

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 4, 2014
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Teresa R. Macaluso
Mayor Graham

Not Present: Council Member Stephen A. Jennings

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

City staff present: Jim Mills, Ken Mix, Kurt Hauk, Amie Davis, Amy Pastuf, Beth Morris, Michael Sligar, Brian Phelps, Erin Gardner, Police Chief Donoghue, Deputy Fire Chief Randall, David Wurzburg, Eugene Hayes, Margaret Waggoner

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Police Department Overhire For FY 2014-2015
- Resolution No. 2 - Approving Change Order No. 1 for Water Department Dam Rehabilitation Phase II, Acts II Construction Inc.
- Resolution No. 3 - Approving Change Order No. 2 to Waste Water Disinfection Improvement Project, HVAC/Plumbing - Hyde Stone
- Resolution No. 4 - Approving Change Order No. 3 to Waste Water Disinfection Improvement Project, HVAC/Plumbing - Hyde Stone
- Resolution No. 5 - Approving Change Order No. 2 to Waste Water Disinfection Improvement Project, Electrical Work - Dow Electrical Inc.
- Resolution No. 6 - Responding to U.S. Army Supplemental Programmatic Environmental Assessment Pertaining to Reduction of Personnel at Fort Drum
- Resolution No. 7 - Authorizing Sale of Real Property, Known as 111 Orchard Street South to George C. Ronson, 100 Rivershore Drive, Clayton, New York 13624
- Resolution No. 8 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Figure Skating Club of Watertown
- Public Hearing - Resolution Approving a Special Use Permit Request to Operate a Car Wash in a Neighborhood Business District at 816 Bradley Street, Parcels 1-09-201, 1-09-202, and 1-09-203.100
- Tabled Resolution - Authorizing the Sale of Surplus Vehicles
- Watertown and IHC Athletic Practices on City Owned Fields
- Letter from Benchmark Family Services, Inc.

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 21, 2014 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

COMMUNICATIONS

An unsigned postcard was received expressing support for opening the Veterans' Memorial Riverwalk to traffic.

A letter was received from Benchmark Family Services, 1635 Ohio Street requesting that the 15 mph school zone sign be moved to include their facility.

A letter was received from Beverly Chiarelli, 110 North Pleasant Street expressing her concerns about the community.

Above communication was placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

Howard Sprague, 1409 Ives Street addressed the chair with concerns of the proposed rental registration and inspection program. He stated that there are enough inspectors in the City between the Fire Department and Codes. He questioned the process and the additional burden this would cause to the tax payers. Regarding dogs, he commented that he wished there was something that could be done about dogs going on other people's property.

PUBLIC HEARING

At 7:30 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Approving a Special Use Permit Request to Operate a Car Wash in a Neighborhood Business District at 816 Bradley Street, Parcels 1-09-201, 1-09-202, and 1-09-203.100

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

No one spoke.

Mayor Graham declared the hearing closed at 7:30 p.m.

RESOLUTIONS

Resolution No. 1 - Approving Police Department Overhire For FY 2014-2015

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown Police Department is presently operating under its FY 2014-15 Budget of sworn 64 police personnel, and

WHEREAS in addition to being staffed under budget at this time, there are three pending retirements before the end of this fiscal year, and

WHEREAS Police Training Academy will be conducted August 25, 2014,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves hiring eight police cadets at this time, bringing the total Police Department personnel to three over the current budget of 64, and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized and directed to commence hiring eight police cadets to enter the August 25, 2014 Police Training Academy.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 2 - Approving Change Order No. 1 for Water Department Dam Rehabilitation Phase II, Acts II Construction Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS on June 2, 2014, the City Council of the City of Watertown approved a bid submitted by Acts II Construction Inc. in the amount of \$428,000 for the Water Department Dam Rehabilitation Phase II, and

WHEREAS Acts II Construction Inc. has now submitted Change Order No. 1 in the amount of \$14,952.14 for under-runs as well as additional charges bringing the total contract amount to \$442,952.14,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to the contract with Acts II Construction Inc., a copy of which is attached and made part of this resolution, bringing the total to \$442,952.14 for the Water Department Dam Rehabilitation Phase II, and

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

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 3 - Approving Change Order No. 2 to Waste Water Disinfection Improvement Project, HVAC/Plumbing - Hyde Stone

Introduced by Council Member Teresa R. Macaluso

WHEREAS on June 3, 2013, the City Council of the City of Watertown approved a bid submitted by Hyde Stone in the amount of \$473,568.00 for the HVAC and plumbing work for the Waste Water Disinfection Improvement, and

WHEREAS City Council approved Change Order No. 1 in the amount of \$1,623.80 on February 18, 2014, and

WHEREAS Hyde Stone has now submitted Change Order No. 2 in the amount of \$455.00 for changes to existing water heating flue piping,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 2 to the contract with Hyde Stone, a copy of which is attached and made part of this resolution, bringing the total to \$475,646.80 for the HVAC and plumbing work for the Waste Water Disinfection Improvement Project, and

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

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Council Member Butler stated that his concern is always whether the City recommended these changes or whether the changes came from the contractor that bid on the project.

Kurt Hauk, City Engineer replied that all of these change orders are deviations from the plans that were originally put to bid. He explained the piping that needed to be redone in order to get the unit in place.

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

Resolution No. 4 - Approving Change Order No. 3 to Waste Water Disinfection Improvement Project, HVAC/Plumbing - Hyde Stone

Introduced by Council Member Teresa R. Macaluso

WHEREAS on June 3, 2013, the City Council of the City of Watertown approved a bid submitted by Hyde Stone in the amount of \$473,568.00 for the HVAC and plumbing work for the Waste Water Disinfection Improvement, and

WEHREAS City Council approved Change Order No. 1 in the amount of \$1,623.80 on February 18, 2014, and

WHEREAS Hyde Stone has now submitted Change Order No. 2 in the amount of \$455.00 for changes to existing water heating flue piping, and

WHEREAS Hyde Stone has also submitted Change Order No. 3 in the amount of \$829.00 for HVAC grilles for the project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 3 to the contract with Hyde Stone, a copy of which is attached and made part of this resolution, bringing the total to \$476,475.80 for the HVAC and plumbing work for the Waste Water Disinfection Improvement Project, and

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

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 5 - Approving Change Order No. 2 to Waste Water Disinfection Improvement Project, Electrical Work - Dow Electrical Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS on June 3, 2013, the City Council of the City of Watertown approved a bid submitted by ~~Hyde Stone~~ **Dow Electrical, Inc.** in the amount of \$493,000.00 for the electrical work for the Waste Water Disinfection Improvement, and

WHEREAS City Council approved Change Order No. 1 reducing the amount of \$1,824.91 on February 18, 2014, and

WHEREAS Dow Electrical Inc. has now submitted Change Order No. 2 in the amount of \$16,672.88 for changes to the electric circuit layout and cabinet,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 2 to the contract with Dow Electrical Inc., a copy of which is attached and made part of this resolution, bringing the total to \$507,847.97 for the electrical work for the Waste Water Disinfection Improvement Project, and

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

Seconded by Council Member Joseph M. Butler, Jr.

Motion was made by Council Member Teresa R. Macaluso to amend the foregoing resolution replacing Hyde Stone with Dow Electrical, Inc. in the first paragraph. Motion was seconded by Council Member Roxanne M. Burns and carried with all voting in favor thereof.

In response to Council Member Butler's inquiry, Mr. Hauk explained that the original plan called for the work to be put into an empty cabinet but the existing cabinet could not meet the requirements. He said that a new cabinet had to house the electric run which was a deviation from the original plan.

Resolution No. 6 - Responding to U.S. Army Supplemental Programmatic Environmental Assessment Pertaining to Reduction of Personnel at Fort Drum

Introduced by Council Member Joseph M. Butler, Jr.

WHEREAS the Army released a Supplemental Programmatic Environmental Assessment (SPEA) in June 2014 to evaluate potential force reductions and force realignments to meet the Army's 2020 realignment goals of an overall Army force of 420,000 by 2020, and

WHEREAS the SPEA specifically assesses the impact to Fort Drum and Jefferson County if the installation were to lose 16,000 in population, including approximately 15,417 soldiers and 583 Army civilians, and

WHEREAS the SPEA forecasts Jefferson County as a whole will see a 16% loss in income (payroll), a 35% loss of jobs, and 33% loss in population if those cuts are made, and

WHEREAS those force reductions would have a devastating impact on the area's jobs, education, healthcare, property values, and quality of life, and the ability of local government to provide basic services to its people, and

WHEREAS Fort Drum benefits from the unique relationship with surrounding communities that provide housing, education, healthcare, and infrastructure support to the installation, and

WHEREAS the City of Watertown has been a vital partner with the U. S. Army for 30 years by providing water and wastewater infrastructure for the base and housing for soldiers, and

WHEREAS the City Council of the City of Watertown recognizes the Army needs to reduce its force structure as part of a long-term solution to the current fiscal crisis,

NOW THEREFORE BE IT RESOLVED that the proposed cuts at Fort Drum will have devastating impacts on the local economy as forecast in the SPEA and the City Council of the City of Watertown requests that any reduction be held to a minimum thus preserving the community's ability to continue its support for Fort Drum and the 10th Mountain Division and to provide for the general welfare of its citizens, and

BE IT FURTHER RESOLVED that the City Council authorizes Mayor Jeffrey E. Graham to send a letter, on its behalf, to the U.S. Army describing the impacts such a cut would have on Watertown.

Seconded by Council Member Roxanne M. Burns

Prior to the vote on the foregoing resolution, Mayor Graham explained that a letter is being worked on to accompany this. He further explained the difficulty in comparing "pre-1985 Watertown" to what theoretically could happen.

Kenneth Mix, Planning Coordinator said that the letter would outline the infrastructure that the City of Watertown has put into place because of Fort Drum as well as outline the fiscal impact. He explained the difficulty in calculating the decrease in sales tax due to the number of jobs lost and stated that the County is having the same difficulty. He indicated that this is still being worked on. He stressed that all of this is just "best guesses" because there are a lot of variables.

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

Resolution No. 7 - Authorizing Sale of Real Property, Known as 111 Orchard Street South to George C. Ronson, 100 Rivershore Drive, Clayton, New York 13624

Introduced by Council Member Teresa R. Macaluso

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 111 Orchard Street South, approximately 54' x 185' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 10-03-112.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$3,100 submitted by George C. Ronson for the purchase of Parcel No. 10-03-112.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed expressly reserving a permanent and perpetual easement for a sanitary sewer main in favor of the City of said real property to George C. Ronson upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.
Secoded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 8 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Figure Skating Club of Watertown

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown owns and operates an Arena at the Alex T. Duffy Fairgrounds, and

WHEREAS the Figure Skating Club of Watertown expressed their desire to enter into an Agreement for bulk rental of ice time at the Fairgrounds Arena to support their programs, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena between the City of Watertown and the Figure Skating Club of Watertown, a copy of which is attached and made a part of this resolution, and

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

Secoded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler asked how this compared to last year's number.

Erin Gardner, Parks and Recreation Superintendent explained that the total rate increased by 3%. She noted that the ice time as not been finalized because she just received the professional hockey team's schedule today and it needs to be put into the RecTrac system.

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

OLD BUSINESS

The Resolution "Approving a Special Use Permit Request to Operate a Car Wash in a Neighborhood Business District at 816 Bradley Street, Parcels 1-09-201, 1-09-202, and 1-09-203.100". *(Introduced on 7/7/2014; public hearing held this evening; appears in its entirety in the 2014 Minutes Book on page 14 of the 7/7/2014 minutes).*

Council Member Burns noted that although she does not support a Dog Park in the City of Watertown, she is very supportive of this request because it is a car wash offering two dog wash stations.

Council Member Butler thanked Mr. Doldo, who is in attendance, for expanding his business on Bradley Street and he wishes him well with this project.

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

The Resolution "Authorizing the Sale of Surplus Vehicles". *(Introduced on 7/21/2014; tabled; appears in its entirety in the 2014 Minutes Book on page 3 of the 7/21/2014 minutes).*

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

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

STAFF REPORTS

Watertown and IHC Athletic Practices on City Owned Fields

Mayor Graham asked how this is charged now.

Ms. Gardner explained that Watertown and IHC High School practices are not charged for use of the fields. She said there are some teams that are made up of Watertown City children that are not of high school age so there is a quandary of how to charge for that situation. She recommended that any team of Watertown City or IHC children not be charged regardless of the age group. She stressed that any other

school outside of Watertown is charged for use of the fields and that only Watertown City and IHC schools are charged for games and not practices.

Council Member Burns said that she would support this.

Mayor Graham advised that an ordinance be drawn for the next meeting.

Benchmark Family Services Request for a School Zone Sign

Ms. Addison advised that staff is looking into this request which was presented in Communications.

NEW BUSINESS

Library Director

Council Member Burns welcomed the new Library Director.

Margaret Waggoner introduced herself stating that she is happy to be here and to be part of the team.

Traffic Count – Holcomb Street

Council Member Butler asked if there is a traffic count being done on Holcomb Street because he saw the cords going across the street.

Mr. Hauk replied that there are no traffic counts being done by the City due to this year's budget so it could be the NYS Department of Transportation (DOT) trying to get side street traffic.

Council Member Butler said that he was curious because he has concerns with the intersection of Mullin Street and Holcomb Street.

Council Member Burns asked if staff could determine if the DOT is doing this.

Veterans' Memorial Riverwalk

Mayor Graham noted that there was a communication on the Riverwalk and asked if staff is proceeding on recommendations of what could be done if Council wants to move ahead with opening this to traffic. He said that he thinks it is a good idea to open it.

Parks and Recreation Complaint Regarding Ballfield Restrooms

Mayor Graham thanked the Superintendent of Parks and Recreation for handling this complaint quickly.

Hydro-Electric Report for July

Mayor Graham commented that the media was given a copy of this report showing exceeding expectations.

Dog Park

Mayor Graham told Council that he was asked to do an interview by Channel 7 regarding a Dog Park. He said that there are comments out in various places of the public that this is still on the table but it really is not.

Open Fires within the City

Mayor Graham said that he had a complaint from an individual on South Meadow Street regarding his neighbor's outdoor burning pit. He advised that the smoke is causing health problems to him and his wife due to respiratory conditions. He pointed out that in looking at the law this topic is vague and he read a section of the ordinance. He said that the policy seems to be that these commercial-bought fire pits are alright as long as it is not a roaring inferno but the ordinance says that open burning is offensive or objectionable because of smoke or other emissions. He remarked that he is not sure how often this comes up or how to handle it.

Council Member Burns advised that she did have one lady approach her with a concern in her neighborhood regarding a roaring bonfire but not a fire pit. She indicated that she referred it to the Codes Department.

Attorney Slye confirmed that this is citable as long as the neighbor is willing to testify in City Court.

Deputy Fire Chief Russell Randall noted that there have been problems with the open burning because there are Local Code, State Code and DEC regulations that specifically cover nuisance smoke. He said this is hard for the Fire Department to handle when they get a call because they cannot make a decision and must call Code Enforcement to make a determination.

Attorney Slye confirmed that Code Enforcement issues the ticket and the Fire Department is there in the event that there is a threat to health and safety.

Deputy Fire Chief Randall clarified that if there is an eminent safety issue, the Fire Department would put the fire out immediately but they do not have the authority to make the determination of whether it is a code violation.

August Work Session

Mayor Graham advised that the work session has been scheduled to the fourth Monday of the month for August.

Sonic

Mayor Graham mentioned that he was at the ribbon cutting ceremony and commented that this is a nice addition to the City. He noted that this area within the City continues to grow.

Council Member Burns agreed stating that she was amazed at how busy this area was at 9:30 am. She said that the owners have done a beautiful job with the building and have hired a lot of employees.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 7:32 p.m. by motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk