

**CITY COUNCIL MEETING
CITY OF WATERTOWN
June 20, 2016
7:00 p.m.**

Mayor Joseph M. Butler, Jr. Presiding

Present: Council Member Cody J. Horbacz
Council Member Stephen A. Jennings
Council Member Teresa R. Macaluso
Council Member Mark C. Walczyk
Mayor Joseph M. Butler, Jr.

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Matthew Roy, James Mills, Brian Phelps, Eugene Hayes, Deputy Fire Chief Randall, Police Captain Labarge, Amy Pastuf, Yvonne Reff, Michael Lumbis

The City Manager presented the following reports to Council:

- Resolution No. 1 - Appointment to the Transportation Commission – Ryan Henry-Wilkinson
- Resolution No. 2 - Reappointing Amanda C. Lewis as a Marriage Officer for the City of Watertown
- Resolution No. 3 - Accepting Bid for Ferric Chloride at the Pollution Control Plant, Kemira Water Solutions, Inc.
- Resolution No. 4 - Accepting Bid for Chemicals at the Pollution Control Plant, Slack Chemical Company, Inc.
- Resolution No. 5 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical
- Resolution No. 6 - Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical Company
- Resolution No. 7 - Accepting Bid for Chemicals at the Water Treatment Plant, Univar USA, Inc.
- Resolution No. 8 - Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company of New York, Inc.
- Resolution No. 9 - Approving Amended Franchise Agreement Between the City of Watertown and Top Shelf Hockey, LLC
- Resolution No. 10 - Approving the Site Plan for the construction of a 17,900 s.f., three-story building addition and 53 space parking lot, a 17,300 s.f., two-story building addition and 62 space parking lot, a 33,600 s.f. parking lot and a 9,000 s.f. parking lot at 830 Washington Street and the 100 Block of Woodruff Street, Parcel Numbers 14-02-101.110, 14-01-101, 14-01-102, 14-01-139, 14-01-112, 14-01-113 and 14-01-114
- Resolution No. 11 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 11-05-116.000 Known as 524 Clay Street To Tracy Nguyen/Choice Properties of NNY LLC
- Resolution No. 12 - Accepting Change Order No. 4 for Factory Street Reconstruction Project, CCI Companies, Inc.
- Ordinance No. 1 - An Ordinance Amending the Ordinance Dated September 6, 2011, as Amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, Authorizing the Issuance of \$12,900,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Design and Construction Costs of the Factory Street

Reconstruction, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$13,500,000

- Ordinance No. 2 - Changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial
- Public Hearing Resolution - Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000
- Public Hearing Resolution - Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000
- Appointment to the Watertown Local Development Corporation Board
- Request for Waiver from North Country Family Health Center, Inc.
- Sales Tax Revenue – May 2016

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 June 6, 2016, and work session of June 2016, was dispensed and accepted as written by motion of Council Member Stephen A. Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

COMMUNICATIONS

Communications have been received from:

Nick Lee, 325 Holcomb Street, regarding restricting parking on Holcomb from Mullin Street to Clinton Street.

Jeffrey W. Kimball, 267 Ward Street, regarding the condition of the restrooms at the Fairgrounds baseball field.

From North Country Family Health Center, 238 Arsenal Street, requesting a reduction or waiver of the \$200 fee for use of the pavilion at Thompson Park.

Petitions were received from Patricia Whalen, 231 Franklin Street, to show support for obtaining funding to help eradicate the bed bug problem in Watertown and the North Country.

Above communications were placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

Patricia Whalen, 231 Franklin Street, addressed the Chair and reiterated that she drafted a letter and has been circulating petitions to help obtain funding to combat the bed bug problem in the City. She detailed where she has requested signatures and who she plans to send communication to regarding the issue.

PUBLIC HEARING

At 7:30 p.m. Mayor Butler asked the City Clerk to read the notice of Public Hearing concerning approving the Special Use Permit Request submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to allow a parking lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000

Mayor Butler declared the hearing open at 7:30 p.m.

Kevin Mastellon, 149 Flower Avenue West, addressed the Chair and read from a prepared statement (on file in the City Clerk's Office). He explained that the rear portion of his property is at the back of the existing Woodruff Street parking lot. He further stated that they have absolutely no objection to the proposed use of the property, and in fact applaud it. He explained that his concern is with the removal of the trees at the back of the lot. The yards on the Flower Avenue side of the Woodruff redevelopment have been incredibly impacted by the removal of trees over the number of years, adding that the shade is gone as well as the habitat for birds. Nice landscaping on an architect's rendering will not replace 150 year old trees, he said, and expressed appreciation if the trees could be saved.

Council Member Macaluso asked if there was discussion about the trees at the Planning Board Meeting.

Michael Lumbis, Planning Development Director, replied there was no discussion at that meeting but said it might have come up at the Zoning Board of Appeals session. He said some of the trees are right on the property line and not all of them are scheduled to be removed. Mr. Lumbis pointed out to Council which trees would be impacted.

Attorney Slye commented that the discussion about the trees and removal of them is more appropriate to the site plan than it is to special use permits, although he said he has no objection to Mr. Mastellon raising the issue. The Council is empowered to impose reasonable conditions on a site plan.

Mayor Butler declared the hearing closed at 7:38 p.m.

At 7:39 p.m. Mayor Butler asked the City Clerk to read the notice of Public Hearing concerning approving the Special Use Permit Request submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to allow a parking lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000

Mayor Butler declared the hearing open at 7:39 p.m.

No one spoke.

Mayor Butler declared the hearing closed at 7:40 p.m.

RESOLUTIONS

Resolution No. 1 - Appointment to the Transportation Commission – Ryan Henry-Wilkinson

Introduced by Council Member Stephen A. Jennings

RESOLVED that the following individual is appointed to the Transportation Commission for a three-year term, such term expiring on April 1, 2019:

Ryan Henry-Wilkinson
520 Holcomb Street
Watertown, NY 13601

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Mayor Butler invited Ryan Henry-Wilkinson to say a few words regarding his appointment.

Mr. Henry-Wilkinson, 520 Holcomb Street, thanked Council Member Walczyk for the consideration for this appointment and said he will serve proudly.

Council Member Horbacz commented that he believes Mr. Henry-Wilkinson is perfect for the job.

In addition, Council Member Walczyk said he admires the appointee's passion for providing cost-effective transportation and his focus on modernizing our transportation system for the riders.

Mayor Butler thanked him for his willingness to serve.

At the call of the chair, vote was taken on the foregoing resolution with all voting yea.

Resolution No. 2 - Reappointing Amanda C. Lewis as a Marriage Officer for the City of Watertown

Introduced by Council Member Stephen A. Jennings

WHEREAS Section 11-C(1) of the New York State Domestic Relations Law permits the City Council of the City of Watertown to appoint one or more Marriage Officers who shall have the authority to solemnize marriages within the City, and

WHEREAS the City Council of the City of Watertown adopted Local Law No. 2 of 2002, establishing the position of City Marriage Officer under Section 45-11.3 of the City Code of the City of Watertown, and

WHEREAS Amanda C. Lewis is over the age of 18 and is a resident of the City of Watertown, as required by Section 11-C(2) of the New York State Domestic Relations Law,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that

Amanda C. Lewis shall be appointed as a Marriage Officer for the City of Watertown with the duties established by Section 45-11.3 of the City Code of the City of Watertown and by Article 3 of the New York State Domestic Relations Law for a term of four (4) commencing July 1, 2016 and expiring June 30, 2020.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 3 - Accepting Bid for Ferric Chloride at the Pollution Control Plant, Kemira Water Solutions, Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Pollution Control Plant, for the City’s 2016-2017 and 2017-2018 fiscal years’ requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) prospective bidders, with a total of two (2) bids received, and

WHEREAS on Wednesday, June 8, 2016, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Chief Waste Water Treatment Plant Operator Mark Crandall, and it is their recommendation that the City Council accept the bid from Kemira Water Solutions, Inc., as detailed below:

			Kemira Water Solutions, Inc.			
			Lawrence, KS			
Chemical	Unit	Est. Annual Usage - Lbs.	Option 1		Option 2	
			One Year		Two Years	
			2016-2017		2016-2018	
			Per Unit Price	Ext. Price	Per Unit Price	Ext. Price
Ferric Chloride	Ton	240	\$443.54	\$106,449.60	\$443.54	\$212,899.20
Notes			Delivery in 2-3 days ARO. Terms are net 30			

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Kemira Water Solutions, Inc., as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Ferric Chloride for use at the City’s Pollution Control Plant.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 4 - Accepting Bid for Chemicals at the Pollution Control Plant, Slack Chemical Company, Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Pollution Control Plant, for the City's 2016-2017 fiscal years' requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) prospective bidders, with a total of five (5) bids received, and

WHEREAS on Wednesday, June 8, 2016, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Waste Water Treatment Plant, and it is their recommendation that the City Council accept the bids from Slack Chemical Company, Inc., as detailed below:

Item Description	2016-2017
	Unit Price
Sodium Hypochlorite	\$0.767
Sodium Bisulfite Solution	\$1.299

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Slack Chemical Company, Inc., as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Sodium Hypochlorite and Sodium Bisulfite Solution for use at the City's Pollution Control Plant.

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Mayor Butler pointed out that all the bids seemed to be very close except for a bid from Kuehne Co. which is significantly higher.

Amy Pastuf, Purchasing Manager, replied it appears that they misbid on two of the bids, explaining that perhaps they misunderstood.

Mayor Butler inquired if we will reach out and alert them to the discrepancy.

Ms. Pastuf said she will send a letter.

At the call of the chair, vote was taken on the foregoing resolution with all voting yea.

Resolution No. 5 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2016-2017 fiscal year's requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) bidders, with a total of six (6)

bids received, and

WHEREAS on Wednesday, June 8, 2016 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Water Treatment Plant, and it is their recommendation that the City Council accept the bid from Slack Chemical of Carthage, New York, as detailed below:

Chemical	UOM	Est. Annual Usage	Vendor Name	2016-2017
				Unit Price
Chlorine Liquid	Ton	30	Slack Chemical	\$874.34
Sodium Silicate Liquid	Ton	533	Slack Chemical	\$357.54

NOW THEREFORE BE IT RESOLVED that

accepts the bid submitted by

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Slack Chemical of Carthage, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Chlorine Liquid and Sodium Silicate Liquid for use at the City's Water Treatment Plant.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yeas.

Resolution No. 6 - Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical Company

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2016-2017 and 2017-18 fiscal years' requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) bidders, with a total of six (6) bids received, and

WHEREAS on Wednesday, June 8, 2016, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Water Treatment Plan, and it is their recommendation that the City Council accept the bids from Amrex Chemical Company, as detailed below:

Chemical	UOM	Est. Annual Usage	Vendor Name	2016-2017	2016-2018
				Unit Price	Unit Price

Copper Sulfate, Size B	Ton	1	Amrex Chemical Company	\$3,700.00	\$3,700.00
Powdered Activated Carbon	Ton	1	Amrex Chemical Company	\$2,000.00	\$2,000.00

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Amrex Chemical Company, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Copper Sulfate, Size B, and Powdered Activated Carbon for use at the City's Water Treatment Plant.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 7 - Accepting Bid for Chemicals at the Water Treatment Plant, Univar USA, Inc.

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2016-2017 fiscal year's requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) bidders, with a total of six (6) bids received, and

WHEREAS on Wednesday, June 8, 2016, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Water Treatment Plant, and it is their recommendation that the City Council accept the bid from Univar USA, Inc., as detailed below:

Chemical	UOM	Est. Annual Usage	Vendor Name	2016-2017	2016-2018
				Unit Price	Unit Price
Hydrofluosilicic Acid Solution (HFS)	Ton	18	Univar USA, Inc.	\$468.00	No Bid

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Univar USA, Inc., as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Hydrofluosilicic Acid Solution (HFS) for use at the City's Water Treatment Plant.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 8 - Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company of New York, Inc.

Introduced by Council Member Cody J. Horbacz

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2016-2017 fiscal year’s requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) bidders, with a total of six (6) bids received, and

WHEREAS on Wednesday, June 8, 2016, at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the Water Treatment Plant, and it is their recommendation that the City Council accept the bid from Thatcher Company of New York, Inc., as detailed below:

Chemical	UOM	Est. Annual Usage	Vendor Name	2016-2017	2016-2018
				Unit Price	Unit Price
Aluminum Sulfate Liquid	Ton	366	Thatcher Company of New York, Inc.	\$216.00	No Bid

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Thatcher Company of New York, Inc. as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Aluminum Sulfate Liquid for use at the City’s Water Treatment Plant.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 9 - Approving Amended Franchise Agreement Between the City of Watertown and Top Shelf Hockey, LLC

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown owns and operates a facility known as the Watertown Municipal Arena, a community recreational facility, and

WHEREAS the City of Watertown desires to promote recreational activities at the Watertown Municipal Arena for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to enter into a Franchise Agreement with Top Shelf Hockey, LLC, and

WHEREAS Top Shelf Hockey, LLC owns and operates a semi-professional hockey team, as a member and franchise of the Federal Professional Hockey League, and

WHEREAS Top Shelf Hockey, LLC desires to enter into a Franchise Agreement with the City of Watertown to have its team play hockey games within the confines of the Watertown Municipal Arena,

and

WHEREAS on May 16, 2016, City Council adopted a Resolution approving the original Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Amended Franchise Agreement between the City and top Shelf Hockey, LLC, a copy of which is attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Franchise Agreement on behalf of the City of Watertown.

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Mayor Butler commented this is in regard to the advertising in the Arena lobby. He thanked the Manager and her staff for handling this concern that was brought up and coming to an arrangement that is amenable to both parties.

Council Member Horbacz said he is looking forward to the hockey season.

At the call of the chair, vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 10 - Approving the Site Plan for the construction of a 17,900 s.f., three-story building addition and 53 space parking lot, a 17,300 s.f., two-story building addition and 62 space parking lot, a 33,600 s.f. parking lot and a 9,000 s.f. parking lot at 830 Washington Street and the 100 Block of Woodruff Street, Parcel Numbers 14-02-101.110, 14-01-101, 14-01-102, 14-01-139, 14-01-112, 14-01-113 and 14-01-114

Introduced by Council Member Teresa R. Macaluso

WHEREAS Matthew R. Morgia of Aubertine and Currier, PLLC, on behalf of Samaritan Medical Center, has submitted an application for site plan approval for the construction of a 17,900 s.f., three-story building addition and 53 space parking lot, a 17,300 s.f., two-story building addition and 62 space parking lot, a 33,600 s.f. parking lot and a 9,000 s.f. parking lot at 830 Washington Street and the 100 Block of Woodruff Street, Parcel Numbers 14-02-101.110, 14-01-101, 14-01-102, 14-01-139, 14-01-112, 14-01-113 and 14-01-114.

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on May 3, 2016 and June 7, 2016, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The applicant shall obtain Special Use Permit approval for the required remote parking areas.
2. The applicant shall indicate snow storage areas for the two remote parking areas on the site plans.
3. All existing and proposed curb ramps and sidewalks within the City margin shall be built to City specifications and shall meet the requirements of Public Right of Way Accessibility Guidelines (PROWAG).

4. Applicant shall coordinate with the Engineering Dept. regarding the review and installation of the proposed crosswalks.
5. The Notice of Intent (NOI) shall be submitted to the NYSDEC and the NOI acknowledgement letter from the DEC shall be forwarded to the City upon receipt.
6. The property owner must obtain the following permits prior to construction: Demolition Permit, Building Permit, Fence Permit, Sidewalk Permit, General City Permit (to work within margin), Disconnect and Plug Permit (capping of existing sanitary), and Sanitary/Storm Sewer Connection Permit.
7. The applicant must assemble parcels 14-02-101.110, 14-01-102.000, 14-01-139.000 by way of a new metes and bounds description filed with the County Clerk.
8. The applicant must assemble parcels 14-01-112.000, 14-01-113.000, 14-01-114.000 by way of a new metes and bounds description filed with the County Clerk.
9. The applicant must coordinate with the City Fire Department for the location of required Knox Boxes.
10. Details and maintenance agreements for the upkeep of the Water Quality Unit and Underground Stormwater Detention systems shall be submitted to the City.

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 an Unlisted Action and will not have a significant impact on the environment,

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

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

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Matthew R. Morgia of Aubertine and Currier, PLLC and Samaritan

Medical Center for the construction of a 17,900 s.f., three-story building addition and 53 space parking lot, a 17,300 s.f., two-story building addition and 62 space parking lot, a 33,600 s.f. parking lot and a 9,000 s.f. parking lot at 830 Washington Street and the 100 Block of Woodruff Street, Parcel Numbers 14-02-101.110, 14-01-101, 14-01-102, 14-01-139, 14-01-112, 14-01-113 and 14-01-114 as depicted on the site plan submitted to the City Engineer on May 25, 2016, contingent upon the applicant meeting the conditions listed above.

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Mayor Butler commented this is a significant project with a number of contingencies on this resolution.

Council Member Horbacz commented there is one 36-inch maple tree on the property line.

Mr. Lumbis replied he does not believe it is on the property line but further in, more toward the middle of the parking lot.

Council Member Macaluso said she agreed that it is on Samaritan's property. She noted that we cannot stop them from taking down trees.

Chris Bastien, Assistant Vice President, Support Services, for Samaritan Medical Center, addressed Council saying as soon as he received correspondence from the City Planning department regarding Mr. Mastellon's concerns, he checked to see what trees could be salvaged from the demolition plans. He noted there is a large tree in a pathway, not in a parking space.

Council Member Macaluso suggested planting some trees to help replace the ones that will be coming down.

Mr. Bastien stressed that Samaritan wants to be good neighbors and would gladly invite Mr. Mastellon and his wife to work with the architects on some coniferous or deciduous trees.

Attorney Slye reminded Council they can impose reasonable conditions on a site plan.

Discussion centered around where the tree in question is located, and Mr. Bastien explained it is in a pathway that cannot be relocated without losing parking spots.

Mayor Butler questioned if one tree is a deal-breaker on this project.

Mr. Bastien replied if more than one parking space is lost, Samaritan has to get a variance for the number of parking spaces and if approval is not obtained shortly they will miss the fall construction period. The cancer center is very dependent on this approval, he said.

Mr. Mastellon stressed to Council that his intention was to only raise consciousness about the trees and they do not object to the project.

Council Member Walczyk commented that Watertown has become the health care hub of the North Country and that is something to be proud of. He said he is excited for Samaritan and thanked the organization for doing its “due-diligence” and is proud of its efforts.

Mayor Butler agreed and noted this is a significant project. The City recognizes and appreciates the number of people they employ in the City and surrounding area.

At the call of the chair, vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 11 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 11-05-116.000 Known as 524 Clay Street To Tracy Nguyen/Choice Properties of NNY LLC

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 524 Clay Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 11-05-116.000, and

WHEREAS Tracy Nguyen/Choice Properties of NNY LLC has requested the assignment of the tax sale certificate from the City for the amount of the tax sale certificate plus the 2014-15 City tax, 2014-15 school tax, 2015 County tax, 2015-16 City tax, 2015-16 school tax and 2016 County tax plus applicable interest per City Charter Section 140,

NOW THEREFORE BE IT RESOLVED that the offer of \$4,520.50 submitted by Tracy Nguyen/Choice Properties of NNY LLC for the purchase of the tax sale certificate for Parcel No. 11-05-116.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City’s tax sale certificate for the above parcel to Tracy Nguyen/Choice Properties of NNY LLC upon the Comptroller’s receipt of certified funds in the amount of \$4,520.50.

Seconded by Council Member Stephen A. Jennings

James Mills, City Comptroller, noted this resolution needs to be withdrawn. He said he was contacted by Attorney Stone and explained the buyer is no longer interested.

Mayor Butler asked if there is anything else that needs to formally be done.

Attorney Slye replied there is not but that Council should not vote on it.

Resolution withdrawn. No vote was taken.

Resolution No. 12 - Accepting Change Order No. 4 for Factory Street Reconstruction Project, CCI Companies, Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS on May 18, 2015, City Council accepted the bid from CCI Companies, Inc. in the

amount of \$8,783,851.43 for the Factory Street Reconstruction Project, per our specifications , and

WHEREAS Change Orders Nos. 1-3 were covered in the Field Change Payment line item, and

WHEREAS CCI Companies, Inc., has now submitted Change Order No. 4 in the amount of \$567,717.21,

NOW THEREFORE BE IT RESOLVED by the City Council that it hereby accepts Change Order No. 4 submitted by CCI Companies, Inc., in the amount of \$567,717.21 for the Factory Street Reconstruction Project, bringing the total amount to \$9,351,568.65, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon Council also approving the Bond Ordinance Amendment to finance this project, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to sign all documents necessary to accept Change Order No. 4 on behalf of the City.

Seconded by Council Member Cody J. Horbacz

Mayor Butler said this is a fairly significant change order. He mentioned that Justin Wood, City Engineer, is ill today so he is not present to answer questions. He noted that time is not of the essence so he recommends tabling the resolution.

Motion was made by Council Member Joseph M. Butler, Jr. to table the foregoing resolution. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

ORDINANCES

Ordinance No. 1 - An Ordinance Amending the Ordinance Dated September 6, 2011, as Amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, Authorizing the Issuance of \$12,900,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Design and Construction Costs of the Factory Street Reconstruction, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$13,500,000

WHEREAS, by ordinance dated September 6, 2011, as amended November 21, 2011, January 21, 2013, July 1, 2013 March 3, 2014, October 6, 2014 and May 18, 2015, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$12,900,000 bonds of said City to pay the design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$12,900,000, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, the Council now wishes increase the estimated maximum cost of the aforesaid class of objects or purposes from \$12,900,000 to \$13,500,000, an increase of \$600,000 over that previously authorized, and to authorize the issuance of bonds sufficient to pay said estimated maximum cost;

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

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted September 6, 2011, as amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, authorizing the issuance of \$12,900,000 bonds to pay design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$12,900,000, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$13,500,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE FACTORY STREET RECONSTRUCTION, IN AND FOR SAID CITY.”

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“Section 1. For the class of objects or purposes of paying the design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including related utility improvements or replacements and design and incidental expenses in connection therewith, there are hereby authorized to be issued \$13,500,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$13,500,000 and that the plan for the financing thereof is by the issuance of the \$13,500,000 bonds of said City authorized to be issued pursuant to this bond ordinance; provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State or Federal aid or any other revenue received by the City from other sources 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 fifteen (15) years, pursuant to subdivision ninety-one of paragraph a of Section 11.00 of the Local Finance Law, as the aforesaid class consists of items which each have a period of at least fifteen (15) years under one or more of subdivisions 1, 3, 4, 10 or 20 of said paragraph a.”

Section B. 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 C. Upon this ordinance taking effect, the same shall be published in summary 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.

Section D. This resolution is effective immediately.

No introduction.

Mayor Butler explained that this was not being considered tonight because the change order (Resolution 12) could not be voted on and will be resubmitted at the next meeting.

Ordinance No. 2 - Changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial

Introduced by Council Member Stephen A. Jennings

BE IT ORDAINED where Bryan J. Donegan of I-Site Realty has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its June 7, 2016 meeting and adopted a motion recommending that City Council approve the zone change, and

WHEREAS a public hearing was held on the proposed zone change on July 5, 2016, after due public notice, and

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

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, shall be changed from Neighborhood Business to Commercial District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

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

Seconded by Council Member Cody J Horbacz

Motion was made by Council Member Stephen A. Jennings to schedule a Public Hearing on the foregoing ordinance for Monday, July 5, 2016, at 7:30 p.m. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

OLD BUSINESS

The Resolution “Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000”. *(Introduced on 6/6/2016; public hearing held this evening; appears in its entirety in the 2016 Minutes Book on page 6-7 of the 6/6/2016 minutes).*

Council reviewed the SEQRA form and noted there would be a small impact on the character or quality of the community, with regard to the trees.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

The Resolution “Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000 ”. *(Introduced on 6/6/2016; public hearing held this evening; appears in its entirety in the 2016 Minutes Book on page 7-8 of the 6/6/2016 minutes).*

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

STAFF REPORTS

Appointment to the Watertown Local Development Corporation Board

Mayor Butler discussed appointing Michael Lumbis, Planning Development Director, to this board. He explained this was a position formerly held by Kenneth Mix. He said Mr. Lumbis has been attending the meetings on a regular basis prior to the retirement of Mr. Mix and Council is taking action to officially appoint Mr. Lumbis to the WLDC board. He further stated that a resolution will be prepared for the July 5th meeting. He thanked Mr. Lumbis for his willingness to serve and said he has had the privilege of serving with him on that board over the last few months and he does a good job.

Request for Waiver from North Country Family Health Center, Inc.

A memo was received from Erin Gardner, Superintendent of Parks and Recreation, requesting a reduction or waiver of fees from North Country Family Health Center for use of the pavilion at Thompson Park. Mayor Butler recused himself because his wife is a member of the Board of Directors and he left Council Chambers.

Council Member Macaluso commented that Council has discussed over the last several months the issue of waiving fees, she said she feels strongly that the City should stick with the prescribed fees and said she is not in favor of a waiver or reduction.

Council Member Jennings and Council Member Horbacz said they agree with Council Member Macaluso.

Council Member Walczyk said to give them a break.

Mayor Butler returned to Council Chambers.

Sales Tax Revenue – May 2016

Mayor Butler summarized the memo provided regarding the Sales Tax Revenue for May 2016. He pointed out that in comparison to last May, the figures are up. Year-to-date figures, however, are down he said.

NEW BUSINESS

Parking Issue on Holcomb Street

Council Member Horbacz said he received an email from Nick Lee (on file in the City Clerk's Office) regarding his concern about traffic on Holcomb Street and parking in front of his property. He mentioned the Complete Streets Initiative and said he hopes those situations can be resolved.

City Court Room

Regarding the court room expansion project, Council Member Horbacz said he received three phone calls from people who think the price tag is too high and all three expressed that they do not want full security for City Hall.

Flower Memorial Library HVAC Funding

Council Member Horbacz said he believes Sen. Pattie Richie deserves a thank you from City Council as she helped secure \$100,000 grant for the HVAC project at the Library.

Thompson Park Pool

On the topic of this City pool, Council Member Horbacz said he hopes to have discussion about this during the summer and move forward, pointing out Council Member Walczyk has been leading the charge on the issue lately. He said it is important to follow up on this.

In response to when this will be discussed, Ms. Addison said it is on the agenda for an August work session.

Bed Bug Petition

Council Member Horbacz mentioned he ran into Mrs. Whalen on the Square last week and was happy to sign her petition. He added it is good to see her take initiative and more people should take her lead.

Fairmont Street Parking Issue

Council Member Macaluso discussed an email received from Mrs. Burto about a parking matter on Fairmont Street. She said she drove up there and is not exactly sure what the issue is but noted there are some streets in the City that should not have two-sided parking. She added that it did not seem that Fairmont was too narrow but there was only one car parked on the street at the time. She also added that Mr. Hayes is looking into the issue as well.

Refugee Center In Utica

Council Member Macaluso commented that last week she went to Utica with Doug Anderson and visited a refugee center and met with the executive director. She said that Utica was in a similar situation

as Watertown with regard to “zombie houses.” The refugees melded well with the Utica community, she said, but the community has to accept them so if there is resistance by the Watertown community, it will not be pursued. Council Member Macaluso commented that she would like to invite the executive director of this initiative to come to a work session. It is federally funded, she said, and suggested getting churches involved because they play a big part in helping refugees with language and work.

Mayor Butler asked if these were properties owned by the City of Utica.

Council Member Macaluso said she believes so because they were “zombie properties.” She reiterated that it is federally funded and a huge undertaking but the City should at least entertain the idea.

In response to a question by Council Member Jennings, Council Member Macaluso said the program started 35 years ago and said they only take 400 refugees a year. She said the director suggested only taking ten to start.

Mayor Butler inquired if there was any local legislation passed.

Council Member Macaluso replied it is all federally funded and stressed it is important to get the community’s input on it.

Council Member Horbacz asked about security checks.

Council Member Macaluso commented that they go through two years of security checks plus health screening.

Mayor Butler requested the City Manager get the contact information for the executive director.

Zombie Properties

Mayor Butler mentioned the “zombie properties” brought up by Council Member Macaluso and said it is a concern that we all face. There was recent legislation passed by New York State and it puts some provisions on those banks that have the first lien, such as maintaining the property. Apparently, he said, it will expedite the foreclosure process and there will be a registry they will be assigned to. He added a hotline will also be established so people can call in and report a property in disrepair. He asked staff and the City Manager to review that legislation, mentioning Assessment and Codes in particular.

Restore NY

This program is being offered again, Mayor Butler said, as round four of Restore NY and is a \$50 million statewide program that targets revitalization and stabilization of distressed urban areas. It can be mixed use, both residential and commercial. The money can be used for demolition, deconstruction, rehabilitation or reconstruction; also for water, sewer and parking. Mayor Butler commented that up to \$500,000 could be obtained for these projects and are awarded based on merit throughout the state. He mentioned properties along Court Street as possible projects.

Council Member Jennings inquired if this would only apply to City-owned properties.

Mayor Butler replied the properties could be private or public. This program would go a long way to getting a developer going with a project, he said. He again asked the Manager and Planning Department to learn as much as possible about the Restore NY program and see what opportunities there are.

Lachenauer Fountain

Mayor Butler asked if this topic was scheduled for the July work session.

Ms. Addison said it is not yet.

Mayor Butler said there needs to be a discussion as to what is going to be done in terms of replacing it or putting the original structure back. He pointed out there needs to be some landscaping and masonry work done.

Bed Bug Petitions

Mayor Butler commented that the City could draft a letter to the Senator on the matter to ask for any assistance and help they can provide.

Eagles Club

Council Member Jennings gave opening remarks there a few days ago and Mayor Butler said he received a letter thanking him for speaking.

Watertown First

On July 2 there is going to be a Black River Block Party on Veteran's Memorial Walkway as an opportunity for the community to celebrate the July 4th festivities. It starts at noon, Mayor Butler said.

City Court Room Expansion

Mayor Butler referred to comments made earlier about the expense of the City Court expansion, and said he agrees it will be expensive but it has to happen one way or the other. The City could explore working with the County on this but it is going to cost the City some money, because it is our responsibility to accommodate the court system.

Motion was made by Council Member Stephen A. Jennings to move into Executive Session to discuss proposed, pending or current litigation and to discuss the employment history of a particular individual.

Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Council moved into Executive Session at 8:03 p.m.

Council reconvened at 9:05 p.m.

The following resolution was offered.

Resolution - Approving Employment Agreement Between the City of Watertown and Sharon Addison, City Manager

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Council of the City of Watertown has done a review of the City Manager's contract and performance, and

WHEREAS the City Council feels that the Manager has served the City of Watertown as provided for in the Charter of the City of Watertown and in the Optional City Government Law as contained at Chapter 444 of the Laws of 1914,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Employment Agreement between the City of Watertown and Sharon Addison, a copy of which is attached and made a part of this resolution, commencing on July 1, 2016 through June 30, 2018, and

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

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 9:07 p.m. by motion of Council Member Teresa R. Macaluso, seconded by Council Member Mark C. Walczyk and carried with all voting in favor thereof.

Amanda C. Lewis
Deputy City Clerk