

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
April 21, 2003
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 MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Authorizing the Sale of Bicycles, Miscellaneous Items and Equipment at Public Auction
- 2 - Contract for Use of Buildings and Grounds, Our Lady of the Sacred Heart Parish and the Missionaries of the Sacred Heart
- 3 - Contract for Use of Buildings and Grounds, Faith Fellowship Church
- 4 - Authorizing Application for AIP Grant, Watertown International Airport, Runway 10-28 Reconstruction
- 5 - Authorizing Application for AIP Grant, Watertown International Airport, General Aviation Apron Rehabilitation Construction
- 6 - Authorizing Application for AIP Grant, Watertown International Airport, Security Improvements
- 7 - Authorizing Application for FAA Grant, Watertown International Airport, Master Plan and Airport Layout Plan
- 8 - Authorizing the City Manager to Accept a Proposal for the Community Participation and Vision Planning Phase of a Local Waterfront Revitalization Plan Submitted by The Research Foundation of the State University of New York For and In Conjunction with the SUNY College of Environmental Science and Forestry
- 9 - Finding that the Approval of the Request Submitted by Karen Delmonico of the Greater Watertown North Country Chamber of Commerce to Amend Planned Development District #2 to Allow Office Use at 1241 Coffeen Street, Parcel No. 8-40-105 Will Not Have a Significant Impact on the Environment
- 10 - Supporting Certificate of Need Application, Renal Care of Northern New York, LLC
- 11 - Establishing Percentage of Special Assessment to be Paid by City of Watertown, Pursuant to Section 93 of the City Charter
- 12 - An Ordinance Authorizing the Issuance of \$330,000 Serial Bonds of the City of Watertown, Jefferson County, New York to Pay the Cost of the Demolition of Buildings Which Are Located at 148 North Pleasant Street and Are Not Owned

- by the City, Pursuant to an Order of the New York State Supreme Court, In and For Said City
- 13 - An Ordinance Authorizing the Issuance of an Additional \$5,150 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay Additional Costs of the Replacement of the Fire Department's Self-Contained Breathing Apparatus Units and Spare Air Cylinders to Comply with OSHA Requirements, In and For Said City of Watertown, Jefferson County, New York, to Pay the Cost of the Construction or Reconstruction of Sidewalks at Various Locations Within the City
 - 14 - 7:15 p.m. - Public Hearing – Approving the Request Submitted by Karen Delmonico of the Greater Watertown North Country Chamber of Commerce to Amend Planned Development District No. 2 to Allow Office Use at 1241 Coffeen Street, Parcel No. 8-40-105
 - 15 - 7:30 p.m. - Public Hearing - Establishing Percentage of Special Assessment to be Paid by City of Watertown, Pursuant to Section 93 of the City Charter
 - 16 - 8:00 p.m. – Public Hearing – Local Law No. 1 of 2003
 - 17 - Public Hearings for 2003-04 Operating Budgets and 2003-04 through 2007-08 Capital Budget
 - 18 - Monthly Finance Report
 - 19 - 1017 Huntington Street

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence in memoriam for former Councilman Ambrose Gaffney.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of April 7, 2003 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

COMMUNICATIONS

Minutes were received from the library's board meeting.

ABOVE PLACED ON FILE

Petitions for tax assessment review were received from SPX Corporation, Verizon New York, Eastern Housing Associates, Arsenal Housing Associates and Academy Housing Associates.

ABOVE PLACED ON FILE

A petition containing approximately 10 signatures was received from neighbors in the area of 826 LeRay Street complaining about the smoke and emissions coming from an outdoor fuel/woodburning system at that location.

PRIVILEGE OF FLOOR EXTENDED

Larry Cooke, Co. Rte. 162, addressed the chair explaining that their business, Popcorn & More was moving to the original Woolworth building. He asked that three 10-minute parallel parking spaces be placed adjacent to the building since there is currently no parking available near the building.

Dan Francis, 463 Harris Drive, addressed the chair asking if the EDZ was a dead issue.

Mayor Butler explained that in a sense it is as the Council has made their decisions as to the amendments in the zone. However, businesses are welcome to come back and apply for entrance into the zone.

Mr. Francis remarked that he felt the reasons for the decisions made by the Council were poor ones and he felt that it had been a political decision.

Michael LaDue, 415 Seward Street, addressed the chair stating that if the acreage is available then the City should let all the businesses come in that apply. He also commented that Councilwoman Burns property was in the zone.

Councilwoman Burns responded that the Paddock Arcade was in the original zone.

Joel Bartlett, Town of Watertown Supervisor, addressed the chair stating that the town supports the Council's amendment. However, if New York State determines that it puts it under the new rules, the town will withdraw their support.

PUBLIC HEARINGS

AT 7:15 PM MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE PLANNED DEVELOPMENT DISTRICT NO. 2 AMENDMENT REQUEST SUBMITTED BY THE GREATER WATERTOWN NORTH COUNTRY CHAMBER OF COMMERCE TO ALLOW OFFICE USE AT 1241 COFFEEN STREET, PARCEL NO. 8-40-105.

Mayor Butler declared the hearing open.

No one spoke

Mayor Butler declared the hearing closed.

AT 7:30 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER WHETHER ALL OR A PORTION OF THE PROPOSED SIDEWALK IMPROVEMENTS SHOULD BE A CHARGE OR EXPENSE UPON THE ABUTTING PROPERTY OWNER.

Mayor Butler declared the hearing open.

Gary Pilon, Interim City Engineer, addressed those present explaining that when the notices were sent out, the department had to come up with an estimate for repair costs. He stated that if the blocks were not a tripping hazard, they probably wouldn't have to be replaced but merely repaired. He also commented that just because the report gives an estimate to replace all blocks, this might not be true. He explained that his department would be ready to talk with homeowners individually.

John Doldo, Jr., Harris Drive, addressed the chair explaining that the estimate he received was for \$22,000 - \$174.00 per block. He stated that he asked someone from Engineering to take a look at the sidewalk but was told that they couldn't spare the time.

Mayor Butler commented that he recommends voting down the bond ordinance pertaining to this issue.

Paul Dowling, 145 Flower Ave. West, addressed the chair explaining that his estimate was for 11 blocks and he only has 10. He stated it is not an "estimate" but is more of a "guesstimate". He stated that by signing the letter, the City is asking him to sign a blank check and he won't do it. He stated that two of his blocks are 4 x 4 and the City tells him they have to be 4 x 4.3. He also commented that five don't need to be touched.

John Rothermel, 205 Ten Eyck Street, addressed the chair explaining that he has 305 running feet of sidewalk, as his property is located on the corner of Ten Eyck and Sherman Street. He stated that the sidewalk program is not right, legal or fair. He commented that the City has run 8 tons of equipment up and down the sidewalk on Sherman Street and has abused the walks. He stated that the City should be totally responsible and should re-evaluate what they are doing.

Louis Dunnigan, 220 Clinton Street, addressed the chair explaining that his sidewalks were ruined as a result of City snowplows. Mayor Butler and Mr. Pilon will be meeting with Mr. Dunnigan on Tuesday to view his sidewalks.

Carol Kines, 255 Schley Drive, addressed the chair commenting that she appreciates the fact that Council wants to improve the community. However, she felt that common sense was not used and no consideration was given to the condition of the sidewalk. She commented that the Engineering Department should have rated the sidewalks on a scale of 1-10. She questioned the Council's priorities and asked why they were starting with sidewalks when there is so much urban blight. She suggested that the City find grants or low interest loans to help people fix up their homes. Mrs. Kines then showed photographs of blighted property in the City.

A property owner from Schley Drive (no name or street address given) addressed the chair commenting that if the sidewalks are a code violation then the homeowner needs to fix them and he didn't understand the problem or the need for a new program. He also commented that if the issue is one of safety, it seems unlikely that the quadrant of the City selected for this pilot program would be the most unsafe in the City.

Mayor Butler explained that the old policy was complaint driven. However, the new pilot program has gone awry and the criteria is too strict.

Andy Williams, Washington Street, asked if property owners had to pay for sidewalks on Gotham or Paddock when other projects were done on the street.

Mayor Butler explained that they did not but because it was included in the cost of the federal infrastructure project.

Don Mehan, Sherman Street, addressed the chair stating that the real issue is the fact that the Council set the bar too high by sending out such high estimates. He stated this puts the homeowners in an unfair situation.

Bill Applegate, Schley Drive, addressed the chair stating that the price seems high per block.

Edward Gordon, Elm Street, addressed the chair stating that he would have thought the inspectors would have called the property owners and let them know what the problem was.

Gayle Steele, 802 Holcomb Street, addressed the chair remarking that the best thing the public could do this evening is to listen to Council tell them what the present state of affairs is and what the City wants the homeowners to do.

Michael LaDue, 415 Seward Street, addressed the chair commenting that the T-21 grant would be used to replace downtown sidewalks.

He was told that this is incorrect. These funds will not be used to replace downtown sidewalks.

Mr. LaDue then commented that he would be willing to support a 50/50 match with the City for a sidewalk program.

Dan Villa, 834 Sherman Street, addressed the chair explaining that his property is on the corner of Sherman and Pratt Streets. Like Mr. Rothermel, he commented that the condition of the sidewalk is not due to his neglect but rather because of the City plows. He stated that he would support a program whereby the City does the labor and the property owner pays for the materials.

Lana Taylor, Mullin Street, addressed the chair discussed the need for keeping properties up. However, she remarked that they shouldn't have received the letter out of the blue.

Don Lawton, 326 Holcomb Street, addressed the chair questioning why one block was going to cost him \$1200. He also asked why this area of the City was selected as a test program.

Mayor Butler commented that they picked this area because it represents an older neighborhood. He also commented that the prices are based on the fact that contractors have to pay prevailing wages. If DPW were involved, it would be lower.

Mr. Lawton asked if they were going to take a second look at the properties.

Mayor Butler said they would.

John Kennedy, 256 Clinton Street, addressed the chair stating that he has 21 blocks but has been charged for 35 blocks. He questioned the maintenance sheet being done in August of 2002 and the notification letter being dated April of 2003. He asked if it was still necessary to write an appeal letter if the program was going to be redone.

Martin Kloster, North side resident, addressed the chair stating that the type of crack the City should be worried about is not the one in the sidewalk but the one for sale on the streets.

Fred Bragger, 303 Mullin Street, addressed the chair reading from a prepared statement. He urged Council to scrap this decision as this program goes beyond public safety and urban blight.

Virginia Burdick, Bellew Avenue, addressed the chair referring to Mr. Pilon's memo, which indicates that this project cannot be completed with current staffing levels unless virtually all other projects stop.

Carol Kines, Schley Drive, addressed the chair for a second time suggesting that the City use people from youth and welfare programs as well as prisoners to help keep labor costs down.

Mayor Butler commented that World Changers had contacted him about helping the City with a project.

Joe Rizzo, Ontario Drive South, addressed the chair concerning the test project and curbing. He stated that the City is inconsistent with what they are doing when compared to what the City made him do several years ago with property he owns.

Bill Bice, 814 LeRay Street, addressed the chair explaining that 14 years ago he had to replace his sidewalks at his own expense.

Councilman Clough commented that three weeks ago, he voted against the resolution. He stated that he brought up the same concerns that people are bringing up this evening. He stated that he still has concerns. However, members of this Council vote for what they feel is right. He told those present that council has heard what they are saying and he suggested that the City go back to square one with the program.

Councilwoman Burns remarked that Council has been discussing this for two years and it was discussed in the context of the property maintenance code. She commented that after hearing the debates and talking with people in the community, there is a need for safe sidewalks. However, this can be done in a reasonable fashion.

Councilman Smith responded that he was and is a proponent of the sidewalk program. The City is deteriorated because City Codes have gone unenforced for years. He stated that he feels that if the Code is on the books, the violators should be cited. However, in the past, it has been complaint driven and he feels this is unfair. He stated that it had been his intent to give the property owners a break and to allow them to finance the expense over a 10-year period. He stated that the City needs to fix the questionable part of the program.

Councilman Simmons commented that he believes in a sidewalk program. However, another system needs to be worked out. He stated that while some people have complained that the inspection was done while the frost is still in the ground, the fact is that the inspections were done last August. He stated that the inspectors followed the criteria.

Several people in the audience asked about the 45-day limit for appeals. Mayor Butler asked Attorney Slye to respond.

Attorney Slye recommended that each person who contests the inspection should follow up with a letter to Mr. Pilon.

Answering questions concerning rejecting the bid, Mrs. Corriveau explained that the first step in the process is to reject the bond ordinance. She also explained that the acceptance of the bid submitted by Capital Construction was contingent on the City Council approving the bond ordinance to fund the work and once this has been done, a motion all bids submitted for the Sidewalk Maintenance program would be in order.

Mayor Butler asked that the bond ordinance be voted on at this time.

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

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 construction or reconstruction of sidewalks at various locations within the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,550,000 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 \$1,550,000 and that the plan for the financing thereof is by the issuance of the \$1,550,000 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 class of objects or purposes is ten years, pursuant to subdivision 24 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 upon abutting property owners of such sidewalks a special assessment 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 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 PAUL A. SIMMONS AND DEFEATED WITH ALL VOTING NAY

(Unanimous consent moved by Councilman Smith, seconded by Councilman Simmons and carried with all voting in favor thereof.)

The following resolution was then presented:

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

RESOLVED that the City Council of the City of Watertown does hereby rescind the award of the bid for the Sidewalk Program and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown does hereby reject all bids for the Sidewalk Program.

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

(Rules waived by motion of Councilman Simmons, seconded by Councilman Smith and carried with all voting in favor thereof.)

Councilman Clough asked how the City could eliminate the 45-day appeal window and asked if the letters could be rescinded.

Attorney Slye explained that Council could rescind the letters if they wanted to. However, the 45-day requirement is an administration policy of the City. The policy would apply whether one owner is cited or a whole section of the City is cited. He explained that it is a question of whether Council wants to throw out all the inspections or not. He suggested that perhaps Mr. Pilon could identify the period of time he would need to handle these appeals and inspections. Attorney Slye also addressed the issue of having youth and/or federal programs doing the sidewalk work. He explained that there are big problems with youth working and getting hurt. In addition, the federal government, under law, cannot compete with private enterprise.

Mayor Butler advised those present that the DPW costs would not be determined this evening.

Councilman Simmons responded that he would like to put the 45-day notice on hold.

Attorney Slye advised that there needs to be a time line to determine a scope of work and suggested perhaps July 1st. However, even though the City Manager would not require drawing of permits or any work to be done until July 1st, the property owners should still file any appeals within 45 days.

Mr. Pilon stated that while he couldn't get back to everyone immediately, he thinks that they can get every thing resolved by July 1st.

Dr. Yecies (no address given) addressed the chair calling for a point of order and requesting that this issue be tabled until Council comes back with a better plan.

Audience members questioned the need to sign the form and send it back.

Attorney Slye responded that while he agrees that the form doesn't have to be signed, property owners do need to appeal within 45 days.

Council concurred that new letters will be sent to those who had received sidewalk replacement estimates.

Mayor Butler declared the hearing closed at 10:15 p.m.

AT 8:00 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER LOCAL LAW NO. 1 OF 2003 AS AMENDED. THIS LOCAL LAW REVISES THE DESIGNATED BOUNDARIES OF THE WATERTOWN EMPIRE ZONE.

Mayor Butler declared the hearing open.

No one spoke

Mayor Butler declared the hearing closed.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City of Watertown has acquired a number of abandoned bicycles, miscellaneous items and equipment, the listing of which is attached and made a part of this resolution, and

WHEREAS these bicycles, miscellaneous items and equipment have some value best determined by public auction,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by auction, of abandoned bicycles, miscellaneous items and equipment, and to further declare all bids final and sales complete while said auction is conducted, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

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

Commenting on the foregoing resolution, Councilwoman Burns asked about the bicycles left over from the auction. She remarked that there are many disadvantaged children in the community who would enjoy a bicycle.

Chief Piche explained that, under law, they must go to auction. They are then held over until the next auction and then can be destroyed or gotten rid of.

Councilwoman Burns asked Mrs. Corriveau to see if a certain number of the bicycles could be allotted to a charity.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown desires to run a Summer Recreation and Playground Program within the City of Watertown, and

WHEREAS the Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg are willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown, Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg, and

WHEREAS the City of Watertown deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City, Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of parish facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute the contract on behalf of the City of Watertown.

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

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City of Watertown desires to run a Summer Baseball Program within the City of Watertown, and

WHEREAS Faith Fellowship Church is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and Faith Fellowship Church, and

WHEREAS the City of Watertown deems the providing of a Summer Baseball Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and Faith Fellowship Church, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Faith Fellowship Church from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of parish facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

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

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 Runway 10-28 is in need of repairs to the storm drainage, runway safety areas, runway edge lighting as well as the complete rehabilitation of the runway's base structure and surface wear course, 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 reconstruction of Runway 10-28 at the Watertown International Airport with a total cost of \$3,000,000, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the application on behalf of the City of Watertown.
SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS AND COUNCILMAN SMITH VOTING NAY

Prior to the vote on the foregoing resolution, Councilman Smith commented that this resolution and the next three will cost the City over \$250,000 and he would not support them.

Councilman Simmons asked if an update from the task force should be given prior to a vote on these resolutions.

Councilman Clough explained that the committee met three weeks ago and they are progressing with the study of the airport. He commented that as far as the County or another agency taking it over, he thinks it will happen in a timely fashion. Another meeting will be held.

Councilwoman Burns also explained that staff is working on a couple of issues before the transfer of ownership can move forward.

Councilman Simmons asked about the time line for voting on these resolutions.

Mrs. Corriveau explained that they needed to be submitted by April 28th.

Mr. Hayes, DPW Superintendent, explained that other than the Runway 28 resolution, the others have already been approved in previous capital budgets and the money is already in place. He explained that these resolutions merely show the City's willingness to accept the grants if they become available.

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 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 the design of this project is underway and the City is now 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 construction of the general aviation apron rehabilitation at the Watertown International Airport with a total cost of \$675,000, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the application on behalf of the City of Watertown.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS AND 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 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 security system at the Watertown International Airport with a total cost of \$1,300,000, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau 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 SIMMONS AND 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 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 City does not have an accurate, updated Master Plan or Airport Layout Plan, and

WHEREAS given the fact that many FAA design and planning standards have changed since the Master Plan was last updated, it is important that a new Master Plan and Airport Layout Plan be prepared to help guide this community in its future development of the airport, and

WHEREAS these plans are the key to the City's ability to obtain future Airport Improvement Program grant consideration, and

WHEREAS the total cost of this project is \$197,222 and

WHEREAS funding under this grant is 90% Federal, 5% State and 5% Local. The City's \$9,861 match for this grant is contained in the FY 2002-03 Capital Budget,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the submission of an application to the Federal Aviation Administration to support a 20-year Master Plan and Airport Layout Plan at the Watertown International Airport with a total cost of \$197,222, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the application on behalf of the City of Watertown

SECONDED BY MAYOR JOSEPH M. BUTLER AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS AND COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the New York State Department of State, Division of Coastal Resources has announced that the City of Watertown, has been awarded grant funding under Title 11 of the Environmental Protection Fund to start a Local Waterfront Revitalization Program (LWRP) for the Black River, and

WHEREAS the City Council desires to revitalize the waterfront along the Black River, and

WHEREAS the City, through the Quality Communities Program, has agreed to consider contracting with the Center for Community Design Research at the SUNY College of Environmental Science and Forestry to develop a community vision for the riverfront, and

WHEREAS the Center for Community Design Research at the SUNY College of Environmental Science and Forestry has agreed to conduct the Community Participation and Vision Planning Phase of the LWRP on behalf of the City,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau is hereby directed to accept a proposal in the amount of \$13,000.00 on behalf of the City Council of the City of Watertown, for the Community Participation and Vision Planning Phase of a Local Waterfront Revitalization Plan submitted by the Research Foundation of the State University of New York for and in conjunction with the SUNY College of Environmental Science and Forestry.

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

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Council of the City of Watertown, New York has before it an ordinance for the Planned Development District No. 2 Amendment request of Karen K. Delmonico of the Greater Watertown North Country Chamber of Commerce to allow office use in addition to retail use and a pre-school at 1241 Coffeen Street, Parcel No. 8-40-105, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA) and regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance would constitute such an
“Action”, and

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

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2, and

WHEREAS to aid the City Council in its determination as to whether the proposed Planned Development District Amendment will have a significant effect on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by Karen K. Delmonico of the Greater Watertown North Country Chamber of Commerce, 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 upon 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 the adoption of the ordinance will not have a significant effect on the environment.
2. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This resolution shall take effect immediately.

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

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS in June 2001, Renal Care of Northern New York, LLC submitted a Certificate of Need Application in order to establish an Article 28 Diagnostic and Treatment Center, and

WHEREAS their application states, it is their desire to establish a freestanding dialysis facility to facilitate the provision of dialysis services to the patient population residing primarily in Jefferson County and the areas of neighboring counties through a conveniently accessible location, and

WHEREAS the application states that the proposed facility will contain twenty four (24) dialysis stations and provide a full range of dialysis services, including but not limited to: in-center hemodialysis, home training and follow-up care for peritoneal dialysis patients and back-up dialysis for home patients,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby supports the Certificate of Need Application submitted by Renal Care of Northern New York, LLC to establish an Article 28 Diagnostic and Treatment Center.

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

Prior to the vote on the foregoing resolution, Councilman Smith explained the reasoning for asking for this. He stated that he doesn't have faith in a facility that can't pay their taxes and utility bills.

Mayor Butler commented that he and Mr. Hiller had sent a verbal assurance to Mercy before and he doesn't want to get caught in between.

Councilman Smith responded that at the time the letter was sent, it was thought that Mercy's services could expand. However, that proved to not be the case.

Councilwoman Burns asked if they could also do a certificate of need resolution for Mercy if at a later time things get better for them.

Attorney Slye responded that they could.

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS a public hearing was held in accordance with Section 93 of the City Charter on April 21, 2003 at 7:30 p.m. to hear public comment concerning whether all or a portion of the cost for proposed sidewalk improvements to the streets identified in the attached proposed special assessment district, shall be a charge or expense upon the abutting properties, and

WHEREAS the City Council has determined that it shall fix the percentage of the entire cost to be paid as a general city charge as _____,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, pursuant to Section 93 of the City Charter, hereby fixes the percentage of the entire cost of the proposed sidewalk improvements to the streets identified in the attached proposed special assessment district to be paid by the City at _____.

SECONDED BY COUNCILMAN PETER L. CLOUGH

MOTION WAS MADE BY COUNCILMAN SIMMONS TO TABLE THE FOREGOING RESOLUTION.

MOTION WAS SECONDED BY MAYOR BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

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 class of objects or purposes of paying the cost of the demolition of buildings which are located at 148 North Pleasant Street and are not owned by the City, pursuant to an order of the New York State Supreme Court, which buildings have become dangerous or detrimental to human life, health or safety, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$330,000 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 \$330,000 and that the plan for the financing thereof is by the issuance of the \$330,000 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 five (5) years, pursuant to subdivision 33 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 COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

(Unanimous consent moved by Councilman Clough, seconded by Councilman Smith and carried with all voting in favor thereof.)

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 December 16, 2002 and February 3, 2003, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of an aggregate \$130,350 serial bonds of said City to pay the cost of the replacement of the Fire Department's self-contained breathing apparatus units and spare

air cylinders to comply with OSHA requirements, in and for the City of Watertown, Jefferson County, New York, and

WHEREAS, it is now desired to authorize the issuance of an additional \$5,150 serial bonds of said City to finance additional costs of said class of objects or purposes;

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 additional costs of the replacement of the Fire Department's self-contained breathing apparatus units and spare air cylinders to comply with OSHA requirements, including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued an additional \$5,150 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 \$135,500 and that the plan for the financing thereof is

(a) by the issuance of the \$93,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated December 16, 2002;

(b) by the issuance of the \$37,350 serial bonds of said City authorized to be issued pursuant to bond ordinance dated February 3, 2003; and

(c) by the issuance of the additional \$5,150 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 five years, pursuant to subdivision 27 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

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

THE ORDINANCE “APPROVING THE REQUEST SUBMITTED BY KAREN DELMONICO OF THE GREATER WATERTOWN NORTH COUNTRY CHAMBER OF COMMERCE TO AMEND PLANNED DEVELOPMENT DISTRICT NO. 2 TO ALLOW OFFICE USE AT 1241 COFFEEN STREET, PARCEL NO. 8-40-105” WAS PRESENTED TO COUNCIL (Introduced on April 7, 2003; public hearing held this evening; appears in its entirety on page of the 2003 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

LOCAL LAW

LOCAL LAW NO 1. OF 2003 AS AMENDED WAS PRESENTED TO COUNCIL- A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1994, AS AMENDED BY LOCAL LAW NO. 6 OF 1995 AND LOCAL LAW NO. 1 OF 2003, REVISING THE DESIGNATED BOUNDARIES OF THE WATERTOWN EMPIRE ZONE (Originally Introduced to Council on March 3, 2003; Public hearing held on the original on April 7, 2003; amended on April 7, 2003; public hearing held this evening on the amended Local Law.)

MOTION WAS MADE BY COUNCILMAN CLOUGH TO RESCIND THE AMENDMENTS TO THE FOREGOING LOCAL LAW.

MOTION WAS SECONDED BY MAYOR BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

MOTION WAS MADE BY COUNCILMAN SMITH TO AMEND THE LOCAL LAW AS OUTLINED IN THE CITY MANAGER'S REPORT AND APPROVED BY THE EMPIRE ZONE ADMINISTRATIVE BOARD.

MOTION WAS SECONDED BY MAYOR BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF EXCEPT COUNCILMAN SIMMONS VOTING NAY

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Budget Public Hearings

Motion was made by Councilwoman Burns to schedule a public hearing for Monday, May 5, 2003 at 7:15 p.m. to consider the City's Proposed Operating Budget for 2003-04.

Motion was seconded by Councilman Clough and carried with all voting in favor thereof.

Motion was made by Councilwoman Burns to schedule a public hearing for Monday, May 5, 2003 at 7:30 p.m. to consider the City's Proposed Capital Budget for 2003-04 through 2007-08.

Motion was seconded by Councilman Clough and carried with all voting in favor thereof.

1017 Huntington Street

Mrs. Corriveau explained that Mr. McWayne and Councilman Simmons had inspected this property. Mr. McWayne recommends that the City move forward with the demolition of it due to the fact that the interior of the home appears to be covered with mold that would require complete gutting of the premises, thereby making rehabilitation of this property cost prohibitive.

Motion was made by Councilman Clough authorizing the demolition of property located at 1017 Huntington Street.

Motion was seconded by Councilman Simmons and carried with all voting in favor thereof.

Polling Places

Councilman Smith discussed the polling places on the north side.

Mrs. Dutton advised Council that the Jefferson Co. Board of Elections is in charge of selecting the polling places and they do have a committee, which is working, on these particular sites. As soon as selections have been made, Council will be notified.

Codes Complaint – 826 LeRay Street

Councilman Clough referred to the petition concerning this. He explained that he had asked to have it read into the record this evening as it had been received by Codes last year and Mr. McWayne has indicated that this outdoor furnace is legal. Councilman Clough explained that the owner burns everything in it and the Fire Department has been called many times. He commented that it is very unpleasant for the neighbors and asked Attorney Slye if anything could be done.

Attorney Slye responded that this presents a unique opportunity for the Council regarding the regulating of soot producing back yard burners.

Chief Gaumont commented that the owner did call in and explained that he has plans to elevate the stack in the future.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 10:32 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk