

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
December 19, 2005
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 - Approving Change Order No. 2 to Contract for Flower Memorial Library Renovation Project, Plumbing Contract, Hyde-Stone Mechanical Contractors
- 2 - Approving Change Orders No. 1-3 to Contract, Watertown International Airport, General Aviation Apron Rehabilitation, Barrett Paving Materials, Inc.
- 3 - Finding that the Redesignation of Certain Areas Within the City and Town of Watertown as an Empire Zone, as described in Local Law No. 14 of 2005, Will Not Have A Significant Impact on the Environment
- 4 - Approving the Site Plan for the Construction of a 3,350 Sq. Ft. 8 Space Parking Lot Expansion at 516 Bradley Street, Parcels No. 1-02-118 & 1-02-119
- 5 - Approving the Site Plan for the Construction of a 3,040 Sq. Ft. Building Addition to Kinney Drugs Inc., 905 Coffeen Street, Parcel No. 8-15-116
- 6 - 7:30 p.m. - Local Law No. 14 of 2005 Authorizing the City of Watertown to Make Application for Redesignation of Certain Areas Within the City and Town of Watertown, As An Empire Zone
- 7 - 7:45 p.m. - Local Law No. 12 of 2005 A Local Law Increasing the Compensation for Mayor and City Council Members
- 8 - Laid Over Under the Rules – Local Law No. 13 of 2005 A Local Law Annexing Property Owned by Seaway Acquisition Company, LLC and Adjoining the Boundary of the City of Watertown Into the City of Watertown from the Town of Pamela
- 9 - Monthly Financial Report
- 10 - Watertown Christmas Parade Requests
- 11 - Garage Sale Legislation
- 12 - State Street Reconstruction Project, Field Change Order Status Reports

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 December 5, 2005 and the adjourned meeting of December 8, 2005 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

From Carol Brown, Executive Director of the Miss New York State Scholarship Pageant requesting \$5,000 for the upcoming year.

ABOVE PLACED ON FILE

From the City Planning Board

1. Recommending City Council grant approval of the site plan request submitted by Michael L. Aubertine for the construction of a 3,350 sq. ft. 8 space parking lot expansion at 516 Bradley Street, Parcels No. 1-02-118 and 1-02-119 contingent upon certain requirements being met as outlined in the resolution.
2. Recommending City Council grant approval of the site plan request submitted on behalf of Kinney Drugs, Inc. for the construction of a 3,040 sq. ft. building addition at 905 Coffeen Street, Parcel No. 8-15-116 contingent upon certain requirements being met as outlined in the resolution.

ABOVE PLACED ON FILE

From Doris Shortt requesting to make an offer of \$600 for property located at 730 Davidson Street before it is presented for auction.

ABOVE PLACED ON FILE

Claim against the City was received from Gloria Mallette for personal injuries sustained when she allegedly fell in the driveway of the Flower Memorial Library on September 14, 2005.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

PUBLIC HEARINGS

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 14 OF 2005 AUTHORIZING THE CITY OF WATERTOWN TO MAKE APPLICATION FOR

REDESIGNATION OF CERTAIN AREAS WITHIN THE CITY AND TOWN OF WATERTOWN, AS AN EMPIRE ZONE.

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 LOCAL LAW NO. 12 OF 2005 INCREASING THE COMPENSATION OF MAYOR AND CITY COUNCIL MEMBERS.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

Paul Simmons, 246 Central Street, addressed the chair stating that this is not about the money. It is more about the style and percentage. He remarked that comments have been made by Council members stating that they need it and deserve it. However, he feels that Council serves at the will of the people. He also commented that in many cases Council members receive free tickets for functions that they have to attend. He also remarked that school board members are not paid and there is not a lot of difference in the time that school board members spend vs. City Council members. He commented that remarks had been made concerning the caliber of candidate that would be willing to run for office if the pay was increased. He listed several former members of the Council who he stated were high caliber individuals and were willing to serve without a raise. He also commented that, in the past, Mayor Graham has complained about Albany lawmakers giving themselves pay raises at the end of the year. Mr. Simmons commented that the raise should be put through over several years with Council receiving the same percentage as the unions.

Lena Ward, 157 Thompson Blvd., addressed the chair reading from a prepared statement in opposition to the pay raise.

Rande Richardson, 269 Flower Ave. West, addressed the chair remarked that there are over 85 individuals who serve on City boards and commissions and they do so without any compensation. He referred to the fact that Council members should consider their position as community service and not as a second job or supplemental income.

Wayne Zimmer, Katherine Street, addressed the chair in support of the pay raise.

Norman Wayte, 210 William Street, addressed the chair suggesting that at the end of each year, Council should prepare a report for the community outlining what they have done throughout the year.

MAYOR GRAHAM DECLARED THE HEARING CLOSED AT 7:56 P.M.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS on August 1, 2005, the City Council of the City of Watertown approved the bid submitted by Hyde-Stone Mechanical Contractors, Watertown, New York, in the amount of \$33,307.00 for the Plumbing Contract for the Flower Memorial Library, Phase I Restoration and Reconfiguration Project, and

WHEREAS ON November 21, 2005, City Council approved Change Order No. 1 in the amount of \$2,195.00, and

WHEREAS Interim City Engineer Gary E. Pilon is now asking that the City Council approve Change Order No. 2 to this Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 2 to the Plumbing Contract with Hyde-Stone Mechanical Contractors, in the amount of \$3,994.00, 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 Change Order documents on behalf of the City of Watertown.

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown has advertised and received sealed bids for the rehabilitation of the General Aviation Apron at the Watertown International Airport, and

WHEREAS this project calls for the reconstruction of the approximately 200' wide by 375' long apron in the northeast quadrant of the airport and the approximately 220' wide by 700' long apron adjacent to the terminal apron, and

WHEREAS on August 30, 2004, the City Council of the City of Watertown hereby approved the bid submitted by Barrett Paving in the amount of \$841,655.25, for the rehabilitation of the General Aviation Apron at the Watertown International Airport, and

WHEREAS as work has progressed on this project additional work was required and line item quantities needed to adjusted and/or added, and

WHEREAS Superintendent of Public Works, Eugene P. Hayes, is recommending that the City Council consider Change Orders No. 1 – 3 in the amounts of \$98,648.05, \$35, 840.13 and (\$166,576.98) respectively,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Orders No. 1-3 for the rehabilitation of the General Aviation Apron, in the amounts of \$98,648.05, \$35, 840.13 and (\$166,576.98) respectively, and

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

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Council has before it Local Law No. 14 of 2005, which authorizes an application for redesignation of certain areas within the City and Town of Watertown as an Empire Zone, and

WHEREAS the City Council must evaluate its proposed actions in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the approval of the proposed Empire Zone redesignation would constitute such an Action, and

WHEREAS the City Council has determined that the proposed Empire Zone redesignation is an Unlisted Action as that term is defined in 6NYCRR Section 617.2(ak), and

WHEREAS to aid the City Council in its determination as to whether the proposed Empire Zone redesignation will have a significant effect on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by Staff, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that:

1. Based on its examination of the Short Environmental Assessment Form, in comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the adoption of the Empire Zone redesignation will not have a significant effect on the environment.

2. The City Manager of the City of Watertown is authorized and directed to issue a Negative Declaration under SEQRA for the proposed Empire Zone redesignation.

3. This resolution shall take effect immediately.

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS Michael L. Aubertine, R.A., of Aubertine & Currier Architects, has made an application for site plan approval for the construction of a 3,350 sq. ft., 8 space parking lot expansion at 516 Bradley Street, Parcels No. 1-02-118 and 1-02-119, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on October 25, 2005, 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 site plan at its meeting held on December 6, 2005, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant replace the existing sidewalk blocks that are in a state of disrepair near the new driveway entrance.
2. That the applicant replace the gravel driveway apron with concrete or asphalt.
3. That the asphalt from the driveway must stop at the back edge of the sidewalk and not continue through the sidewalk area.
4. That a detail of the proposed catch basin with seepage pit be provided to the Engineering Department for review.
5. That the plans be revised to include a pole mounted light in the grass area near the handicapped parking space.
6. That a deed that combines the two parcels into a single parcel be filed with the County Clerk's Office.

And,

WHEREAS the applicant submitted a revised site plan to the City Engineering Department on December 8, 2005 that meets all of the conditions recommended by the Planning Board with the exception of combining the parcels, replacing the sidewalk

blocks, replacing the driveway apron with concrete or asphalt, and stopping the asphalt at the back edge of the sidewalk, 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 construction and site plan constitute 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 site plan approval is hereby granted to Michael L. Aubertine, R.A., of Aubertine & Currier Architects, for the construction of a 3,350 sq. ft., 8 space parking lot expansion at 516 Bradley Street, Parcels No. 1-02-118 and 1-02-119, as shown on plans submitted to the City Engineer on December 8, 2005, contingent upon the following:

1. That the applicant replace the existing sidewalk blocks that are in a state of disrepair near the new driveway entrance.
2. That the applicant replace the gravel driveway apron with concrete or asphalt.
3. That the asphalt from the driveway must stop at the back edge of the sidewalk and not continue through the sidewalk area.
4. That a deed that combines the two parcels into a single parcel be filed with the County Clerk's Office.

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS James Trasher, P.E., of Clough Harbour & Associates, has made an application for site plan approval on behalf of Kinney Drugs, Inc., for the construction of a 3,040 sq. ft. building addition at 905 Coffeen Street, Parcel No. 8-15-116, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on December 6, 2005, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the summary items listed in the Planning Office memorandum of December 1, 2005 be addressed.
2. That the proposed fencing along the western property line of 281 Bellew Avenue be removed and replaced with 5' tall evergreen trees spaced 10' on center and that additional 5' tall evergreen trees be planted 10' on center along the northern property line of 281 Bellew Avenue.
3. That the two parking spaces located closest to 281 Bellew Avenue in the parking area located to the east of the Kinney Drugs building be eliminated and that the parking space closest to 281 Bellew Avenue in the rear parking area also be eliminated.
4. That the applicant reduce the light spillage from the existing and proposed light poles on all of the surrounding parcels to no more than 0.5 foot-candles.
5. That the revisions to the site plan be completed prior to the City Council acting on the site plan request.

And,

WHEREAS the applicant submitted a revised site plan to the City Engineering Department on December 13, 2005 that meets all of the conditions recommended by the Planning Board, 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 construction and site plan constitute 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 site plan approval is hereby granted to James Trasher, P.E., of Clough Harbour and Associates, on behalf of Kinney Drugs, Inc. for the construction of a 3,040 sq. ft. building addition at 905 Coffeen Street, Parcel No. 8-15-116, as shown on the revised site plan submitted to the City Engineer on December 13, 2005.

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

Prior to the vote on the foregoing resolution, Councilman Clough asked if the neighbor's concerns had been addressed.

Mr. Mix responded that, to his knowledge, the neighbor was completely satisfied with the site plan requirements.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department advertised and received sealed bids for the purchase of new traffic pre-emption equipment per City's specifications for use by the City's Fire Department, and

WHEREAS invitations to bid were issued to three (3) prospective bidders, and

WHEREAS on Friday, December 16, 2005, at 11:00 a.m., the bid received was publicly opened and read, and

WHEREAS City Purchasing Agent Robert Cleaver has reviewed the bids submitted with Fire Chief Daniel Gaumont and Ralph Green, Supervisor City Electric, and they are recommending that the City Council accept the bid of \$165,150 submitted by Traffic Systems, Inc., Bay Shore, NY as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council approves the bid of \$165,150 submitted by Traffic Systems, Inc. as the lowest qualifying bid meeting the City's specifications, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute any and all documents associated with this bid award.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS 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.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City and Town of Watertown have determined that a need exists within the community to provide for safe emergency response through intersections with traffic control devices, and

WHEREAS bids have been issued and responses received for the purchase of traffic pre-emption equipment to meet the needs of the two municipalities, and

WHEREAS Senator James Wright secured \$65,000 in funding from the New York State Department of State for the purpose of completing the procurement and installation of traffic pre-emption devices on traffic signals in the immediate City of Watertown area, and

WHEREAS this funding, along with funding through the Federal Emergency Management Agency's (FEMA) "Assistance to Fire Fighters" grant program, will pay for the purchase and installation of traffic pre-emption devices for signals within the City of Watertown for use by the City and Town fire departments, and

WHEREAS the NYS Department of State has submitted for the City's consideration, a Grant Agreement for the \$65,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes acceptance of the Grant, and

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

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

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

Following the vote on the two foregoing resolutions, Councilman LaBouf asked what the timetable would be for implementation.

Chief Gaumont explained that the parts would be received in about two to three weeks after the bid has been accepted. He explained that it would be only for marked fire vehicles and perhaps ambulances, if they apply. He explained that it will be a closed system and will not recognize other vehicles outside of the system.

LOCAL LAWS

LOCAL LAW NO. 12 OF 2005 WAS PRESENTED TO COUNCIL (Introduced on December 5, 2005; public hearing held this evening; appears in its entirety on page 258 of the 2005 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN CLOUGH AND COUNCILMAN LABOUF VOTING NAY

Prior to the vote on the foregoing local law, Councilwoman Burns commented that she appreciated the comments that were made this evening regarding this issue. She also

remarked that Council has made decisions involving a thousand times the amount of money that this is and not one person from the public has been present to speak on it. She remarked that even though this is a minimal amount of money, she appreciated comments from the public. She suggested that to avoid waiting another 18 years for a raise, Council should address this issue for the long term and have periodic reviews and increases.

Councilman LaBouf remarked that when he ran for office, he pledged that he would give government back to the people and he has tried to do that. He commented that the majority of people he has spoken with are not in favor of Council voting themselves a raise. He suggested that Council come up with a plan for incremental increases in the future.

LOCAL LAW NO. 13 OF 2005 WAS PRESENTED TO COUNCIL (Introduced on December 8, 2005; public hearing held this evening; appears in its entirety on page 266 of the 2005 Minutes Book)

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

Commenting on the foregoing local law, Mayor Graham asked what the next step would be.

Mrs. Corriveau explained that she and Mr. Mix would be speaking with the owners as well as to the housing developers this week.

Mayor Graham asked about Pamela's interest in a sewer district.

Mrs. Corriveau explained that there is a process which the town will have to go through which begins with a petition to the state for the district.

LOCAL LAW NO. 14 OF 2005 WAS PRESENTED TO COUNCIL (Introduced on December 8, 2005; public hearing held this evening; appears in its entirety on page 266 of the 2005 Minutes Book).

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

Commenting on the foregoing local law, Councilman Clough remarked that the Town of Watertown would be voting on their local law for this during this week. He explained that this would allow us to get back to the basics of what the Empire Zone is supposed to be. He also commented that most of the Zone is in the City.

**** ** * ** ***

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Miss New York State Pageant

Council concurred that a resolution should be prepared for the next meeting authorizing the expenditure of the funds requested.

Property at 730 Davidson Street

Mayor Graham asked about the other abutting property owner at this location.

Mrs. Corriveau explained that the other owner has contacted the City about purchasing the property. She will set up a time to sit down with both owners and discuss the possibility of splitting the property.

Council concurred to remove this property from the auction list.

City Tree Hit

Mayor Graham commented that a city resident had advised him that a recently planted city tree was hit by a car in the 1200-1300 block of Bronson Street.

Boyd Street Complaint

Councilman Bradley explained that Mr. Fraser had contacted him and the Boyd Street property that he had complained about is undergoing repairs. The windows are boarded up and the owner is working on the property.

Demolition Procedures

Councilman Clough asked about putting crusher run on the property after the demolition has occurred. He explained he had observed large rocks at a demolition site on Mill Street.

Mrs. Corriveau commented that this might be based on price. However, she will check with Mr. Hayes.

Decorations

Councilman LaBouf commended DPW and the Electric Dept. for their work in putting up the Christmas decorations around Public Square.

Councilwoman Burns

Councilman Clough commended Councilwoman Burns for her dedication to the taxpayers over the past eight years.

Summary of City Properties Sold at Auction- November 2004

Council reviewed this report which shows that some of the properties have had significant work done on them.

Mrs. Corriveau explained that the City would work with the property owners regarding repair schedules. She explained that the majority have had work done on them. There are a number that are occupied and some have been sold to others since the original purchase.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:02 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk

