

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
November 1, 2004  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

**PRESENT:**           **COUNCILMAN STEPHEN J. BRADLEY  
COUNCILWOMAN ROXANNE M. BURNS  
COUNCILMAN PETER L. CLOUGH  
COUNCILMAN TIMOTHY R. LABOUF  
MAYOR GRAHAM**

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

City Manager Corriveau presented the following reports to Council

- 1 - Authorizing Sale of Real Property, Known as VL 715 Franklin Street, Parcel No. 12-07-318.000
- 2 - Authorizing Sale of Real Property Known as 202, 210 and R212 Factory Street, Parcels No. 6-02-206, 6-02-206.001 and 6-02-206.002
- 3 - Approving the Sale of Real Property Located Under the Rail Spur in City Center Industrial Park to JCIDA
- 4 - Authorizing the City Manager to Enter into and Execute the Grant Disbursement Agreement with Dormitory Authority of the State of New York for funding under the Community Enhancement Facilities Assistance Program for the Downtown Streetscape Enhancement Project
- 5 - Finding that the Annexation of Real Property Located in the Town of Watertown and Owned by 81 Front Street Development, LLC Will Not Have a Significant Effect on the Environment
- 6 - Finding that Annexation of Real Property Located in the Town of Watertown and Owned by 81 Front Street Development, LLC is in the Overall Public Interest
- 7 - Finding that Annexation of Real Property Located in the Town of Watertown and Owned by Vision Development, Inc. Will Not Have a Significant Effect on the Environment
- 8 - Finding that Annexation of Real Property Located in the Town of Watertown and Owned by Vision Development, Inc. Is In the Overall Public Interest
- 9 - Approving Amendment to Agreement for Architectural Services, DPW Vehicle Storage and Maintenance Facility, Wendel Duchscherer Architects and Engineers, P.C.
- 10 - Approving Change Order No. 1 To Contract for DPW Facility Roof Replacement, Commercial Roofing and Sheet Metal, Inc.
- 11 - Approving Change Orders No. 7 and 8 To Contract for Construction of DPW/Bus Maintenance and Storage Facility, General Construction, Bette & Cring, LLC

- 12 - Authorizing the Issuance of \$112,000 Serial Bonds of the City of Watertown, Jefferson County, New York to Pay for the Purchase of Vehicles and Equipment for Use for Construction and Maintenance Purposes, In and For Said City of Watertown
- 13 - Authorizing the Issuance of \$35,000 Serial Bonds of the City of Watertown, Jefferson County, New York to Pay Additional Costs of the Replacement of the Administration Building Roof at the Department of Public Works' Newell Street Facility, In and For Said City of Watertown
- 14 - Amendment to Municipal Code, Chapter 274, and §A320-6, Taxicabs
- 15 - Amendment to Municipal Code, Section 293, Vehicles and Traffic – Arcade Street Parking Lot
- 16 - Clarifying the Existing City Code and Codifying Procedures for the Control of Tanker-Hauled Sewage, Septage and Slurries to the City's Wastewater Treatment Facility
- 17 - 7:30 p.m. Public Hearing Authorizing Spending From Duffy Fairgrounds Stadium Reserve Fund
- 18 - 7:45 p.m. Approving the Special Use Permit Request Submitted by Richard W. Martin, Jr., to Allow a Four Unit Multi-Family Dwelling at 156 Sterling Street, Parcel No.11-02-219
- 19 - Laid Over under the Rules – Public Hearing Authorizing Spending From Duffy Fairgrounds Stadium Reserve Fund
- 20 - Laid Over under the Rules – Approving the Special Use Permit Request Submitted by Richard W. Martin, Jr., to Allow a Four Unit Multi-Family Dwelling
- 21 - Tourism Destination Marketing

**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 18, 2004 and the special meeting of October 20,2004 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

**COMMUNICATIONS**

Minutes were received from the library's board meeting.

**ABOVE PLACED ON FILE**

From Fiona Ladue, Chair of the Greater Watertown Christmas Parade Organization requesting assistance again this year with the upcoming parade.

**ABOVE PLACED ON FILE**

The following claims against the City were received:

1. From Debra DeCilles, Dexter, New York, for personal injuries sustained when she fell on the grassy area between SMC parking lot and Washington Street.
2. From James Nevin, 763 Mill Street, for damage to his lawn mower due to the bottom portion of a broken stop sign pole not being removed from the ground at the corner of Mill and Hoard Streets.
3. Summons with notice for action for mortgage foreclosure on property located at 463 Portage Street was received.
4. Plaintiff's affidavit and memo was received from Delbert Hargis in regards to a previously filed claim.

**ABOVE REFERRED TO THE BOARD OF AUDIT**

Mayor Graham proclaimed the month of November as Hospice Month in the City of Watertown. Linda Barniack accepted the proclamation on behalf of Hospice. Ms. Barniack invited everyone to attend the lighting of the Hospice Memory Tree on November 14<sup>th</sup>.

**PRIVILEGE OF THE FLOOR**

**Doris Shortt**, 728 Davidson Street, addressed the Council in regards to the property at 730 Davidson Street. She urged Council to demolish the property and presented photos of the property to show the condition of it. She explained that the sewer line goes under her driveway and then goes into her property's sewer line. She explained that the lot is very small and there is a tree with large roots above ground in front of the house. She stated that in the past she has had expensive sewer repairs as a result of this property and she can't believe that any building inspector or assessor would consider this property salvageable. She also stated that the east side of the building sets directly on the property line at 734 Davidson.

**William Parody**, 741 Davidson Street, addressed the Council also in regards to the 730 Davidson property. He explained that his daughter owns 734 Davidson. He also urged Council to have the 730 Davidson property demolished. He stated that shingles and roofing nails are always falling from the roof. He also advised Council that ever since the City has owned the property, he has taken care of the snow and the grass on the property. He remarked that when he questioned why the City didn't do it, he was told that unless a complaint is filed, nothing would be done.

**PUBLIC HEARINGS**

**AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING AUTHORIZING SPENDING FROM DUFFY FAIRGROUNDS STADIUM RESERVE FUND FOR COSTS ASSOCIATED WITH RENOVATIONS AND CAPITAL REPAIRS TO THAT FACILITY.**

**MAYOR GRAHAM DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR GRAHAM DECLARED THE HEARING CLOSED.**

**AT 7:45 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A 4-UNIT MULTI-FAMILY DWELLING AT 156 STERLING STREET, PARCEL NUMBER 11-02-219.**

**MAYOR GRAHAM DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR GRAHAM DECLARED THE HEARING CLOSED.**

**RESOLUTIONS**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL 715 Franklin Street, approximately 31' x 165' 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. 12-07-318.000, 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,

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 \$767.00 submitted by Edward and Rachel A. Tierney and Jack and Diane M. McCormick, for the purchase of Parcel No. 12-07-318.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Edward and Rachel A. Tierney and Jack and Diane M. McCormick upon receipt of

the above mentioned sum of money in cash only by the City Comptroller.  
**SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED  
WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale certain lots of land known as 202, 210 and R212 Factory Street, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcels No. 6-02-206, 6-02-206.001 and 6-02-206.002, and

WHEREAS the redemption period of the tax sale has since expired and the City of Watertown is anticipating taking title to said property prior to conveyance, and

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

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 \$40,000 submitted by Michael A. Fusco for the purchase of Parcels No. 6-02-206, 6-02-206.001 and 6-02-206.002 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said property to Michael A. Fusco upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

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

Commenting on the foregoing resolution, Mayor Graham explained that this is a property with two existing businesses. One of the business owners came forward with an offer. After increasing the amount of the offer, Council agreed.

Councilwoman Burns remarked that some people think it is worth more than \$40,000 and maybe it is. However, we must keep in mind the location and the condition of the property. This sale will mean that the property will not be removed from the tax rolls.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Jefferson County Industrial Development Agency has constructed a rail spur in the City Center Industrial Park as part of the infrastructure development, and

WHEREAS it is intended that JCIDA will own and operate the rail spur, and

WHEREAS the City owns the land under the rail spur, described by the metes and bounds that is attached and made part of this resolution, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York approves the sale of real property, identified in the attached metes and bounds description dated January 8, 2004, for the price of Sixty Thousand Dollars (\$60,000), and

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

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS \$500,000 in funding has been awarded to the City of Watertown by Assemblyman Darrel Aubertine through the Community Enhancement Facilities Assistance Program for the Downtown Streetscape Enhancement Project, and

WHEREAS the grant will fund improvements to the infrastructure and streetscape within the Public Square area, and

WHEREAS the City of Watertown must enter into and execute a Grant Disbursement Agreement with the Dormitory Authority of the State of New York for the project,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed and authorized to enter into and execute the Grant Disbursement Agreement with the Dormitory Authority of the State of New York for funding under the Community Enhancement Facilities Assistance Program for the Downtown Streetscape Enhancement Project, 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 STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS, the City Council of the City of Watertown has before it the Application of 81 Front Street Development, LLC and of the County of Jefferson for

annexation of lands located in the Town of Watertown, Jefferson County, New York into the City of Watertown, Jefferson County, New York; and

WHEREAS, the City Council and Town Board of Watertown are involved agencies for purposes of SEQ, and

WHEREAS, the City Council desires to conduct a coordinated review and serve as lead agency for the purposes of the State Environmental Quality Review Act;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. On September 28, 2004, the Town Board of the Town of Watertown concurred that the City Council of the City of Watertown should serve as lead agency for the purposes of conducting a coordinated review of this unlisted action pursuant to the State Environmental Quality Review Act and the regulations promulgated thereto.

2. The City Council finds after a review of Part I of the Short Form EAF, and a review of the Petition for Annexation, that this project will not have a significant effect on the environment and thereby concludes that a Negative Declaration be issued.

3. The City Clerk of the City of Watertown is directed to file this Resolution and send a copy of this Resolution to the Town of Watertown.

4. This Resolution shall take effect immediately.

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS 81 Front Street Development, LLC, by petition dated July 12, 2004, applied to the Town Board of the Town of Watertown for annexation into the City of real property north of NYS Route 12F and comprised of 5.80 acres, also known as Tax Parcel Nos. 81.08-1-6 and 81.08-1-8, and

WHEREAS the County of Jefferson has asked to join in the annexation request submitted by 81 Front Street Development, LLC in connection with a certain 8.1 acre parcel owned by the County in the Town of Watertown which would otherwise be stranded if the petition for annexation is granted, and

WHEREAS a joint public hearing on the annexation requests, required by Section 705 of the New York General Municipal Law, was held by the Town Board of the Town of Watertown and the City Council of the City of Watertown on September 28, 2004, at 7:00 p.m., at the offices of the Town of Watertown, at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS less than 90 days have passed since the joint public hearing was held, and

WHEREAS the City Council of the City of Watertown has duly considered the petition and the evidence presented at the hearing,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby finds as follows:

1. That the petition for annexation by 81 Front Street Development, LLC substantially complies in form and content with Article 17 of the New York General Municipal Law.

2. That the County of Jefferson has indicated that it has no objection to the annexation of its real property to be included as adjacent property with the annexation request, provided annexation is an amicable process between the Town of Watertown and City of Watertown.

3. That a Notice of Joint Public Hearing was duly posted at each affected municipality; published in the official newspaper; served upon the school district; and served on all affected fire districts as required by law.

4. That the proposed annexation of certain territory in the Town of Watertown to the City of Watertown as described in the aforesaid petition and that the request for inclusion by the County is in the overall public interest that:

- a. The subject property is contiguous with the current boundaries of the City of Watertown;
- b. The subject property is comprised only of uninhabited land;
- c. The likelihood of the development of the subject property can be optimized by the provision of infrastructure such as water and sewer and police and fire protection. Annexation would enhance the availability of such infrastructure and public services for the entire parcel, including the County's parcel, and would further the potential development of the property.
- d. Development of the subject property would likely provide employment opportunities to North Country residents; add to the tax base; potentially attract visitors from outside the North Country; utilize readily available infrastructure and public services from the City; and otherwise serve the overall public interest;
- e. A portion of petitioner's developable property is partially located within the Town of Watertown and partially within the City of Watertown.

- f. The annexation would not negatively impact the potential, or existing, development within the Town of Watertown and would not cause a change in school districts;
- g. The assessment on the Parcel No. 82.08-1-6 is \$18,800.00, and the assessment for Parcel No. 81.08-1-8 is \$4,400.00.
- h. Infrastructure and police and fire protection for the subject properties are not readily available from the Town of Watertown. The City has its own fire and police forces. Fire protection is not readily available from the Town of Watertown due to the property's location relative to Interstate Route 81. Annexation is the best option available to provide infrastructure and other public services to the subject properties to promote development;
- j. The owner of the vacant parcels, as petitioner, supports the annexation for the reasons stated above, and the County has no objection thereto.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it approves annexation of Tax Parcel Nos. 82.08-1-6 and 82.08-1-8 owned by 81 Front Street Development, LLC, and an adjacent 8.1 acre parcel owned by the County of Jefferson, from the Town of Watertown to the City of Watertown as being in the overall public interest, and

BE IT FURTHER RESOLVED that the Mayor of the City of Watertown shall sign such written Orders as are necessary to reflect its determination and to file copies thereof, and all appropriate documents, in the Office of the Clerks of the affected local governments, all as required by Article 17 of the New York General Municipal Law. **SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City Council of the City of Watertown has before it the application of Vision Development, Inc., for annexation of lands located in the Town of Watertown, Jefferson County, New York into the City of Watertown, Jefferson County, New York, and

WHEREAS the City Council and Town Board of Watertown are involved agencies for the purposes of SEQR, and

WHEREAS the City Council desires to conduct a coordinated review and serve as lead agency for the purposes of the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that:

1. On September 28, 2004, the Town Board of the Town of Watertown concurred that the City Council of the City of Watertown should serve as lead agency for the purposes of conducting a coordinated review of this Unlisted Action pursuant to the State Environmental Quality Review Act and the regulations promulgated thereto.

2. The City Council finds after a review of Part I of the Short Form EAF, and a review of the Petition for Annexation, that this project will not have a significant effect on the environment and thereby concludes that a Negative Declaration be issued.

3. The City Clerk of the City of Watertown is directed to file this resolution and send a copy of this resolution to the Town of Watertown.

4. This resolution shall take effect immediately.

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

**INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY**

WHEREAS Vision Development, Inc., by petition dated June 10, 2004, applied to the Town Board of the Town of Watertown for annexation into the City of real property east of Interstate Route 81 and comprised of 18.17 + acres, also known as Tax Parcels No. 82.08-12, 82-08-1-11, and 82-08.11-301, and

WHEREAS a joint public hearing on the annexation request, required by Section 705 of the New York General Municipal Law, was held by the Town Board of the Town of Watertown and the City Council of the City of Watertown on September 28, 2004, at 7:00 p.m., at the offices of the Town of Watertown, at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS less than 90 days have passed since the joint public hearing was held, and

WHEREAS the City Council of the City of Watertown has duly considered the petition and the evidence presented at the hearing,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby finds as follows:

1. That the petition for annexation by Vision Development, Inc. substantially complies in form and content with Article 17 of the New York General Municipal Law.
2. That a Notice of Joint Public Hearing was duly posted at each affected municipality, published in the official newspaper, served upon the school district and served on all affected fire districts as required by law.

3. That the proposed annexation of certain territory in the Town of Watertown to the City of Watertown as described in the aforesaid petition is in the overall public interest in that:
  - a. The subject property is contiguous with the current boundaries of the City of Watertown.
  - b. The subject property is comprised only of uninhabited land.
  - c. A portion of Petitioner's developable property is partially located within the Town of Watertown and partially within the City of Watertown.
  - d. The likelihood of the development of the subject property can be optimized by the provision of infrastructure such as water and sewer and police and fire protection. Annexation would enhance the availability of such infrastructure and public services for the entire parcel and would further the potential development of the property.
  - e. Development of the subject property would likely provide employment opportunities to North Country residents; add to the tax base; potentially attract visitors from outside the North Country; utilize readily available infrastructure and public services from the City; and otherwise serve the overall public interest
  - f. The annexation would not negatively impact the potential, or existing, development with the Town of Watertown and would not cause a change in school districts.
  - g. The assessment on Parcel No. 82-08-1-12 is \$55,000.00; the assessment for Parcel No. 82-08-1-11 is \$13,000.00; and the assessment for Parcel No. 82-08-11-301 is \$15,500.00.
  - h. Infrastructure and police and fire protection for the subject properties are not readily available from the Town of Watertown. The City has its own fire and police forces. Fire protection is not readily available from the Town of Watertown, due to the property's location relative to Interstate Route 81. Annexation is the best option available to provide infrastructure and other public services to the subject properties to promote development.
  - i. The owner of the vacant parcels, as Petitioner, supports the annexation for the reasons above stated.
  - j. Interstate 81 is a physical barrier, which separates and isolates Petitioner's parcels from the remainder of the Town of Watertown.

- k. Services for water and sewer, while technically deliverable by the Town, would be split between the City and the Town, which contracts for City service, because a portion of the developable property is already in the City.

- l. All access to the developable land is via City Streets.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it approves annexation of Tax Parcels No. 82-08-1-12, 82-08-1-11 and 82-08-11-301 owned by Vision Development, Inc., from the Town of Watertown to the City of Watertown as being in the overall public interest, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, shall sign such written Orders as are necessary to reflect its determination and to file copies thereof, and all appropriate documents, in the Office of the Clerks of the affected local government, all as required by Article 17 of the New York General Municipal Law.  
**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS in November 1999, an RFP was issued for Architectural Services in connection with the construction and/or renovation of the DPW facilities, and

WHEREAS on January 3, 2000, the City Council approved a Mass Transportation Supplemental Grant Capital Project Agreement that provides funding for the design of the public transportation portion of the facility, and

WHEREAS the City Council approved an Agreement for Architectural Services with Wendel Duchscherer Architects & Engineers, from Buffalo, New York, in February 2001, and a subsequent amendment on December 15, 2003, and

WHEREAS a longer than expected construction time requires additional services from Wendel Duchscherer to oversee completion of the project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Amendment to the Agreement for Architectural Services with Wendel Duchscherer in an amount not-to-exceed \$66,300, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.  
**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS on August 24, 2004, the City Council of the City of Watertown approved the bid submitted by Commercial Roofing and Sheet Metal, Inc. in the amount of \$251,000 for replacement roofs on four buildings, and

WHEREAS Interim City Engineer Gary E. Pilon is now asking that the City Council approve Change Order No. 1 to this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No.1 to the contract with Commercial Roofing and Sheet Metal, Inc. in the amount of \$34,080, copies of which are attached and made a part of this resolution, and

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

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

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS on August 18, 2003, the City Council of the City of Watertown approved the bid submitted by Bette & Cring, LLC, 18438 U.S. Route 11, Watertown, New York, in the amount of \$2,848,000 for General Construction associated with the construction of a new DPW/Bus Maintenance and Storage Facility, and Transit Facility, and

WHEREAS since that time, the City Council has approved Change Orders in the amount of \$22,296, and

WHEREAS Interim City Engineer Gary E. Pilon is now asking that the City Council approve Change Orders No. 7 and 8 to this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Orders No. 7 and 8 to the General construction contract with Bette & Cring, LLC, in the amount of \$1,964, copies of which are attached and made a part of this resolution, and

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

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

**THE RESOLUTION “PUBLIC HEARING AUTHORIZING SPENDING FROM DUFFY FAIRGROUNDS STADIUM RESERVE FUND” WAS PRESENTED TO**

**COUNCIL** (Introduced on October 18, 2004; public hearing held this evening; appears in its entirety on page 223 of the 2004 Minutes Book)

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

Commenting on the foregoing resolution, Mayor Graham asked if this work would take care of the streaking which is occurring down the side of the building.

Mrs. Corriveau explained that she didn't know as the leaking that is being addressed is inside the building.

**THE RESOLUTION "APPROVING THE SPECIAL USE PERMIT REQUEST SUBMITTED BY RICHARD W. MARTIN, JR. TO ALLOW A FOUR UNIT MULTI-FAMILY DWELLING AT 156 STERLING STREET, PARCEL NO. 11-02-209 WAS PRESENTED TO COUNCIL** (Introduced on October 18, 2004; public hearing held this evening; appears in its entirety on page 222 of the 2004 Minutes Book)

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

**ORDINANCES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

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 class of objects or purposes of paying the cost of the purchase of vehicles and equipment for use for construction and maintenance purposes, each item of which costs at least \$30,000, at a maximum estimated cost of \$112,000, for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued an aggregate \$112,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes is by the issuance of the \$112,000 serial bonds of said City authorized to be issued pursuant to this bond ordinance, allocated between such class of objects or purposes in accordance with the maximum estimated cost of each set forth in Section 1 hereof.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid vehicles is five years and that the period of probable usefulness of the aforesaid equipment is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, respectively.

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 PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS, 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, by bond ordinance dated August 2, 2004 (Ordinance No. 3), the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$100,000 serial bonds of said City to pay the cost of the replacement of the Administration Building roof at the Department of Public Works' Newell Street Facility,

including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, it is now desired to authorize the issuance of \$35,000 serial bonds of said City to finance additional costs of said specific object or purpose;

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 additional costs of the replacement of the Administration Building roof at the Department of Public Works' Newell Street Facility, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$35,000 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 \$135,000 and that the plan for the financing thereof is as follows:

(a) by the issuance of the \$100,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated August 2, 2004; and

(b) by the issuance of the \$35,000 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 25 years, pursuant to subdivision 12 of paragraph a of Section 11.00 of the Local Finance Law, as said building is a class "A" building within the meaning of subdivision 11 of said paragraph a. Said period shall be computed from the date of the first obligations issued under the authority of the aforesaid August 2, 2004 bond resolution.

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 TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA**

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

BE IT ORDAINED by the City Council of the City of Watertown that the Municipal Code of the City of Watertown is hereby amended by deleting the following:

Chapter 274, Taxicabs

And,

BE IT FURTHER ORDAINED by the City Council of the City of Watertown that the Municipal Code of the City of Watertown is hereby amended by deleting the following:

§ A320-6, Fees

Taxicabs, each cab, three year registration                      \$30.00

And,

BE IT FURTHER ORDAINED that this amendment to the Municipal Code 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 PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

BE IT ORDAINED by the City Council of the City of Watertown that the Municipal Code of the City of Watertown is hereby amended to read as follows:

§ 293-29, Restricted time limit parking.

No person shall park a vehicle for longer than the restricted time limit shown in Schedule XIX (§293-67) at any time between the hours listed in said Schedule XIX or any day, unless otherwise indicated, upon any of the streets or parts of streets, or public parking lots described in the said Schedule XIX, attached to and made a part of this chapter. In addition to the restricted areas contained in 293-67, certain areas of the city are limited to a two-hour parking restriction. These areas are defined in Article IV, Two-Hour Parking Limit Zones

And,

BE IT FURTHER ORDAINED by the City Council that §293-67, be amended by adding the following:

Name of Street	Side	Restricted Time Limit: Hours/days	Location
Arcade Street Parking Lot	Both	2 hr.; 8:00 a.m. to 6:00 p.m./Monday through Friday	Entire Lot

And,

BE IT FURTHER ORDAINED by the City Council of the City of Watertown that the Municipal Code of the City of Watertown is hereby amended to read as follows:

§ 293-26, Parking prohibited certain hours.

No person shall park a vehicle between the hours specified in Schedule XVI (§293-64) of any day, unless otherwise indicated, upon any of the streets or parts of streets, or public parking lots, described in said Schedule XVI, attached to and made part of this chapter.

And,

BE IT FURTHER ORDAINED by the City Council that §293-64, be amended by adding the following:

§293-64. Schedule XVI: Parking Prohibited Certain Hours.

In accordance with the provisions of §293-26, no person shall park a vehicle between the hours listed upon any of the following describes streets or parts of streets or public parking lots:

Name of Street	Side	Hours/Days	Location
Arcade Street Parking Lot	Both	2:00 a.m. to 6:00 a.m./All	Entire Lot

And,

BE IT FURTHER ORDAINED that this Amendment to the Municipal Code 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 TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA**

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

Commenting on the foregoing ordinance, Councilman Bradley remarked that while he agrees with the 2-hour parking limit, he doesn't feel that there is enough enforcement of it right now.

Councilman Clough commented that if we don't go with the 2-hour parking limit, the court would park there all day.

Councilman Bradley responded that he has no problem with the limit, only the fact that it needs to be better enforced.

Mrs. Corriveau explained that there would be no limits for nights and weekends, other than the fact that there will be a restriction for overnight parking. She also explained that the property's deed requires it to be a public parking area. She also explained that the direction of Arcade Street would change tomorrow when it reopens for traffic.

Mr. Pilon advised that the street might have to be closed on Wednesday for a short period to allow for some paving. He stated that they are hoping for an opening date of Nov. 15<sup>th</sup> for the bus transfer site.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City administers an Industrial Pretreatment Program (IPP) and has adopted a Sewer Use Ordinance (SUO) as part of the Code of the City of Watertown that among other things specifies requirements as to how the IPP is administered, and

WHEREAS the City desires to clarify the existing Code and to codify the procedures employed in its tanker-hauled waste delivery program, all of which are consistent with the USEPA's Guidance Manual for the Control of Wastes Hauled to Publicly Owned Treatment Works (SEP 1999), and

WHEREAS the city, by the amendment herein proposed, only clarifies and does not lessen or reduce requirements which have existed and do exist up to this date, but serves only to codify a procedure which has been in place and consistently administered since 1991,

NOW THEREFORE BE IT ORDAINED the City amends Chapter 253 of the Code of the City of Watertown by the addition of §253-79 as follows:

§253-79. Control of tanker-hauled sewage, septage, and slurries to the City's Wastewater Treatment Facility.

A. This section is intended to impose controls on the haulers and point sources which are delivering tanker-hauled sewage, septage, and slurries to the City's Wastewater Treatment Facility, and is designed to codify a program which is consistent with the USEPA's Guidance Manual for the Control of Wastes Hauled to Publicly Owned Treatment Works (SEP 1999).

B. Concentration limitations for wastes hauled to the City's Wastewater Treatment Facility have not and are not specified in this Chapter 253 of the Code. To prevent adverse impacts which may include pass through to the receiving stream, interference with treatment plant processes and operations, sludge contamination, and/or hazards to treatment plant personnel, adequate controls for waste hauled to the City's Wastewater Treatment Facility are required.

C. As specified by § 253-77.C of the Code, all point sources and haulers are required to obtain a permit prior to the acceptance of waste. Permits shall be issued by designated staff at the City's Wastewater Treatment Facility.

D. The following shall be specified and on file before any permit is issued to a point source or a waste hauler.

1. The name, address, location of business or point source (if different from address);
2. Name of owner or designated representative, point of contact name, phone number and fax number (if available);
3. A certified description of the type and character of waste to be hauled, estimated number and volume of loads, frequency of deliveries and any other information that in the opinion of the Control Authority is essential to enable the determination of

impacts the deliveries may have on the Wastewater Facility, its processes, its discharges, and its personnel. The Control Authority may require submission of certified laboratory analyses of the waste to be hauled which, in the opinion of the Control Authority, is necessary to complete the description of the waste. The description thus established is to be kept on file at the City's Wastewater Facility and is to be considered the worst case delivery. The responsible party (point source or hauler) for the permit shall certify in writing that information contained on file with the City as the description of the waste to be hauled is representative and no delivery shall be outside the limits of any analyte contained within the description so certified. With respect to a point source, sufficient information must be on file with the City to allow accurate classification by the Control Authority as to its categorical and/or significant industrial status.

4. If in the opinion of the Control Authority an on-site visit of a proposed point source or hauler is necessary, then such an inspection shall precede the issuing of any permit. As a condition of the permit to be issued, on-site inspections of the permittee by City staff shall be permitted at a frequency of no less than once per year.
5. If, in the opinion of the Control Authority, after assessing potential impacts of the proposed wastes to be delivered, there will be no adverse impacts rising to the level intended to be indicated by § 253-79.C.3 above, then a permit may be issued which shall specify an effective date, an expiration date, specific location of the controlled discharge drop point, required sampling, on-site inspections, fees, and any other term, condition, limitation, or qualification deemed necessary by the Control Authority.

E. Procedure to follow once a waste hauler and/or point source permit has been issued:

1. On a case by case basis, a point source or hauler may at the sole discretion of the Control Authority be refused the right to deliver, may be limited on the number of deliveries of a specified volume per unit time, or may be required to pretreat the waste to a specified level prior to being permitted to deliver.
2. No deliveries may be "dropped" without the hauler first reporting to the facility operator on duty, completing all required entries on the delivery log maintained at the Wastewater Facility, retrieving and surrendering to the operator on duty a representative sample of waste being delivered, and/or surrendering any and all other forms

required as a condition of the permit the hauler had been issued.

3. The Wastewater Facility operator, as a minimum, shall visually examine the waste sample for color, odor and viscosity, and physically measure and record the pH and temperature of the delivered sample. If necessary, in order to confirm the representativeness of the sample thus taken, the operator shall observe the sample as it is being taken from the tanker. If necessary to assure a homogeneous nature of the delivered tanker load, a “composite” sample shall be obtained during the discharge. This composite sample shall not be in lieu of the sample delivered to the operator prior to the discharge, but rather, shall be in addition to it to confirm that it was representative of the entire load.
4. No deliveries may commence discharge without the specific approval of the on-site duty operator.
5. At a frequency of no less than once per calendar year, one of the representative samples randomly selected by the City that has been extracted from each of the loads delivered shall be further submitted by the City for additional analysis. This analysis may be performed by the City for those analytes for which it is certified, and may be submitted to contract certified laboratories for those analytes for which the City’s laboratory is not certified. The purpose of this analysis is to confirm that the delivered loads remain within the description of wastes kept on file and from which authorization to deliver had been based.
6. If the delivered loads do not conform to the information provided for issuance of the permit, the Control Authority may take action to revoke any permit or to undertake any administrative proceeding or enforcement mechanism authorized by this Chapter.

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

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

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**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**New Dais in Council Chambers**

Mayor Graham commended Marvin Nasworthy for the excellent work he did in building the new dais for the Council.

### **Christmas Parade**

**Motion was made by Councilman Clough, seconded by Councilwoman Burns and carried with all voting in favor thereof to approve \$500.00 in funding for the Christmas Parade.**

### **Fire Vehicle Bids**

Mrs. Corriveau explained the Fire Chief and Purchasing Agent are working on a joint recommendation to present to Council. The bid prices came in higher than anticipated. Mrs. Corriveau stated that she is hoping to have the recommendation to the Council for their review prior to the work session.

### **Empire Zone**

Councilman Clough referred to the response from Albany as well as the recommendations made by Camoin. Copies will be sent to all Council members. A joint meeting with the Town, City and EDZ Board will be held on November 10<sup>th</sup> at 4 p.m. at Thompson Park.

### **Arcade Street Parking Lot & Bus Transfer Site**

Councilwoman Burns commended City staff on the work they did on both of these sites as well as on the walkway between the County building and the Court House.

### **Attain Lab**

Councilwoman Burns encouraged everyone to visit the new attain lab at the Flower Memorial Library.

### **Sale of City Owned Property**

Mayor Graham asked Attorney Slye if he should recuse himself from this discussion, even though the property being discussed is not the same as when he recused himself at the last meeting.

Attorney Slye commented that it was not necessary for him to do so.

Discussion centered on property at 114 William Street. Mayor Graham had wanted to have it deleted from the list.

Mr. McWayne explained that there was an issue with possible gas contamination. The testing results came back real low. He stated that there is also a disagreement with the property line.

Mrs. Corriveau suggested that if the property line issue was to be addressed, that it be done so by a third party.

**Motion was made by Councilman Bradley to delete 114 William Street from the list pending further review. Motion was seconded by Councilwoman Burns and carried with all voting in favor thereof.**

Mayor Graham advised that there would be open houses at all the listed properties on Tuesday and Wednesday.

Councilman Clough remarked that he still has questions about 118 Orchard Street. He stated that Council really needs to look at the parking over there. He stated that since there is only parking in front of the house, he feels Council is setting itself up for problems and he would like to consider having the property pulled from the list.

Mayor Graham responded that this is a very small lot. However, the building is one of the better ones on the list. He stated that this seems like a viable property. He stated that if the adjacent property were demolished, the 118 property would be even better off.

Councilwoman Burns remarked that she agrees that it is a viable property and she is not sure it is the City's responsibility to guarantee parking. She stated that the parking restrictions need to be made very clear.

Attorney Slye responded that it is not a good practice for the City to go out of its way to identify problems with the property that they are selling. It is the responsibility of the buyer to know the rules and the zoning requirements.

Councilman Clough remarked that while that may be the law, he doesn't feel that it is morally or ethically right not to tell the buyer.

Councilman Bradley commented that if someone were looking at the property, they would see that there's no parking on it and that should be the first question that they ask.

Attorney Slye also advised that Mr. Mill should not give any advise as to zoning or restriction issues.

Councilman LaBouf remarked that while he agrees with Attorney Slye in the fact that the City shouldn't identify problems. This type of situation is unique and the City should give full disclosure of it.

Attorney Slye responded that the same issue arises if it is on a substandard lot and no addition could be put up without a variance or the fact that a sewer line is 75 years old. He stated that potential buyers should do their homework before coming to the auction. He stated that all of these things, as well as the parking situation, are zoning issues.

Discussion centered on 730 Davidson Street. Mayor Graham explained that when the City takes title to a property, it is Mr. McWayne's job to see if the property is salvageable.

Councilman Clough explained that he had visited the property twice and it is a shared driveway and the sewer does go into the 728 Davidson Street sewer line. Councilman Clough asked why the sewer would have been constructed in such a way.

Mr. Pilon commented that he would speculate that it might be because of the large tree in the front of the property and the fact that perhaps at the time the two properties would have been owned by the same person. He stated that he knows that the sewer does go from one to the other.

Mayor Graham asked Attorney Slye if a new owner would have to put in a lateral.

Attorney Slye explained that he didn't have enough information on the property to render a legal opinion.

Councilwoman Burns asked why the Neighbors of Watertown decided not to rehab the property.

Mrs. Corriveau explained that the program has certain restrictions on what can be spent.

Mayor Graham commented that there are some questions about this property. He stated that someone at Neighbors of Watertown made a determination that it would not qualify for their rehab program. He stated that he is not adverse to the idea of removing it from the list until a review can be done.

**Motion was made by Councilman Clough to delete 730 Davidson Street from the list pending further review. Motion was seconded by Councilman LaBouf and carried with all voting in favor thereof.**

### **Tourism Overview**

Gary DeYoung of the 1000 Islands International Tourism Council made a presentation to Council on destination marketing and the importance of it.

Mrs. Corriveau explained that the City really does get a lot out of the \$22,675 that they invest. She explained that we could not reach the markets and have the type of return that we do in any other type of investment. She stated that some of the Watertown ads need to be upgraded and updated and also remarked that Ms. Baier has indicated that she would like to help do that.

Angela Baier of the New York State Living Museum addressed the chair explaining that she whole-heartedly supports the destination marketing effort. She stated that marketing in this manner is more efficient and more effective.

Councilwoman Burns thanked Ms. Baier for agreeing to work on the ads.

Councilman Bradley remarked that Ms. Baier has only been in the community for a few months and has already volunteered for many things.

**EXECUTIVE SESSION**

**MOTION WAS MADE BY COUNCILMAN BRADLEY TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL.**

**MOTION WAS SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Council moved into Executive Session at 8:44 p.m.

Council reconvened at 9:35 p.m.

**ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:35 P.M. BY MOTION OF MAYOR GRAHAM, SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

***Donna M. Dutton***  
City Clerk