

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
October 20, 2003
7:00 P.M.**

MAYOR JOSEPH M. BUTLER PRESIDING

PRESENT: **COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN PAUL A. SIMMONS
COUNCILMAN JEFFREY M. SMITH
MAYOR BUTLER**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Amendment No. 41 to the Management and Management Confidential Pay Plan
- 2 - Supplemental Appropriation No. 2 for Various Funds
- 3 - Approving Change Order No. 1, Black River Coagulation Basin Dredging HYDROPRESS, LLC
- 4 - Authorizing Lease and Service Agreement, Rural Transit System Backup and Spare Bus Program
- 5 - Approving Agreement for Engineering Services, Sewer Line, 500 Block of Eastern Boulevard, Stearns and Wheler, LLC
- 6 - Authorizing the Right-of-Way Acquisitions for the State Street Reconstruction Project, City of Watertown, Jefferson County
- 7 - Authorizing the City Manager to Enter Into and Execute the Project Agreement for a \$95,000 Grant Through the New York State Department of State for the Completion of a Local Waterfront Revitalization Program
- 8 - Approving the Special Use Permit Request Submitted by Peter Crissey to Allow an Automobile Sales Lot on the Rear Portion of Parcel No. 9-11-133 Located at 929 Arsenal Street
- 9 - An Ordinance Authorizing the Issuance of \$160,000 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Construction of a Sanitary Line in the 500 Block of Eastern Boulevard, In and For Said City
- 10 - 7:30 p.m. – Public Hearing on Local Law No. 3 of 2003 -A Local Law Adopting Section 169-11-A of the Watertown City Code Prohibiting the Use of Free Standing, Fuel-Burning, Heat-Producing Equipment Designed to Provide Heated Water or Heat to a Structure
- 11 - Fire Equipment Color
- 12 - Cleveland Building Condition Update

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of October 6, 2003 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

Mayor Butler welcomed the students from Watertown High and Immaculate Heart Central who attend the Youth Government Day activities.

COMMUNICATIONS

The following communications were received from the City Planning Board:

1. Recommending that City Council grant approval for the Special Use Permit request submitted on behalf of TOPED Development and DealMaker Dodge to allow an automobile sales lot on the rear portion of Parcel No.9-11-133, located at 929 Arsenal Street.
2. Recommending that City Council not approve the zone change request submitted by Patricia Castro to change the zoning of Parcels No. 8-11-113, 8-114, 8-11-115 and the rear portion of Parcel No. 8-11-102 located at 859 Coffeen Street from Residence "B" District to Neighborhood Business District.
3. Recommending that City Council grant approval for the site plan submitted on behalf of TOPED Development and DealMaker Dodge for a 17,875 sq. ft. expansion to the existing parking lot at 929 Arsenal Street, Parcel No. 9-11-133 contingent upon certain requirements, as outlined in the resolution, being met.

ABOVE PLACED ON FILE

From the Thousand Islands Girl Scout Council inviting Council to attend the celebration of the opening of their new facility in the Marcy Building on October 23rd.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Peter Murdock, 537 Eastern Boulevard, addressed the chair urging Council to support the Eastern Boulevard ordinance and resolution. Mr. Murdock explained that he had spoken with the neighbors and had made them aware that they may incur certain costs with this project.

PUBLIC HEARING

AT 7:30 MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 3 OF 2003.

MAYOR BUTLER DECLARED THE HEARING OPEN

Arthur Cooley, CJ's Outdoor Heating, addressed the chair explaining that he sells the outdoor furnaces and they are designed to burn only wood. He stated that the units are very efficient and can be used in a City environment as long as the "best burning practices" are used. The stacks can be raised as well. He remarked that before Council bans the units, they should take time to look into this.

Ken Decker, Decker's Heating & Construction, addressed the chair also in support of the outdoor furnaces. He stated that there were four in Glen Park and two in Brownville. He stated that they could be used without problems. However, the key to using them is not to burn garbage, plastics, pressure treated lumber or cardboard. He explained that the State of Vermont has guidelines for using them such as the chimney having to be as high as the neighbors' eaves, plus 2'.

Frank Battista, West Side property owner, addressed the chair stating that he has been using a Wood Master unit for four years and only uses seasoned wood in it. He explained that he only operates it from November through April. He stated that his closest neighbor is 1000' away and there have been no complaints. He stated that he doesn't feel it is fair to him to ban these units as he has been using it responsibly.

Peter Corbett, LeRay Street, addressed the chair stating that he is the one that the complaints have been brought against. He stated that he made the mistake in not making the stack high enough. He stated that he is willing to do whatever it takes to make it right. He also commented that he has spoken with Mr. McWayne about the situation.

Gary Gebo, LeRay Street, addressed the chair explaining that they have smoke in their homes on a regular basis.

William Bice, LeRay Street, addressed the chair stating that the smoke that comes in to his home sets off his smoke alarm. He stated that he has lived in his home for over 20 years and had no problem until the furnace was installed.

Councilman Clough referred to the packets that he had supplied to Council as well as the packets of information from Mr. McWayne and the photos from Mr. Gebo.

Councilman Smith asked if raising the stacks would solve the problem.

Mr. McWayne commented that he is not sure that this would correct the problem.

Mr. Cooley stated that if you raise the chimney, you would be raising the smoke level. If the stack were above the eave line, it would vent the smoke into the atmosphere. He stated that the outdoor wood furnace is one of the safest. He stated that depending on atmospheric conditions, wood smoke would be in the air even if someone is using their fireplace or combination oil/wood furnace. He explained that he has a unit and he has had neighbors complain. However, DEC determined that he was well within the guidelines

for emission. He stated that he does burn paper at various times. However, he lives in the Town of Watertown where burning barrels are allowed and he feels that this is much safer to burn paper in than the barrels.

Chief Gaumont answered questions about his knowledge of these units in the City. He stated that he knows of three installations. There were ongoing smoke complaint calls concerning the one that was on Washington Street. Constant calls are being made concerning the one on LeRay Street. He stated this is putting the firefighters at risk. They are calls concerning a nuisance. He stated that there was one unit in the Town of Watertown on outer Massey Street, which burned the place to the ground.

Mr. Cooley responded that the unit was a homemade one.

Chief Gaumont also explained that as you extend the stack height, you have a greater chance of cooling the smoke, thus creating creosote.

Mr. Decker commented that there is a misconception about the furnace constantly giving off smoke. He stated that the smoke is greater during the start up of the furnace.

Mr. Corbett explained that the City Fire Department had inspected his unit.

Mr. Battista explained that his unit has triple wall stainless steel pipes and has no creosote.

Mr. Gebo explained that he had been in contact with Mr. Skinner, an engineer for the Attorney General's office. Mr. Gebo commented that Mr. Skinner explained to him that this situation is not unique and it happens across the state. The Attorney General's office is looking into these furnaces.

Councilman Clough asked Mr. McWayne about the Towns of Otego and Camden, which had banned the units.

Mr. McWayne explained that he had calls into them but they hadn't called him back.

Councilwoman Burns asked if Mr. McWayne had any input concerning these units.

Mr. McWayne stated that he had reviewed the "best burn practices" which also recommend certain heights. However, he doesn't have any more input than that at this time, as he doesn't know if the height requirements would make a difference.

Councilman Smith asked Attorney Slye if he had any recommendation of banning the units or requiring certain chimney heights.

Attorney Slye explained that he had been asked to look at the issue and how to regulate it. He commented that any legislation is a balancing of interests. He also explained that if Council wants to regulate it instead of banning it, regulations could be drawn up. He

commented that he wouldn't recommend the City undertaking a study on this. He explained that trying to regulate the furnaces would be difficult as the Council would have to try to determine what levels of smoke are acceptable, figure out minimum height requirements for the stacks and spend money enforcing the regulations.

Councilman Simmons asked if the firefighters explained to Mr. Corbett what was wrong each time they went on a call there.

Chief Gaumont commented that there was nothing wrong with the unit. The problem was it was creating smoke in the area and the neighbors were calling.

Councilman Clough referred to the informational packets and asked if Council was ready to vote on this or if they needed more time.

Mayor Butler commented that this is a difficult issue and the Council doesn't want to be anti-business. However, the Council does have to recognize the neighbors concerns. He also commented that he is not convinced that height would make any difference.

Councilwoman Burns remarked that until this issue came up, she wasn't familiar with these units. She commented that there are certain limitations for City living and this is one of them.

MAYOR BUTLER DECLARED THE HEARING CLOSED AT 8:08 P.M.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Amendment No. 41 to the Management and Management Confidential Pay Plan effective September 16, 2003 as follows:

City Comptroller	\$67,300
------------------	----------

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$932,350 hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2002-03 for the reasons shown:

GENERAL FUND

ADDITIONAL APPROPRIATIONS

A	1110.	430CITY COURT	Contracted Services	\$	150	Under Appropriated
A	1210.	450MAYOR	Miscellaneous	\$	1,000	Under Appropriated
A	1230.	120MUNICIPAL EXECUTIVE	Clerical	\$	850	Under Appropriated
A	1230.	140	Temporary	\$	650	No Original Appropriation
A	1230.	220	Office Equipment	\$	3,050	Laptop computer
A	1230.	430	Contracted Services	\$	1,850	Under Appropriated
A	1315.	120COMPTRROLLER	Clerical	\$	8,000	Under Appropriated
A	1315.	150	Overtime	\$	800	Under Appropriated
A	1315.	430	Contracted Services	\$	2,050	Under Appropriated
A	1315.	440	Fees, Non-employee	\$	225	Under Appropriated
A	1345.	110PURCHASING	Salaries	\$	1,250	Under Appropriated
A	1345.	120	Clerical	\$	1,050	Under Appropriated
A	1355.	110ASSESSMENT	Salaries	\$	1,175	Under Appropriated
A	1355.	130	Wages	\$	4,900	Under Appropriated
A	1355.	850	Health Insurance	\$	100	Under Appropriated
A	1364.	460EXPENSES ON PROPERTY ACQUIRED	Materials and Supplies	\$	500	No Original Appropriation
A	1410.	110CLERK	Salaries	\$	1,175	Under Appropriated
A	1410.	120	Clerical	\$	1,425	Under Appropriated
A	1410.	850	Health Insurance	\$	250	Under Appropriated
A	1420.	440LAW	Fees, Non-employee	\$	9,000	Under Appropriated
A	1430.	110CIVIL SERVICE	Salaries	\$	825	Under Appropriated
A	1430.	430	Contracted Services	\$	25	Under Appropriated
A	1430.	850	Health Insurance	\$	100	Under Appropriated
A	1440.	110ENGINEERING	Salaries	\$	2,000	Under Appropriated
A	1440.	120	Clerical	\$	1,300	Under Appropriated
A	1440.	140	Temporary	\$	2,700	No Original Appropriation
A	1440.	430	Contracted Services	\$	1,875	No Original Appropriation
A	1440.	465	Equipment < \$1,000	\$	100	No Original Appropriation
A	1450.	430ELECTIONS	Contracted Services	\$	625	Under Appropriated
A	1490.	120PUBLIC WORKS ADMINISTRATION	Clerical	\$	3,700	Under Appropriated
A	1490.	170	Out of Code	\$	75	No Original Appropriation
A	1490.	410	Utilities	\$	1,150	Under Appropriated
A	1490.	430	Contracted Services	\$	575	Under Appropriated
A	1490.	440	Fees, Non-employee	\$	800	Under Appropriated
A	1490.	465	Equipment < \$1,000	\$	100	No Original Appropriation
A	1620.	450MUNICIPAL BUILDINGS	Miscellaneous	\$	125	No Original Appropriation
A	1620.	460	Materials and Supplies	\$	950	Under appropriated
A	1620.	465	Equipment < \$1,000	\$	100	No Original Appropriation
A	1620.	850	Health Insurance	\$	50	Under Appropriated
A	1640.	110CENTRAL GARAGE	Salaries	\$	1,125	Under Appropriated
A	1640.	120	Clerical	\$	1,575	Under Appropriated
A	1640.	130	Wages	\$	11,075	Under Appropriated
A	1640.	460	Materials and Supplies	\$	10,650	Under Appropriated
A	1640.	830	Social Security	\$	800	Under Appropriated
A	1670.	450CENTRAL PRINTING & MAILING	Miscellaneous	\$	1,000	Under appropriated
A	1680.	110INFORMATION TECHNOLOGY	Salaries	\$	625	Under Appropriated
A	1680.	130	Wages	\$	2,075	Under Appropriated
A	1680.	450	Fees, Non-employee	\$	1,750	Under Appropriated
A	1680.	460	Materials and Supplies	\$	325	Under Appropriated
A	1680.	850	Health Insurance	\$	100	Under appropriated
A	1950.	450REAL PROPERTY TAXES	Miscellaneous	\$	4,075	Under Appropriated
A	2989.	450DARE PROGRAM	Miscellaneous	\$	1,200	No Original Appropriation
A	3120.	120POLICE	Clerical	\$	2,300	Under appropriated
A	3120.	150	Overtime	\$	18,500	Under appropriated
A	3120.	440	Fees, Non-employee	\$	15,350	Under appropriated
A	3120.	460	Materials and Supplies	\$	2,225	Under appropriated

A	3120.	465	Equipment < \$1,000	\$	2,200	No Original Appropriation	
A	3410.	120	FIRE	Clerical	\$	1,500	Under appropriated
A	3410.	130		Wages	\$	39,000	Under appropriated
A	3410.	155		Holiday Pay	\$	1,300	Under Appropriated
A	3410.	440		Fees, Non-employee	\$	23,475	Under appropriated
A	3410.	450		Miscellaneous	\$	4,350	Under Appropriated
A	3410.	465		Equipment < \$1,000	\$	9,700	No Original Appropriation
A	3410.	820		Fire Retirement System	\$	57,225	Under Appropriated
A	3410.	840		Workers' Compensation	\$	875	Under appropriated
A	3620.	110	BUREAU OF CODE ENFORCEMENT	Salaries	\$	1,150	Under appropriated
A	3620.	120		Clerical	\$	1,500	Under appropriated
A	3620.	130		Wages	\$	4,800	Under appropriated
A	3620.	140		Temporary	\$	50	Under appropriated
A	3620.	170		Out of Code	\$	175	No Original Appropriation
A	3620.	410		Utilities	\$	325	Under appropriated
A	3620.	430		Contracted Services	\$	12,025	Under appropriated
A	3620.	830		Social Security	\$	350	Under appropriated
A	5010.	130	MUNICIPAL MAINTENANCE	Wages	\$	20,000	Under appropriated
A	5010.	140		Temporary	\$	2,400	Under appropriated
A	5010.	150		Overtime	\$	350	Under appropriated
A	5010.	170		Out of Code	\$	1,000	No Original Appropriation
A	5010.	410		Utilities	\$	75	Under appropriated
A	5010.	440		Fees, Non-employee	\$	425	Under appropriated
A	5010.	450		Miscellaneous	\$	75	Under appropriated
A	5010.	455		Department Vehicle Expense	\$	425	Under appropriated
A	5010.	830		Social Security	\$	2,325	Under appropriated
A	5010.	850		Health Insurance	\$	50	Under appropriated
A	5110.	130	MAINTENANCE OF ROADS	Wages	\$	27,200	Under appropriated
A	5110.	170		Out of Code	\$	1,950	No Original Appropriation
A	5110.	450		Miscellaneous	\$	450	Under Appropriated
A	5110.	830		Social Security	\$	2,150	Under appropriated
A	5110.	840		Workers' Compensation	\$	13,750	Under appropriated
A	5142.	455		Department Vehicle Expense	\$	625	Under appropriated
A	5142.	465		Equipment < \$1,000	\$	950	No Original Appropriation
A	5142.	850		Health Insurance	\$	7,475	Under appropriated
A	5184.	410	HYDROELECTRIC PRODUCTION	Utilities	\$	150	Under appropriated
A	5184.	430	MUN.TRAFFIC CONTROL LIGHTING	Contracted Services	\$	6,600	Under appropriated
A	5186.	150		Overtime	\$	175	Under appropriated
A	5186.	250		Other Equipment	\$	19,250	Grant Expenditures
A	5186.	410		Utilities	\$	1,750	Under appropriated
A	5186.	420		Insurance	\$	13,650	Under appropriated
A	5186.	450		Miscellaneous	\$	200	Under Appropriated
A	5186.	460		Materials and Supplies	\$	275	Under Appropriated
A	5186.	465		Equipment < \$1,000	\$	1,700	No Original Appropriation
A	5610.	110	AIRPORT	Salaries	\$	1,125	Under Appropriated
A	5610.	130		Wages	\$	1,950	Under Appropriated
A	5610.	150		Overtime	\$	450	Under appropriated
A	5610.	170		Out of Code	\$	23,575	No Original Appropriation
A	5610.	430		Contracted Services	\$	53,350	Grant Expenditures
A	5610.	455		Department Vehicle Expense	\$	1,600	Under appropriated
A	5610.	460		Materials and Supplies	\$	3,275	Under appropriated
A	5610.	830		Social Security	\$	175	Under appropriated
A	5630.	140	BUS	Temporary	\$	1,150	Under appropriated
A	5630.	430		Contracted Services	\$	325	Under appropriated
A	5630.	840		Workers' Compensation	\$	17,350	Under Appropriated
A	5630.	850		Health Insurance	\$	25	Under Appropriated
A	5650.	410	CITY PARKING FACILITIES	Utilities	\$	150	Under Appropriated

A	7020.	120	RECREATION ADMINISTRATION	Clerical	\$	1,800	Under Appropriated
A	7020.	130		Wages	\$	1,925	Under Appropriated
A	7020.	150		Overtime	\$	625	Under Appropriated
A	7020.	455		Department Vehicle Expense	\$	525	Under appropriated
A	7020.	460		Materials and Supplies	\$	150	Under appropriated
A	7020.	465		Equipment < \$1,000	\$	800	No Original Appropriation
A	7020.	850		Health Insurance	\$	4,700	Under appropriated
A	7110.	130	THOMPSON PARK	Wages	\$	50	Under appropriated
A	7110.	410		Utilities	\$	775	Under appropriated
A	7110.	430		Contracted Services	\$	925	Under appropriated
A	7140.	455	PLAYGROUNDS	Department Vehicle Expense	\$	25	Under Appropriated
A	7141.	140	FAIRGROUNDS	Temporary	\$	1,200	Under Appropriated
A	7141.	830		Social Security	\$	100	Under appropriated
A	7142.	140	OUTDOOR WINTER ACTIVITIES	Temporary	\$	500	Under appropriated
A	7143.	410	ATHLETIC PROGRAMS	Utilities	\$	225	Under appropriated
A	7143.	455		Department Vehicle Expense	\$	1,675	Under appropriated
A	7143.	465		Equipment < \$1,000	\$	1,625	No Original Appropriation
A	7180.	410	SWIMMING POOLS - OUTDOOR	Utilities	\$	50	Under Appropriated
A	7180.	440		Fees, Non-employee	\$	3,575	Under Appropriated
A	7180.	455		Department Vehicle Expense	\$	25	Under Appropriated
A	7180.	460		Materials and Supplies	\$	7,950	Under Appropriated
A	7180.	465		Equipment < \$1,000	\$	2,575	No Original Appropriation
A	7265.	140	ICE ARENA	Temporary	\$	2,150	Under Appropriated
A	7265.	150		Overtime	\$	525	Under Appropriated
A	7265 .	410		Utilities	\$	975	Under Appropriated
A	7265.	460		Materials and Supplies	\$	1,375	Under Appropriated
A	7265.	840		Workers' Compensation	\$	450	
A	8140.	170	PUBLIC WORKS - STORM SEWER	Out of Code	\$	3,450	No Original Appropriation
A	8140.	455		Department Vehicle Expense	\$	1,100	Under Appropriated
A	8140.	465		Equipment < \$1,000	\$	875	No Original Appropriation
A	8160.	450	REFUSE AND RECYCLE	Miscellaneous	\$	525	Under Appropriated
A	8160.	455		Department Vehicle Expense	\$	2,900	Under Appropriated
A	8160.	460		Materials and Supplies	\$	7,525	Under Appropriated
A	8160.	840		Workers' Compensation	\$	11,250	Under Appropriated
A	9010.	800	State Retirement	State Retirement	\$	93,000	No Original Appropriation
A	9040.	840	Workers' Compensation	Workers' Compensation	\$	1,625	Under Appropriated
A	9050.	800	Unemployment Insurance	Unemployment Insurance	\$	1,900	Under Appropriated

TOTAL

\$ 682,725

REDUCTIONS IN APPROPRIATIONS

A	1010.	810	LEGISLATIVE BOARD	NYS Retirement	\$	(570)	
A	1230.	110	MUNICIPAL EXECUTIVE	Salaries	\$	(6,400)	
A	1230.	810		NYS Retirement	\$	(6,096)	
A	1315.	110	COMPROLLER	Salaries	\$	(8,000)	
A	1315.	810		NYS Retirement	\$	(5,639)	
A	1315.	850		Health Insurance	\$	(10,000)	
A	1345.	810	PURCHASING	NYS Retirement	\$	(1,502)	
A	1345.	850		Health Insurance	\$	(2,300)	
A	1355.	450	ASSESSMENT	Miscellaneous	\$	(1,275)	
A	1355.	810		NYS Retirement	\$	(2,322)	
A	1364.	430	EXPENSES ON PROPERTY ACQUIRED	Contracted Services	\$	(500)	
A	1410.	410	CLERK	Utilities	\$	(125)	
A	1410.	420		Insurance	\$	(50)	
A	1410.	430		Contracted Services	\$	(2,100)	
A	1410.	450		Miscellaneous	\$	(75)	

A	1410.	810	NYS Retirement	\$	(2,117)
A	1430.	410	CIVIL SERVICE	Utilities	\$ (800)
A	1430.	440	Fees, Non-employee	\$	(50)
A	1430.	450	Miscellaneous	\$	(100)
A	1430.	810	NYS Retirement	\$	(586)
A	1440.	130	ENGINEERING	Wages	\$ (30,000)
A	1440.	810	NYS Retirement	\$	(6,384)
A	1440.	850	Health Insurance	\$	(1,975)
A	1450.	830	ELECTIONS	Social Security	\$ (625)
A	1490.	110	PUBLIC WORKS ADMINISTRATION	Salaries	\$ (16,500)
A	1490.	130	Wages	\$	(5,000)
A	1490.	450	Miscellaneous	\$	(4,000)
A	1490.	810	NYS Retirement	\$	(5,777)
A	1620.	130	MUNICIPAL BUILDINGS	Wages	\$ (1,125)
A	1620.	810	NYS Retirement	\$	(884)
A	1640.	410	CENTRAL GARAGE	Utilities	\$ (1,400)
A	1640.	430	Contracted Services	\$	(5,800)
A	1640.	450	Miscellaneous	\$	(1,800)
A	1640.	455	Department Vehicle Expense	\$	(1,750)
A	1640.	810	NYS Retirement	\$	(5,130)
A	1640.	850	Health Insurance	\$	(1,400)
A	1670.	460	CENTRAL PRINTING & MAILING	Materials and Supplies	\$ (1,000)
A	1680.	430	INFORMATION TECHNOLOGY	Contracted Services	\$ (10,000)
A	1680.	810	NYS Retirement	\$	(1,630)
A	3120.	410	POLICE	Utilities	\$ (5,700)
A	3120.	430	Contracted Services	\$	(5,000)
A	3120.	450	Miscellaneous	\$	(8,750)
A	3120.	455	Department Vehicle Expense	\$	(1,200)
A	3120.	820	Police Retirement System	\$	(17,900)
A	3120.	830	Social Security	\$	(8,500)
A	3120.	850	Health Insurance	\$	(4,200)
A	3410.	210	FIRE	Furniture and Furnishings	\$ (3,000)
A	3410.	250	Other Equipment	\$	(9,000)
A	3410.	430	Contracted Services	\$	(9,000)
A	3410.	455	Department Vehicle Expense	\$	(11,200)
A	3410.	460	Materials and Supplies	\$	(3,600)
A	3410.	830	Social Security	\$	(24,450)
A	3410.	850	Health Insurance	\$	(22,775)
A	3620.	450	BUREAU OF CODE ENFORCEMENT	Miscellaneous	\$ (1,875)
A	3620.	455	Department Vehicle Expense	\$	(825)
A	3620.	460	Materials and Supplies	\$	(2,125)
A	3620.	810	NYS Retirement	\$	(2,874)
A	3620.	850	Health Insurance	\$	(500)
A	5010.	250	MUNICIPAL MAINTENANCE	Other Equipment	\$ (1,500)
A	5010.	460	Materials and Supplies	\$	(17,000)
A	5010.	810	NYS Retirement	\$	(3,466)
A	5110.	140	MAINTENANCE OF ROADS	Temporary	\$ (4,000)
A	5110.	430	Contracted Services	\$	(2,600)
A	5110.	455	Department Vehicle Expense	\$	(450)
A	5110.	460	Materials and Supplies	\$	(30,000)
A	5110.	810	NYS Retirement	\$	(2,950)
A	5142.	240	SNOW REMOVAL	Highway and Street	\$ (9,000)
A	5142.	430	Contracted Services	\$	(7,900)
A	5142.	460	Materials and Supplies	\$	(625)
A	5142.	810	NYS Retirement	\$	(6,881)
A	5184.	420	HYDROELECTRIC PRODUCTION	Insurance	\$ (18,950)
A	5184.	460	Materials and Supplies	\$	(10,000)

A	5186.	430MUN.TRAFFIC CONTROL AND LIGHTING	Contracted Services	\$	(1,821)
A	5186.	455	Department Vehicle Expense	\$	(3,100)
A	5186.	810	NYS Retirement	\$	(2,765)
A	5186.	840	Workers' Compensation	\$	(1,000)
A	5186.	850	Health Insurance	\$	(6,100)
A	5610.	410AIRPORT	Utilities	\$	(4,500)
A	5610.	450	Miscellaneous	\$	(3,000)
A	5610.	810	NYS Retirement	\$	(2,304)
A	5630.	130BUS	Salaries	\$	(1,150)
A	5630.	150	Overtime	\$	(1,900)
A	5630.	410	Utilities	\$	(500)
A	5630.	450	Miscellaneous	\$	(2,300)
A	5630.	460	Materials and Supplies	\$	(4,200)
A	5630.	810	NYS Retirement	\$	(4,960)
A	5630.	830	Social Security	\$	(1,475)
A	5650.	460CITY PARKING FACILITIES	Materials and Supplies	\$	(6,150)
A	7020.	110RECREATION ADMINISTRATION	Salaries	\$	(1,250)
A	7020.	140	Temporary	\$	(2,000)
A	7020.	410	Utilities	\$	(500)
A	7020.	430	Contracted Services	\$	(1,175)
A	7020.	450	Miscellaneous	\$	(500)
A	7020.	810	NYS Retirement	\$	(4,290)
A	7020.	830	Social Security	\$	(1,150)
A	7110.	810THOMPSON PARK	NYS Retirement	\$	(2,095)
A	7110.	840	Workers' Compensation	\$	(2,500)
A	7140.	140PLAYGROUNDS	Temporary	\$	(3,000)
A	7140.	440	Fees, Non-employee	\$	(2,000)
A	7140.	460	Materials and Supplies	\$	(25)
A	7141.	430FAIRGROUNDS	Contracted Services	\$	(3,000)
A	7141.	460	Materials and Supplies	\$	(3,000)
A	7142.	170OUTDOOR WINTER ACTIVITIES	Out of Code	\$	(500)
A	7143.	430ATHLETIC PROGRAMS	Contracted Services	\$	(5,000)
A	7180.	140SWIMMING POOLS - OUTDOOR	Temporary	\$	(7,950)
A	7180.	150	Overtime	\$	(750)
A	7180.	250	Other Equipment	\$	(5,000)
A	7180.	420	Insurance	\$	(2,000)
A	7180.	430	Contracted Services	\$	(4,000)
A	7265.	250ICE ARENA	Other Equipment	\$	(800)
A	7265.	420	Insurance	\$	(750)
A	7265.	430	Contracted Services	\$	(1,375)
A	7265.	440	Fees, Non-employee	\$	(900)
A	7265.	455	Department Vehicle Expense	\$	(1,050)
A	7265.	830	Social Security	\$	(600)
A	8140.	130PUBLIC WORKS - STORM SEWER	Wages	\$	(34,500)
A	8140.	430	Contracted Services	\$	(3,500)
A	8140.	450	Miscellaneous	\$	(325)
A	8140.	460	Materials and Supplies	\$	(10,000)
A	8140.	810	NYS Retirement	\$	(3,513)
A	8160.	110REFUSE AND RECYCLE	Salaries	\$	(23,000)
A	8160.	130	Wages	\$	(19,000)
A	8160.	430	Contracted Services	\$	(10,000)
A	8160.	440	Fees, Non-employee	\$	(7,000)
A	8160.	810	NYS Retirement	\$	(6,244)
A	8160.	830	Social Security	\$	(3,000)
A	8160.	850	Health Insurance	\$	(14,675)
A	9060.	850Health Insurance - Retirees	Health Insurance - Retirees	\$	(13,000)
A	9710.	700Serial Bonds - Interest	Serial Bonds - Interest	\$	<u>(20,000)</u>

TOTAL \$ (682,725)

WATER FUND

ADDITIONAL APPROPRIATIONS

F	8310.	110	WATER ADMINISTRATION	Salaries	\$	6,300	Under Appropriated
F	8310.	130		Wages	\$	1,600	Under Appropriated
F	8310.	250		Other Equipment	\$	2,300	Under Appropriated
F	8310.	455		Department Vehicle Expense	\$	50	Under Appropriated
F	8310.	830		Social Security	\$	500	Under Appropriated
F	8330.	130	WATER PURIFICATION	Wages	\$	8,450	Under Appropriated
F	8330.	410		Utilities	\$	19,125	Under Appropriated
F	8330.	455		Department Vehicle Expense	\$	7,925	Under Appropriated
F	8330.	830		Social Security	\$	800	Under Appropriated
F	8340.	110	TRANSMISSION AND DISTRIBUTION	Salaries	\$	2,900	Under Appropriated
F	8340.	130		Wages	\$	8,275	Under Appropriated
F	8340.	140		Temporary	\$	1,325	No Original Appropriation
F	8340.	150		Overtime	\$	1,450	Under Appropriated
F	8340.	455		Department Vehicle Expense	\$	3,325	Under Appropriated
F	8340.	465		Equipment < \$1,000	\$	23,175	No Original Appropriation
F	8340.	840		Workers' Compensation	\$	1,975	Under Appropriated
F	9010	800	State Retirement	State Retirement	\$	21,125	Under Appropriated
F	9040	800	Worker's Compensation	Worker's Compensation	\$	<u>50</u>	Under Appropriated

TOTAL \$ 110,650

REDUCTIONS IN APPROPRIATIONS

F	8310.	430	WATER ADMINISTRATION	Contracted Services	\$	(5,000)
F	8310.	450		Miscellaneous	\$	(3,450)
F	8310.	810		NYS Retirement	\$	(2,036)
			SOURCE OF SUPPLY, POWER AND			
F	8320.	410	PUMPING	Utilities	\$	(11,000)
F	8320.	430		Contracted Services	\$	(3,000)
F	8320.	460		Materials and Supplies	\$	(3,000)
F						
			WATER PURIFICATION			
F	8330.	170		Overtime	\$	(6,100)
F	8330.	170		Out of Code	\$	(1,000)
F	8330.	420		Insurance	\$	(7,000)
F	8330.	430		Contracted Services	\$	(17,000)
F	8330.	450		Miscellaneous	\$	(5,875)
F	8330.	460		Materials and Supplies	\$	(4,175)
F	8330.	810		NYS Retirement	\$	(7,874)
F	8340.	170	TRANSMISSION AND DISTRIBUTION	Out of Code	\$	(2,400)
F	8340.	250		Other Equipment	\$	(1,625)

F	8340.	430	Contracted Services	\$	(2,065)
F	8340.	450	Miscellaneous	\$	(4,800)
F	8340.	460	Materials and Supplies	\$	(9,750)
F	8340.	850	Health Insurance	\$	(13,500)

TOTAL \$ (110,650)

SEWER FUND

ADDITIONAL APPROPRIATIONS

G	8110.	120	SEWER ADMINISTRATION	Clerical	\$	725	Under Appropriated
G	8110.	130		Wages	\$	1,775	Under Appropriated
G	8110.	140		Temporary	\$	75	No Original Appropriation
G	8110.	250		Other Equipment	\$	2,300	Under Appropriated
G	8110.	455		Department Vehicle Expense	\$	25	Under Appropriated
G	8110.	465		Equipment < \$1,000	\$	2,300	
G	8110.	830		Social Security	\$	25	Under Appropriated
G	8120.	110	SANITARY SEWER	Salaries	\$	2,150	Under Appropriated
G	8120.	170		Out of Code	\$	1,025	Under Appropriated
G	8120.	410		Utilities	\$	25	Under Appropriated
G	8120.	460		Materials and Supplies	\$	15,375	Under Appropriated
G	8120.	461		Materials and Supplies-Court Project	\$	6,275	No Original Appropriation
G	8130.	130	SEWAGE TREATMENT AND DISPOSAL	Wages	\$	21,950	Under Appropriated
G	8130.	410		Utilities	\$	18,800	Under Appropriated
G	8130.	465		Equipment < \$1,000	\$	22,000	No Original Appropriation
G	8130.	830		Social Security	\$	100	Under Appropriated
G	8130.	850		Health Insurance	\$	7,625	Under Appropriated
G	9010	800	State Retirement	State Retirement	\$	18,325	Under Appropriated
G	9040	800	Worker's Compensation	Worker's Compensation	\$	<u>100</u>	Under Appropriated

Total \$ 120,975

REDUCTION IN APPROPRIATIONS

G	8110.	430	SEWER ADMINISTRATION	Contracted Services	\$	(2,625)
G	8110.	810		NYS Retirement	\$	(1,332)
G	8120.	130	SANITARY SEWER	Wages	\$	(3,175)
G	8120.	430		Contracted Services	\$	(21,925)
G	8120.	810		NYS Retirement	\$	(4,105)
G	8130.	150	SEWAGE TREATMENT AND DISPOSAL	Overtime	\$	(4,625)
G	8130.	250		Other Equipment	\$	(5,750)
G	8130.	430		Contracted Services	\$	(36,753)
G	8130.	450		Miscellaneous	\$	(21,900)

G	8130.	810	NYS Retirement	\$	(11,985)	
G	8130.	840	Workers' Compensation	\$	(6,800)	
Total					<u>\$</u>	<u>(120,975)</u>

LIBRARY FUND

ADDITIONAL APPROPRIATIONS

L	7410.	140	LIBRARY	Temporary	\$	50	Under Appropriated
L	7410.	150		Overtime	\$	300	Under Appropriated
L	7410.	170		Out of Code	\$	525	No Original Appropriation
L	7410.	250		Other Equipment	\$	600	Under Appropriated
L	7410.	460		Materials and Supplies	\$	850	Under Appropriated
L	9010	800	State Retirement	State Retirement	\$	8,450	Under Appropriated
L	9040	800	Worker's Compensation	Worker's Compensation	\$	50	Under Appropriated
L	9050	800	Unemployment Insurance	Unemployment Insurance	\$	4,150	No Original Appropriation
L	9060	800	Health Insurance	Health Insurance	\$	650	Under Appropriated
L	9950.	900	Transfer to Capital	Transfer to Capital	\$	1,225	Under Appropriated
Total						<u>\$</u>	<u>16,850</u>

REDUCTIONS IN APPROPRIATIONS

L	7410.	420	LIBRARY	Insurance	\$	(2,590)	
L	7410.	810		NYS Retirement	\$	(7,260)	
L	7410.	850		Health Insurance	\$	(7,000)	
Total						<u>\$</u>	<u>(16,850)</u>

SELF FUNDED HEALTH INSURANCE FUND

ADDITIONAL APPROPRIATIONS

MS	1710	SELF FUNDED HEALTH INSURANCE	Administration	\$	1,150	Under Appropriated
					<u>\$</u>	<u>1,150</u>

REDUCTION IN APPROPRIATIONS

MS	9060	SELF FUNDED HEALTH INSURANCE	Claims	\$	(1,150)	
					<u>\$</u>	<u>(1,150)</u>

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Mrs. Corriveau explained that the City did come in under budget. This resolution is merely to move monies from some accounts to others.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS on Monday, June 16, 2003, the City Council of the City of Watertown approved a bid submitted by HYDROPRESS, LLC for the dredging of the Black River coagulation basin in the amount of \$65,100, and

WHEREAS the dredging is now complete and due to a change in the amount of sludge removed from the basin, a change order in the amount of \$16,830.91 has been received from HYDROPRESS, LLC, and

WHEREAS Interim City Engineer Gary E. Pilon has reviewed the change order request and is asking that the City Council approve said change order which brings the total project cost to \$81,930.91,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Change Order No. 1 submitted by HYDROPRESS, LLC for the dredging of the Black River coagulation basin, in the amount of \$16,830.91, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Councilman Simmons questioned if it had been a very good estimate in the beginning.

Mr. Pilon explained that this is something that is done every three years and the monies are set aside each year in the reserve fund. He also explained that it is hard to estimate the amount when the sludge is still in the basin.

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the New York State Department of Transportation has determined that small rural transit systems generally have fewer spare and back-up vehicles to rely on when their fleet experiences mechanical failures or their buses are out of service for extended periods of time, and

WHEREAS a new Federal Section 5311 Rural Transit System Program has been designed to assist rural transit providers by strategically locating backup and spare buses for use by small rural transit systems, and

WHEREAS the City of Watertown participates in said program by housing one of the backup and spare buses, and

WHEREAS NYSDOT has been contacted by Franklin County regarding their desire to lease the backup and spare bus currently titled to the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Lease and Service Agreement for Spare Bus Program between the City of Watertown and Franklin County, a copy of which is attached and made a part of this resolution,

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

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Mayor Butler indicated that he had spoken with Kathy Webster, Transportation Supervisor, and he was advised that this lease was for one year.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the Development Authority of the North Country (DANC) is the project coordinator for the sewer line that is being constructed on NYS Rte. 3, easterly of the City of Watertown, and

WHEREAS the City Council in December of 2000, entered into an Agreement with the NYS Rte. 3 Sewer Board to treat the sewage and allow a connection to our sanitary sewer on Water Street, and

WHEREAS the City now desires to extend the sewer line to the 500 block of Eastern Boulevard, and

WHEREAS when the City entered into the Agreement we did not contemplate providing service to the residents of the 500 block of Eastern Boulevard,

WHEREAS Stearns and Wheler has submitted a proposal in the amount of \$22,000; \$12,000 for the design and bidding phase and \$10,000 for the construction phase of the project.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the proposal for engineering services submitted by Stearns and Wheler in the amount of \$22,000, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Watertown.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Councilman Simmons remarked that this is a good project.

Mr. Pilon explained that the project will bring the sewer laterals to the margins and then the property owners will be responsible for the costs from the margins to the building. They will be sent a letter saying that the sewer is available and will be given 60 days to connect and will have to have it done through a private contractor.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the New York State Department of Transportation no longer administers certain federally aided highway improvement projects, thus requiring the City of Watertown to assume the responsibility for administering projects such as the State Street Reconstruction Project, and

WHEREAS the City must comply with State and Federal requirements for the acquisition of real property for the right-of-way needed for the State Street Reconstruction Project from Public Square to Eastern Boulevard in the City of Watertown, Jefferson County, and

WHEREAS it has been determined that the feasible and desirable alternative for the State Street Reconstruction Project will require acquisition of real property parcels, and

WHEREAS disagreements as to value and/or title and other issues may make it necessary for the City of Watertown to acquire certain of these real property parcels by the right of eminent domain in accordance with the provisions of Article 4 of the New York Eminent Domain Procedure Law, the conditions precedent to which will be or have been satisfied by the City of Watertown, and

WHEREAS the Interim City Engineer Gary E. Pilon has represented that the real property parcel acquisition process will be a cooperative and coordinated effort involving the City of Watertown, Clough Harbour & Associates, R. K. Hite & Co., Inc.,

the City of Watertown's right-of-way sub-consultant, and the New York State Department of Transportation,

NOW THEREFORE BE IT RESOLVED that the right-of-way acquisition procedure for the State Street Reconstruction Project from Public Square to Eastern Boulevard in the City of Watertown, Jefferson County, is approved, and

BE IT FURTHER RESOLVED that the City Manager is authorized and directed to act on behalf of the City of Watertown under the acquisition procedure, and serve as the "Responsible Local Official" (RLO) for this project, and

BE IT FURTHER RESOLVED that the minimum payment value for a temporary easement in connection shall be \$150.00 and that the minimum payment value for real property purchases shall be \$250.00, and

BE IT FURTHER RESOLVED that this Body hereby authorizes and directs the City Manager to take such steps and perform such acts as are necessary for the City of Watertown to acquire the real property for the right-of-way for the State Street Reconstruction Project from Public Square to Eastern Boulevard, including acquisition by right of eminent domain in accordance with the provisions of the New York State Eminent Domain Procedure Law, and

BE IT FURTHER RESOLVED that the City Clerk is directed to forward certified copies of this resolution to the appropriate City of Watertown officials and other persons or entities.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH WHO ABSTAINED

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the New York State Department of State, Division of Coastal Resources has announced that the City of Watertown has been awarded a \$95,000 grant under Title 11 of the Environmental Protection Fund to complete a Local Waterfront Revitalization Program for the Black River within the City, and

WHEREAS the City Council desires to revitalize the waterfront along the Black River, and

WHEREAS the City must enter into a Project Agreement with the New York State Department of State for this project,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the Project Agreement on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

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

Commenting on the foregoing resolution, Councilman Clough remarked that this goes to show that this Council takes the Black River seriously.

Mayor Butler and Councilman Smith commended staff and commented that this Council is proactive in developing the City and the Black River. Councilman Smith also encouraged staff to have the County become part of this project.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Peter Crissey of The Crissey Architectural Group has made application for a Special Use Permit on behalf of TOPED Development and DealMaker Dodge to allow an automobile sales lot on the rear portion of Parcel No. 9-11-133 located at 929 Arsenal Street, and

WHEREAS the Jefferson County Planning Board reviewed the request for the Special Use Permit at its meeting held on September 30, 2003, pursuant to General Municipal Law Section 239-m, and adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on October 7, 2003, and recommended that the City Council of the City of Watertown approve the request, as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on November 3, 2003 after due public notice, and

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow an automobile sales lot constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to Peter Crissey of The Crissey

Architectural Group on behalf of TOPED Development and DealMaker Dodge to allow an automobile sales lot on the rear portion of Parcel No. 9-11-133, located at 929 Arsenal Street.

SECONDED BY COUNCILMAN PAUL A. SIMMONS

MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, NOVEMBER 3, 2003 AT 7:30 P.M.

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

ORDINANCES

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 construction of a sanitary sewer line in the 500 block of Eastern Boulevard, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$160,000 serial 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 \$160,000 and that the plan for the financing thereof is by the issuance of the \$160,000 serial 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 4 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 serial bonds herein authorized, including renewals of such notes,

is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

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

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 serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and

shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

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

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

1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

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

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

BE IT ORDAINED where Patricia Castro has made application 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 Parcels No. 8-11-113, 8-11-114, 8-11-115 and the rear portion of Parcel No. 8-11-102, located at 859 Coffeen Street, from Residence "B" District to Neighborhood Business District, and

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

Parcel No. 8-11-113

Parcel No. 8-11-114

Parcel No. 8-11-115

The rear portion of Parcel No. 8-11-102

And,

WHEREAS the Planning Board of the City of Watertown defeated a motion recommending that the City Council approve the zone change as requested at its meeting held on October 7, 2003, 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 November 3, 2003, 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 to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcels No. 8-11-113, 8-11-114, 8-11-115 and the rear portion of Parcel No. 8-11-102 located at 859 Coffeen Street, from Residence "B" District to Neighborhood Business District, 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 PAUL A. SIMMONS

MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, NOVEMBER 3, 2003 AT 7:45 P.M.

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

LOCAL LAW

LOCAL LAW NO 3 OF 2003, A LOCAL LAW ADOPTING SECTION 169-11-A OF THE WATERTOWN CITY CODE PROHIBITING THE USE OF FREE STANDING, FUEL-BURNING HEAT-PRODUCING EQUIPMENT DESIGNED TO PROVIDE HEATED WATER OR HEAT TO A STRUCTURE WAS PRESENTED TO COUNCIL (Introduced on October 6, 2003; public hearing held this evening; appears in its entirety on page 234 of the 2003 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING YEA

**** ** ***

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Fire Equipment Color

Mayor Butler stated that he supported the yellow fire trucks and thanked Mrs. Corriveau for the information.

Councilwoman Burns remarked that her previous comments concerning the color were made in a conversation in an effort to learn more about the reasoning for requesting the yellow equipment. She stated that she was trying to save the taxpayers money and she does understand the safety issues.

Councilman Smith stated that he agrees with Councilwoman Burns and asked if there were accident statistics about red vs. yellow. He also questioned that if this is a safety issue, should the police vehicles also be yellow as they are on the road more than the fire vehicles.

Chief Gaumont responded that there was a study done in Dallas, Texas that showed yellow vehicles were in 75% less accidents than red ones. He stated that he didn't know if a comparison had been done in Watertown. He explained that the red one in the fleet now was an emergency purchase.

Councilman Smith asked the City Manager if the City should change the color of the police vehicles.

Mrs. Corriveau responded that at this point in time, the City isn't in a position to purchase new police vehicles. However when the time comes, the color and safety issue can be addressed.

Cleveland Building

Mrs. Corriveau referred to Mr. McWayne's report. She also advised Council that there were individuals interested in the property.

Councilman Smith stated that he would like to see it go on the market as soon as possible. He asked if it was secure enough at this point or if repairs had to be made to ensure no more water damage would be done.

Mr. McWayne explained that the water was ending up in the cellar, as the drain was broken. However, unless there are torrential rains, no more damage should be done.

Mrs. Corriveau stated that she would like to get a quick marketing effort underway instead of spending \$20,000 in repairs.

Council members concurred.

Iron Block Update

Mrs. Corriveau advised that Mr. Mix is reviewing the bid specs that were due Friday. If they meet the requirements, Council would consider them in early November. Mr. McWayne will also have a demolition price estimate at that time.

Downtown Fountain

Councilman Smith asked about the status of this.

Mr. Mix explained that the statue is finished. However, when crews began preparing the piers, they cracked and split. Therefore the delivery of the statue had to be put on hold until repairs can be made to the piers. Mr. Mix also explained that the City might wait to install the statue part of the fountain until after construction begins next spring on downtown streetscape enhancement project. The project includes a refurbishment of the statue's basin, which wasn't damaged by the drilling.

Cost Estimates For Vaults

Mrs. Corriveau advised Council that this report would be presented at the next work session.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:22 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk