

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
April 5, 2010  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

**PRESENT:**           **COUNCIL MEMBER ROXANNE M. BURNS  
COUNCIL MEMBER JOSEPH M. BUTLER, JR.  
COUNCIL MEMBER TERESA R. MACALUSO  
COUNCIL MEMBER JEFFREY M. SMITH  
MAYOR GRAHAM**

**ALSO PRESENT:**   **MARY M. CORRIVEAU, CITY MANAGER  
ATTORNEY JAMES BURROWS**

**City Staff Present:** Gary Pilon, Robert Cleaver, Michael Sligar, Kurt Hauk and Ken Mix

The City Manager presented the following reports to Council:

- 1 - Accepting Bid for 13 Heat Pumps at the Flower Memorial Library, Derouin's Plumbing and Heating
- 2 - Accepting Bid for Slurry Pumps for Pollution Control Facility, Fluid Kinetics Inc.
- 3 - Summer 2010 Sidewalk Improvement Special Assessment Program, District #6
- 4 - Request for Site Plan Approval for the Construction of 180 Square Feet, 650 Square Feet and 2,000 Square Feet Building Additions for Tilted Kilt at 1050 Arsenal Street, Parcel No. 8-47-101.001
- 5 - Approving the Zone Amendment Request Submitted by Ryan Churchill of GYMO, P.C. on behalf of Patrick Donegan of Millennium Development, to amend Planned Development District No. 23, Parcels Nos. 8-53-102.001,8-53-103.100, 8-53-106.100, 8-53-107, 8-53-108.100, 8-53-110, and 8-53-114
- 6 - Local Law No. 1 - Amending Local Law No. 1 of 1994 as Amended by Local Law No. 6 of 1995, Local Law No. 1 of 2001,Local Law No. 1 of 2003, Local Law No. 7 of 2005, and Local Law No. 14 of 2005, Revising the Designated Boundaries of the Watertown Empire Zone
- 7 - 7:30 p.m. - Public Hearing on Draft Local Waterfront Revitalization Program
- 8- Bi-Annual Shut-Offs, Delinquent Water and Sewer Bills
- 9 - Federal Appropriations Request, Senator Charles E. Schumer
- 10 - Fiscal Year 2008-09 Audit Report
- 11 - Funding Request, Jefferson County Agricultural Society
- 12 - Annual Drinking Water Quality Report for 2009
- 13 - Grant from Jefferson County Local Development Corporation
- 14 - Boards and Commissions
- 15- 2010-11 City Council Goals and Objectives
- 16 - Executive Summary Report, Short Term, High Intensity Monitoring Program

**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 March 15, 2010, the special meeting of March 22, 2010 and the adjourned meeting of March 29, 2010 was dispensed with and accepted as written by motion of Council Member Burns, seconded by Council Member Smith and carried with all voting in favor thereof.

Mayor Graham interrupted the regular course of business to honor Fire Chief Milt Sayre for his 35 years of dedicated service and to wish him well on his retirement.

Mayor Graham welcomed members of Cub Scout Pack 17 to the meeting.

### **COMMUNICATIONS**

There were no communications.

### **PRIVILEGE OF THE FLOOR**

**Wayne Zimmer**, Katherine Street, addressed the chair suggesting that the City raise the assessments to pay for street improvements. He also questioned why Waste Management is picking up trash at Star Wood apartments and asked who was going to pay for the totes.

**Reg Schweitzer**, Maggie's on the River, addressed the chair and presented Council with examples of what the business would prefer for furnishings for the deck. (Not on file in the Office of the City Clerk). Mr. Schweitzer informed Council that while he wasn't going to be able to be at the work session, there would be someone from Maggie's in attendance.

### **PUBLIC HEARING**

**AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE DRAFT LOCAL WATERFRONT REVITALIZATION PROGRAM.**

**MAYOR GRAHAM DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR GRAHAM DECLARED THE HEARING CLOSED.**

### **RESOLUTIONS**

**INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of 13 new and unused Heat Pumps to replace the existing units at the Flower Memorial Library for installation by City staff, and

WHEREAS invitations to bid were issued to five (5) prospective bidders, with two (2) bids being received and publicly opened and read in the City Purchasing Department on Monday, March 29, 2010, and

WHEREAS City Purchasing Agent Robert J. Cleaver and Shawn R. McWayne, Code Enforcement Supervisor, reviewed the bids received and are recommending the acceptance of the bid submitted by Derouin's Plumbing and Heating, Watertown, New York, in the amount of \$29,221.00 as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby accepts the bid in the amount of \$29,221.00 submitted by Derouin's Plumbing and Heating, 139 Mill Street, Watertown, New York, for the purchase of 13 new and unused Heat Pumps.

**SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA**

Prior to the vote on the foregoing resolution, Mayor Graham commented that it seems like the City purchases a lot of these.

Mrs. Corriveau advised that there are over 40 heat pumps at the library and they are continuous maintenance item.

Mr. Cleaver explained that these pumps are in the ceiling and the floor and usually last about 12-15 years.

Mayor Graham asked if a central system had been considered.

Mrs. Corriveau responded that this type of system was not discussed during the capital renovations.

**INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of a Scrubber Recycle Pump and an Ash Pump to replace the existing units at our Pollution Control Facility for installation by City staff, and

WHEREAS invitations to bid were issued to seven (7) prospective bidders, with one (1) bid being received and publicly opened and read in the City Purchasing Department on Monday, March 29, 2010, and

WHEREAS City Purchasing Agent Robert J. Cleaver and Michael Sligar, Chief Waste Water Treatment Plant Operator, reviewed the bid received and are recommending the acceptance of the bid submitted by Fluid Kinetics Inc., 251 Thorn Avenue, Orchard Park, New York, in the total amount of \$20,480.00 as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby accepts the bid in the amount of \$20,480.00 submitted by Fluid Kinetics Inc., 251 Thorn Avenue, Orchard Park, New York, for the purchase of a two new and unused slurry pumps.

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH**

WHEREAS the City Engineering Department has inspected sidewalks within the City of Watertown, and

WHEREAS it has been determined that the condition of sidewalks on certain streets are in need of repair and/or replacement, and

WHEREAS the City Council of the City of Watertown feels it is in the overall public interest to provide property owners within the City of Watertown with an opportunity to pay for said repair/replacement work through a Special Assessment Program,

NOW THEREFORE BE IT RESOLVED that a public hearing will be held on Monday, June 7, 2010, at 7:30 p.m. at which time property owners included in the Special Assessment Program will have an opportunity to make comments on whether all or a portion of the cost for proposed sidewalk improvements should be a charge or expense upon the abutting property owners, and

BE IT FURTHER RESOLVED that the City Engineering Department will send notices to all property owners notifying them of their inclusion in this year's program and that there will be a public hearing to consider whether all or a portion of the cost for proposed sidewalk improvements should be a charge or expense upon the abutting property owners, and

BE IT FURTHER RESOLVED that the properties included in the Summer 2010, District #6, Sidewalk Special Assessment Program are detailed on the attached report.

**SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS**

WHEREAS Timothy F. Titus of Aubertine and Currier, on behalf of Crazy Irishmen Holdings LLC, has made an application for Site Plan Approval for the construction of 180 square feet, 650 square feet and 2,000 square feet building additions for Tilted Kilt at 1050 Arsenal Street, Parcel No. 8-47-101.001, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on March 2, 2010, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

The applicant shall provide accurate fire flow information and calculations to the City prior to construction, and the service line should be sized as determined from the calculations. All water line work shall be done in accordance with City of Watertown standard specifications and the following note shall be added to the drawings: "The Water Department requirements supersede all other plans and specifications provided."

The applicant shall provide calculations for sanitary flows and grease trap sizing along with calculations and a finalized detail for the duplex pump.

The applicant shall provide a copy of all correspondence and submittals to NYS DEC for the SPDES Permit.

Plan Sheet C 100 should be revised to show all proposed landscaping and a landscape schedule with proposed species, sizes, quantities, etc.

Three small to medium maturing trees and larger maturing shrubs should be added in the existing landscaped area located behind the sidewalk in the front of the property.

Two landscaped islands with trees and landscaping shall be added on each end of the middle row of parking in front of the building.

and,

WHEREAS the applicant submitted a revised site plan to the City Engineer on March 29, 2010 that addressed conditions 5 through 7 listed above, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on March 30, 2010, and adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only, and

WHEREAS the City Council has determined that the project is a Type II 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 Timothy F. Titus of Aubertine and Currier, on behalf of Crazy Irishmen Holdings LLC, for the construction of 180 square feet, 650 square

feet and 2,000 square feet building additions for Tilted Kilt at 1050 Arsenal Street, Parcel No. 8-47-101.001 as shown on plans submitted to the City Engineer on March 29, 2010, contingent upon the applicant and meeting conditions 1 through 4 listed above in the City Planning Board's recommendation, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with sufficient copies of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval.

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA**

Prior to the vote on the foregoing resolution, Council Member Butler asked what recourse the City has if they don't follow the contingencies that have been outlined.

Attorney Burrows explained that the City does have the ability to enforce these. A business could be shut down if they fail to comply.

## **ORDINANCES**

**INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH**

BE IT ORDAINED where Ryan Churchill, Project Engineer of GYMO, P.C. has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law on behalf of Patrick Donegan of Millennium Development to amend the approved plan and allowed signage schedule for Planned Development District No. 23, Parcel Nos. 8-53-102.001, 8-53-103.100, 8-53-106.100, 8-53-107, 8-53-108.100, 8-53-110, and 8-53-114, and

WHEREAS the Planning Board of the City of Watertown considered the request at its meetings held on March 2 and March 18, 2010, and adopted a motion recommending that the City Council approve the amendment to the approved plan and allowed signage schedule contingent upon the plan being modified as follows:

Restaurant No. 4 must be shifted to the south to provide a separation between the parking area and the future drive aisle.

The sidewalk along the eastern most north-south drive must be extended to the south past Restaurant No. 3 and the proposed bank.

The north-south pedestrian route that runs in front of the Holiday Inn Express and extends in front of the Hilton Garden Inn must be extended to the north across the big box parking lot.

The applicant must provide an east-west sidewalk between Restaurant 3 and Retail 2 that connects the two hotels with Western Boulevard to provide a safe pedestrian connection from both of the hotels to the future building sites.  
and

WHEREAS the applicant submitted a revised plan to the City Engineer on March 29, 2010 that included the four modifications listed above, and

WHEREAS the Jefferson County Planning Board reviewed the request at its meeting held on March 30, 2010, pursuant to General Municipal Law Section 239-m and adopted a motion that the project does not have any significant county-wide or inter-municipal issues and is of local concern only, and

WHEREAS a public hearing was held on the proposed amendment on April 19, 2010, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the amendment to Planned Development District #23,

NOW THEREFORE BE IT ORDAINED that the preliminary plan for Planned Development District #23, Parcel Nos. 8-53-102.001, 8-53-103.100, 8-53-106.100, 8-53-107, 8-53-108.100, 8-53-110, and 8-53-114, is hereby amended as shown on the plan submitted to the City Engineering Department on March 29, 2010, and

BE IT FURTHER ORDAINED that the signage schedule for Planned Development District # 23 is hereby amended so that the allowed signage for the district is as follows:

One freestanding sign structure not to exceed 80' in height with 11 two-sided panels is allowed. The top panel shall not exceed 240 sq. ft., one panel shall not exceed 175 sq. ft., and the other 9 panels shall not exceed 125 sq. ft. each for a total maximum area of 1,540 sq. ft. measured on one side.

Each building shall be limited to the following signs on the building:

Hotel (Holiday Inn Express)	600 sq. ft.
Restaurant (Ruby Tuesday)	300 sq. ft.
Restaurant (Ponderosa)	300 sq. ft.
Restaurant (Buffalo Wild Wings)	300 sq. ft.

Retail (AT&T)	300 sq. ft.
Proposed Hotel (Hilton Garden Inn)	600 sq. ft.
Proposed Bank	300 sq. ft.
Proposed Retail 1	300 sq. ft.
Proposed Retail 2	300 sq. ft.
Proposed Restaurant 2	300 sq. ft.
Proposed Restaurant 3	300 sq. ft.
Proposed Restaurant 4	300 sq. ft.
Proposed Restaurant 5	300 sq. ft.
Proposed Big Box Store	800 sq. ft.

Five two-sided billboards with each side limited in size to 14' by 48' are allowed.

and,

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

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.**

**MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, APRIL 19, 2010 AT 7:30 P.M.**

**SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA**

**LOCAL LAW**

**INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS**

WHEREAS the Watertown Empire Zone (formerly Economic Development Zone) was designated as such on July 27, 1994 by the New York State Department of Economic Development, and

WHEREAS Florelle Tissue LLC is proposing the addition of at least 50 manufacturing jobs to Jefferson County at a manufacturing facility at 1 Bridge Street, Brownville, New York, in the Town of Hounsfield at Tax Parcel No. 73.18-1-2.3, and

WHEREAS the project is not within the City and Town of Watertown Empire Zone boundaries, and

WHEREAS the New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant manufacturing project under § 957(d)(i) of the General Municipal Law, and

WHEREAS the Zone Administrative Board of the City and Town of Watertown Empire Zone has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under § 957(d)(i) of the General Municipal Law and has recommended that the City and Town of Watertown amend the boundary of the Empire Zone to include Florelle Tissue LLC,

NOW THEREFORE BE IT ENACTED by the City Council of the City of Watertown that Schedule "A" of Local Law No. 14 of 2005 is amended to add the Florelle Tissue LLC manufacturing project on Tax Parcel No. 73.18-1-2.3 in the Town of Hounsfield as a regionally significant manufacturing project in the Watertown Empire Zone and it hereby requests that the New York State Commissioner of Economic Development approve the designation of said regionally significant manufacturing project.

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.**

**MOTION WAS MADE BY COUNCIL MEMBER BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING LOCAL LAW FOR MONAY, APRIL 19, 2010 AT 7:30 P.M.**

**MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA**

**\*\* \*\* \***

**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**Waterfront Park Rules**

Mayor Graham commented that since this topic will be discussed next week at the work session, he had asked Mr. Mix to speak about it this evening.

Mr. Mix explained that the City Council had discussed park rules last summer and Council did decide that they didn't want any swimming from the waterfront parks. However, the other issues still to be decided are smoking, alcoholic beverage consumption and hours of operation. Also, discussion should be held on activities in the parks such as at the zoo, the concert in the park and the outside deck. Mr. Mix explained that the current rules for Thompson Park, Waterworks Park and Veterans' Memorial Walkway are all slightly different. He also commented that there are activities at the fairgrounds as well.

Mayor Graham remarked that it is important for the Council to know what options are available and suggested that members contact Mr. Mix for more information.

### **Bi-Annual Shut-Offs, Delinquent Water and Sewer Bills**

Council reviewed the memo that indicated that notices were mailed for 909 delinquent accounts in the amount of \$287,384.09.

### **Federal Appropriations Request, Senator Charles E. Schumer**

This memo advised Council that the City received notice that Senator Schumer has advance an FY 2011 appropriations request to the Interior & Environmental Subcommittee on the City's behalf to support the abatement of impact to the Black River resulting from the combined sewer overflow at the Engine Street Outfall.

### **Fiscal Year 2008-09 Audit Report**

Mayor Graham asked if it was Council's desire to have Auditor Laurie Podvin present at the work session to discuss the recent audit.

Council Member Butler asked that she give a 10-15 minute presentation to Council. Council Member Smith concurred.

### **Funding Request, Jefferson County Agricultural Society**

A request was received from the society asking for funding to support the operation of the fair.

Council discussed the fact that the City gives a great amount of in-kind service, which will continue.

Council Member Burns commented that some of those services are through police department hours for crowd and traffic control as well as use of the facilities at no charge.

Mayor Graham commented that once they become part of the budget mix, they would become a recurring funding expense.

It was agreed that the City Manager will send a letter to the society responding to their request with the fact that the City will not give funding, but will continue the in-kind services.

### **Annual Drinking Water Quality Report for 2009**

Council was advised that all customers will receive a copy of the City's Annual Drinking Water Quality Report for 2009.

### **Grant from Jefferson County Local Development Corporation**

Mrs. Corriveau advised that the grant had been received.

Mayor Graham remarked that as part of the discussions, it was suggested that the City apply to the Watertown Local Development Corporation for funding to support the infrastructure work the City is undertaking in the Gaffney Drive area. He commented that he would urge not to do it. He explained that this type of project has no return and could deplete the fund. These funds are used to lend money which is then paid back with interest.

Council Member Butler commented that the resolution does urge Council to apply. He suggested something from WLDC in writing stating that we had addressed the issue and that they are not in the business of funding this type of project.

Council Member Smith commented that this is a needed infrastructure upgrade that will directly benefit the expansion of economic development. He remarked that he didn't have a problem asking WLDC for a small amount.

Mayor Graham advised that this topic will be on the next WLDC agenda.

### **Boards and Commissions**

Mayor Graham asked about the Empire Zone appointments and if this is going to exist after June.

Council Member Butler explained that he will know shortly. He has spoken with Senator Aubertine and they are waiting for the state budget to pass and then they will start the process of what to do next. He remarked that he believes it will sunset and then take a very different form and shape. He advised that the businesses in the zone will continue to be in it. Therefore, the administrative end of it will still exist.

Council Member Butler will contact the individuals who are coming up for re-appointment to see if they want to continue to serve.

Mayor Graham asked about the members of the Transportation Commission.

Mrs. Corriveau remarked that she will ask Kathy Webster if she has contacted them about being re-appointed.

Council concurred that it was their desire to approve the appointments, if the individuals wish to be reappointed.

### **2010-11 City Council Goals and Objectives**

Council Member Burns asked that a clarification be made to her goals. She stated that in regards to the City operation of the fairgrounds concession, what she wants to do is to explore our options.

### **Executive Summary Report, Short Term, High Intensity Monitoring Program**

Michael Sligar addressed the chair stating that this report showed exactly what they had thought and that was that there was no impact to the City's system with the acceptance of the 35,000 gallons of flowback wastewater extracted from the Ross #1 well in Otsego County, New York. He advised Council that he had received another letter from the developer asking for the City to accept 35,000± gallons in mid-June. Mr. Sligar indicated that this would require DEC approval, as it the past.

Mayor Graham commented that what is fairly apparent is that this consumes a lot of staff time.

Mr. Sligar remarked that they are hoping the second one will not consume that amount of time.

Mayor Graham remarked that the amount of water is about the amount to fill a swimming pool. He questioned what would happen if you jumped into the wastewater, since Mr. Sligar has stressed that it is benign.

Mr. Sligar commented that your skin might wrinkle as it does have a large amount of salt. However, this amount is much less than the amount of salt put on our streets during the winter months.

Mayor Graham commented that it makes no sense to him that this is being sent away from the area that is receiving the tax revenue from it. He stated that he is opposed to this.

Council Member Smith commented that if we followed the Mayor's thinking, we would have to get out of the tanker program. He stated that Mr. Sligar's report was very good. He also remarked that he feels the City should address the fees for the tanker program during budget time. He also commented that he is concerned that there are guidelines for future people working at the plant in an effort to assure due diligence.

Mr. Sligar advised that those rules are already in place. He also advised that there are two other plants working to prepare their facilities for being able to accept this wastewater.

Council Member Burns commented that she agreed with Mayor Graham. She stated that she is not sure why we should be taking this by-product. She stated that while she has confidence and respect for the staff, she doesn't feel it makes sense to do this. She stated that she had a lot of feedback from constituents who are concerned.

Council Member Butler responded that he doesn't have a problem, given the report that he has read. However, he doesn't want to compromise the time or resources of the staff or facility. He

stated that if the process will be more streamlined in the future, he would rest the judgment with Mr. Sligar. He also remarked that, for the most part, people don't have a great handle on the issue. He stated that he has not heard a large amount of opposition. He asked for a brief update on how this came about.

Mr. Sligar reviewed the initial request in 2008 and how DEC had to give approval. That approval was received in 12/2009. The 35,000± gallons were received this year. He explained that DEC did a lot of work putting together the draft environmental impact statement. Rules were put in place to regulate it and studies were done.

Council Member Macaluso commented that people are upset about this. She asked if there was any way we could educate the community about this. She asked if something could be put in the paper.

Mr. Sligar responded that he was not averse to going on the road to explain the process. He would give tours or address service clubs.

Council Member Macaluso commented that she is not comfortable with everyone bringing their wastewater here.

Mayor Graham commented that there should be a state wide agency charged with regulating this.

Council Member Butler suggested going on another tour of the facility this summer.

Council Member Burns commented that while she believes what Mr. Sligar is telling Council, she just doesn't see a real compelling reason for taxpayers to bear the burden of this. She also commented that she is not sure why the education expense should be put on the taxpayers.

Council Member Macaluso agreed but felt that it was important to educate the public because of the time and effort that has been put into this.

Council Member Butler asked when the point is that this gets voted on.

Mayor Graham responded that the point it gets voted on is when a motion is made.

**MOTION WAS MADE BY COUNCIL MEMBER BURNS TO PROHIBIT THE ACCEPTANCE OF THE BY PRODUCT OF WASTEWATER PRODUCED BY THE HYDRO-FRACKING PROCESS.**

**MOTION WAS SECONDED BY MAYOR GRAHAM AND DEFEATED WITH ALL VOTING NAY ACCEPT COUNCIL MEMBER BURNS AND MAYOR GRAHAM.**

### **Sewall's Island**

Mrs. Corriveau reminded Council of this trip to begin at 8:30 a.m. on Thursday.

### **Fountain near Bistro 108**

Council Member Butler remarked that the fountain needs a fresh coat of paint and the brick needs repointing.

### **Pat Fields' Sidewalk**

Council Member Butler remarked that he doesn't want anyone to lose sight of this work to be done when the weather is nice.

### **JCC Hospitality/Tourism for Ice Arena**

Council Member Butler remarked that we need to stay up on this proposal as well.

### **Front Yard Parking**

Council Member Smith remarked that he thought that people needed a variance or permit to change the yard to front yard parking.

Attorney Burrows commented that people are only allowed to park in front of a garage or carport.

Council Member Smith remarked that there is front yard parking in the 600 block of Boyd Street. Crushed stone has been brought it and he doesn't believe that a permit or variance was issued to them. He stated that it is 2 houses up from Arlington Street on Boyd.

### **Street Lights**

Mrs. Corriveau advised that 25 new lights have been installed. Two are not replaced on Keyes and Sherman/Mullin due to the fact that new bases have to be put in. They have been received and will be installed soon. National Grid is working with the contractor at SMC to put in new conduit. The design for the ornamental light in front of Key Bank is done and that project is moving forward.

### **Banners**

Mrs. Corriveau advised Council that the Attorney General has legal action against Sign Tech asking for restitution for the City, the DBA, the Chamber and the Zoo. Staff is looking now to collect quotes for new banners.

### **Resignation**

Mrs. Corriveau advised that Dave Bush has submitted a letter of resignation from the City's Board of Assessment Review effective immediately.

### **Arena Concession**

Mrs. Corriveau advised that she and Mr. St. Croix had met with JCC representatives about this. After consideration, JCC is unable to pursue this opportunity at this time.

### **NYSERTA Grant**

Mrs. Corriveau advised that the City has received a 90% efficiency transportation grant for the City's refuse program. This will be used to define the most effective way of collections.

Council Member Smith asked if this would also look at the hours such as day versus evenings.

Mrs. Corriveau explained that they are looking at that separately. She commented that you don't see the smaller communities going with evening pickup.

### **Breen Avenue Public Hearing**

Mrs. Corriveau reminded Council of the public hearing to be held Wednesday evening at 7 p.m. to discuss the Breen Avenue project.

### **EXECUTIVE SESSION**

**MOTION WAS MADE BY COUNCIL MEMBER BURNS TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL.**

**MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA.**

Council moved into Executive Session at 8:25 p.m.

Council reconvened at 8:50 pm.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:50 P.M. BY MOTION OF COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*  
City Clerk

