

**CITY COUNCIL MEETING
CITY OF WATERTOWN
October 18, 2010
7:00 P.M.**

MAYOR PRO TEM BURNS PRESIDING

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

ABSENT: **MAYOR GRAHAM**

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

City staff present: Bob Cleaver, Jim Mills, Gene Hayes, Kurt Hauk

The City Manager presented the following reports to the Council:

- 1 - Appointment to the Roswell P. Flower Memorial Library Board of Trustees, Carolyn D. Weldon
- 2 - Appointment to the Roswell P. Flower Memorial Library Board of Trustees, Maria Mesires
- 3 - Approving Supplemental Appropriation No. 2 For Fiscal Year 2009-10 for Various Accounts
- 4 - Accepting the Inter-Municipal Memorandum of Understanding Regarding Water Quality in the Watershed of the Black River and Appointing a Designee to the Inter-Municipal Coordinating Organization
- 5 - Accepting Bid for the Roof Replacement on the Administration Building at Thompson Park, Continental Construction
- 6 - Accepting Bid for Renovations to the Department of Public Works Wash Bay, Continental Construction
- 7 - Accepting Bid for Renovations to the Department of Public Works Wash Bay, Burns Brothers Contractors, Inc.
- 8 - Authorizing Supplemental Agreement No. 1 to Standard Federal Aid Highway And Marchiselli Aid Project Agreement, Factory Street Reconstruction, PIN 775315; D032467, Preliminary Engineering and Right of Way Incidentals

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 October 4, 2010 was dispensed and accepted as written by motion of Council Member Smith, seconded by Council Member Butler and carried with all voting in favor thereof.

COMMUNICATIONS

No communications were received.

PRIVILEGE OF THE FLOOR

No one spoke.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby appoints Carolyn D. Weldon, 929 Ives Street, Watertown, New York, to the Roswell P. Flower Memorial Library Board of Trustees, to fill the unexpired term of Jeffry J. Weldon, which term expires December 31, 2016.

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

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby appoints Maria Mesires, 231 Harewood Avenue, Watertown, New York, to the Roswell P. Flower Memorial Library Board of Trustees, to fill the unexpired term of Brenna Ginger, which term expires December 31, 2019.

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

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$213,200 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2009-10 for the reasons shown:

GENERAL FUND

A 1210 810 MAYOR

NYS Retirement

Increase

\$ 350 Under appropriated

A	1230	440	MUNICIPAL EXECUTIVE	Fees, Non-employee	\$	2,525	Flu shots
A	1230	810	MUNICIPAL EXECUTIVE	NYS Retirement	\$	1,000	Under appropriated
A	1315	430	COMPTRROLLER	Contracted Services	\$	15,000	Original appropriation in A1315.0450
A	1315	440	COMPTRROLLER	Fees, Non-employee	\$	1,500	Under appropriated
A	1345	810	PURCHASING	NYS Retirement	\$	100	Under appropriated
A	1362	430	TAX ADVERTISING	Contracted Services	\$	1,550	Under appropriated
A	1420	450	LAW	Miscellaneous	\$	350	Under appropriated
A	1440	110	ENGINEERING	Salaries	\$	2,050	Under appropriated
A	1490	440	PUBLIC WORKS ADMIN.	Fees, Non-employee	\$	100	Under appropriated
A	1490	840	PUBLIC WORKS ADMIN.	Workers' Compensation	\$	8,400	Under appropriated
A	1680	450	INFORMATION TECHNOLOGY	Miscellaneous	\$	200	Under appropriated
A	3120	130	POLICE	Wages	\$	16,500	Under appropriated
A	3120	185	POLICE	On-call Pay	\$	650	Under appropriated
A	3120	455	POLICE	Vehicle Expense	\$	24,500	Under appropriated
A	3120	840	POLICE	Workers' Compensation	\$	18,000	Under appropriated
A	3410	130	FIRE	Wages	\$	1,750	Under appropriated
A	3410	840	FIRE	Workers' Compensation	\$	5,500	Under appropriated
A	3620	140	CODE ENFORCEMENT	Temporary	\$	100	Under appropriated
A	3620	170	CODE ENFORCEMENT	Out of Code	\$	100	Under appropriated
A	3620	410	CODE ENFORCEMENT	Utilities	\$	100	Under appropriated
A	5010	455	MUNICIPAL MAINTENANCE	Vehicle Expense	\$	4,500	Under appropriated
A	5010	460	MUNICIPAL MAINTENANCE	Materials and Supplies	\$	2,000	Under appropriated
A	5010	810	MUNICIPAL MAINTENANCE	NYS Retirement	\$	6,750	Under appropriated
A	5110	455	MAINTENANCE OF ROADS	Vehicle Expense	\$	5,500	Under appropriated
A	5142	410	SNOW REMOVAL	Utilities	\$	100	Under appropriated
A	5142	810	SNOW REMOVAL	NYS Retirement	\$	200	Under appropriated
A	5186	140	TRAFFIC CONTROL & LIGHTING	Temporary	\$	225	Under appropriated
A	5630	140	BUS	Temporary	\$	500	Under appropriated
A	5630	410	BUS	Utilities	\$	225	Under appropriated

A	5630	420	BUS	Insurance	\$	250	Under appropriated
A	5630	430	BUS	Contracted Services	\$	675	Under appropriated
A	5630	460	BUS	Materials and Supplies	\$	500	Under appropriated
A	5630	840	BUS	Workers' Compensation	\$	125	Under appropriated
A	6410	430	PUBLICITY	Contracted Services	\$	3,700	Under appropriated
A	7020	810	RECREATION ADMIN.	NYS Retirement	\$	200	Under appropriated
A	7110	440	THOMPSON PARK	Fees, Non-employee	\$	100	Under appropriated
A	7110	810	THOMPSON PARK	NYS Retirement	\$	2,000	No original appropriation
A	7140	150	PLAYGROUNDS	Overtime	\$	100	No original appropriation
A	7140	450	PLAYGROUNDS	Miscellaneous	\$	100	Under appropriated
A	7140	810	PLAYGROUNDS	NYS Retirement	\$	4,100	Under appropriated
A	7141	140	FAIRGROUNDS	Temporary	\$	2,400	Under appropriated
A	7141	810	FAIRGROUNDS	NYS Retirement	\$	3,800	No original appropriation
A	7141	830	FAIRGROUNDS	Social Security	\$	100	Under appropriated
A	7143	150	ATHLETIC PROGRAMS	Overtime	\$	150	Under appropriated
A	7143	810	ATHLETIC PROGRAMS	NYS Retirement	\$	800	No original appropriation
A	7180	460	SWIMMING POOLS	Materials and Supplies	\$	3,000	Under appropriated
A	7180	810	SWIMMING POOLS	NYS Retirement	\$	7,800	No original appropriation
A	7265	140	ICE ARENA	Temporary	\$	150	Under appropriated
A	7265	430	ICE ARENA	Contracted Services	\$	4,200	Under appropriated
A	7265	440	ICE ARENA	Fees, Non-employee	\$	300	Under appropriated
A	7265	810	ICE ARENA	NYS Retirement	\$	3,800	No original appropriation
A	7265	840	ICE ARENA	Workers' Compensation	\$	1,700	Under appropriated
A	8140	140	STORM SEWER	Temporary	\$	325	Under appropriated
A	8140	460	STORM SEWER	Materials and Supplies	\$	4,000	Under appropriated
A	8160	430	REFUSE AND RECYCLE	Contracted Services	\$	14,325	Under appropriated
A	8160	440	REFUSE AND RECYCLE	Fees, Non-employee	\$	4,600	Under appropriated
A	9040	800	OTHER EXPENSES	Workers' Compensation	\$	3,200	Under appropriated
A	9050	800	OTHER EXPENSES	Unemployment Insurance	\$	350	Under appropriated
A	9065	800	OTHER EXPENSES	Health Ins.- Medicare Reimb.	\$	125	Under appropriated

A	9710	700	OTHER EXPENSES	Serial Bonds - Interest	\$ 450	Under appropriated
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TOTAL					<u>\$ 187,750</u>	
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Decrease

A	1315	450	COMPROLLER	Miscellaneous	\$ (17,000)	
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A	1364	430	PROPERTY ACQUIRED	Contracted Services	\$ (40,000)	
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A	1440	140	ENGINEERING	Temporary	\$ (20,000)	
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A	1640	460	CENTRAL GARAGE	Materials and Supplies	\$ (20,000)	
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A	1930	430	JUDGEMENT & CLAIMS	Contracted Services	\$ (18,000)	
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A	3120	110	POLICE	Salaries	\$ (26,750)	
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A	3120	150	POLICE	Overtime	\$ (46,000)	
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TOTAL					<u>\$ (187,750)</u>	
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WATER FUND

Increase

F	8310	450	WATER ADMINISTRATION	Miscellaneous	\$ 650	Under appropriated
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F	8310	840	WATER ADMINISTRATION	Workers' Compensation	\$ 550	Under appropriated
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F	8330	450	WATER PURIFICATION	Miscellaneous	\$ 400	Under appropriated
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F	8330	465	WATER PURIFICATION	Equipment < \$5,000	\$ 3,000	Under appropriated
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F	8330	840	WATER PURIFICATION	Workers' Compensation	\$ 4,600	Under appropriated
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F	8340	440	TRANSMISSION & DISTRIBUTION	Fees, Non-employee	\$ 100	Under appropriated
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F	8340	450	TRANSMISSION & DISTRIBUTION	Miscellaneous	\$ 1,150	Under appropriated
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F	9089	800	OTHER EXPENSES	Other Employee Benefits	\$ 350	Under appropriated
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TOTAL					<u>\$ 10,800</u>	
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Decrease

F	8330	460	WATER PURIFICATION	Materials and Supplies	\$ (10,800)	
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TOTAL					<u>\$ (10,800)</u>	
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SEWER FUND

Increase

G	8110	450	SEWER ADMINISTRATION	Miscellaneous	\$ 275	Under appropriated
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G	8110	810	SEWER ADMINISTRATION	NYS Retirement	\$ 100	Under appropriated
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G	8110	840	SEWER ADMINISTRATION	Workers' Compensation	\$	550	No original appropriation
G	8120	130	SANITARY SEWER	Wages	\$	1,050	Under appropriated
G	8120	140	SANITARY SEWER	Temporary	\$	100	Under appropriated
G	8130	410	TREATMENT AND DISPOSAL	Utilities	\$	8,600	Under appropriated
G	8130	420	TREATMENT AND DISPOSAL	Insurance	\$	950	Under appropriated
G	8130	850	TREATMENT AND DISPOSAL	Health Insurance	\$	200	Under appropriated
G	9089	800	OTHER EXPENSES	Other Employee Benefits	\$	350	Under appropriated
G	9070	800	OTHER EXPENSES	Compensated Absences	\$	<u>1,000</u>	Under appropriated
Total						<u>\$ 13,175</u>	

Decrease

G	1990	430	CONTINGENCY	Contracted Services	\$	(8,600)	
G	8130	460	TREATMENT AND DISPOSAL	Materials and Supplies	\$	<u>(4,575)</u>	
Total						<u>\$ (13,175)</u>	

LIBRARY FUND

Increase

L	7410	130	LIBRARY	Wages	\$	100	Under appropriated
L	7410	460	LIBRARY	Materials and Supplies	\$	250	Under appropriated
L	9040	800	OTHER EXPENSES	Worker's Compensation	\$	675	Under appropriated
L	9089	800	OTHER EXPENSES	Other Employee Benefits	\$	200	Under appropriated
L	9070	800	OTHER EXPENSES	Compensated Absences	\$	150	Under appropriated
L	9950	900	OTHER EXPENSES	Transfer to Capital	\$	<u>100</u>	Under appropriated
Total						<u>\$ 1,475</u>	

Decrease

L	7410	465	LIBRARY	Equipment < \$5,000	\$	<u>(1,475)</u>	
Total						<u>\$ (1,475)</u>	

SELF FUNDED HEALTH INSURANCE FUND

Increase

MS	1710	430	SELF FUNDED HEALTH INS.	Contracted Services	\$	1,100	Under appropriated
MS	1711	810	SELF FUNDED HEALTH INS.	Retirement	\$	<u>200</u>	Under appropriated

\$ 1,300

Decrease

MS 1711 110 SELF FUNDED HEALTH INS.

Salaries

\$ (1,300)

\$ (1,300)

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

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS a Memorandum of Understanding regarding water quality in the Black River Watershed has been drafted for consideration by the Counties, Soil and Water Conservation Districts, City, Towns and Villages within the watershed, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it accepts the Inter-Municipal Memorandum of Understanding regarding water quality in the watershed of the Black River and hereby authorizes and directs the Mayor Jeffrey E. Graham to sign the Memorandum on behalf of the City Council, and

BE IT FURTHER RESOLVED that Michael Lumbis is appointed as the City Council's designee to the Inter-Municipal Coordinating Organization for the Black River Watershed.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO APPOINT MICHAEL LUMBIS AS THE CITY COUNCIL'S DESIGNEE. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THERE OF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Mayor ProTem Burns remarked that this seems to be more of an issue for the towns and county rather than for the city. She asked what the advantage was to the City.

Mrs. Corriveau advised that this is a coordinated effort that is going on in a number of counties. This gives the city an opportunity to have a voice at the table in regards to the Black River Watershed.

Council Member Butler referred to the listing of improvements relative to environmental impacts and asked if the city has things in place to deal with the items on the list.

Mrs. Corriveau advised that they are addressed through the Planning Board which makes recommendations to Council, as well as through the SEQRA process. She also commented that Mr. Mix is currently working on the comprehensive plan to address some of the concerns. She advised that the city did some erosion management through a state grant.

Attorney Slye answered questions posed by Council and commented that under state law, cluster development is available for a planning board, even though they haven't used it.

Mayor ProTem Burns remarked that special use permits are needed for junk yards in the city.

Council Member Butler asked if this was true for heavy industrial zones.

Attorney Slye remarked that he believed it was true for those zones as well, but will double check it.

Council Member Butler asked if the Planning Board had a copy of this memo.

Mayor ProTem Burns remarked that she thought that they did.

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

WHEREAS the City Purchasing Department has advertised and received sealed bids for the replacement of the roof on the Administration Building at Thompson Park, and

WHEREAS invitations to bid were issued to ten (10) prospective bidders with seven (7) bids being received, and

WHEREAS on Thursday, September 23, 2010, at 11:00 a.m. in the City Purchasing Department, the bids were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Eugene P. Hayes, Superintendent of Public Works and the design team from Bernier Carr and Associates, and it is their recommendation that the City accept the bid from Continental Construction of Gouverneur, New York, in the amount of \$49,889.00, as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Continental Construction of Gouverneur, New York, in the amount of \$49,889.00 for replacement of the roof on the Administration Building at Thompson Park, as the lowest qualifying bid meeting the City's specifications.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

Commenting on the foregoing resolution, Council Member Smith asked what type of roof this would be.

Mr. Hayes explained that it would be asphaltic shingles with a 40 year warranty.

Council Member Smith asked what Bernier Carr designed for the roof.

Mr. Hayes responded that it was designed and will be built to specifications. In answering questions concerning the need to have an engineering firm design the roof, Mr. Hayes explained that it was designed to meet current codes and the city wanted to get the best product we could. He showed Council the book prepared by Bernier Carr containing the drawings, specs, engineering analysis and engineering design for the roof project.

Council Member Smith asked what the recommendations were for alleviating the problem with ice build up.

Mr. Hayes explained that this problem was discussed.

Council Member Butler asked who was in charge of the project for Bernier Carr.

They were told that Mary Cecil was in charge.

Council Member Butler asked about the funding that was originally put in the 2007-08 budget and how Bernier Carr was selected.

Mr. Hayes explained that the City Engineering Department couldn't fit the project into their schedule, so Bernier Carr was hired.

Mayor ProTem Burns asked about the 25 year warranty on the roof from 1988.

Mr. Hayes explained that this type of warranty doesn't mean that it is full warranty for the entire 25 years. It is a prorated curve, not a linear one and it tapers down as the years increase.

Council Member Smith reiterated his concerns for the ice build up. He remarked that it doesn't sound like there was any change and he felt there should have been some recommendations from the firm.

Mr. Hayes remarked that he would assume the changes in the design would be in the book that was submitted.

Mayor ProTem Burns suggested that Ms. Cecil come to the next Council meeting to address these questions.

Mrs. Corriveau will make the arrangements.

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

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

WHEREAS the City Purchasing Department has advertised and received sealed bids for renovation of the City's Wash Bay located at the Department of Public Works Maintenance Facility, and

WHEREAS plan sets were issued to six (6) prospective bidders with four (4) sealed bids submitted to the City Purchasing Department where they were publicly opened and read on Thursday, September 9, 2010, at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver has reviewed the bids received with Superintendent of Public Works Eugene P. Hayes, as well as Bernier Carr & Associates who have been hired to design and review this project, and it is their recommendation that the City Council accept the bid from Continental Construction, P.O. Box 358, Gouverneur, New York, in the amount of \$53,000.00 for the general construction portion of the renovation as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby accepts the bid in the amount of \$53,000.00 submitted by Continental Construction, Gouverneur, New York, for general construction renovation of the City's Wash Bay located at the Department of Public Works Maintenance Facility, as the lowest qualifying bid meeting the City's specifications.

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

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

WHEREAS the City Purchasing Department has advertised and received sealed bids for renovation of the City's Wash Bay located at the Department of Public Works Maintenance Facility, and

WHEREAS plan sets were issued to six (6) prospective bidders with four (4) sealed bids submitted to the City Purchasing Department where they were publicly opened and read on Thursday, September 9, 2010, at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver has reviewed the bids received with Superintendent of Public Works Eugene P. Hayes, as well as Bernier Carr & Associates who have been hired to design and review this project, and it is their recommendation that the City

Council accept the bid from Burns Brothers Contractors, Inc., 7504 US Highway 11, Potsdam, New York, in the amount of \$30,784.00 for the mechanical portion of the renovation as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby accepts the bid in the amount of \$30,784.00 submitted by Burns Brothers Contractors, Inc., 7504 US Highway 11, Potsdam, New York, for the mechanical portion of the renovation of the City's Wash Bay located at the Department of Public Works Maintenance Facility, as the lowest qualifying bid meeting the City's specifications.

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

Prior to the vote on the two foregoing resolutions, Council Member Smith asked if Bernier Carr would be on site to do inspections.

Mr. Hayes advised that they will come in to inspect, but not every single day.

Council Member Butler asked what due diligence is done to make sure that the various companies have a good track record when bidding projects out.

Mr. Hayes advised that in this case, Bernier Carr reviews them and the city defers to what they recommend.

Mrs. Corriveau advised that if Bernier Carr isn't involved, the city calls the references and does background checks.

Council Member Smith asked what they thought the problem was with the wash bay.

Mr. Hayes responded that it is more of a problem with the controls.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS a project for the reconstruction of Factory Street, PIN 775315, D032467 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the cost such program to be borne at the ratio of 80% Federal and 10% non-federal funds, and

WHEREAS the City of Watertown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering & Right-of-Way Incidentals in the amount of \$940,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown authorizes the City Comptroller to pay in the first instance 100% of the federal and non-federal share of the costs of preliminary engineering and right of way incidentals for the project, and

BE IT FURTHER RESOLVED that the sum of \$47,000 is hereby appropriated from the City of Watertown Capital Budget and made available to cover the local cost of participation in the above phase of the Project, and

BE IT FURTHER RESOLVED that the City Comptroller is hereby authorized to pay in the first instance 100% of the federal and non-federal share of the costs of the preliminary engineering and right-of-way incidentals for the project in the amount of \$940,000 from an appropriation of the City of Watertown Capital Budget, and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the projects exceeds the amount appropriated above, the City Council of the City of Watertown shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Manager's Office, and

BE IT FURTHER RESOLVED that Mayor of the City of Watertown is hereby authorized and directed to execute all necessary Agreements, certifications or reimbursement requests for federal aid on behalf of the City of Watertown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding for the local share of federal aid eligible project costs and all Project costs within appropriations that are not eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby approves Supplemental Agreement No. 1 to the Standard Federal Aid Highway and Marchiselli Aid Project Agreement, a copy of which is attached and made a part of said resolution, and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Sales Tax Memo

Council reviewed the memo supplied by the City Manager. This listed the true-up figures for the quarter. Year to date, actual to actual receipts are up \$349,692 or 8/8%. Year to date, budget to actual receipts are up \$329,627 or 8.26%.

Mayor ProTem Burns asked if the data can be tracked from the effective advertising campaign for Canadian visitors that the city helped fund through the T.I. Council.

Mrs. Corriveau stated that Mr. DeYoung indicated that they would be tracking the numbers.

Crows

Council Member Butler asked about the status of the USDA coming into help get rid of the crows.

Mrs. Corriveau advised that they had done outreach to the USDA three weeks ago to see if they can come in again this year. She remarked that she hopes to have the contract on the agenda for the meeting of November 1st.

Council Member Butler remarked that he supports the most aggressive method of getting rid of them. He stated that he would support shooting them.

Council Member Smith agreed.

Mayor ProTem Burns remarked that she has some questions she would like answered before she could support that concept.

Attorney Slye remarked that in Auburn, they shot the crows at the cornfields and the crows stayed out of the cornfields, but came back into town.

Council asked to have the minutes pulled for the Council meeting held with the USDA representative to refresh their memories as to what was discussed and what the representative had to say.

Mrs. Corriveau will do so.

Parking Lot at Fairgrounds

Council Member Butler remarked that the parking lot behind the baseball field looks run down and asked what purpose the concrete barriers served there.

Mr. Hayes advised that the concrete barriers are used by the fair for their demolition derby and they are just setting there now.

Mrs. Corriveau also advised that they had proposed paving that area. However, it was deferred to do another project.

Mr. Hayes commented that the earliest that this would be paved would be the year after next.

Hospice

Mayor ProTem Burns announced that Hospice is celebrating its 25th anniversary this year. She remarked that the organization needs the support of all of us in the community.

Court Street Business Owner's Concern

Mayor ProTem Burns explained that she had received an inquiry from a Court Street business owner in regards to people cleaning up and sweeping in the downtown area and questioned why they were just in front of Public Square and not down Court Street.

Mr. Hayes responded that they are DPW employees taking care of the City owned property in the streetscape area.

JCIDA Uniform Tax Exemption Policy and Guidelines

Council Member Butler wondered about setting a date for more discussion on this topic since Mayor ProTem Burns and Council Member Smith were not present at last week's work session.

Council agreed that, instead of scheduling an additional meeting, they would discuss it at this time.

Council Member Smith expressed his concerns with the loss in sales tax for the City. He also commented that they can change the agreement at any time and it could have a negative impact on the City. He remarked that he is a proponent of getting business here, but, there has to be a line drawn.

Mayor ProTem Burns remarked that she shares the same concerns as far as sales tax exemptions. She commented that the City is different from the towns in that sales tax revenue is our largest form of revenue versus property taxes. She remarked that for the most part she could support the agreement.

Mrs. Corriveau also explained that, by law, JCIDA has to notify all taxing agencies if they are making changes. They have to ask for our opinion. She also commented that we haven't seen a lot of PILOTS in the City. However, now that the Empire Zone has expired, we will see more developments looking to us for PILOTS.

Council Member Butler referred to the affected taxing jurisdictions as compared to the law stating that it is all municipalities. He asked if they were going to want everyone's consent.

Council Member Smith remarked that this wasn't the way he reads it.

Mrs. Corriveau explained that JCIDA can change things if they go back through the entire process. They have that right by law.

Council Member Butler stated that he would like more clarity on intent for amendments. He would also like clarity on the recapture of benefits and section E – deviations. He remarked that the language in that is contrary to what they say in the first part of the agreement.

Mrs. Corriveau referred to page 6 of the agreement where by they can grant enhanced benefits on a case by case basis for a project expected to have a significant economic impact within the County of Jefferson and/or component municipalities as determined by the Agency's members.

Attorney Slye remarked that the distribution of sales tax is determined by the City's agreement with the County. We have a fixed percentage of 24%.

Mayor ProTem Burns remarked that she still has some questions on the sales tax issue and would like clarification.

Discussion was held relative to the possibility of the sales tax exemption on extended items. Council Member Macaluso commented that Mayor Graham had concerns with that and questioned if it was just for construction costs or does it go, in the case of a hotel, to cover furnishing, etc.

Mrs. Corriveau remarked that it was very limited in scope in the past.

Mayor ProTem Burns stated that the majority of Council needs clarification on the extended items.

Mrs. Corriveau advised that Mayor Graham felt that, in regards to sales and mortgage tax relief, it should require affirmative consent from the county before JCIDA could provide those benefits.

Attorney Slye reminded everyone that, technically, it is the state legislature that approves sales tax in Jefferson County.

Mrs. Corriveau commented that while we really don't have any power in this, they have asked for input and will be getting a lot of it. She will prepare a draft letter based upon the Council's concerns for Council's review prior to the public hearing.

Water Shut Offs

Mrs. Corriveau advised that the water department will start doing shutoffs next Monday.

Engineering Department Award

Mrs. Corriveau announced that the North Side Trunk Sewer project won the 2010 Central NY American Public Works Association, Environment Wastewater Project of the Year, Under \$1m.

3rd BCT, Fort Drum

Mrs. Corriveau advised that the City's leadership team spent the day last week with this Ft. Drum battalion. The military that participated in this government day also toured city facilities after the sessions held in City Hall.

Fall Drop Off

This will be held on Saturday, Oct. 23rd at the fairgrounds from 9a.m. to 4 p.m.

J.B. Wise Parking Lot Meeting

A public meeting will be held for this project on Thursday, Nov. 4th at 7 p.m. in Council Chambers.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS ADJOURNED AT 8:33 P.M. BY MOTION OF COUNCIL MEMBER SMITH SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA

Donna M. Dutton
City Clerk