5% State and 5% Local,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of an application under the Federal Aviation Administration Airport Improvement Program to support design of the general aviation apron rehabilitation at the Watertown International Airport with a total cost of \$75,000, and

BE IT FURTHER RESOLVED that City Manager Jerry C. Hiller is hereby authorized and directed to execute the application on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City of Watertown has been notified that funding exists under the Federal Aviation Administration, Airport Improvement Program to support projects at the Watertown International Airport, and

WHEREAS the Superintendent of Public Works, Eugene P. Hayes, has reviewed the needs at the Airport with the City's Airport Engineers, Bernier Carr & Associates and Dufresne-Henry, and

WHEREAS since the terrorist attack of September 11, 2001, security at all airports has taken on a high priority, and

WHEREAS it has been determined that most of the airside access at the Watertown International Airport is uncontrolled, and

WHEREAS by installing a security entry control system, coupled with the separate fencing project, most cases of unauthorized entry to the airfield will be eliminated, and

WHEREAS the Airport Improvement Program funding is 90% Federal; 5% State and 5% Local,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of an application under the Federal Aviation Administration Airport Improvement Program to support the installation of an airport security entry control system at the Watertown International Airport with a total cost of \$50,000, and

BE IT FURTHER RESOLVED that City Manager Jerry C. Hiller is hereby authorized and directed to execute the application on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has been notified that funding exists under the Federal Aviation Administration, Airport Improvement Program to support projects at the Watertown International Airport, and

WHEREAS the Superintendent of Public Works, Eugene P. Hayes, has reviewed the needs at the Airport with the City's Airport Engineers, Bernier Carr & Associates and Dufresne-Henry, and

WHEREAS since the terrorist attack of September 11, 2001, security at all airports has taken on a high priority, and

WHEREAS less than 15% of the airport property is enclosed with security fencing, and

WHEREAS by installing complete perimeter fence, the Watertown International Airport can greatly reduce the potential for unauthorized entry onto the airfield, and

WHEREAS the Airport has a serious problem with a substantial deer population within the airport property, and installation of fencing can help eliminate this potentially dangerous combination of aircraft and wildlife, and

WHEREAS the Airport Improvement Program funding is 90% Federal; 5% State and 5% Local,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of an application under the Federal Aviation Administration Airport Improvement Program to support the installation of a complete perimeter fence at the Watertown International Airport with a total cost of \$1,188,000, and

BE IT FURTHER RESOLVED that City Manager Jerry C. Hiller is hereby authorized and directed to execute the application on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS Matthew R. Morgia of GYMO, P.C., has made application for site plan approval on behalf of Community Assisted Living Corp. for the construction of a 60,000 sq. ft., 76 unit community assisted living facility located between Ives Street, Kieff Drive and Jewell Drive, Parcels No. 14-49-101, 14-49-101.001, 14-49-101.004 and 14-49-101.15 through 14-49-101.32, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, March 5, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant address the 12 summary issues listed in the Planning Office memorandum of February 28, 2002.
2. That the drainage and stormwater management pond agreements be finalized and put in writing where required.
3. That the Fire Department approves the turning radii at the parking lot entrance and the drop off entrance.
4. That a revised plan be submitted to the City Council for their review.

And,

WHEREAS the City Council has reviewed the Full 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 construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Matthew R. Morgia of GYMO, P.C., on behalf of Community Assisted Living Corp., for the construction of a 60,000, 76 unit community assisted living facility located between Ives Street, Kieff Drive and

Jewell Drive, Parcels No 14-49-101, 14-49-101.001, 14-49-101.004 and 14-49-101.15 through 14-49-101.32, as shown on plans submitted to the City Engineer on March 13, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

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

Prior to the vote on the foregoing resolution, Councilman Smith asked about Mr. Pilon's concerns with the branch line serving the proposed building.

Mrs. Corriveau explained that the issue of the dedicated water line is something Council will address later.

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS Rick W. Tague of Bernier Carr & Associates, P.C., has made application for site plan approval on behalf of Redwood National Bank for the construction of a two-story, 8,968 sq. ft. bank building located at 1000 Coffeen Street, Parcels No. 8-29-103.001, 8-29-103.002 and a subdivided portion of Parcel No. 8-29-103, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, March 5, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant address all nine items listed in the Planning Office memorandum of February 27, 2002.

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 construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Rick W. Tague of Bernier Carr & Associates, P.C., on behalf of Redwood National Bank, for the construction of a two-story, 8,968 sq. ft. bank building located at 1000 Coffeen Street, Parcels No. 8-29-103.001, 8-29-103.002 and a subdivided portion of Parcel No. 8-29-103, as shown on plans submitted to the City Engineer on February 19, 2002, contingent upon the applicant

making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

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

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS Peter Crissey of The Crissey Architectural Group has made application for site plan approval on behalf of P. J. Simao of Onondaga Development, LLC for the construction of a 2,630 sq. ft. addition at 929 Arsenal Street, Parcel No. 9-11-133, and

WHEREAS the Jefferson County Planning Board reviewed the proposed site plan at its meeting held on February 26, 2002, pursuant to General Municipal Law Section 239-m, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, March 5, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant revise the curbing layout at the entrance/exit drive to conform with the City Engineering Department's requirements.
2. That the applicant conform to the City Engineering Department's drainage requirements for the site.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form and has determined that the project, as submitted, is a Type 2 Action requiring no review under the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Peter Crissey of The Crissey Architectural Group for the construction of a 2,630 sq. ft. addition at 929 Arsenal Street, Parcel No. 9-11-133 as shown on plans submitted to the City Engineer on February 13, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Peter Crissey of The Crissey Architectural Group has made application for site plan approval on behalf of P. J. Simao of Onondaga Development

LLC for the construction of a 7,000 sq. ft. Advance Auto Parts building located at 1200 Arsenal Street, Parcel No. 8-50-101.3, and

WHEREAS the Jefferson County Planning Board reviewed the proposed site plan at its meeting held on February 26, 2002, pursuant to General Municipal Law Section 239-m, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, March 5, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant meet the requirements of and coordinate with the Water Department relative to the water line installation.
2. That a landscaping plan is submitted for the front portion of the property showing landscaping which conforms to the buffer zone guidelines.
3. That the applicant submits an agreement and plan for the sanitary sewer lateral to the Engineering Department for review.
4. That the applicant submits a final grading plan to the Engineering Department for approval.

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 construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Peter Crissey of The Crissey Architectural Group on behalf of P. J. Simao of Onondaga Development LLC, for the construction of a 7,000 sq. ft. Advance Auto Parts building located at 1200 Arsenal Street, Parcel No. 8-50-101.3, as shown on plans submitted to the City Engineer on February 19, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH

ALL VOTING YEA

Prior to the vote on the foregoing resolution, Councilman Smith asked if the concerns expressed in Mr. Solar’s memo would be addressed.

Mrs. Corriveau explained that the applicant is working on issues no. 1 and 3 and has provided the Planning Department with a landscaping plan which Council can look at.

Councilman Simmons remarked that the assisted living facility and Mr. Simao’s two projects are all nice projects going forward in the City.

Councilwoman Burns commented that these types of projects would help with blight eradication.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Charles L. Fluno, P. E., has made application for a Special Use Permit on behalf of David and Lyndell Massey of Motors-N-More to allow an automobile sales lot and tenant parking area at 302 Mechanic Street, Parcel No. 6-04-214, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on March 5, 2002, 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 April 1, 2002, 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 an automobile sales lot and tenant parking area constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a 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 Charles L. Fluno, P.E., on behalf of David and Lyndell Massey of Motors-N-More to allow an automobile sales lot and tenant parking area at 302 Mechanic Street, Parcel No. 6-04-214.

SECONDED BY COUNCILMAN PAUL A. SIMMONS

MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING FOR MONDAY, APRIL 1, 2002 TO DISCUSS THE FOREGOING RESOLUTION.

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

LOCAL LAWS

LOCAL LAW NO. 4 OF 2002 ADOPTING CHAPTER 177 OF THE WATERTOWN CITY CODE FOR THE MAINTENANCE OF PROPERTIES IN THE CITY OF WATERTOWN WAS PRESENTED TO COUNCIL. (Introduced on March 4, 2002; public hearing held this evening; appears in its entirety on pages 40-45 of the 2002 Minutes Book.)

Mayor Butler stated that there were some good comments made on both sides of this issue.

Councilwoman Burns commented that this issue has been debated for two years. She stated that there were good comments made this evening. She also commented that she doesn't agree that this would be a solution to all of the problems.

Councilman Clough responded that he sees this more as a consolidation of the rules and regulations and it also takes in the commercial properties.

Councilman Smith commented that this law would reduce blight.

Councilman Simmons stated that this would allow us to be proactive. However, this doesn't address the landlord registration issue.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILWOMAN BURNS VOTING NAY

LOCAL LAW NO. 5 OF 2002 REQUIRING THE LICENSING OF PRIVATE REFUSE AND RECYCLABLE HAULERS AND THE INSPECTION AND REGISTRATION OF VEHICLES USED FOR HAULING REFUSE AND RECYCLABLES WAS PRESENTED TO COUNCIL. (Introduced on March 4, 2002; public hearing held this evening; appears in its entirety on pages 45-48 of the 2002 Minutes Book)

Prior to the vote on the local law, several areas of the law were discussed. Councilman Clough questioned why the fees were divided and suggested putting them together as one fee. Councilman Clough also commented that he didn't feel that the DPW should do the inspections.

Councilwoman Burns suggested that the Fire Department might be a more appropriate office to do the inspections.

Mr. Hiller suggested the Code Enforcement Supervisor as another alternative.

Councilman Simmons asked if people, such as Mr. Zimmer, who picks up trash for a neighbor would have to be licensed.

Attorney Slye explained that while he isn't a paid hauler, he still would be in violation of NYS DEC law if he allowed the refuse to leak onto the street. However, a private hauler of refuse has to be registered whether or not they pick up refuse one time or every day.

Attorney Slye suggested that Council might want to raise the penalty fee, as it is less than the license fee.

MOTION WAS MADE BY MAYOR BUTLER TO AMEND §161-13 AS FOLLOWS: "Each refuse and/or recycling vehicle shall be equipped with a shovel, broom and a minimum fire extinguisher capacity of 20A, 40BC.

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

MOTION WAS MADE BY COUNCILMAN SMITH TO AMEND §161-14, SECOND PARAGRAPH TO READ AS FOLLOWS: Each vehicle proposed for registration must be inspected by the Code Enforcement Officer or his designee."

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

MOTION WAS MADE BY COUNCILMAN SIMMONS TO AMEND §161-15 TO READ AS FOLLOWS: The annual fee to be collected by the City Clerk for registration and inspection for each vehicle proposed to be utilized, prior to each annual inspection shall be \$30.00.

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

MOTION WAS MADE BY COUNCILMAN CLOUGH TO AMEND §161-18 TO READ AS FOLLOWS: "be subject to a fine of not less than \$150.00 nor more than \$250.00."

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

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AS AMENDED AND CARRIED WITH ALL VOTING YEA

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Emerson Place Project

Councilwoman Burns commented that she supports this project. She also stated that the reason she did not support the property maintenance code this evening is because she doesn't believe it would help the extreme issues facing us. However, the Emerson project will be a solution. It will be a complete revitalization of the neighborhood.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN SIMMONS TO MOVE INTO EXECUTIVE SESSION TO DISCUSS NEGOTIATIONS AS IT RELATES TO THE FIREFIGHTERS' PROPOSALS.

MOTION WAS SECONDED BY COUNCILWOMAN BURNS.

Councilman Clough commented that if the Council is going in to discuss the fire department's proposal, it needs to be done in open session and it is not something that needs to be discussed in Executive Session.

Councilman Smith responded that the report isn't something to go into Executive Session for. However, the negotiations can be discussed in the closed session. Councilman Smith also asked to add updates on CSEA and Police negotiations to the discussions.

Mr. Hiller explained that he would like to know the general parameters Council wishes him to use during the negotiations.

Councilman Simmons remarked that the proposals presented by the firefighters were clearly spelled out.

Mrs. Corriveau commented that there were some issues still outstanding.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE MOTION TO MOVE INTO EXECUTIVE SESSION AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN CLOUGH VOTING NAY.

Council moved into Executive Session at 9:50 p.m.

Council reconvened at 10:36 p.m.

Negotiations

Mayor Butler directed staff to proceed with negotiations with the Fire Department.

Ambulance Report

Councilman Simmons led discussion concerning this and the fact that 60 days has expired since this report had been asked for. An update concerning this will be prepared for the next meeting.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 10:44 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF

Donna M. Dutton, City Clerk