

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
June 20, 2011  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

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

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

**City staff present: Ken Mix, Gary Pilon, Gene Hayes, Elliott Nelson, Bob Cleaver, Kurt Hauk and Doug Osborn**

The City Manager presented the following reports to Council:

- 1 - Authorizing the Sale of Bicycles, Miscellaneous Items and Equipment at Public Auction
- 2 - Approving Supplemental Appropriation No. 1 For Fiscal Year 2010-11 for Various Accounts
- 3 - Amendment No. 79 to the Management And Management Confidential Pay Plan
- 4 - Approving Agreement for Public Benefit Services Between the City of Watertown and the Thousand Islands Regional Tourism Development Corporation
- 5 - Approving Agreement for Paratransit Services, Guilfoyle Ambulance Service
- 6 - Approving Production Agreement Between the City of Watertown and Steve Weed Productions
- 7 - Approving Professional Services Agreement, Bernier, Carr & Associates
- 8 - Readopting Fiscal Year 2010-11 Tourism Fund and Capital Fund Budgets
- 9 - Adopting Governmental Accounting Standards Boards Statement No. 54 – “Fund Balance Reporting and Government Fund Type Definitions”
- 10 - Approving the Site Plan for the Construction of one 2,500 Square Foot Restaurant and one 2,500 Square Foot Restaurant or Retail Building at Watertown City Center Plaza, 1290 Arsenal Street, Parcels 8-53-103.110 and 8-53-102.001
- 11 - Finding that the Approval of the Zone Change Application of Patrick J. Scordo of GYMO, PC on behalf of Samaritan Medical Center to Change the Approved Zoning Classification of Portions of Parcels 13-23-101 and 13-23-102.1 from Residence A or Unzoned to Commercial and the Construction of a 288-Bed Senior Living Facility Will Not Have a Significant Impact on the Environment

- 12 - Approving the Site Plan for the Construction of a 231,073 sq. ft., 288-Bed Senior Living Facility on the 1500 Block of Washington Street, Parcel Numbers 13-23-101, 13-23-102.1 and 13-23-104
- 13 - 7:30 p.m. Local Law No. 2 of 2011 Amending Section 253-17 of the City of Watertown Code of the City of Watertown To Provide for Change in Sewer Service Charge
- 14 - Laid Over Under the Rules – Ordinance Establishing Water Rates
- 15 - Combined Sewer Overflow (CSO) Long Term Control Plan
- 16 - Arena Roof Update

**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, 2011 and the adjourned meeting of June 13, 2011 was dispensed and accepted as written by motion of Council Member Burns, seconded by Council Member Smith and carried with all voting in favor thereof.

Mayor Graham presented Purchasing Agent Bob Cleaver and Water Superintendent Gary Pilon with Honorary First Citizen Awards. Both will be retiring this month. Mayor Graham and Council Members thanked them for their years of dedicated service to the citizens of Watertown.

**COMMUNICATIONS**

From Rosalie Cavise, 801 Coffeen Street, concerning the availability of grants or housing programs for City residents.

**ABOVE PLACED ON FILE**

**PRIVILEGE OF THE FLOOR**

**Martin Lamon**, 124 Ward Street, addressed the chair concerning the property at 126 Ward Street, owned by Mr. Moot. He stated that the outside has been cleaned up. However, he is concerned about the inside. With the warm weather, it is starting to smell. He stated that the police were there on December 27<sup>th</sup>, January 4<sup>th</sup>, 7<sup>th</sup> and February 3<sup>rd</sup>. They commented in their reports on the horrific sight and the bad smell. Mr. Lamon advised that Mr. Moot is in a nursing home in Brownville. Mrs. Moot won't be coming back in to the house. The raccoons, squirrels and birds go in and out of the house. He remarked that it has to be health hazard for the people

living around there. He stated that his house was on the market for six months and he had no offers because no one wants to live next to that.

Mayor Graham asked if Codes had been over there.

Attorney Burrows advised that she spoke with Mr. McWayne about three weeks ago and they reviewed the police reports for the past six months. He stated that the water has been disconnected and there hadn't been any complaints to Codes about the property. He stated that he hadn't spoken with Mr. McWayne since then. However, he will see if it comes up to level of entering the property, other than safe guarding it.

Mayor Graham asked about the status of the taxes.

Mrs. Corriveau responded that there wouldn't be an issue with the taxes.

Mr. Lamon remarked that what concerned him was that none of the Council Members have been over there to see what it is like.

Mrs. Corriveau responded that Codes Enforcement have been there.

Mr. Lamon stated that they haven't been inside the house.

Attorney Burrows responded that Codes was there to secure the back door. The police were also there.

Mayor Graham referred to the fact that it cost the City over \$40,000 the last time they had to go in and clean the property.

Mrs. Corriveau advised that this didn't result in a clean house. The City removed stuff, but there was still stuff left there.

Mr. Lamon commented that they don't invite anyone over because of the property next door. He stated that when it comes to a point where there is a house that looks like this on a block in this neighborhood, it is a disgrace.

**Matthew Dickinson**, 128 Ward Street, addressed the chair stating that he had to go over and shut the door to the house. He stated that the smell coming out of the kitchen is caused by piles of meat on the counter and rotten fruit and vegetables in the sink. He stated that the back door is shut with a stick and is not secure. He remarked that the property shouldn't just sit there until Mr. Moot passes.

Council Member Macaluso asked if Mrs. Moot has something to do with the property.

Mr. Lamon stated that they are divorced and she already indicated that she would not come back to the house.

Attorney Burrows advised that he has reviewed the police incident reports with Codes. Through these reports, the City didn't have probable cause to enter the property. In addition, the County's Office for the Aging was contacted and they had no concerns either when Mr. Moot was still living there. He explained that if the neighbors were willing to give a sworn statement to Codes, then it would rise to the level to allow entrance into the house.

Mayor Graham responded that Mr. Lamon is telling us that the house is unsecured and questioned if that wasn't enough to allow the City to enter.

Attorney Burrows responded that there is no law that states a house has to be locked.

Mayor Graham commented that when a vacant building is known to be unlocked, it is common practice to intercede to make sure it is secure.

Mr. Lamon stated that he would be willing to sign anything that would allow for the property to be entered. He also stated that the County's Office for the Aging never entered the home but instead asked him if he had seen Mr. Moot.

Mayor Graham commented that it would not be unreasonable to have someone over there in the morning. He stated that we have an obligation to property owners and the neighbors.

Mrs. Corriveau suggested that the police officer at the meeting this evening could possibly check on the property when he leaves the meeting.

Mr. Dickinson stated that there is a car in the back yard which has been there for seven years. He is not sure that fluid isn't leaking into the ground.

Mrs. Corriveau advised that Mr. Moot was told that his vehicle was to be registered and insured before and he had complied at that time.

Council Member Burns asked if she was correct in that the water had been shut off.

Attorney Burrows stated that it had and the property had been condemned for occupancy.

Council Member Burns remarked that given the fact that the water is shut off and the building is condemned, she questioned if that gave the City any added authority to go in and investigate without probable cause.

Attorney Burrows remarked that it wouldn't. It has to be the impact that the condition of the property would have on the neighborhood. With a sworn statement from the neighbors, that would give probable cause.

Mrs. Corriveau remarked that she had spoken with another neighbor and had told him if he saw animals going into the property, he could give a statement and it would be probable cause.

Council Member Butler wanted to know when the last time was that Codes inspected the interior.

Attorney Burrows stated that he didn't know. However, Mr. Johnston was involved in a very big way before.

Council Member Butler asked how we would get Dr. Emerton to go in there. He suggested that this be done. He also asked what the next level would be to tear down the house.

Attorney Burrows commented that it would be a structural issue and before the structure issues were addressed and repaired.

Mrs. Corriveau reminded Council that the property was condemned for occupancy before and Mr. Moot was not allowed to stay at night. However, he was allowed to go in and out during the day.

Mr. Lamon remarked that Mr. Moot stayed there anyways. He also stated that he has never seen anyone there checking doors.

Mr. Dickinson advised that the house has two broken windows on his side of the property.

Attorney Burrows advised Council that he will follow-up with Mr. McWayne in the morning.

### **PUBLIC HEARING**

**AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 2 OF 2011 "AMENDING SECTION 253-17 OF THE CITY OF WATERTOWN CODE TO PROVIDE FOR CHANGE IN SEWER SERVICE CHARGE"**

**MAYOR GRAHAM DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR GRAHAM DECLARED THE HEARING CLOSED.**

### **R E S O L U T I O N S**

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

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

WHEREAS these bicycles and miscellaneous items 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 and 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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA**

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

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$1,058,975 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2010-11 for the reasons shown:

<u>GENERAL FUND</u>					<u>Increase</u>	
A	1010	110	LEGISLATIVE BOARD	Salaries	\$ 750	Original appropriation in A1990.0430
A	1010	430	LEGISLATIVE BOARD	Contracted Services	\$ 2,000	Under appropriated
A	1010	830	LEGISLATIVE BOARD	Social Security	\$ 100	Under appropriated
A	1230	195	MUNICIPAL EXECUTIVE	Clothing/Cleaning Allow./Other	\$ 1,700	No original appropriation
A	1230	440	MUNICIPAL EXECUTIVE	Fees, Non-employee	\$ 3,850	Under appropriated
A	1230	460	MUNICIPAL EXECUTIVE	Materials and Supplies	\$ 100	Under appropriated
A	1230	465	MUNICIPAL EXECUTIVE	Equipment < \$5,000	\$ 2,200	No original appropriation
A	1315	110	COMPTRROLLER	Salaries	\$ 4,700	Original appropriation in A1990.0430
A	1315	120	COMPTRROLLER	Clerical	\$ 2,900	Original appropriation in A1990.0430
A	1315	150	COMPTRROLLER	Overtime	\$ 600	Under appropriated
A	1315	430	COMPTRROLLER	Contracted Services	\$ 15,250	Under appropriated

A	1315	440	COMPTRROLLER	Fees, Non-employee	\$	12,000	Additional audit fees
A	1315	830	COMPTRROLLER	Social Security	\$	100	Under appropriated
A	1345	110	PURCHASING	Salaries	\$	2,800	Original appropriation in A1990.0430
A	1345	120	PURCHASING	Clerical	\$	625	Original appropriation in A1990.0430
A	1345	465	PURCHASING	Equipment < \$5,000	\$	100	No original appropriation
A	1345	830	PURCHASING	Social Security	\$	100	Under appropriated
A	1355	110	ASSESSMENT	Salaries	\$	1,850	Original appropriation in A1990.0430
A	1355	130	ASSESSMENT	Wages	\$	2,825	Original appropriation in A1990.0430
A	1355	430	ASSESSMENT	Contracted Services	\$	600	Under appropriated
A	1410	110	CLERK	Salaries	\$	2,450	Original appropriation in A1990.0430
A	1410	430	CLERK	Contracted Services	\$	1,250	Under appropriated
A	1410	450	CLERK	Miscellaneous	\$	200	Under appropriated
A	1410	460	CLERK	Materials and Supplies	\$	750	Under appropriated
A	1410	465	CLERK	Equipment < \$5,000	\$	200	No original appropriation
A	1420	440	LAW	Fees, Non-employee	\$	29,000	Under appropriated
A	1420	450	LAW	Miscellaneous	\$	600	Under appropriated
A	1430	110	CIVIL SERVICE	Salaries	\$	700	Original appropriation in A1990.0430
A	1430	460	CIVIL SERVICE	Materials and Supplies	\$	700	Under appropriated
A	1440	120	ENGINEERING	Clerical	\$	600	Original appropriation in A1990.0430
A	1440	150	ENGINEERING	Overtime	\$	9,300	Under appropriated
A	1440	410	ENGINEERING	Utilities	\$	200	Under appropriated
A	1440	455	ENGINEERING	Vehicle Expense	\$	700	Under appropriated
A	1440	465	ENGINEERING	Equipment < \$5,000	\$	11,000	Under appropriated
A	1440	840	ENGINEERING	Workers' Compensation	\$	100	No original appropriation
A	1490	110	PUBLIC WORKS ADMIN.	Salaries	\$	7,400	Original appropriation in A1990.0430
A	1490	120	PUBLIC WORKS ADMIN.	Clerical	\$	2,250	Original appropriation in A1990.0430
A	1490	130	PUBLIC WORKS ADMIN.	Wages	\$	850	Original appropriation in A1990.0430
A	1490	150	PUBLIC WORKS ADMIN.	Overtime	\$	2,700	No original appropriation
A	1490	420	PUBLIC WORKS ADMIN.	Insurance	\$	200	Under appropriated
A	1490	440	PUBLIC WORKS ADMIN.	Fees, Non-employee	\$	250	Under appropriated

A	1490	465	PUBLIC WORKS ADMIN.	Equipment < \$5,000	\$	400	Under appropriated
A	1490	850	PUBLIC WORKS ADMIN.	Health Insurance	\$	3,825	Under appropriated
A	1620	130	MUNICIPAL BUILDINGS	Wages	\$	1,000	Original appropriation in A1990.0430
A	1620	150	MUNICIPAL BUILDINGS	Overtime	\$	4,000	Under appropriated
A	1620	455	MUNICIPAL BUILDINGS	Vehicle Expense	\$	600	Under appropriated
A	1620	465	MUNICIPAL BUILDINGS	Equipment < \$5,000	\$	400	Under appropriated
A	1620	830	MUNICIPAL BUILDINGS	Social Security	\$	325	Under appropriated
A	1640	110	CENTRAL GARAGE	Salaries	\$	1,000	Original appropriation in A1990.0430
A	1640	120	CENTRAL GARAGE	Clerical	\$	700	Original appropriation in A1990.0430
A	1640	150	CENTRAL GARAGE	Overtime	\$	1,000	Under appropriated
A	1640	420	CENTRAL GARAGE	Insurance	\$	1,100	Under appropriated
A	1640	440	CENTRAL GARAGE	Fees, Non-employee	\$	100	Under appropriated
A	1640	850	CENTRAL GARAGE	Health Insurance	\$	4,300	Under appropriated
A	1680	110	INFORMATION TECH.	Salaries	\$	1,225	Original appropriation in A1990.0430
A	1680	150	INFORMATION TECH.	Overtime	\$	600	No original appropriation
A	1680	450	INFORMATION TECH.	Miscellaneous	\$	4,100	Under appropriated
A	1680	465	INFORMATION TECH.	Equipment < \$5,000	\$	1,000	Under appropriated
A	1680	840	INFORMATION TECH.	Workers' Compensation	\$	100	No original appropriation
A	1950	430	REAL PROPERTY TAXES	Contracted Services	\$	100	Under appropriated
A	3120	110	POLICE	Salaries	\$	11,725	Under appropriated
A	3120	120	POLICE	Clerical	\$	1,850	Under appropriated
A	3120	150	POLICE	Overtime	\$	87,000	Under appropriated
A	3120	450	POLICE	Miscellaneous	\$	7,500	Under appropriated
A	3120	455	POLICE	Vehicle Expense	\$	15,000	Under appropriated
A	3120	460	POLICE	Materials and Supplies	\$	5,000	Under appropriated
A	3120	465	POLICE	Equipment < \$5,000	\$	9,000	Under appropriated
A	3120	840	POLICE	Workers' Compensation	\$	22,000	Under appropriated
A	3410	120	FIRE	Clerical	\$	400	Original appropriation in A1990.0430
A	3410	150	FIRE	Overtime	\$	34,000	Under appropriated
A	3410	175	FIRE	Health Insurance Buy-out	\$	10,200	Under appropriated

A	3410	420	FIRE	Insurance	\$	875	Under appropriated
A	3410	440	FIRE	Fees, Non-employee	\$	750	Under appropriated
A	3410	450	FIRE	Miscellaneous	\$	5,000	Under appropriated
A	3410	455	FIRE	Vehicle Expense	\$	20,000	Under appropriated
A	3410	840	FIRE	Workers' Compensation	\$	1,000	Under appropriated
A	3510	150	CONTROL OF ANIMALS	Overtime	\$	1,500	No original appropriation
A	3510	830	CONTROL OF ANIMALS	Social Security	\$	125	No original appropriation
A	3620	110	CODE ENFORCEMENT	Salaries	\$	2,550	Original appropriation in A1990.0430
A	3620	120	CODE ENFORCEMENT	Clerical	\$	650	Original appropriation in A1990.0430
A	3620	130	CODE ENFORCEMENT	Wages	\$	3,600	Original appropriation in A1990.0431
A	3620	140	CODE ENFORCEMENT	Temporary	\$	150	No original appropriation
A	3620	170	CODE ENFORCEMENT	Out of Code	\$	2,500	No original appropriation
A	5010	150	MUNICIPAL MAINTENANCE	Overtime	\$	2,500	Under appropriated
A	5010	440	MUNICIPAL MAINTENANCE	Fees, Non-employee	\$	250	Under appropriated
A	5010	460	MUNICIPAL MAINTENANCE	Materials and Supplies	\$	11,000	Under appropriated
A	5010	465	MUNICIPAL MAINTENANCE	Equipment < \$5,000	\$	1,500	Under appropriated
A	5010	810	MUNICIPAL MAINTENANCE	NYS Retirement	\$	5,500	Under appropriated
A	5110	140	MAINTENANCE OF ROADS	Temporary	\$	13,000	Under appropriated
A	5110	170	MAINTENANCE OF ROADS	Out of Code	\$	400	No original appropriation
A	5110	410	MAINTENANCE OF ROADS	Utilities	\$	200	Under appropriated
A	5110	465	MAINTENANCE OF ROADS	Equipment < \$5,000	\$	200	Under appropriated
A	5110	810	MAINTENANCE OF ROADS	NYS Retirement	\$	4,250	Under appropriated
A	5142	140	SNOW REMOVAL	Temporary	\$	18,300	No original appropriation
A	5142	150	SNOW REMOVAL	Overtime	\$	52,500	Under appropriated
A	5142	170	SNOW REMOVAL	Out of Code	\$	10,300	No original appropriation
A	5142	410	SNOW REMOVAL	Utilities	\$	1,000	Under appropriated
A	5142	830	SNOW REMOVAL	Social Security	\$	2,500	Under appropriated
A	5142	840	SNOW REMOVAL	Workers' Compensation	\$	1,000	Under appropriated
A	5184	420	HYDROELECTRIC	Insurance	\$	450	Under appropriated
A	5186	130	TRAFFIC CONTROL & LIGHTING	Wages	\$	3,400	Original appropriation in A1990.0430

A	5186	410	TRAFFIC CONTROL & LIGHTING	Utilities	\$	25,000	Under appropriated
A	5186	420	TRAFFIC CONTROL & LIGHTING	Insurance	\$	100	Under appropriated
A	5186	455	TRAFFIC CONTROL & LIGHTING	Vehicle Expense	\$	3,250	Under appropriated
A	5186	465	TRAFFIC CONTROL & LIGHTING	Equipment < \$5,000	\$	100	No original appropriation
A	5630	140	BUS	Temporary	\$	38,000	Under appropriated
A	5630	230	BUS	Motor Vehicles	\$	57,800	Grant
A	5630	430	BUS	Contracted Services	\$	5,600	Under appropriated
A	5630	440	BUS	Fees, Non-employee	\$	1,250	Under appropriated
A	5650	420	CITY PARKING FACILITIES	Insurance	\$	225	Under appropriated
A	7020	110	RECREATION ADMIN.	Salaries	\$	2,675	Original appropriation in A1990.0430
A	7020	120	RECREATION ADMIN.	Clerical	\$	1,150	Original appropriation in A1990.0430
A	7020	150	RECREATION ADMIN.	Overtime	\$	7,250	Under appropriated
A	7020	430	RECREATION ADMIN.	Contracted Services	\$	500	Under appropriated
A	7110	130	THOMPSON PARK	Wages	\$	4,100	Original appropriation in A1990.0430
A	7110	150	THOMPSON PARK	Overtime	\$	1,000	Under appropriated
A	7110	420	THOMPSON PARK	Insurance	\$	800	Under appropriated
A	7110	810	THOMPSON PARK	NYS Retirement	\$	2,200	Under appropriated
A	7140	150	PLAYGROUNDS	Overtime	\$	250	Under appropriated
A	7140	410	PLAYGROUNDS	Utilities	\$	150	Under appropriated
A	7140	430	PLAYGROUNDS	Contracted Services	\$	250	Under appropriated
A	7140	810	PLAYGROUNDS	NYS Retirement	\$	4,100	No original appropriation
A	7141	140	FAIRGROUNDS	Temporary	\$	9,500	Under appropriated
A	7141	150	FAIRGROUNDS	Overtime	\$	4,200	Under appropriated
A	7141	170	FAIRGROUNDS	Out of Code	\$	125	No original appropriation
A	7141	420	FAIRGROUNDS	Insurance	\$	175	Under appropriated
A	7141	450	FAIRGROUNDS	Miscellaneous	\$	100	No original appropriation
A	7141	455	FAIRGROUNDS	Vehicle Expense	\$	2,000	Under appropriated
A	7141	465	FAIRGROUNDS	Equipment < \$5,000	\$	600	Under appropriated
A	7141	810	FAIRGROUNDS	NYS Retirement	\$	3,900	No original appropriation
A	7141	830	FAIRGROUNDS	Social Security	\$	1,100	Under appropriated

A	7143	810	ATHLETIC PROGRAMS	NYS Retirement	\$	750	Under appropriated
A	7180	420	SWIMMING POOLS	Insurance	\$	125	Under appropriated
A	7180	430	SWIMMING POOLS	Contracted Services	\$	2,600	Under appropriated
A	7180	450	SWIMMING POOLS	Miscellaneous	\$	1,000	Under appropriated
A	7180	810	SWIMMING POOLS	NYS Retirement	\$	7,950	No original appropriation
A	7265	140	ICE ARENA	Temporary	\$	8,500	Under appropriated
A	7265	170	ICE ARENA	Out of Code	\$	100	No original appropriation
A	7265	420	ICE ARENA	Insurance	\$	125	Under appropriated
A	7265	440	ICE ARENA	Fees, Non-employee	\$	225	Under appropriated
A	7265	455	ICE ARENA	Vehicle Expense	\$	750	Under appropriated
A	7265	460	ICE ARENA	Materials and Supplies	\$	21,000	Concession stand supplies
A	7265	810	ICE ARENA	NYS Retirement	\$	4,950	No original appropriation
A	8010	450	ZONING	Miscellaneous	\$	125	No original appropriation
A	8140	110	STORM SEWER	Salaries	\$	1,250	Original appropriation in A1990.0430
A	8140	140	STORM SEWER	Temporary	\$	500	Under appropriated
A	8140	175	STORM SEWER	Health Insurance Buy-out	\$	2,800	No original appropriation
A	8140	460	STORM SEWER	Materials and Supplies	\$	5,000	Under appropriated
A	8160	110	REFUSE AND RECYCLE	Salaries	\$	550	Original appropriation in A1990.0430
A	8160	140	REFUSE AND RECYCLE	Temporary	\$	32,000	Under appropriated
A	8160	170	REFUSE AND RECYCLE	Out of Code	\$	275	No original appropriation
A	8160	410	REFUSE AND RECYCLE	Utilities	\$	250	Under appropriated
A	9050	800	OTHER EXPENSES	Unemployment Insurance	\$	5,000	Under appropriated
A	9065	800	OTHER EXPENSES	Medicare Reimbursements	\$	<u>14,000</u>	Under appropriated
<b>TOTAL</b>					\$	<u>815,475</u>	
A	1230	110	MUNICIPAL EXECUTIVE	Salaries	\$	(45,750)	
A	1230	830	MUNICIPAL EXECUTIVE	Social Security	\$	(4,750)	
A	1230	850	MUNICIPAL EXECUTIVE	Health Insurance	\$	(21,800)	
A	1930	430	JUDGEMENT & CLAIMS	Contracted Services	\$	(5,475)	
A	1990	430	CONTINGENCY	Contracted Services	\$	(180,747)	
A	3120	130	POLICE	Wages	\$	(45,000)	

A	3120	155	POLICE	Holiday Pay	\$	(12,875)
A	3120	180	POLICE	Roll Call Pay	\$	(8,000)
A	3120	230	POLICE	Motor Vehicles	\$	(5,500)
A	3120	830	POLICE	Social Security	\$	(5,000)
A	3410	110	FIRE	Salaries	\$	(18,250)
A	3410	130	FIRE	Wages	\$	(58,000)
A	3410	830	FIRE	Social Security	\$	(19,000)
A	5010	130	MUNICIPAL MAINTENANCE	Wages	\$	(9,000)
A	5010	140	MUNICIPAL MAINTENANCE	Temporary	\$	(5,000)
A	5010	840	MUNICIPAL MAINTENANCE	Workers' Compensation	\$	(5,000)
A	5110	130	MAINTENANCE OF ROADS	Wages	\$	(50,000)
A	5142	130	SNOW REMOVAL	Wages	\$	(32,225)
A	5142	430	SNOW REMOVAL	Contracted Services	\$	(35,000)
A	5142	455	SNOW REMOVAL	Vehicle Expense	\$	(27,000)
A	5142	460	SNOW REMOVAL	Materials and Supplies	\$	(15,000)
A	5184	430	HYDROELECTRIC	Contracted Services	\$	(12,000)
A	5630	130	BUS	Wages	\$	(41,000)
A	5630	840	BUS	Workers' Compensation	\$	(5,000)
A	8020	430	PLANNING	Contracted Services	\$	(34,853)
A	8140	130	STORM SEWER	Wages	\$	(7,250)
A	8160	130	REFUSE AND RECYCLE	Wages	\$	(48,000)
A	8160	430	REFUSE AND RECYCLE	Contracted Services	\$	(50,000)
A	8160	830	REFUSE AND RECYCLE	Social Security	\$	(4,000)
A	8160	840	REFUSE AND RECYCLE	Workers' Compensation	\$	(5,000)
<b>TOTAL</b>						<u>\$ (815,475)</u>

**WATER FUND**

					<u>Increase</u>	
F	8310	250	WATER ADMINISTRATION	Other Equipment	\$ 2,600	No original appropriation
F	8310	440	WATER ADMINISTRATION	Fees, Non-employee	\$ 3,000	No original appropriation
F	8310	450	WATER ADMINISTRATION	Miscellaneous	\$ 1,000	Under appropriated
F	8310	455	WATER ADMINISTRATION	Vehicle Expense	\$ 1,250	Under appropriated

F	8320	410	SUPPLY, POWER & PUMPING	Utilities	\$	20,000	Under appropriated
F	8320	450	SUPPLY, POWER & PUMPING	Miscellaneous	\$	3,225	No original appropriation
F	8330	110	WATER PURIFICATION	Salaries	\$	2,600	Original appropriation in F1990.0430
F	8330	410	WATER PURIFICATION	Utilities	\$	7,000	Under appropriated
F	8330	420	WATER PURIFICATION	Insurance	\$	8,000	Under appropriated
F	8340	455	TRANSMISSION & DISTR.	Vehicle Expense	\$	500	Under appropriated
F	8340	840	TRANSMISSION & DISTR.	Workers' Compensation	\$	<u>16,000</u>	Under appropriated
<b>TOTAL</b>					\$	<u>65,175</u>	

Decrease

F	1990	430	CONTINGENCY	Contingency	\$	(46,750)	
F	8320	430	SUPPLY, POWER & PUMPING	Contracted Services	\$	(10,000)	
F	8330	460	WATER PURIFICATION	Materials and Supplies	\$	<u>(8,425)</u>	
<b>TOTAL</b>					\$	<u>(65,175)</u>	

**SEWER FUND**

Increase

G	8110	120	SEWER ADMINISTRATION	Clerical	\$	1,275	Original appropriation in G1990.0430
G	8110	130	SEWER ADMINISTRATION	Wages	\$	1,000	Original appropriation in G1990.0430
G	8110	250	SEWER ADMINISTRATION	Other Equipment	\$	2,600	No original appropriation
G	8110	440	SEWER ADMINISTRATION	Fees, Non-employee	\$	3,175	No original appropriation
G	8110	455	SEWER ADMINISTRATION	Vehicle Expense	\$	1,500	Under appropriated
G	8120	110	SANITARY SEWER	Salaries	\$	1,250	Original appropriation in G1990.0430
G	8120	140	SANITARY SEWER	Temporary	\$	100	No original appropriation
G	8120	150	SANITARY SEWER	Overtime	\$	3,000	Under appropriated
G	8120	170	SANITARY SEWER	Out of Code	\$	400	No original appropriation
G	8120	440	SANITARY SEWER	Fees, Non-employee	\$	250	Under appropriated
G	8120	455	SANITARY SEWER	Vehicle Expense	\$	7,000	Under appropriated
G	8120	465	SANITARY SEWER	Equipment < \$5,000	\$	2,000	Under appropriated
G	8130	140	TREATMENT & DISPOSAL	Temporary	\$	4,650	No original appropriation
G	8130	150	TREATMENT & DISPOSAL	Overtime	\$	2,500	Under appropriated
G	8130	175	TREATMENT & DISPOSAL	Health Insurance Buy-out	\$	3,400	Under appropriated

G	8130	420	TREATMENT & DISPOSAL	Insurance	\$	2,900	Under appropriated
G	8130	430	TREATMENT & DISPOSAL	Contracted Services	\$	3,000	Under appropriated
G	8130	450	TREATMENT & DISPOSAL	Miscellaneous	\$	4,000	Under appropriated
G	8130	455	TREATMENT & DISPOSAL	Vehicle Expense	\$	15,000	Under appropriated
G	9040	800	OTHER EXPENSES	Worker's Compensation	\$	1,000	Under appropriated
G	9060	800	OTHER EXPENSES	Health Insurance - Retirees	\$	7,500	Under appropriated
G	9065	800	OTHER EXPENSES	Medicare Reimbursements	\$	<u>2,500</u>	Under appropriated
			Total		\$	<u>70,000</u>	

Decrease

G	1990	430	CONTINGENCY	Contracted Services	\$	(39,000)	
G	8130	110	TREATMENT & DISPOSAL	Salaries	\$	(25,000)	
G	8130	130	TREATMENT & DISPOSAL	Wages	\$	<u>(6,000)</u>	
			Total		\$	<u>(70,000)</u>	

**LIBRARY FUND**

Increase

L	7410	120	LIBRARY	Clerical	\$	3,400	Original appropriation in L1990.0430
L	7410	130	LIBRARY	Wages	\$	59,000	Original appropriation in L7410.0110
L	7410	140	LIBRARY	Temporary	\$	4,600	Under appropriated
L	7410	150	LIBRARY	Overtime	\$	2,250	Under appropriated
L	7410	440	LIBRARY	Fees, Non-employee	\$	200	No original appropriation
L	7410	460	LIBRARY	Materials and Supplies	\$	100	Under appropriated
L	7410	465	LIBRARY	Equipment < \$5,000	\$	3,500	Under appropriated
L	9040	800	OTHER EXPENSES	Worker's Compensation	\$	300	Under appropriated
L	9060	800	OTHER EXPENSES	Health Insurance - Retirees	\$	21,300	Under appropriated
L	9065	800	OTHER EXPENSES	Medicare Reimbursements	\$	<u>1,325</u>	Under appropriated
			Total		\$	<u>95,975</u>	

Decrease

L	1990	430	CONTINGENCY	Contracted Services	\$	(16,250)	
L	7410	110	LIBRARY	Salaries	\$	(73,700)	
L	7410	410	LIBRARY	Utilities	\$	(1,500)	

L	7410	420	LIBRARY	Insurance	\$	(3,800)	
L	7410	830	LIBRARY	Social Security	\$	<u>(725)</u>	
			Total		\$	<u>(95,975)</u>	

**SELF FUNDED HEALTH INSURANCE FUND**

Increase

MS	1710	110	SELF FUNDED HEALTH INS.	Salaries	\$	350	Under appropriated
MS	1710	430	SELF FUNDED HEALTH INS.	Administration	\$	11,000	Under appropriated
MS	1710	450	SELF FUNDED HEALTH INS.	Miscellaneous	\$	<u>1,000</u>	Under appropriated
					\$	<u>12,350</u>	

Decrease

MS	1710	420	SELF FUNDED HEALTH INS.	Stop Loss Insurance	\$	<u>(12,350)</u>	
					\$	<u>(12,350)</u>	

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

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

WHEREAS with the adoption of the Fiscal Year 2011-12 Budget, the City Council of the City of Watertown appropriated a raise for Management and Management Confidential employees in the amount of one percent (1.0%),

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 79 to the Management and Management Confidential Pay Plan, in order to establish the annual compensation for the positions listed below effective July 1, 2011,

Position	Salary
Police Chief	\$ 93,426
City Engineer	\$ 90,337
Police Captain	\$ 86,860
City Comptroller	\$ 82,779
Superintendent of Public Works	\$ 81,570
Library Director	\$ 73,795
Assistant Superintendent of Public Works	\$ 69,698
Chief Waste Water Treatment Plant Operator	\$ 67,802
Information Technology Manager	\$ 65,890

Superintendent of Parks and Recreation	\$	64,654
Planning and Community Development Cor.	\$	64,654
Supervisor of Maintenance and Distribution	\$	62,692
Civil Engineer II (Wood)	\$	65,571
Chief Water Treatment Plant Operator	\$	62,514
Code Enforcement Supervisor	\$	61,454
Street and Sewer Maintenance Supervisor	\$	60,664
Parks and Recreation Maintenance Supervisor	\$	60,664
City Assessor	\$	61,443
Civil Engineer I	\$	57,113
Planner (Lumbis)	\$	53,735
Librarian III	\$	52,774
Accounting Supervisor	\$	52,363
Confidential Assistant to the City Manager	\$	43,935
Confidential Secretary to the City Manager	\$	42,031
Planner (Nichols)	\$	40,400
Executive Secretary Civil Service Commission	\$	38,095
Deputy City Clerk	\$	37,098
Accountant	\$	35,869

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

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

WHEREAS the Fiscal Year 2011-12 Tourism Fund Budget contains an appropriation for destination marketing, and

WHEREAS the City Council of the City of Watertown wishes to enter into an Agreement for the provision of destination marketing services with the Thousand Islands Regional Tourism Development Corporation,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it approves the Agreement for Public Benefit Services with the Thousand Islands Regional Tourism Development Corporation, a copy of which is attached and made a part of this resolution, and

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

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

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

WHEREAS in 2007, the City Purchasing Department advertised and received sealed proposals from qualified contractors to operate the City's Paratransit Program, and

WHEREAS at the recommendation of Purchasing Agent Robert Cleaver and Transit Supervisor Kathy Webster the City Council approved acceptance of a two-year Lump Sum proposal submitted by Guilfoyle Ambulance Service, and

WHEREAS under the terms of the Agreement approved in 2007, the City has the ability to extend the contract for three (3) additional one year terms on a year to year basis, with an annual increase not to exceed 6% per year, and

WHEREAS it is the City's desire to exercise its option to extend the Agreement for one additional year, effective July 1, 2011,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the attached Agreement with Guilfoyle Ambulance Service in the amount of \$79,560 for Paratransit Services, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute any contract documents associated with the acceptance of this bid.

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

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

WHEREAS the City of Watertown meets every month for City Council Meetings and Work Sessions, and

WHEREAS the meetings are open to the public and the City Council wishes to have them recorded and available for public access television and internet, and

WHEREAS Steve Weed Productions has recorded City Council meetings in the past and is willing to continue providing their services to the City, and

WHEREAS the City of Watertown wishes to continue to have Steve Weed Productions provide services under the terms of the attached Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Production Agreement between the City of Watertown and Steve Weed Productions, a copy of which is attached and made a part of this resolution, and

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

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

Council Member Butler remarked that he has had some folks say that the audio is difficult to hear. He stated that while it was a one time issue, he just wanted to let Mr. Weed be aware of it and asked if it could be addressed.

Mrs. Corriveau advised that part of the problem is that some members aren't speaking into the microphones close enough. Even the audience in the chambers has trouble hearing them when that is the case.

Council Member Butler stated that while he knows that is an issue, the fact was that the entire broadcast was difficult to hear. He suggested clip microphones.

Mayor Graham commented that when staff is testifying to Council at a table in the front, the microphone needs to be properly placed.

**INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO**

WHEREAS the City Council of the City of Watertown desires to evaluate the design of the conversion of the current Aviary Building at the Thompson Park Zoo, and

WHEREAS the City of Watertown Engineering Department issued an RFP to three firms and received three responses, after reviewing the responses, City Engineer Kurt Hauk is recommending that the City enter into an Agreement for Professional Services with Bernier, Carr & Associates, Architects, Engineers and Land Surveyors P.C. for an evaluation and design for the conversion of the current Aviary Building at the Thompson Park Zoo,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Professional Services Agreement between the City of Watertown, New York and Professional Services with Bernier, Carr & Associates, Architects, Engineers and Land Surveyors P.C., for a not to exceed amount of \$42,775, a copy of which is attached and made a part of this resolution, and

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

**SECONDED BY MAYOR JEFFREY E. GRAHAM AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER ABSTAINING AND COUNCIL MEMBER SMITH VOTING NAY.**

Prior to the vote on the foregoing resolution, Council Member Smith stated that he met with Mr. Hauk and had a fruitful discussion. He stated that he is still of the opinion that the GYMO proposal had the most detail and base knowledge. He asked Mr. Hauk to explain to the public why he felt that Bernier Carr's was better.

Mr. Hauk responded that he didn't like discussing what was talked about when doing a selection. He stated that he asked people to sit on a committee and to have frank discussions and it is not fair to the consultants to have the proposals critiqued in the media. He stated that he thought Bernier Carr was the best over all proposal. GYMO didn't respond to some of the items listed in the RFP such as providing the proposed staff. He stated that he wished he could have had the opportunity to meet face to face with GYMO before all this was made public.

Council Member Smith responded that the GYMO proposal spoke of Mr. Yaussi being the lead and since he was retired would devote his whole attention and time to the project. He then quoted from the Bernier Carr proposal listing "other remaining design team members".

Mr. Hauk stated that they weren't necessarily looking for the perfect proposal, but rather, the proposal that best responded to the RFP. He stated that he would ask that Council just trust in the process because it works.

Council Member Smith commented that he knows that Bernier Carr's proposal for phase one is reviewing the work product of another firm. He questioned what would happen if that firm says they won't turn their work over.

Mr. Hauk advised that it was work that was done for the zoo. If the zoo wanted the City to do the project, they would have to give the information to them.

Council Member Smith asked if GYMO had given the work to the zoo for their personal use.

Mrs. Corriveau advised that the "work" goes beyond that as it goes back to the original construction.

Mr. Hauk stated that when we have a kick-off meeting and a preliminary design meeting, the zoo people will be involved. He commented that he has to believe that they would give the City all of the information that they had.

Council Member Burns commented that the City and the zoo entered into this in good faith as a partnership. She stated that she knows that the work that GYMO did was copyrighted. Bernier Carr can not take it and go from there. She remarked that she previously voted no not because she didn't support Bernier Carr getting the project. Her concern was that it was going out for an RFP. She stated that she thought the City was awarding it to GYMO as Mr. Yaussi did the original plans. However, in order to move this forward, she would support it. She stated that she just didn't like the way it occurred and she is still having a very difficult time with it.

Mrs. Corriveau asked Mr. Hauk to address the concerns of why this went to RFP.

Mr. Hauk stated that it was his fault. He stated that when he looked at the scope of the project and the money being spent, he didn't feel comfortable about just giving it to GYMO. He met with Mr. Cleaver and he suggested that an RFP be prepared for a selection process.

Council Member Burns asked Mr. Cleaver to explain why it went through the RFP process instead of going out to bid.

Mr. Cleaver explained that this falls under professional services and gives only a general scope for the project. He stated that the City could have gone with GYMO. However, he felt that with public scrutiny, the cost being \$45,000 and the fact that you can't spec a job out like this, an RFP was a better way to go. If this was going to go out to bid, the City would have had a design already in order to do so.

Council Member Smith commented that in terms of the three firms, they would all do a fine job with designing a building. He stated that in a micro view with knowledge of the building and the request for renewable energy, he felt that GYMO was much better. He stated that he thinks the project will be delayed because Bernier Carr will have to start from the beginning.

**Sheila Barney-Pullus** addressed the chair in support of GYMO and the fact that she is in the Rotary Club with Mr. Olley.

Mayor Graham remarked that this is not the time for public comment but thanked Ms. Barney-Pullus for her comments.

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

WHEREAS on June 7, 2010 the City Council passed a resolution adopting the Budget for Fiscal Year 2010-11, of which \$305,825 was appropriated for the Tourism Fund and \$6,455,520 for the Capital Fund Budget, and

WHEREAS on April 4, 2010 City Council passed a resolution re-adopting the Tourism Fund Budget for Fiscal Year 2010-11 in the amount of \$310,825 and

WHEREAS on May 16, 2010 City Council approved a contract with Bernier and Carr Associates for the design of the Aviary building in the amount of \$43,000,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby re-adopts the Capital Fund Budget for Fiscal Year 2010-11 in the total amount of \$6,498,520 and



Mr. Mills advised that the components were as follows: Nonspendable Fund Balance, Restricted Fund Balance, Committed Fund Balance, Assigned Fund Balance and Unassigned Fund Balance. He explained that this new standard does not change the total amount of a given fund balance, but it alters the categories and terminology used to describe the components of a fund balance.

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

WHEREAS Gregory Sgromo of Dunn & Sgromo Engineers, PLLC has made an application for site plan approval on behalf of Millennium Development, LLC, for the construction of one 2,500 sq. ft. restaurant and one 2,500 square foot restaurant or retail building located at 1290 Arsenal Street, Parcel Numbers 8-53-103.110 and 8-53-102.001, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on May 31, 2011, pursuant to General Municipal Law Section 239-m 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 its meeting held on June 7, 2011, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

- 1) The applicant must submit stormwater drainage plans to NYSDOT for their approval and provide to the City copies of all correspondence with the NYSDOT related to that approval.
- 2) The applicant must submit an Erosion and Sediment Control Plan to the City Engineer prior to construction.

And,

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

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

BE IT FURTHER RESOLVED 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 Codes Enforcement

Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that site plan approval is hereby granted to Gregory Sgromo of Dunn & Sgromo Engineers, PLLC on behalf of Millennium Development, LLC, for the construction of one 2,500 sq. ft. restaurant and one 2,500 sq. ft. restaurant or retail building, located at 1290 Arsenal Street, Parcel Numbers 8-53-103.110 and 8-53-102.001, as shown on the site plan submitted to the City Engineer on June 7, 2011, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

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

Prior to the vote on the foregoing resolution, Council Member Butler asked if these were attached to the Hilton Gardens.

Mr. Doneghan stated that they weren't. They are a separate site plan for out in front of Buffalo Wild Wings.

**Resolutions 11 and 12, as well as the accompanying ordinance were not presented this evening due to the fact that no information has been received from the Army Corps of Engineers on their wetland findings.**

**ORDINANCES**

**NO MOTION WAS MADE BY COUNCIL MEMBER TO TAKE FROM THE TABLE THE ORDINANCE "ESTABLISHING WATER RATES".**

(Introduced to Council on June 1, 2011; tabled; appears in its entirety on page 140 of the 2011 Minutes Book).

**LOCAL LAW**

**LOCAL LAW NO. 2 OF 2011 "AMENDING SECTION 253-17 OF THE CITY OF WATERTOWN CODE TO PROVIDE FOR CHANGE IN SEWER SERVICE CHARGE"**

**WAS PRESENTED TO COUNCIL.**(Introduced to Council on June 1, 2011; public hearing held this evening; appears in its entirety on page 141 of the 2011 Minutes Book).

At this time, Council Member Butler announced that he had met with Mr. Mills and discussed water rates.

Council Member Smith remarked that this is a local law for sewer rates.

Council Member Butler stated that he knew that but what he is proposing for Option #6 would also affect the sewer rates.

Mr. Mills passed out the paperwork for Option #6.

Mayor Graham stated that this thing comes out of the blue with another proposal that is going to affect sewer and water. He stated that Council had no knowledge of this and last week Council agreed to the two tier sewer rates. No one came to the public hearing this evening and now this is before Council. He stated that he didn't know what this had to do with. He suggested that a motion be made to table the local law if Council Member Butler wanted to consider changes to the sewer rates.

**MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO TABLE THE FOREGOING LOCAL LAW.**

**THERE WAS NO SECOND TO HIS MOTION.**

Council Member Burns questioned the new option.

Council Member Butler stated that he has been adamant about not raising the rate for high volume users so he came up with another option. He suggested taking a short recess so he could fill Council in on it.

Council Member Burns stated that she is not asking for anything to be hashed out behind closed doors. She stated that this is a lot for her to look at now and it would have been nice to have had it at least 5 minutes before the meeting.

Mayor Graham stated we had a sewer rate proposal before us and he doesn't understand this all of a sudden.

Mr. Mills advised Council that Council Member Butler came to him today and Option #6 is the result which keeps a three-tier system in place and modifies the units in each tier as well as the unit price for each tier. It changes the Tier 2 volume from 9,900 cubic feet to 50,000 cubic feet.

Mayor Graham commented that in all of the discussion, there has never been any discussion of altering the sewer rates. In fact, at the last meeting Council affirmed the two tiers.

Mrs. Corriveau advised that she isn't sure that the comments should be directed to the City Comptroller as he was just doing what he had been asked to do.

Council Member Butler commented that by expanding the second tier from 9,900 to 50,000 and still having the third tier, it gives high volume users a break. He stated that the outside users under Option #1 would see a decrease. Under his proposal, it would still give a break, but not the one being proposed in the first option. He stated that it isn't what he wanted but it is a compromise.

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER VOTING NAY**

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

**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**CHAIRS/TABLES FEE AT ARENA**

Mayor Graham referred to the request from the DPAO and Mr. Gibbons for waiving the fees for these for upcoming events. He explained that a resolution and an ordinance had been prepared for Council's consideration. The resolution would authorize an agreement with the City and DPAO allowing the City to waive the fees. The ordinance would eliminate the fees in the City Code for the time being. If Council decided on this route, they could address the issue of fees for chairs and tables at a later time.

Council Member Burns commented that she was aware of DPAO's request but not of Mr. Gibbons'. She stated that she would agree that we need to have a long term discussion regarding fees at the arena. She stated that she doesn't support charging DPAO for tables and chairs this year and commented that Mr. Rich has stated that he is willing to pay the charge next season.

Mayor Graham commented that if the goal is to eliminate the fees for DPAO then the best way to do it is to eliminate the fees completely. Let these events be held and don't pass judgment on the worthiness of them. Then Council can have this discussion at the August work session.

Council Member Smith asked if there hadn't been an option in the Code that allowed the City not to charge if they didn't want to.

Mrs. Corriveau stated that Council has to enter into an agreement in order to do so and that is in the Code.

Council Member Macaluso stated that we have to look at City staff setting them up.

Mayor Graham commented that no one is going to contradict Mr. Rich at this table. However, the auditor indicated that there has been erratic billing for events at the arena. He stated that as an elected official, he has an obligation of enacting things in the Code and sticking to them.

Council Member Butler asked what the amounts of the fees were.

Mrs. Corriveau advised that the rental fees are .50¢ per chair and \$2.50 per table.

The following ordinance was presented to Council:

**INTRODUCED BY MAYOR JEFFREY E. GRAHAM**

BE IT ORDAINED where certain amendments to the City Code are required to remove the fee for the use of chairs and tables from the City Code,

NOW THEREFORE BE IT ORDAINED that §A320-4 of the Code of the City of Watertown is hereby amended by deleting the following fees:

(9) Chair rental: \$0.50 per chair per day; table rental: \$2.50 per table per day or \$7.00 per table per weekend.

,and

BE IT FURTHER ORDAINED that this Amendment to the City Code shall take effect as soon as it is published once in the official newspaper of the City of Watertown, New York or printed as the City Manager directs.

**SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**UNANIMOUS CONSENT MOVED BY MAYOR GRAHAM, SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**Reports**

Council reviewed the reports regarding the Issuance of Serial Bonds, Combined Sewer Overflow Long Term Control Plan and the Sales Tax Revenue – May 2011.

**Arena Roof Update**

Mr. Hayes introduced Mr. Rich Franklin from Franklin Consulting Services, LLC.

Mr. Hayes remarked that there had been many discussions and many opinions. It is a 30 year old metal roof and the City has always gone the most effective way of maintaining it. Last year, they received permission to put another coat on it. The material was purchased last year and the coating people came in during September. However, the weather was extremely wet. They came back in the spring and there were still many days of rain. The membrane is getting moisture in places and it is necessary to get rid of the moisture before this product is put over it. He stated

that the roof is not leaking and the roofing applicator believes that we won't get leaks in the roof for the next five years.

Mr. Franklin advised that the roof has gone down the drain over the last year or two. When it was started, they thought they had time. Now we are seeing erosion of the coating. The ice falls off the roof and as it does, it tears the coating. Now, a spider crack effect is forming. He said that an infrared scan of the roof to spot the moisture's extent may be the best way to determine whether a new roof is needed.

Council Member Smith asked if the City ordered and paid for 55 gallon drums of material to be sprayed on the roof and if so, what was the cost.

Mr. Cleaver said that it was ordered and the cost was \$6,800.

Council Member Smith asked if it was useless now.

Mr. Franklin stated that it is still usable on this roof. He stated that anything that the City does from this point on will have labor costs. He stated that this is costing the City more money than it is worth right now. He suggested sitting back and seeing what the best option would be.

Council Member Smith remarked that he recommended replacing the roof but instead, the City went with the synthetic and it started to fail in three years. He disagreed that the roof wasn't leaking last year. He stated he was down to the arena with his children and there were pails around catching the water. He asked at what point we say that this 35 year old roof should be replaced.

Mr. Hayes remarked that we are close to that point. He explained that we need to find out how much moisture is present and if there is no oxidation. A new metal roof could be placed on top of it. He stated that he is tired of these conversations because this should have worked. However, we have had bad luck on the weather. The contractor was aware of the City's desire to get it done but there have been rain and high winds.

Mr. Franklin advised that it is only in the City's best interest to have a survey done of the roof. He stated that the roof does not leak. The copula leaks because it is not sealed completely. He stated that the cost of \$2,700 for the infrared scan of the roof is money well spent and something that the City really has to do.

Mayor Graham asked why this hasn't been done.

Mrs. Corriveau responded that we just got the price last week.

Mayor Graham asked if this will allow for a recommendation of whether the roof should be replaced or not.

Mr. Hayes advised that this will show the amount of moisture present and if it would be possible to apply foam and more coating.

Mr. Franklin responded that it would provide the City with an idea of the costs. It will also give the City a time element so you can start budgeting. He stated that the roof is not going to leak right away. He explained that the City needs to protect what it has and prepare for the future.

Council Member Butler asked Mr. Franklin if he would replace it today if he had \$2 million set aside.

Mr. Franklin stated that he would do so if he had over \$1 million.

Mrs. Corriveau responded that she is not sure we have \$2million set aside.

Council Member Butler asked about the increased costs in 5 years.

Mr. Franklin stated that you can't go by that.

Council Member Butler remarked that if we fix it now, we know that it is fixed.

Mayor Graham asked if a new roof would involve insulation.

Mr. Franklin stated that it wouldn't necessarily.

Council Member Butler asked if Mr. Franklin had read the arena study about replacing the roof. He stated that he would like Mr. Franklin's interpretation on it.

Mr. Hayes responded that Mr. Franklin's expertise is in coating.

Mr. Franklin stated that he hadn't read the study but would like to see a copy of it. He explained that the City has coating left and just going up and touching up the roof would add to its longevity. He recommended doing the infrared scan.

Council concurred.

### **Moot Property**

Council Member Butler commented that we need to be as aggressive as we can be legally. He stated that he would like to have Dr. Emerton in there to make an evaluation.

### **Thompson Blvd. Sign**

Council Member Butler asked if the sign had been removed.

Mrs. Corriveau advised that it had been and she had received a thank you call from the resident.

**Cedar Street Truck Traffic**

Mrs. Corriveau advised that New York State is using property on Cedar Street while the sidewalks are being done on Arsenal Street. Once this work is done, the truck traffic will be over with.

**EXECUTIVE SESSION**

**MOTION WAS MADE BY COUNCIL MEMBER SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL AND THAT THE CITY CLERK BE AUTHORIZED TO ATTEND.**

**MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Council moved into executive session at 8:55 p.m.

Meeting ended following the end of the executive session.

**Donna M. Dutton**

City Clerk