

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
May 1, 2006
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
COUNCILMAN JEFFREY M. SMITH
MAYOR GRAHAM**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Accepting Proposal for Paratransit Services, Guilfoyle Ambulance Service
- 2 - Authorizing Permanent Sewer Easement, Haney Street Parcel No. 9-19-106, New York State Department of Transportation
- 3 - Approving the Contract of Sale With Jacqueline Rexford for Real Property Consisting of a Portion of Tax Parcel No. 6-08-126, 119 State Place
- 4 - Approving the Site Plan for the Construction of a 5,813 Sq. Ft. Addition to the Travelodge Motel at 652 Arsenal Street, Parcel No. 7-13-105
- 5 - Authorizing the Issuance of \$160,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Paving at the Department of Public Works Facility, In and For Said City
- 6 - Amendment to Municipal Code, Section 293, Vehicles and Traffic – J.B. Wise Parking Lot
- 7 - 7:30 p.m. – 2006-07 Operating Budgets
- 8 - 7:45 p.m. – 2006-07 through 2010-11 Capital Budget
- 9 - Tabled Resolution – Authorizing Application for Selective Traffic Enforcement Program (STEP)
- 10 - Zoning Code of 1959

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 April 17, 2006 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

COMMUNICATIONS

From Congregation Degel Israel requesting permission to raise the Israeli flag on Wednesday, May 3, 2006 at 9:00 A.M. at the City Municipal Building.

ABOVE PLACED ON FILE

Petitions for assessment review were received from:

1. Home Depot
2. Arsenal Street Associates
3. Stateway Plaza Shopping Center
4. Coolidge Watertown LLC
5. Carrols Corporation #400
6. Carrols Corporation #401
7. Carl & Linda Disalvatore

ABOVE PLACED ON FILE

Minutes were received from the library's board meeting.

ABOVE PLACED ON FILE

From Brian Mitchell requesting "Slow" or "Children at Play" signs on Boon Street.

ABOVE PLACED ON FILE

Claim against the City was received from Kenneth G. Walts for personal injuries he sustained when he fell in front of the YMCA.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

Wayne Zimmer, Katherine Street, addressed the chair concerning the sidewalk program. He asked what would happen when residents that are cited for sidewalk replacements are not here, but in Iraq.

Attorney Slye explained that this has happened before and the matter is adjourned until they return.

Mr. Zimmer also explained that there was a wheelchair bound person in his neighborhood who was cited. He asked what could be done to help him with his concerns about the notice.

Mayor Graham explained that the gentleman could contact the City and someone would come out and look at the sidewalk.

Mr. Zimmer also mentioned the fire rescue truck being proposed for next year's budget. He questioned why it had been down for over 170 days and stated that a mechanic could have been hired to repair it for less than a new truck will cost.

Mayor Graham interrupted the regular course of business to allow the Thompson Park Zoo to make a presentation to the Council.

Angela Baier, Executive Director of the Zoo, explained to the Council that the wire mesh for the Mountain Lion exhibit was in serious need of replacement. She explained that the Mountain Lions have been taken off exhibit until this issue can be taken care of. She stressed that this is a very serious safety issue. She also advised the Council that the zoo had contacted national fencing firms and they estimated the costs to be between \$72,000 and \$75,000. The local firm of Butler Fence will remesh all the sides and the top for a fee of \$21,891. She explained that the difference in price is due to the fact that a different material will be used. The national firms use stainless steel woven nets which allow for a better view of the animals. Butler Fence will use a smaller gauge square mesh and, while not as aesthetically pleasing, will work just as well.

Councilman Bradley asked if it would weather as well.

Mrs. Baier responded that it has a warranty of between 10 and 13 years.

Councilman Bradley remarked that the zoo tends to change exhibits more often than that anyway.

Dale Klock, Finance Officer for the Zoo Board, explained that there is about \$3,000 left from the city's zoo maintenance fund. He explained that the zoo is requesting an additional \$10,000 be put in the 2005-06 maintenance fund to help offset the costs.

Councilman Clough asked if Mrs. Corriveau was aware of this since Mrs. Baier explained that it has been ongoing.

Mrs. Baier explained that it has just come up within the last six weeks. Prior to that repairs were being made for about two to three months.

Mayor Graham commented that he had never thought this was a safe exhibit.

Mrs. Baier responded that the zoo was fortunate that they hadn't experienced any problem with this before.

Councilman Clough questioned if increasing City funds for this would hamper any future grants the zoo might apply for.

Mr. Klock explained that the zoo is looking into setting up a deferred maintenance fund to be used when things such as this need to be repaired and replaced.

Mayor Graham asked if this was a cash flow issue and if so, Watertown Trust could probably help the zoo out. He questioned the fact that this problem just appeared and was concerned that it hadn't been maintained.

Mrs. Corriveau explained that there is a \$20,000 allocation to the Thompson Park Conservancy that has to be spent for improvements at the zoo. She explained that this request could also fall under the bed tax funding which has to be used for tourism or tourism related promotions.

Councilman Clough asked if there were funds in the budget so that the budget wouldn't be changed.

Mrs. Corriveau explained that there are funds in the 2005-06 budget for bed tax that could support this request.

Councilman LaBouf remarked that he would support granting the request.

Mayor Graham responded that we cannot have a public safety issue and if the bed tax funds are there, they should be used for this.

Council concurred.

Mayor Graham referred to a letter received by the Council (letter not on file in the City Clerk's Office) and invited Dr. Tim Abel, Executive Director of the Jefferson County Historical Society, to address the Council.

Dr. Abel read from a written report requesting \$7,500 in funding from the City. He explained that the County gave the Society \$9,000 this year, which is up from \$6,000-\$7,000 in the past. He also explained that the town and villages do not contribute. Dr. Abel explained that the Society has significant maintenance issues.

Councilman Clough asked if this was a one-year request.

Dr. Abel responded that it was at this point.

Councilman Clough asked if Dr. Abel could meet with Mrs. Corriveau and explain exactly what the funds would be used for.

Mayor Graham remarked that if the Council gives money, it must be done consistent with

certain statutes.

Attorney Slye advised that Council could spend money on advertising for tourism. He also commented that the City rents the parking lot from the Historical Society and could increase the rent amount to cover this expense.

Councilman LaBouf asked if the \$7500 could be used for a capital improvement for energy efficiency.

Attorney Slye remarked that it would have to be a City capital improvement, not a Society capital improvement.

Council concurred to honor the Historical Society's request.

PUBLIC HEARINGS

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE CITY'S PROPOSED OPERATING BUDGETS FOR 2006-07.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING CLOSED.

AT 7:45 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE CITY'S PROPOSED CAPITAL BUDGET FOR 2006-07 THROUGH 2010-11.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE PUBLIC HEARING CLOSED.

RESOLUTIONS

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown owns and operates a fixed route bus service in the City, and

WHEREAS as a requirement of the Americans with Disabilities Act, the City is required to provide Paratransit Services, and

WHEREAS Guilfoyle Ambulance Service has provided Paratransit Services for the City of Watertown and under the terms of an Agreement effective July 1, 2002, the City has the ability to extend the terms of the Agreement for an additional three (3) year term on a year to year basis, and

WHEREAS Purchasing Agent Robert Cleaver and Transit Supervisor Kathy Webster are recommending that the City Council extend the terms of the 2002 agreement for one additional year, and

WHEREAS this is the third and final extension on this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the one-year Lump Sum proposal submitted by Guilfoyle Ambulance Service in the amount of \$50,050.82 for Paratransit Services, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute any contract documents associated with the acceptance of this bid.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS in connection with the rehabilitation of Arsenal Street corridor and the reconstruction of the bridge over Route 81, the New York State Department of Transportation will be making changes to the storm sewers, and

WHEREAS New York State Department of Transportation is requesting a permanent easement to lay, construct, operate and maintain said sewer line on property owned by the City of Watertown on Haney Street, Parcel No. 9-19-106, as depicted in the attached map,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and directs City Manager Mary M. Corriveau to execute the documents needed to provide a permanent Sewer Easement to the New York State Department of Transportation in accordance with the attached map, which is made a part of this resolution.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

Commenting on the foregoing resolution, Councilman Clough asked if the parcel could be sold after this easement is granted.

Mrs. Corriveau remarked that while it could, she is not sure what use it would have, as it is very narrow.

Councilman Clough responded that the lot is very deep.

Mr. Hayes remarked that the lot goes from Haney Street to Friendly's.

Councilman Bradley referred to the map attached to the report and stated that while it starts off wide, it gets very narrow near the back of the parcel.

Councilman Clough requested information on the dimensions of the lot.

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

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown is modifying, restructuring and improving the street known as State Place, and

WHEREAS the City desires a portion of Tax Assessment Parcel No. 6-08-126, located at 119 State Place, owned by Jacqueline Rexford to incorporate into and make part of the improvements to State Place, and

WHEREAS a Contract of Sale has been drafted, which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York approves the Contract of Sale with Jacqueline Rexford, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the sale documents on behalf of the City.

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

Commenting on the foregoing resolution, Councilman Smith asked for confirmation that there was no monies being used other than the City paving the driveway.

Mr. Mix explained that only the paving was being done and was being paid for from

federal block grant funds and no City funds are being used.

Councilman Smith remarked that the City is allowing front yard parking here and is not enforcing the ban throughout the City.

Mr. Mix explained that there is no enforcement of the front yard parking ban at this location, because it is in a commercial district where front yard parking is allowed.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Ryan Churchill of GYMO, P.C., has made an application for site plan approval, on behalf of Hermant D. Panwala of the Travelodge Motel, for the construction of a 5,813 sq. ft. addition to the Travelodge Motel at 652 Arsenal Street, Parcel No. 7-13-105, and

WHEREAS the Zoning Board of Appeals of the City of Watertown, New York has granted an area variance on April 26, 2006 to allow five fewer parking spaces than normally required by the City's Zoning Ordinance for a project of this size, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its November 29, 2005 meeting 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 Planning Board of the City of Watertown reviewed the site plan at meetings held on March 7, 2006 and April 4, 2006 and recommended that the City Council approve the site plan, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2 and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed addition constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Ryan Churchill of GYMO, P.C., on behalf of Hermant D. Panwala of the Travelodge Motel for the construction of a 5,813 sq. ft. addition at 652 Arsenal Street, Parcel No. 7-13-105, as shown on plans submitted to the City Engineer on March 21, 2006.

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

Commenting on the foregoing resolution, Councilman Smith asked if this business would be prohibited from adding more rooms in the future.

Mr. Mix explained that any plans to put in additional rooms would require a building permit and Code Department review. At that time, Codes would also evaluate the parking.

MOTION WAS MADE BY COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF TO TAKE FROM THE TABLE THE RESOLUTION “AUTHORIZING APPLICATION FOR SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)” (Introduced on April 16, 200; table; appears in its entirety on page 76 of the 2006 Minutes Book).

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

Prior to the vote on the foregoing resolution, Captain Reff explained that these funds are used strictly for labor. It enables the department to be proactive and is not used to trap anyone.

Councilman Smith asked if the goal is to have an awareness that there is a police presence in school zones or is it to let the public know that they are speeding.

Captain Reff explained that last year this was done each month and each time the public was notified.

Councilman Smith asked if warnings could be given out instead of tickets.

Captain Reff responded that while he doesn't know if there is a requirement within the grant to write a certain number of tickets, he does know that they will want to see what has been done and warnings merely defeat the purpose.

Mayor Graham commented that the city should be doing these things anyway and not be tied to a grant. He stated that traffic control devices could be on duty 24/7. He suggested local PSAs being done.

Captain Reff remarked that the department has done local PSAs in the past.

Mrs. Corriveau and Councilman Clough both remarked that the local PSAs have been done very well and do appeal to the individual to use better judgment.

Councilman Clough remarked that he gets calls from people concerning drivers going through red lights and stop signs.

Councilman LaBouf thanked Captain Reff for getting the information to Council.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Niagara Mohawk is replacing power poles along Arsenal Street within the NYS DOT Right of Way, and

WHEREAS in order to complete this work, a new pole and guy wire will need to be set along Arsenal Street near the Arsenal Street Cemetery, and

WHEREAS Niagara Mohawk Power Corporation is requesting a permanent easement to construct, reconstruct, relocate, extend, repair, maintain, operate, inspect and remove any guys, guy stubs, supporting structures, cables, braces, fittings, foundations, anchors and other guying or supportive fixtures as detailed in the attached Grant of Easement document,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and directs City Manager Mary M. Corriveau to execute the Grant of Easement document needed to provide a permanent Utility Easement to Niagara Mohawk Power Corporation in accordance with the Grant of Easement and map, which are attached and made a part of this resolution.

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

(RULES WERE WAIVED BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEROF)

Prior to the vote on the foregoing ordinance, Mayor Graham questioned if it should be National Grid, instead of Niagara Mohawk.

Mrs. Corriveau explained that Ni Mo sent the document this way. She explained that they are putting in a feeder tie on Arsenal Street as they are replacing all the poles on the street. The guy wire comes down just past the NYS DOT right of way.

Mayor Graham remarked that he would still like clarification on the name of the company.

Attorney Slye responded that this merely grants an easement. They are the ones that would have to worry about the name.

ORDINANCES

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

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

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

Section 1. For the specific object or purpose of paying the cost of paving at the Department of Public Works Facility, in an for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$160,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$160,000 and that the plan for the financing thereof is by the issuance of the \$160,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision twenty 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 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 to pay such portion of the principal of and interest on such obligations, as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

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 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 JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

Unanimous consent moved by motion of Councilman LaBouf, seconded by Councilman Smith and carried with all voting in favor thereof.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

BE IT ORDAINED by the City Council of the City of Watertown that §293-67 of the Code of the City of Watertown is hereby amended by adding the following:

Name of Street	Side	Restricted Time Limit: Hours/days	Location
J.B. Wise spaces Parking Lot	N/A	2 hr.; 8:00 a.m. to 6:00 p.m./Monday through Friday	14 most easterly

And,

BE IT FURTHER ORDAINED by the City Council that §293-74 be amended by replacing the following:

Name of the Parking Lot	Number of Spaces/Location
Public Square/J.B. Wise Place Lot	8

With the following:

Name of Parking Lot	Number of Spaces/Location
J.B. Wise Parking Lot	12

And,

BE IT FURTHER ORDAINED that this Amendment to the Municipal Code 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 COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

Unanimous consent moved by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

Mayor Graham asked if the parking spaces would be adequate.

Mrs. Hoffman explained that the request for the 14 spaces comes from the businesses she had met with. They felt that 14 spaces were adequate.

Councilman Smith asked how the two-hour parking limit would be enforced.

Mrs. Corriveau explained that a new employee has been hired through the Police Department and he is doing parking enforcement now.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Sidewalk Program

Councilman Clough remarked that when this program had been discussed previously, staff was going to see if they could get grant monies to help those on fixed incomes.

Mr. Mix explained that there was a small amount of funds, about \$25,000, left from a CDBG program, which had been utilized for sewer laterals. There is also about \$25,000 left in the Palmer St. UDAG funds.

Mrs. Corriveau advised Council that the available funding would be limited and Council would have to set guidelines and income requirements before any of the funds could be used.

Councilman LaBouf asked if the \$14,000 from the legislative portion of the budget could be transferred to a fund for this purpose.

Mrs. Corriveau asked that Council give staff until Thursday's budget session to look at the funds and what the requirements would be. She also questioned what would happen if two years after they received help in paying for their sidewalk, they decide to sell their home. She asked if they would be required to pay back a certain amount to the City.

Fire Rescue Truck

Councilman Clough asked if the City could take legal action against the company.

Attorney Slye explained that the lemon law does not apply to commercial vehicles. He explained that the original problems were electrolysis in nature. The company totally rebuilt the chassis. They also provided the City with a loaner vehicle during the time that this was done. He also remarked that there was a five-year warranty and we've had the vehicle longer than five years. Now the problems seem to be electrical. He remarked that his opinion would be to trade into a used vehicle and not go the legal route. He explained that if a lawsuit is pursued, the City is still stuck with the vehicle.

Councilman Smith questioned if the warranty continues if the problem reappears.

Attorney Slye remarked that he doesn't know if the problems are the same. He stated that just because a problem crops up again doesn't mean it wasn't fixed the first time.

Councilman Smith asked if Attorney Slye could meet with the Chief to see if the repairs are the same.

Attorney Slye explained that he has had preliminary discussions with Deputy Chief Sayre. Chief Sayre has also had preliminary discussion with American LaFrance.

Mayor Graham remarked that when there is a six figure piece of equipment that staff decided needs to be replaced, Council finds it disturbing that the information was known some time ago and Council was not made aware of it in a timely fashion.

Attorney Slye advised Council that they were made aware of it when they approved the resolution for the loaner agreement with American LaFrance.

Councilman Bradley remarked that he remembers the agreement resolution and also the fact that Chief Gaumont had compared it to the pumper truck.

Mayor Graham apologized for his remarks. He also mentioned that last week a comment was made that a pickup truck was used while the rescue truck was down.

Mrs. Corriveau explained that the loaner vehicle was used while this truck was down for the 170 plus days. However, a pickup was used at times if they were having trouble with the truck when it was still our possession.

Deputy Chief Sayre explained that the electrolysis problem is back. The emergency warning lights do not work properly and the jake brake is out.

Chief Gaumont explained that there is a thick file on the truck. He also remarked that the people who have worked on the truck have been great.

Mrs. Corriveau asked if Council would like to view the vehicle on Thursday at 6 p.m.

Councilman Smith, in looking at the projected budgets, questioned why the increase in costs.

Chief Gaumont explained that there will be an increase of \$7,000-\$10,000 due to new EPA engine requirements and new safety features.

Munro Muffler

Councilman LaBouf remarked that some residents of Smith Street had spoken with him about the fact that they have reached out to Mr. Smith, the regional director of Munro Muffler. He explained that there is a “muffler” available that attaches to the air chisels that the technicians use to replace mufflers. Councilman LaBouf asked that a letter be sent to Mr. Smith from the Council voicing their encouragement that Munro would do whatever they could to mitigate the noise situation.

Councilman Bradley remarked that he had suggested that Mr. Natali contact Mr. Smith.

Councilman Smith commented that this would go along with what Council has asked Mrs. Corriveau to do.

Mayor Graham responded that the corporate entity is in compliance with the zoning. He stated that he would be more comfortable to let Mrs. Corriveau continue to deal with this issue. He also remarked that if an individual Council member wants to write a letter, that is fine but does not feel that Council should write a letter collectively concerning this.

Councilman LaBouf remarked that they are just asking for a letter of support.

Councilman Smith suggested having a letter drawn up and individual member could sign if they want to.

Councilman Bradley explained that Mr. Smith wants a letter to give to his boss.

Mrs. Corriveau explained that she had a call back from Munro but was not available to take the call. However, she remarked that it is important to talk with the people at the company level. She also suggested that the residents of the street give her the name of the regional director and his phone number.

Mayor Graham remarked that he would not sign a collective letter based on principle.

Mrs. Corriveau responded that if Council and the residents of Smith Street can wait a week, she would get back to them after contacting the regional director.

Rummage Sale

Councilman Smith asked that the rummage/garage sale legislation be addressed soon.

Mrs. Corriveau stated that it would be on the next work session agenda.

Teen Center Request

Mayor Graham advised Council that Debbie Cavallario had requested funding for the Teen Center located on High Street. He stated that he explained to her the concerns Council has about requests coming from 501C agencies to help cover their energy bills.

Tree Watertown

Mrs. Corriveau thanked Mr. Lumbis and Tree Watertown for the trees planted throughout the City.

Downtown Cleanup

Mrs. Corriveau thanked Mrs. Hoffman and the DBA for their efforts in the cleanup this past weekend.

Streetscape

Mrs. Corriveau advised that the groundbreaking ceremony for the streetscape program would be held on Friday, May 5th on Public Square. She also advised that there would be an informational meeting for business owners affected by this reconstruction on Tuesday, May 9th at 7 p.m. in the State Office Building.

Adjournment

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:33 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk