

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
July 17, 2006
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

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

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving Agreement for Use of Buildings and Grounds, Watertown City School District
- 2 - Awarding Bid for Black River Coagulation Basin Dredging
- 3 - Rejecting Bid for Aerial Lift Truck – Department of Public Works
- 4 - Accepting Bid for Roof Renovations at the City’s Wastewater Treatment Plant
- 5 - Accepting Bid for Fire Pumper Truck
- 6 - Approving the Contract with Environmental Design and Research, Landscape Architecture, Environmental Services, Engineering and Surveying, P.C. (EDR) for Design and Construction Administration Services for the Black River Parks Development Project
- 7 - Approving the Special Use Permit Request Submitted by Robert Havens of RENEY Management, Inc. to Allow the Conversion of Approximately 4,541 Sq. Ft. of Vacant Commercial Space into Four One-Bedroom Apartments Located on the First Floor of the Two-Story Building at the Addresses Known as 307-309 State Street, Parcels No. 6-02-320
- 8 - Accepting Bids for EMS Jackets – United Uniform, Inc.
- 9 - Authorizing Adjustment of 2006-07 Real Property Taxes for Property at 1006 Holcomb Street
- 10 - Authorizing Adjustment of 2006-07 Real Property Taxes for Property at 1038 Holcomb Street
- 11 - Approving the Request to Change the Approved Zoning Classification of a Portion of a City Block Encompassing Lands Between Superior Street, Cayuga Avenue, Railroad Street and New York Avenue, Including Parcels No. 1-20-201 through 1-20-203 and 1-20-207 through 1-20-218 From Light Industry to Residence “B”
- 12 - Authorizing the Issuance of \$405,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase of a Fire Pumper Truck for Use by the Fire Department, In and For Said City

- 13 - Authorizing the Issuance of \$300,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Replacement of a Portion of the Water Main on Arsenal Street, In and For Said City
- 14 - Authorizing the Issuance of \$135,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase of a Side Load Refuse Packer for Use by the Department of Public Works, In and For Said City
- 15 - 7:30 p.m. – Public Hearing Authorizing Spending of Funds, Repair Reserve Fund, Coagulation Basin
- 16 - Laid Over Under the Rules – Resolution Authorizing Water Rates
- 17 - Time Sheets

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 July 3, 2006 and the adjourned meeting of July 10, 2006 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

COMMUNICATIONS

The following communication was received from the City’s Planning Board:

- 1. Recommending Council approval for the zone change request submitted by the City of Watertown New York to change the zoning classification of a portion of a City block encompassing lands between Superior Street, Cayuga Avenue, Railroad Street and new York Avenue, including Parcels No. 1-20-208 through 1-20-218, 1-20-201 and 1-20-202 from Light Industry to Residence “B”.
- 2. Recommending Council approval for the Special Use Permit submitted by Robert Havens, RENY Management, Inc. to allow the conversion of a portion of a commercial building located at 307-309 State Street, Parcel 6-02-320 into four apartments and to allow conceptual approval for three additional apartments at 303-305 State Street and ten additional apartments in an adjacent building located at 311 State Street.

ABOVE PLACED ON FILE

Written notice of sidewalk defect was received from Joan Cook who fell in front of 402 Mill Street.

ABOVE PLACED ON FILE

Mayor Graham interrupted the regular course of business to allow for the Fire Department Awards to be presented. Capt. Patrick W. Best was awarded the department

Medal of Valor. Firefighters Theodore G. Kolb and Steven C. Wood received the department's Life Saving Medal. The three pulled an individual from a second-story window and down a ladder to safety during a fire on S. Hamilton Street.

PUBLIC HEARING

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE AUTHORIZING OF SPENDING FROM THE COAGULATION BASIN RESERVE FUND.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

PRIVILEGE OF THE FLOOR

Elizabeth Parson, 904 Boyd Street, addressed the chair concerning the fact that they do not have adequate parking at this location, which is a duplex. She explained that she and her husband have two vehicles and the other four tenants in the other half of the house each have a vehicle. She presented photos to the Council showing the driveway and the parking areas. She explained that there is a gas meter on the house that juts out into the driveway and prohibits parking in that location of the driveway.

Mayor Graham commented that there are always two sides to a code issue.

Councilman Bradley asked if he were correct in assuming that the owner had offered to put up the fence.

Mrs. Corriveau stated that this was correct.

Mr. Parson commented that he doesn't like to park in the street as he has had vehicles damaged there before.

Mrs. Corriveau explained that there is no easy solution. She commented that some members of Council have run on a platform of no more front yard parking. It remains on the books and the City has been asked to enforce it.

Councilman Clough remarked that Council decided that parking was allowed on either side of the house.

Councilman Smith remarked that a person can park on either side of the house, but not in front of the porch.

Councilman Clough responded that Council changed that to allow for parking in driveways in front of the residence.

Mrs. Corriveau advised that while there was a lot of discussion at the time, Council never voted to change the code.

Mayor Graham responded that this situation is typical of problems that happen when you want to have a law and it runs up against real people. He remarked that the City has to come up with a flexible system.

Councilman Smith remarked that we also have to look out for the people in the neighborhood.

Mayor Graham remarked that changing this law is a function of zoning.

Mrs. Corriveau explained that nothing says there needs to be parking for all of the tenants. She referred to three different apartment buildings in the City that have very little parking and there doesn't seem to be a problem.

Mayor Graham responded that the victims in this situation are the tenants.

Councilman Smith stated that the victims are also the neighbors.

Councilman Bradley asked if there wasn't something in the code about adequate parking. He referred to the previous multi-family property on TenEyck Street

Attorney Slye explained that was a "multi-family use" issue, not a parking issue.

Councilman Bradley responded that the Boyd Street situation is a landlord issue, not a city issue.

Mayor Graham commented that ultimately, it is the landlord's decision of how to configure the parking on the lot, as long as he complies with the code. He advised the tenants that they would have to work out something with their landlord.

Councilman Bradley commented that a fence would become a safety issue.

Wayne Zimmer, Katherine Street, addressed the chair remarking that front yard parking was still occurring on South Rutland Street. Mr. Zimmer also referred to the conditions of the restrooms at the fairgrounds.

Mayor Graham explained that Mr. St. Croix had sent back a memo concerning this and

the problem was being addressed by both the tenant and the City.

RESOLUTIONS

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

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

WHEREAS the Watertown City School District is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and the Watertown City School District, and

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

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

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

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown advertised and received one (1) bid for the dredging of the City's Black River Coagulation Basin, and

WHEREAS invitations to bid were issued to three (3) prospective bidders, with only one (1) bid being received and publicly opened in the City Purchasing Office on Friday, July 7, 2006, at 2:00 p.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver is recommending that the City Council accept the bid of HYDROPRESS, LLC in the amount of \$104,500 for the dredging of the City's Black River Coagulation Basin,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby accepts the bid of HYDROPRESS, LLC, 77B West Street,

West Hatfield, MA 01088, in the amount of \$104,500 for the dredging of the City's Black River Coagulation Basin.

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

Prior to the vote on the foregoing resolution, Councilman Smith asked about the dredging and if it needed to be done every three years prior to more users coming on to the system.

Mr. Pilon explained that the dredging also depends on the treatment process and the condition of the water.

Mrs. Corriveau also explained that the dredging time depends on how quickly solids build up in the basin.

Mr. Pilon explained that twenty years ago, they dredge it every five years. However, that resulted in poor water quality. They moved it up to every four years.

Councilman Clough asked about the price this time as compared to the past.

Mrs. Corriveau advised that it cost \$91,000 in 2000 and \$82,000 in 2003.

Mr. Pilon explained that it had gone up a little bit. However, the dredge runs on diesel fuel which is up in price as well as increased labor costs.

THE RESOLUTION "AUTHORIZING SPENDING FROM THE COAGULATION BASIN RESERVE FUND" WAS PRESENTED TO COUNCIL. AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one new and unused aerial lift truck, per our specifications, for use by the Department of Public Works, and

WHEREAS invitations to bid were issued to five (5) prospective bidders, with two (2) bids being received and publicly opened and read in the City Purchasing Department on Friday, July 7, 2006, at 11 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver, DPW Superintendent Eugene Hayes and Assistant DPW Superintendent Peter Monaco reviewed the bids received, and are recommending that all bids be rejected,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York rejects all bids for the purchase of one new and unused aerial lift truck.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND DEFEATED WITH ALL VOTING NAY

Prior to the vote on the foregoing resolution, Council was advised that the City Manager requested them to vote down the resolution as another resolution would be presented later in the meeting.

Discussion was held in regard to an alternative bid for a standard transmission.

Councilman Smith asked why they couldn't use a standard transmission and save some money.

Mr. Monaco explained that while they could drive standard, the company was able to find an automatic as had been requested in the specs.

Councilman Bradley commented that a standard transmission could become more of a maintenance issue over time.

Mayor Graham stated that he was concerned that we are allowing Altec to massage the bid.

Mr. Monaco explained that it was only the time frame that was changed once Altec was able to find the vehicle.

Mrs. Corriveau reminded Council that originally they had tried to find a used vehicle. However, due to the demand for these vehicles following Hurricane Katrina, that was impossible. They had been concerned about the delivery time and the only change was the length of the time.

Councilman Clough asked Attorney Slye for his opinion.

Attorney Slye commented that Mrs. Corriveau is correct. The delivery time is not part of the bid package.

Councilman Bradley commented that if he puts in a completion date in a bid for installing flooring and those changes, it is still a change after the fact.

Attorney Slye responded that the time of performance for installing flooring is different from the purchase of items.

Councilman Clough remarked that in the future, he wants the capital budget pages to be included with any of these items that have been placed in the capital budget.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department has advertised and received sealed bids for the replacement of the roof at the Wastewater Treatment Plant's Sludge Disposal Building, per our specifications, and

WHEREAS five bids were received and publicly opened and read in the City Purchasing Department on Friday, May 19, 2006, at 11 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver and City Civil Engineer II Thomas Maurer reviewed the bids submitted and are recommending that the City Council accept the bid, meeting our specifications, submitted by Welch Construction, Marcellus, New York, in the amount of \$96,867,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Welch Construction in the amount of ~~*\$98,867~~ for the replacement of the roof at the Wastewater Treatment Plant's Sludge Disposal Building, contingent upon this project receiving City Council approval of bonding, and

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

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

***Motion was made by Councilman Smith to amend the resolution to read \$96,867. Motion was seconded by Councilman LaBouf and carried with all voting yea.**

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one new and unused 1500 G.P.M. fire pumper truck, per our specifications, and

WHEREAS invitations to bid were issued to twelve (12) prospective bidders, with one (1) bid being received and publicly opened and read in the City Purchasing Department on Monday, July 10, 2006, at 10 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver and Fire Chief Daniel Gaumont reviewed the sole bid submitted by Pierce Manufacturing in the amount of \$403,777, and

WHEREAS it is recommended that the City Council accept the bid submitted by Pierce Manufacturing, Inc., P.O. Box 2017, Appleton, WI, in the amount of \$403,777, and

WHEREAS funding was included in the FY 2006-07 Capital Budget in the amount of \$400,000 to purchase a new fire pumper truck,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Pierce Manufacturing, Inc., P.O. Box 2017, Appleton, WI 54912, in the amount of \$403,777 for one new and unused 1500 G.P.M. fire pumper truck, per our specifications

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

Prior to the vote on the foregoing resolution, Councilman Smith ask why only one bid was received when 12 prospective bidders had been contacted.

Chief Gaumont explained that these companies are very specific with what they bid on. If the bid specs are different from what they offer, they chose not to bid.

Councilman Smith asked who puts the bids together.

Chief Gaumont stated that he does. Then the specs are reviewed by Mr. Cleaver to make sure that they comply with bid law.

Councilman LaBouf asked if the City has other vehicles from Pierce.

Chief Gaumont explained that the last two have been from Pierce and they are outstanding.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the New York State Office of Parks, Recreation and Historic Preservation has awarded the City of Watertown grant funding under the Land and Water Conservation Fund to fund the Black River Parks Development Project, and

WHEREAS the grant will fund park and trail development at the former Abe Cooper Site on Factory Street, the Public Works Site on Newell Street, the Bicentennial Park Site at the Fairgrounds and access improvements at the Veterans Memorial Riverwalk, and

WHEREAS the City of Watertown solicited a Request for Qualifications to professional firms for design and construction administration services for the project and received proposals from three firms, and

WHEREAS a group consisting of City Staff and members of the Black River Committee reviewed the proposals, conducted interviews and recommended that Environmental Design and Research, Landscape Architecture, Environmental Services, Engineering and Surveying, P.C. (EDR) be selected for the design and construction administration work, and

WHEREAS City Staff negotiated the attached contract with EDR totaling \$41,667, which covers survey work, preliminary design, holding a public meeting, final design, the completion of contract documents, administering the public bidding process and construction oversight for the Black River Parks Development Project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the contract with EDR in an amount not to exceed \$41,667 for the design and construction administration for the Black River Parks Development Project, and

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

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

Prior to the vote on the foregoing resolution, Councilman Smith asked about the financial parameters.

Mr. Lumbis explained that the overall project cost is \$250,000 with \$125,000 in grant funding and \$125,000 in matching city funds. \$208,000 is the construction cost less design fees which are \$41,000.

Mayor Graham remarked that since people are watching the meeting on television and the internet, he would suggest that the staff use the microphones when addressing the Council.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Robert Havens of RENY Management, Inc. has made application for a Special Use Permit to allow the conversion of approximately 4,541 sq. ft. of vacant commercial space into 4 one bedroom apartments located on the first floor of the two-story building at the addresses known as 307-309 State Street, Parcel No. 6-02-320, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on July 5, 2006, and recommended that the City Council of the City of Watertown approve the request, and

WHEREAS a public hearing was held on the proposed Special Use Permit on August 7, 2006, after due public notice, and

WHEREAS the City Council has reviewed the Full Environmental Assessment Form, responding to each of the questions contained in Part 2 and has determined that the project, as submitted, is a Type 1 Action, but with no other involved agencies, the Council will not initiate a coordinated review, and it 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 Special Use Permit to allow 4 one bedroom apartments constitutes a Type 1 Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have any significant adverse impacts on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to Robert Havens of RENY Management, Inc. to allow the conversion of approximately 4,541 sq. ft. of vacant commercial space into 4 one bedroom apartments located on the first floor of the two-story building at addresses known as 307-309 State Street, Parcel No. 6-02-320.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, AUGUST 7, 2006 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Agent has advertised and received sealed bids for the purchase of 82 EMS jackets, per our specifications, for use by the City Fire Department, and

WHEREAS invitations to bid were issued to nine (9) prospective bidders with five (5) bids submitted to the Purchasing Department, and

WHEREAS on Monday, July 10, 2006, at 11:30 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Fire Chief Daniel Gaumont, and they are recommending that the City Council accept the bid submitted by United Uniform, Co., Inc., Buffalo, New York in the amount of \$245.00 per jacket for the Blauer Model 9970-Z, in the amount of \$20,900,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, accepts the bid of United Uniform Co., Inc., 495 N. Friend Road, Buffalo, New York 14228, in the amount of \$20,900 for 82 EMT jackets.

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

Prior to the vote on the foregoing resolution, Councilman Smith asked about taking the optional bid.

Chief Gaumont explained that they originally had a jacket in mind and planned on spending around \$250 for each with money received from a grant. However, the local dealers came back with a price that was between \$290 and \$315 each. A cheaper alternative was asked for that would still have the ability to protect for blood born pathogens but would not have been waterproof. When bids specs were sent out, a number of companies sell the same products and could provide the original jacket for \$245 each.

Councilman LaBouf congratulated Chief Gaumont on receiving the grants and asked about the FEMA grant continuing.

Chief Gaumont explained that this is an annual grant that is applied for each year. He also explained that the department has items in the capital budget that are dependent upon getting the grant this year. He expects announcements to be made in August.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS there is outstanding 2006-07 City Real Property Taxes on the property of known as 1006 Holcomb Street, Parcel No. 14-6-114.001, in the amount of \$2,498.20 of which \$1,079.22 represents the property taxes and \$1,418.98 represents relieved sidewalk charges, and

WHEREAS the property owner desires to have the sidewalk invoice enrolled in the Sidewalk Special Assessment Program to allow for payments to be made over 10 years plus applicable interest, and

WHEREAS the City has limited funds available form the serial bond issued to pay the invoices enrolled in the Sidewalk Special Assessment Program, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the property taxes indicated above are adjusted to reflect participation in the Sidewalk Special Assessment Program resulting in a revised 2006-07 City tax bill as follows:

2006-07	City Tax	\$1,079.22
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2006-07	Sidewalk Installation	\$ 210.54
Total 2006-07 City Tax Bill		\$1,289.76

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

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS there is outstanding 2006-07 City Real Property Taxes on the property of known as 1038 Holcomb Street, Parcel No. 14-7-103.000, in the amount of \$2,488.51 of which \$1,114.57 represents the property taxes and \$1,373.94 represents relieved sidewalk charges, and

WHEREAS the property owner desires to have the sidewalk invoice enrolled in the Sidewalk Special Assessment Program to allow for payments to be made over 10 years plus applicable interest, and

WHEREAS the City has limited funds available from the serial bond issued to pay the invoices enrolled in the Sidewalk Special Assessment Program, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the property taxes indicated above are adjusted to reflect participation in the Sidewalk Special Assessment Program resulting in a revised 2006-07 City tax bill as follows:

2006-07	City Tax	\$1,114.57
2006-07	Sidewalk Installation	\$ 203.86
Total 2006-07 City Tax Bill		\$1,318.43

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one new and unused aerial lift truck, per our specifications, for use by the Department of Public Works, and

WHEREAS invitations to bid were issued to five (5) prospective bidders, with two (2) bids being received and publicly opened and read in the City Purchasing Department on Friday, July 7, 2006, at 11 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver, DPW Superintendent Eugene Hayes and Assistant DPW Superintendent Peter Monaco reviewed the bids received, and are recommending that the City Council accept the bid submitted by Altec Industries Model, in the amount of \$122,726,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby accepts the bid submitted by Altec Industries Model in the amount of \$122,726 for the purchase of one new and unused aerial lift truck.

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

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS on April 3, 2006, the City Council of the City of Watertown approved a bid submitted by Villager Construction Co., Inc., 425 Old Macedon Center Road, Fairport, New York 14450, in the amount of \$4,746,320.50 for the reconstruction of Public Square, and

WHEREAS in connection with that project, City Engineer Kurt Hauk has submitted the attached Change Order No. 1 for consideration by the City Council, and

WHEREAS the total cost associated with this Change Order is \$321,075.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to the contract with Villager Construction Co., Inc., associated with the reconstruction of Public Square, copies of which are attached and made of part of this resolution, and

BE IT FURTHER RESOLVED that approval of this Change Order is contingent on City Council approval of a Bond Ordinance to fund the cost of the work being performed, and

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

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

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

Prior to the vote on the foregoing resolution, Mr. Hauk advised Council that Syracuse Utilities have been doing a series of test pits along the north side and the shallowest pit is 24". The others are 28" to 30". The pits have not been done on the south side as they were waiting to see if Council would agree to remove the concrete. Mr. Hauk also

explained that the conference call, which included himself, Mrs. Corriveau, Senator Wright and staff as well as Verizon representatives, had been productive.

Councilman Bradley asked about the under run items and the amount.

Mr. Hauk explained that under run lines would remain in the contract and once the construction is completed the under runs would be backed out.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the 2003-2006 Employment Contract between the City of Watertown and the Watertown Police Benevolent Association, expired on June 30, 2006, and

WHEREAS negotiations have been concluded on a successor Contract,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Collective Bargaining Agreement between the City of Watertown and the Watertown Police Benevolent Association, a copy of which is attached and made a part of this resolution, and

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

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

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS with the adoption of the Fiscal Year 2006-07 Budget, the City Council of the City of Watertown appropriated a raise for Management and Management Confidential employees in the amount of four percent (4%),

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 58 to the Management and Management Confidential Pay Plan, in order to establish the annual compensation for the positions listed below effective July 1, 2006:

Position	2006-07 Salaries
Police Chief	\$ 82,160
City Engineer	\$ 79,040
Fire Chief	\$ 75,735
Superintendent of Water	\$ 74,960

City Comptroller	\$ 74,260
Superintendent of Public Works	\$ 73,175
Deputy Fire Chief	\$ 70,770
Library Director	\$ 66,200
Assistant Superintendent of Public Works	\$ 62,525
Chief Waste Water Treatment Plant Oper	\$ 60,825
Purchasing Agent	\$ 60,275
Civil Engineer II (Storino)	\$ 60,000
Information Technology Manager	\$ 59,110
Superintendent of Parks and Recreation	\$ 58,000
Planning and Community Dev. Cor.	\$ 58,000
City Clerk	\$ 56,750
Supervisor of Maintenance and Distribution	\$ 56,240
Civil Engineer II (Ortlieb)	\$ 56,160
Chief Water Treatment Plant Oper	\$ 56,080
Code Enforcement Supervisor	\$ 55,130
Street and Sewer Maintenance Supervisor	\$ 54,420
Parks and Recreation Maintenance Supvsr.	\$ 54,420
City Assessor	\$ 53,560
Civil Engineer I	\$ 51,235
Planner (Lumbis)	\$ 48,205
Accounting Supervisor	\$ 46,975
Downtown Development Specialist	\$ 44,130
Confidential Assistant to City Manager	\$ 44,130
Confidential Secretary to City Manager	\$ 42,450
Planner (Freda)	\$ 41,600
Executive Secretary Civil Service Comm.	\$ 34,175
Deputy City Clerk	\$ 33,280

SECONDED BY MAYOR JEFFREY M. GRAHAM

(Rules waived by motion of Councilman LaBouf, seconded by Mayor Graham and carried with all voting in favor thereof except Councilman Clough and Councilman Smith voting nay)

Commenting on the foregoing resolution, Councilman Clough remarked that this is the first time this was discussed. He stated that 4% is a hefty raise when you look at the salaries of the department heads. He stated that he doesn't remember discussing this in executive session. He also remarked that these salaries were more than police officers.

Mayor Graham remarked that this is a budgetary public policy and is not valid for executive session.

Councilman Smith remarked that there hasn't been any discussion about health benefits.

Mayor Graham explained that management no longer has steps or longevity increases.

Mrs. Corriveau advised that over the past 16 years, management has received pay raises that compound to 46.93%, while Police have received 72 percent; firefighters salaries went up 62% and CSEA rose 52%. She explained that because of union gains, its member earn close to what their bosses receive. Mrs. Corriveau also advised that management's co-pays of 19 percent for individual and 14 percent for family exceed the three unions'.

Councilman Clough remarked that Police and Fire amounts were due to arbitration.

Mrs. Corriveau responded that is not the case with the Fire Department, but was the case twice with Police.

Mayor Graham referred to a system that Mr. Hiller tried to set up with different amounts of pay increases for management and the fact that it didn't work. She also advised that the management positions range from \$82,160 down to \$33,280.

Councilman LaBouf remarked that it would be nice if there was a unanimous show of support from Council for the excellent work that these staff members perform.

Councilman Clough asked why the Police Chief was included in these raises.

Mrs. Corriveau explained that under law the Chief has to receive a monetary raise equal to the amount of raise received by his highest paid unionized employee.

Councilman Clough asked why the City Engineer was included in these raises.

Mrs. Corriveau explained that this is because of what was promised when the position was filled as is the case with the Deputy Clerk position.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO TABLE THE FOREGOING RESOLUTION. MOTION WAS SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

BE IT ORDAINED where an application has been made by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of a portion of a City block encompassing lands between Superior Street, Cayuga Avenue, Railroad Street, and New York Avenue, including Parcels No. 1-20-201 through 1-20-203 and 1-20-207 through 1-20-218 from Light Industry to Residence "B", and

WHEREAS the parcels which are sought to be rezoned are as follows:

1-20-201	1-20-212
1-20-202	1-20-213
1-20-203	1-20-214
1-20-207	1-20-215
1-20-208	1-20-216
1-20-209	1-20-217
1-20-210	1-20-218
1-20-211	

And,

WHEREAS the Jefferson County Planning Board reviewed the proposed zone change request at its meeting held on July 25, 2006, pursuant to General Municipal Law Section 239-m,
and,

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on July 5, 2006, and recommended that the City Council approve the
zone change as requested, and

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

WHEREAS a public hearing was held on the proposed zone change on August 7, 2006, after due public notice, and

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

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for a portion of a City block encompassing lands between Superior Street, Cayuga Avenue, Railroad Street and New York Avenue, including the parcel numbers listed above from Light Industry to Residence "B", and

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

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

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, AUGUST 7, 2006 AT 7:45 P.M.

MOTION WAS 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 purchase of a fire pumper truck for use by the Fire Department, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$400,000 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 \$405,000 and that the plan for the financing thereof is by the issuance of the \$405,000 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 twenty years, pursuant to subdivision twenty-seven 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.

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 Councilman LaBouf, seconded by Councilman Smith and carried with all voting in favor thereof)

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

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

WHEREAS, 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 a portion of the water main on Arsenal Street, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$300,000 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 \$300,000 and that the plan for the financing thereof is by the issuance of the \$300,000 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 forty years, pursuant to subdivision one 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.

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, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this City Comptroller.

Section 11. 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 12. 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 13. 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 14. 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 Councilman LaBouf, 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 specific object or purpose of paying the cost of the purchase of a side load refuse packer truck for use by the Department of Public Works, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$135,000 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 \$135,000 and that the plan for the financing thereof is by the issuance of the \$135,000 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 fifteen years, pursuant to subdivision twenty-eight 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.

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 Councilman Clough, seconded by Councilman Smith and carried with all voting in favor thereof)

Prior to the vote on the foregoing ordinance, Councilman Smith asked if this was something the City might be able to pay for without bonding for it.

Mrs. Corriveau explained that it would be hard to tell right now. She explained that they will look at paying for it at a later date and if it is possible to do so, they will. However, she also explained that this is only going to be paid for over a five year time frame.

THE ORDINANCE “AUTHORIZING WATER RATES” WAS PRESENTED TO THE COUNCIL, (Introduced on July 10, 2006; laid over under the rules; appears in its entirety on page of the 2006 Minutes Book).

Councilman Smith commented that he had spoken several times with Mr. Pilon and he still has concerns that in actuality outside users are paying less than inside users. He remarked that the tiered system for outside users should be changed to a one rate system. He remarked that lower water rates should be a benefit to living in the City.

Mayor Graham commented that there is a disparity among the outside users as well.

Mrs. Corriveau explained that outside users do incur costs in bringing the water to them. Lower consumption results in higher rates. She also explained that the rate tier was designed for economic development. She commented that at one time there was an outside user rate but that was changed to determine outside rates based on inside user rates.

Councilman Smith remarked that \$35.61 should be the rate for outside users and that should take effect since the contract has expired.

Mrs. Corriveau and Attorney Slye explained that the contract has been extended for three months to permit negotiations.

Mayor Graham asked about the purpose of bringing a contract to the Council when they have had no part in the negotiations. He asked how the contract was extended.

Attorney Slye explained that the City Manager sent a letter to Supervisor Bartlett.

Mayor Graham remarked that the negotiations are at the staff level here and at the elected level in the town. He questioned how staff would negotiate if without input from Council.

Mayor Graham also commented that a uniform rate for water would not be \$35.61. He remarked that he is not inclined to believe that there should be a higher rate for the town. He stated that it is a good idea that everyone pays the same. He suggested calculating what it costs to produce potable water and then charge that amount.

Mrs. Corriveau responded that staff has been listening to the Council. She explained that reaching an agreement is traditionally done at the negotiation table, not legislatively. She explained that this ordinance states that the City wants to impose these fees uniformly.

Councilman Clough remarked that Council is concerned that while they are being listened to, their wishes may be put on the back burner. Council just wants to make sure that action is done and wants to see how this can be accomplished.

Councilman Bradley remarked that this needs to be made fairer for City taxpayers as they should have a reason to live in Watertown.

Councilman Smith responded that there has to be a benefit to living in the City. He doesn't feel that it is fair to City taxpayers to have to pay more for water than outside users do.

Mayor Graham suggested a uniform rate with distribution costs included for inside users.

Mrs. Corriveau explained that she has no idea about consumptions for outside users and this ordinance allows for 6% across the board.

Mayor Graham remarked that this ordinance exacerbates the problem. 6% on the higher end isn't as much as a 6% is on the lower end.

Councilman LaBouf commented that part of the solution is the expansion of services and questioned where this could be done.

Mrs. Corriveau responded that she would have to check the report but would suggest in the area of Ft. Drum housing projects.

Councilman LaBouf remarked that he has no problem looking at an inside tier system. He also commented that we need to honor the outside partners and deal very carefully with them.

Councilman Smith remarked that it has to be an equitable expansion.

Mr. Pilon remarked that the biggest disparity is in the final step for outside user rates. He suggested that one possibility could be to drop the last step. However, he cautioned that no hasty decision should be made in this.

Councilman LaBouf asked about the tiers being in the contract.

Mrs. Corriveau explained that the contract reads that it will be a double rate based on the inside rate and under this ordinance, they still pay twice the inside user rate.

Attorney Slye remarked that he is not inclined to sit down with the town because he doesn't know what the Council wants.

Councilman LaBouf commented that Attorney Slye and the City Manager need to know the direction the Council wants to go in. Therefore, he would suggest tabling the matter until more numbers can be made available.

Mrs. Corriveau responded that she didn't know what kind of additional statistical data that could be given. She explained that this is not something that can be done in two weeks. She also commented that in the meantime, they are trying to re-negotiate a contract with the town. She explained that they are talking about water and sewer and have discussed types of permits and who will do the required monitoring.

Councilman Clough asked if they were in negotiations at the present time.

Mrs. Corriveau explained that they were. She and Mr. Pilon have talked with Supervisor Bartlett. Allocations have to be talked over as the town has grown in certain areas. She also commented that there are a number of things to be discussed that don't have anything to do with rates.

Mayor Graham asked why there were contracts with the town and not the correctional facility.

Mrs. Corriveau explained that the town needed a contract in place because they were borrowing to fund the district.

Mr. Pilon explained that there used to be a contract with OGS for the correctional facility. Over the years, when Mr. Amylon was City Manager, OGS informed the City that it was not necessary to enter into a contract. He also explained that he is not aware of any formal contract for the Lettiere Tract since the original agreement in the 1950-60's.

AT THE CALL OF THE CHAIR MOTION WAS MADE BY COUNCILMAN LABOUF TO TABLE THE FOREGOING ORDINANCE.

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

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COUNCIL DISCUSSED THE FOLLOWING TOPICS

Steve Weed Productions

Mayor Graham referred to a communication to Council from Steve Weed Productions (not on file in the office of the City Clerk). Mr. Weed included his proposal for continuing to cover the Council meetings.

Police Staffing

Councilman Bradley asked for the status of this report from Chief Goss.

Mrs. Corriveau explained that she has received the report and is reviewing it. It will be ready for the next Council meeting.

Councilman Clough remarked that he had asked for crime figures.

Mrs. Corriveau advised that these were in the report as well.

Green Street Property

Councilman Clough advised that he has been receiving email from Mr. Cook on Thompson Blvd. concerning overgrown property on Green Street. The property is supposedly owned by Kinney Drugs.

Mrs. Corriveau explained that Mr. McWayne is looking into this.

BlackBerries

Councilman Clough asked how many BlackBerries the City has.

Mrs. Corriveau explained that three have been provided as we move to new phones. They were free and are being used by Public Works Superintendent Hayes, Pat Keenan and John VanBrocklin.

Councilman Clough asked if Chief Gaumont had one.

Mrs. Corriveau explained that she doesn't know if he has one and they were provided at no cost.

Mural Art

Councilman LaBouf asked about the site selection for this project.

Mrs. Corriveau explained that 25 sites are being looked at and a decision will be made by the end of the summer.

Councilman Bradley remarked that the main thing is to get more people interested in the project.

Mrs. Corriveau explained that they will be doing sidewalk murals during the farmer's market.

Garage Sale Legislation

Councilman Smith asked about the status of this.

Mrs. Corriveau advised Council that she had forwarded the paperwork to Attorney Slye. However, it hasn't hit the top of the priority list.

Attorney Slye remarked that he didn't know it was a big priority.

Mayor Graham responded that Council wanted it put on the fast track.

Attorney Slye responded that it would need a lot of work.

Properties with Code Violations

Councilman Smith asked about the status of this.

Mrs. Corriveau explained that she had given Council a report at a previous meeting.

Curbing

Councilman Smith asked about the list for the paving and curbing of streets.

Mrs. Corriveau advised that research is still being done on some of the streets.

City Manager's Update Report

Mrs. Corriveau presented this to Council.

NIMS Training

Council was advised that they need to complete this training by September 15th.

Time Records

Council was advised that the monthly time records need to be turned in.

Name of Street

Council concurred to name the new street coming off Arsenal Street as Western Boulevard.

ADJOURNMENT

AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 9:44 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk