

**ADJOURNED COUNCIL MEETING
CITY OF WATERTOWN
July 10, 2006
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

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

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

Mayor Graham opened the adjourned session.

The following resolutions were presented to the Council:

MOTION WAS MADE BY COUNCILMAN BRADLEY TO TAKE FROM THE TABLE THE RESOLUTION “AUTHORIZING THE SALE OF REAL PROPERTY TO WATERTOWN APPLIANCE & TV CENTER, INC. BEING A PORTION OF THE ABE COOPER SITE, TAX PARCEL NO. 6-05-201.002”

(Introduced on May 19, 2006; tabled; appears in its entirety on page 105 of the 2006 Minutes Book)

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

RESOLUTION WAS WITHDRAWN BY COUNCILMAN BRADLEY WITHDRAWING THE INTRODUCTION AND COUNCILMAN CLOUGH WITHDRAWING THE SECOND.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO TAKE FROM THE TABLE THE RESOLUTION “ACCEPTING BID FOR ROOF RENOVATIONS AT THE CITY’S WASTEWATER TREATMENT PLANT”. (Introduced on July 3, 2006; tabled; appears in its entirety on page 150 of the 2006 Minutes Book)

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

RESOLUTION WAS WITHDRAWN BY COUNCILMAN SMITH WITHDRAWING THE INTRODUCTION AND COUNCILMAN BRADLEY WITHDRAWING THE SECOND.

Prior to the withdrawal of the resolution, Mrs. Corriveau referred Council to the memo prepared by Mr. Cleaver indicating that the Welch Construction Company is in full compliance with the City's bid specifications and is the lowest qualified bidder.

The following ordinances were presented to Council:

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

BE IT ORDAINED by the City Council that Chapter 301 of the Municipal Code is hereby amended by deleting Sections 301-17 (A), (B), (D), (E) and (H); and Section 301-19, and

BE IT FURTHER ORDAINED by the City Council that the Municipal Code, Chapter 301 be and the same is hereby amended by adding thereto new Sections 301-17 (A), (B), (D), (E) and (H) and Section 301-19, as follows:

301-17. Water Rates and Charges. The rate for both domestic and industrial metered water within the City of Watertown shall be as follows:

A. QUARTERLY METER RATES

First 1200 cubic feet (8976 gallons)	\$35.61 per 1000 cubic feet (7480 gallons)
Next 8700 cubic feet (65076 gallons)	\$25.27 per 1000 cubic feet (7480 gallons)
Next 90000 cubic feet (673200 gallons)	\$18.22 per 1000 cubic feet (7480 gallons)
Over 99900 cubic feet (747252 gallons)	\$13.98 per 1000 cubic feet (7480 gallons)

B. MINIMUM CHARGE QUARTERLY FOR CITY USE

Meter Size (inches)	Cubic Feet	Gallons	Minimum Charge
5/8	900	6732	\$ 32.03
3/4	1500	11220	50.32
1	2700	20196	80.58
1 1/2	5100	38148	141.16
2	8400	62832	224.49
3	15900	118932	371.85
4	26400	197472	563.44
6	51900	388312	1,028.72

8	84000	628320	1,614.41
10	120000	897600	2,185.84

D. WHERE WATER IS SUPPLIED TO PREMISES SITUATED OUTSIDE THE CITY AND NOT COVERED BY CONTRACT, THE RATES FOR BOTH DOMESTIC AND INDUSTRIAL METERED WATER SHALL BE AS FOLLOWS:

Usage	Rate
First 4,000 cubic feet (29,920 gallons)	\$50.67 per 1,000 cubic feet (7,480 gallons)
Next 21,000 cubic feet (157,080 gallons)	\$45.93 per 1,000 cubic feet (7,480 gallons)
Over 25,000 cubic feet (187,000 gallons)	\$41.22 per 1,000 cubic feet (7,480 gallons)

E. MINIMUM CHARGE QUARTERLY FOR OUTSIDE CITY USE, NOT COVERED BY CONTRACT.

Meter Size Charge (inches)	Cubic Feet	Gallons	Minimum
5/8	900	6,732	\$ 45.62
3/4	1,500	11,220	76.01
1	2,700	20,196	136.82
1 1/2	5,100	38,148	253.20
2	8,400	62,832	404.78
3	15,900	118,932	749.24
4	26,400	197,472	1,224.85
6	51,900	388,212	2,275.59
8	84,000	628,320	3,598.24
10	120,000	897,600	5,081.57

H. PARTIAL TAX EXEMPTION RATES

(1) For those customers who qualify under the partial tax exemption for real property of aged persons and who reside within the City of Watertown, the quarterly basis on which they will be billed for water usage shall be the amount of water actually used by such a property owner. The rates set forth in Section 301-17 A, B and C shall not apply to these property owners.

(2) The rates set forth within this subsection shall only apply to that portion of a residence which is actually inhabited by the elderly property owner who qualifies for the

partial tax exemption of real property. If other portions of the residence are occupied by non-qualified rate payers, they shall pay the standard City rates.

(3) The rate structure for this subsection shall be as follows:

UNIT	CHARGE
1	\$ 3.56
2	7.12
3	10.68
4	14.25
5	17.80
6	21.37
7	24.91
8	28.46

Section 301-19. Fire Service Charges. The charge for fire service pipes shall be as follows:

Size of Service (inches)	Monthly Charges	
	Inside City	Outside City
2	\$ 3.20	\$ 6.49
3	6.49	12.95
4	9.36	18.83
6	18.83	37.63
8	28.17	56.46
10	37.63	75.27

And,

BE IT FURTHER ORDAINED that this ordinance shall take effect on July 1, 2006, after it has been published once in the official newspaper of the City of Watertown, or as the City Manager directs.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

LAI D OVER UNDER THE RULES

Following the vote on unanimous consent, Mayor Graham remarked that he voted no on the motion, not because he was opposed to the ordinance, but because he felt there needed to be more discussion on the issue and more of a chance to form any additional questions.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

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

WHEREAS, it is now desired to authorize the financing of such capital project;

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

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of Sterling Street, in and for the City of Watertown, Jefferson County, New York, including road, sidewalks, curbs, water main, storm drainage and sanitary sewer upgrades, and incidental expenses in connection therewith, there are hereby authorized to be issued \$261,200 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$261,200 and that the plan for the financing thereof is by the issuance of the \$261,200 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied upon abutting property owners of such sidewalks a special assessment to pay such portion of the principal of and interest on such obligations, as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in 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.

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

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS, it is now desired to authorize the financing of such capital project;

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

Section 1. For the specific object or purpose of paying the cost of a sewer overflow study, in and for the City of Watertown, Jefferson County, New York, including the purchase of monitoring equipment and consulting services to gather and analyze the data, including incidental expenses in connection therewith, there are hereby authorized to be issued \$150,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$150,000 and that the plan for the financing thereof is by the issuance of the \$150,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is five years pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law. Pursuant to Section 99-d of the General Municipal Law, unless this resolution is amended prior to the issuance of the obligations authorized hereby, the City will be unable to undertake the recommended improvements until one year has elapsed from the date of such issuance. Inasmuch as the aforesaid specific object or purpose does not involve the financing of any physical asset or improvement which the Council has yet determined to acquire or undertake, it is hereby determined that it is a "Type II" action within the meaning of regulations of the Department of Environmental Conservation promulgated under the State Environmental Quality Review Act.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and

contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or

otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in 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.

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

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS, it is now desired to authorize the financing of such capital project;

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

Section 1. For the class of objects or purposes of paying the cost of the replacement of roofs on the sludge thickener and sludge disposal buildings, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$125,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$125,000 and that the plan for the financing thereof is by the issuance of the \$125,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied upon abutting property owners of such sidewalks a special assessment to pay such portion of the principal of and interest on such obligations, as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing,

shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in 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.

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

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS, it is now desired to authorize the financing of such capital project;

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

Section 1. For the specific object or purpose of paying the cost of the replacement of the incinerator venturi scrubber at the Waste Water Treatment Plant, in and for the City

of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$50,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$50,000 and that the plan for the financing thereof is by the issuance of the \$50,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied upon abutting property owners of such sidewalks a special assessment to pay such portion of the principal of and interest on such obligations, as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or

facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

(Unanimous consent moved by motion of Councilman LaBouf, seconded by Councilman Bradley and carried with all voting in favor thereof)

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING.

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

Council moved into Executive Session at 8:05 p.m.

Council reconvened at 8:22 p.m.

Councilman Clough left the meeting.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Front Yard Parking Complaint – 904 Boyd Street

Mrs. Corriveau referred to the memo from Mr. McWayne concerning the front yard parking complaints at this location. She advised Council that the owner of the property is out of town for two weeks. He has been informed of the complaint and will obtain a fence permit upon his return to prevent tenants from using this area for parking.

Water/Sewer Capacity Study

Mr. Pilon referred to the water portion of this study and presented Council with a synopsis of the findings.

An overview of the conclusions pertaining to follows:

- Water demands for the period from 2003 through 2005 have been fairly consistent and have averaged 5.9 MGD over the period. Maximum day water demands have been 8.9 MGD over the same period. Of these numbers, DANC's average daily demand has been 1.3 MGD and their maximum daily demand has been 2.9 MGD.
- Population increase to the City/DANC service area due to Ft. Drum expansion over the next 0-2 years is expected to be 13,000 persons.
- In most cases, existing water agreements set specific allocations. In preparing the report, the greater of contractual allocation or projected demand or flow has been utilized for developing projections.
- Existing contracts will need to be revised to reflect current or projected demands.

- NYSDEC water supply permits do not match contractual limits in all agreements and will have to be updated accordingly.
- The City's Water Treatment Plant and Facilities generally have sufficient capacity to meet projected water demands. Minor improvements and operational adjustments will be required to meet long-range projections and upcoming regulatory issues.
- The City currently provides peak hour water demands and fire flow to the Town of Watertown Water Districts No. 1 and No. 2. on Coffeen Street and Arsenal Street. The Town should install water storage facilities in order to provide improved flows.
- The City's water distribution system has sufficient capacity to meet current peak hour demands, with an existing low-pressure condition occurring in the St. Mary St. Hill area. This low-pressure condition will be exacerbated by projected increased peak hour demand conditions.
- Projected 10-20 year peak hour demands will create reduced pressure conditions in several other areas of the City. Additional water transmission capacity to the reservoirs at Thompson Park will be required to meet those increased demands.
- The DANC system has sufficient capacity to meet the demands over the next 0-2 years. Pumping improvements will be needed to meet projected demands beyond 2 years.
- The DANC water transmission and distribution system currently provides fire flow capacity for several of the town districts that it serves. As growth occurs and demands increase, these towns will have to provide water storage to cover peak hour and fire flow demands.

The areas of greatest concern follow:

- ❖ Capacity testing of low lift pumps that pump raw water to the plant should be performed in the near future. If new, larger capacity pumps are required to meet future requirements in the 5-10 year planning period, the cost of replacements is estimated to be \$130,000.
- ❖ Effective disinfection by-products (DBP) control measures to meet future requirements need to be determined. Disinfection by-products are formed by the reaction of chlorine, used for disinfection, on microscopic organic particles in the water. We are currently able to effectively control the allowable maximum contaminant levels of DBPs within our system. However, the allowable maximum contaminant level is being reduced and it is likely that we will have to change our method of disinfection, so that the DBP levels in the outlying water districts being served by our system will be within the compliance range.

Approximately \$90,000 to \$100,000 may be required to perform studies and testing to determine the most effective way to deal with this issue. The Chief Operator at the WTP has been working on compliance aspects of these regulations for a couple of years.

- ❖ Improvements are needed with the communications between the City's WTP and DANC's Booster Pump Station #1.
- ❖ As demand for water increases at the City's water plant, alum sludge deposits in the coagulation basin will increase. We will have to evaluate the most cost effective approach for dealing with the increased settled solids, which are currently dredged out of the basin every three years and pumped into 4 Freeze-Dry Beds. Possible alternatives include more frequent sludge removal, changing the coagulant aid, purchase of sludge removal equipment, enlarging the existing beds, constructing additional beds, or a combination of the above. Costs could range between \$500,000 and \$1,000,000.
- ❖ Low-pressure and flows during peak demand periods in the St. Mary St. Hill area will require upgrades to the distribution system in that area as water demands increase. The report recommends replacement of water mains in certain area streets in the short-term with an opinion of cost of \$900,000. If demands increase as projected in the 10-20 year period, it is recommended that a water storage tank be considered in the St. Mary St. Hill area. No opinion of cost was provided, as this is a long-range recommendation.
- ❖ In order to provide additional peak hour demands, the report recommends construction of 3,000' ± of new 24" transmission main from Pearl Avenue to the reservoirs at Thompson Park in the next 5-10 years. The opinion of cost for that work is \$1,200,000.

Mayor Graham asked about low-pressure in certain areas and the fact that this presents a problem for firefighters.

Mr. Pilon explained that in the Addison Street area of the City there are only 4" water mains which are 100-110 years old. He also advised Council that they furnish maps indicating pressures in the hydrants to the Fire Department.

Mr. Pilon also explained that the 1985 study done by O'Brien and Gere called for a stand pipe on St. Mary hill. However, it is his opinion that until the 4' mains are fixed, it wouldn't do a lot of good to put the stand pipe up.

Mrs. Corriveau also indicated that the recent study doesn't recommend putting it in at this stage.

Councilman Smith asked how the costs associated with the system is factored into outside user fees.

Mrs. Corriveau explained that it is directly factored in and not based on the bulk water rate.

Mr. Pilon explained that under the DANC contract they pay a proportionate amount that they take over the line based on the total amount. He also advised that outside users on the town system pay twice the City rate.

Councilman Smith asked how many inside users are volume purchasers.

Mr. Pilon commented that the hospital would most likely be a volume user.

Councilman Smith asked if the rates could be done away with as the contracts expire.

Mrs. Corriveau explained that they have a three month extension with the Town of Watertown under the current contract.

Councilman Smith asked if the City could eliminate bulk user rates.

Councilman Bradley commented that under the bulk user rates, 300 homes are added together and they pay less than 300 individual homes would pay.

Mrs. Corriveau explained that the City delivers it to a point. From there, DANC is in charge of the distribution, the billing and the collecting.

Councilman Smith remarked that the bottom line is that the City homeowner pays more.

Mr. Pilon questioned if that was known to be true. He explained that these Town distribution systems are federally regulated.

Mrs. Corriveau explained that the Town can not make a profit.

Mayor Graham asked about the rates that the Orthopedic Group pays as compared to the Town of Watertown. He stated that the town is not the end user. They are merely a conduit and he stated that the fees should be the same.

Mayor Graham commented that the tiered system has long passed its usefulness.

Mrs. Corriveau remarked that part of what the towns have to consider is the final cost to the end users. She also commented that we don't want to find ourselves in a situation of not supporting development.

Mayor Graham responded that it is very problematic to have constant rate increases.

Councilman Smith commented that the City tax payers have to pay for improvements to the distribution system to allow the City to offer water to outside users.

Mr. Pilon explained the fixed, maintenance and chemical costs incurred. He explained that the City would have to pay to have people at the plant even if they didn't sell to outside users.

Mayor Graham responded that no one is suggesting not selling water. They are suggesting to do so at a higher rate to outside users.

Councilman Smith commented that an argument could be made to develop within the City.

Mayor Graham agreed stating that this is also exporting our tax base.

Discussion centered on the St. Mary stand pipe recommendation. Councilman Smith commented that the report and the rates are intertwined. The present system is fine without the development outside the City.

Mrs. Corriveau commented that the 80-100 year old lines really need to be replaced.

Mr. Pilon reminded Council that the recommendation was done in a 1985 study which was before the development.

Mayor Graham remarked that Council talks about these rates. However, Council doesn't know what they are.

Councilman Smith remarked that the rates need to be better defined and he would like a copy of the tiered system. He suggested possibly narrowing the system. He also suggested that perhaps in order to get a certain rate, businesses would have to show how they would increase jobs, etc.

Councilman Bradley responded that most industries aren't water based any more. If they are, they move south. Industries coming into the area are not big water users.

Mr. Pilon also commented that if the rates are changed, in order to raise the revenues needed, there is a good chance that it would raise the cost to inside residences.

Councilman LaBouf referred to the new formula that staff had been working on.

Mrs. Corriveau explained that this was for the sewer contracts and was based on new rates.

Mayor Graham responded that negotiations go back and forth and the Council is not involved in them. Then, they have to vote on them.

Mrs. Corriveau asked what Council's sentiments were on the water rate issue.

Councilman Smith remarked that he thinks there should be a premium for our water to outside users.

Attorney Slye commented that his concern is that there is a contract based on a certain series of assumptions and he's not convinced that the City can rewrite our Code to change the paradigm.

Mayor Graham responded that no one is trying to rip someone off. He stated that they want to have stability in the utility rates. Every year it looks like we need to approve water increases.

Sewer Report

Mr. Hauk referred to the sewer portion of this study and presented Council with a synopsis of the findings.

Mr. Hauk explained that the overview indicated a daily average of 11.7 million gallons per day (MGD) with a maximum month of 18.5 MGD. The projected sewer flows based on potential development and contractual allocations indicate a 28% increase to 23.7 MGD over a 10-20 year time period.

He also explained that the WPCP has 16 MGD permitted capacity. The maximum monthly flows have exceeded 16MGD on several occasions due to wet weather. The City is in the process of developing a Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP), with a two year development and 10-15 year implementation time frame.

Mr. Hauk advised that the City trunk sewers have insufficient capacity to meet wet weather flows and peak hour sewer flows from the combined sewer service area in many locations – Pearl Street, Factory Street, Newell Street and Western Outfall. The CSO LTCP will determine the extent to which sewer capacity expansion or wet weather flow reduction will be necessary.

Mr. Hauk referred to the conclusions and recommendations of the study which were as follows:

Update existing sewer agreements to establish contractual limits on sewer flows.

Develop and implement the CSO LTCP.

Offset short term increases in sewer flows by removal of storm sewer connections.

The long term expansion needs of the treatment plant capacity will be determined by the implementation of the CSO LTCP.

Mrs. Corriveau advised Council that there will be a media briefing on Tuesday, July 11, 2006 at 3:00 p.m. in the City Council Chambers concerning the Water/Sewer report.

Public Square Update

Mr. Hauk advised Council that the concrete on Public Square which was originally scheduled for milling is not in good enough shape to have the process done on. He explained that the slabs that remain may not survive the reconstruction work and at best, would only last another 3-5 years. He explained that the condition of the concrete is bad and there is a poor sub base. The net cost to remove the concrete and relocate the utilities to a lower depth would be \$280,000 with a time frame of 2-4 months at best and 2-3 years at worst. He explained that Verizon would be relocating the lines and he is in talks with them as well as with Senator Wright's office. There are now representatives from National Grid and Verizon on call if a problem arises. He explained that the sequence of work would be to continue with the water line installation. The waterline laterals will serve as test pits at utility crossing points. The test pits will serve as an indicator of best or worst case utility relocations. He also commented that the City needs long term agreements in place with the utility companies.

Councilman LaBouf mentioned that people had commented it would make more sense to bury the main cables. He asked if there had been any discussions about this.

Mrs. Corriveau commented that the cost to do the study would have been around \$70,000.

Mr. Pilon commented that as far as the phone lines were concerned, a figure of \$1 million for the study was mentioned.

Mayor Graham asked if this was the beginning of a long series of change orders for this project.

Mr. Hauk explained that there are two more relative to this project – Anthony Street and the problems with the storm and sanitary sewer lines at J.B. Wise.

Ethics Board

Mayor Graham referred to the vacancy on this board and suggested that Rande Richardson be appointed. He also commented that he believes there are two vacancies on this board and that Roxanne Burns should be appointed to fill out the term of Mr. Roman.

Mrs. Corriveau remarked that she believes there is only one vacancy.

Mayor Graham asked that staff check with Mr. Roman to clarify it.

ADJOURNMENT

AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 9:00 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY

**COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR
THEREOF.**

Donna M. Dutton
City Clerk