

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
January 16, 2007  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

**PRESENT:**           **COUNCILMAN STEPHEN J. BRADLEY  
COUNCILMAN TIMOTHY R. LABOUF  
COUNCILMAN JEFFREY M. SMITH  
MAYOR PRO TEM PETER L. CLOUGH**

**ABSENT:**           **MAYOR JEFFREY E. GRAHAM**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Commissioner of Deeds
- 2 - Appointment to the Assessment Board of Review, David Bush
- 3 - Designation of Polling Places
- 4 - Authorizing Adjustment of 2006-07 Real Property Taxes for Property at 220 Clinton Street
- 5 - Endorsing the Jefferson County Comprehensive Economic Development Strategy of 2006
- 6 - Authorizing Lease and Service Agreement, Rural Transit System Backup and Spare Bus Program
- 7 - Approving Administrative Services Agreement By and Between POMCO and the City of Watertown Self-Funded Health Insurance Program
- 8 - Authorizing Supplemental Agreement No. 1 to the State Multi-Modal Program, Downtown Streetscape Enhancement Project, Contract No. D022606
- 9 - Approving Change Order No. 1 to the Contract Agreement for Dredging of the Black River Coagulation Basin, HYDROPRESS, LLC
- 10 - Approving the Special Use Permit Request Submitted by Don Davidson of Evergreen Family, FLP, on Behalf of Drive Davidson Dealership, to Allow a Temporary Office Trailer for Auto Sales at 1050 Arsenal Street, Parcel No.8-47-101.001
- 11 - Authorizing the Issuance of \$135,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of a Street Sweeper for the Department of Public Works for Construction and Maintenance Purposes, In and For Said City
- 12 - Authorizing the Issuance of \$114,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Combined Sanitary Sewer Replacement Between Chestnut and Holcomb Streets, In and For Said City
- 13 - Authorizing the Issuance of \$326,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Sanitary Sewer Replacement from

- Butterfield to Barben Avenues, In and For Said City
- 14 - 7:30 p.m. – Resolution Abandoning the Paper Street Section of Division Street West
- 15 - Monthly Financial Report
- 16 - 2007 Small Cities CDBG Application Public Hearings

**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 January 2, 2007 was dispensed with and accepted as written by motion of Councilman Smith, seconded by Councilman LaBouf and carried with all voting in favor thereof.

Mayor Pro Tem Clough announced that today was the 90<sup>th</sup> birthday of former City Manager Ronald Forbes. Mr. Forbes was City Manager for more than 25 years

**C O M M U N I C A T I O N S**

From Paul Simmons, representing First Night Watertown requesting \$5,000 funding from the City's Tourism Account.

**ABOVE PLACED ON FILE**

From Rande Richardson thanking Council for appointing him to the Ethics Board.

**ABOVE PLACED ON FILE**

**PRIVILEGE OF THE FLOOR**

**Wayne Zimmer**, Katherine Street, addressed the chair urging Council to help the Teen Center overcome the issues facing them at this time.

Mayor Pro Clough interrupted the regular course of business to allow Mr. Mix to present a power point presentation on the Jefferson County Comprehensive Economic Development Strategy for 2006. Mr. Mix explained that Jefferson County originally formed the program in 1990 to become eligible for federal economic development funds from the U.S. Economic Development Agency. The original plan was developed in 1991 and revised in 1999. Mr. Mix answered questioned posed by the Council following the presentation. He explained that some of the program's priority goals are to set up a network of entrepreneurs and new business; develop an alternative energy strategic plan;

invest in public and private tourism infrastructure and enhance the quality of growth of the 3<sup>rd</sup> Brigade transformation as well as capitalizing on Fort Drum growth and retrain and reorient the work force for new, higher paying technical employment.

Mayor Pro Tem Clough asked about the 18,708 jobs at Fort Drum.

Mrs. Corriveau explained that this amount includes 16,000 military and 2,000 civilian positions in the Dept. of the Army.

### **PUBLIC HEARING**

**AT 7:30 P.M. MAYOR PRO TEM CLOUGH ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE ABANDONING OF THE PAPER STREET SECTION OF DIVISION STREET WEST.**

**MAYOR PRO TEM CLOUGH DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR PRO TEM CLOUGH DECLARED THE HEARING CLOSED.**

### **RESOLUTIONS**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2008:

Non City Employees

Peggy A. Randall  
Rachel M. Shelmidine  
Patricia R. Macklin

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

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

RESOLVED by the City Council of the City of Watertown, New York that David Bush, 150 Clinton Street, Apartment D6, Watertown, New York is hereby appointed to the Assessment Board of Review for a five year term commencing January 1, 2007 and expiring on December 31, 2011.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF**

**MOTION TO TABLE THE FOREGOING RESOLUTION UNTIL MAYOR GRAHAM WAS PRESENT FOR DISCUSSION WAS MADE BY COUNCILMAN SMITH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

RESOLVED that the following are hereby designated as places for voting in the City of Watertown for the ensuing year, pursuant to the provision of the New York State Election Law:

Legislative District 12-1	Municipal Building
12-2	Emma Flower Taylor Fire Station
12-3	Emma Flower Taylor Fire Station
12-4	State Office Building
12-5	State Office Building
Legislative District 13-1	Emmanuel Congregational Church
13-2	Municipal Building
13-3	Church of the Nazarene
13-4	State Office Building
13-5	State Office Building
Legislative District 14-1	North Side Improvement League
14-2	Watertown Industrial Center
14-3	Meadow Brook Apartments Community Room
Legislative District 15-1	North Side Improvement League
15-2	LeRay Street Apartments
15-3	Jefferson Co. Fair Building
15-4	Jefferson Co. Fair Building
15-5	Midtown Towers

**SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND DEFEATED WITH COUNCILMAN BRADLEY AND COUNCILMAN LABOUF VOTING YEA AND COUNCILMAN SMITH AND MAYOR PRO TEM CLOUGH VOTING NAY**

Prior to the vote on the foregoing resolution, Mayor Pro Tem Clough remarked that he felt that there were other locations that would be better sites for polling.

Councilman Bradley commented that voting on this seems to be a moot point because the Board of Elections has the final say.

Mrs. Dutton explained that under NYS Election Law, municipal boards are required to vote on the locations. However, the Board of Elections would have the final say. Councilman LaBouf remarked that Mrs. Corey had attended a Council session and explained the reasoning for leaving the polling places the same for this year. He also remarked that she had stated that the Board of Elections would take a look at the sites next year.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the 2006-07 City Real Property Taxes on the property of known as 220 Clinton Street, Parcel No. 10-5-104.000, in the amount of \$7,947.76 of which \$1,354.18 represents the property taxes and \$6,593.58 represents re-levied sidewalk charges, and

WHEREAS the property owner desires to have the sidewalk invoice enrolled in the Sidewalk Special Assessment Program to allow for payments to be made over 10 years plus applicable interest, and

WHEREAS the City has limited funds available from the serial bond issued to pay the invoices enrolled in the Sidewalk Special Assessment Program, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the property taxes indicated above are adjusted to reflect participation in the Sidewalk Special Assessment Program resulting in a revised 2006-07 City tax bill as follows:

2006-07	City Tax	\$1,354.18
2006-07	Sidewalk Installment	\$ 978.31
	Total 2006-07 City Tax Bill	\$2,332.49

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Jefferson County authorized the formation of the Overall Economic Development Program (OEDP) Committee, now known as The Comprehensive Economic Development Strategy Committee (CEDs) in 1990 for the purpose of preparing a County-wide Economic Development Plan, in order to establish eligibility for federal economic development funds from the U.S. Economic Development Administration (EDA), and

WHEREAS the required plan was developed and adopted in 1991 and revised and adopted in 1999, thus maintaining eligibility to receive EDA funds, and

WHEREAS the CEDS Committee has recently undertaken a process designed to develop comprehensive revisions to the 1999 plan, and

WHEREAS the CEDS Committee's expressed purpose in undertaking this comprehensive revision was to both satisfy USEDA's requirements to maintain funding eligibility and to develop a plan update that will serve as a useful guide for economic development planning throughout all sectors of the County's economy, and

WHEREAS the CEDS Committee adopted a revised and updated Comprehensive Economic Development Strategy Plan on October 18, 2006,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby endorses the Jefferson County Comprehensive Economic Development Strategy of 2006 as the guide for economic development efforts.

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

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 Essex County regarding their desire to continue leasing the spare bus through January 31, 2008, and

WHEREAS in accordance with the Lease Agreement, Essex County has provided us with the required insurance certificate,

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 Essex County, a copy of which is attached and made a part of this resolution, and

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 STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA**

Prior to voting on the foregoing resolution, Councilman LaBouf asked about liability if the bus was involved in an accident.

Mrs. Corriveau explained that this is the second year of this program. She also explained that the City would not be liable.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS in January 2001, the City of Watertown entered into an Agreement for Administrative Services with POMCO, and

WHEREAS that Agreement was for a period of six (6) years, and

WHEREAS the City desires to continue to have POMCO provide said services, and

WHEREAS POMCO has agreed to continue to provide administrative services for a term of three (3) years at an administrative fee of \$20.80 per enrollee per month, for the first year beginning January 1, 2007, and

WHEREAS service fees for the second and third years of the agreement will be the above fee increased by the medical component of the CPI for the one year period ending September 30, 2007 and September 30, 2008,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves this Administrative Services Agreement between the City and POMCO for three (3) year term, effective January 1, 2007 and expiring December 31, 2009, a copy of which is attached and made a part of said resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute this Agreement on behalf of the City.

**THERE WAS NO SECOND TO THE RESOLUTION**

**INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY**

WHEREAS in October 2004, the City of Watertown entered into an Agreement with New York State for the Multi-Modal Program administered by the NYS Department

of Transportation (“NYSDOT”), for the Downtown Watertown Streetscape Enhancement Project, P.I.N. 7803.92.321 (the “Project”), and

WHEREAS the original Agreement between the City and the State of New York had an expiration date of December 31, 2006, and

WHEREAS the City and the State of New York are desirous to amend the expiration date to March 31, 2008,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Watertown, hereby approves Supplemental Agreement No. 1 to the Downtown Watertown Streetscape Enhancement Project, P.I.N. 7803.92.321, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute Supplemental Agreement No. 1 to the Multi-Modal Program Funding on behalf of the City Council of the City of Watertown.

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS on July 17, 2006, the City Council of the City of Watertown approved a bid submitted by HYDROPRESS, LLC, 77B West Street, West Hatfield, Massachusetts 01088, in the amount of \$104,500 for Dredging of the Black River Coagulation Basin, and

WHEREAS in connection with that project, Superintendent of Water Gary Pilon has submitted the attached Change Order No. 1 for consideration by the City Council, and

WHEREAS this Change Order is a CREDIT in the amount of \$9,611.60,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves CREDIT Change Order No. 1 to the Contract Agreement with HYDROPRESS, LLC for dredging of the Black River Coagulation Basin, copies of which are attached and made of 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 JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Don Davidson of Evergreen Family, FLP, has made application for a Special Use Permit on behalf of Drive Davidson Dealership, for a temporary office trailer to be located at 1050 Arsenal Street, Parcel No. 8-47-101.001, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on January 2, 2007, and recommended that the City Council of the City of Watertown approve the request with the following condition:

- (1) the Special Use Permit is for a period of 6 months, and

WHEREAS the Jefferson County Planning Board reviewed the request for the Special Use Permit at its meeting held on January 30, 2007 pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the Proposed Special Use Permit on February 5, 2007, 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 an Unlisted Action under SEQRA 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 for a temporary office trailer 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 Don Davidson of Evergreen Family, FLP on behalf of Drive Davidson Dealership for a temporary office trailer to be located at 1050 Arsenal Street, Parcel No. 8-47-101.001 with the condition recommended by the City Planning Board.

**SECONDED BY COUNCILMAN STEPHEN J. BRADLEY**

**MOTION WAS MADE BY COUNCILMAN SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, FEBRUARY 5, 2007 AT 7:15 P.M.**

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

**THE RESOLUTION “ABANDONING THE PAPER STREET SECTION OF DIVISION STREET WEST” WAS PRESENTED TO COUNCIL** (Introduced on December 4, 2006; public hearing held this evening; appears in its entirety on page 265 of the 2006 Minutes Book).

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

Prior to the vote, Mayor Pro Tem Clough asked if this was going to be put up for auction.

Mr. Mix said that based on a work session discussion last fall, that is what Council said should be done with it.

Councilman Smith and Councilman LaBouf commented that this would be the fairest way to deal with this parcel.

Councilman LaBouf asked if there are other streets such as this.

Mr. Mix explained that there are more on the list but in many cases the City doesn't hold the deed on them.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City of Watertown Fire Department owns and operates a 2001 American LaFrance rescue vehicle with an aluminum body and a standard commercial chassis, and

WHEREAS this rescue vehicle has had chronic problems with the electrical system which have resulted from a severe electrolysis problem with the truck, and

WHEREAS American LaFrance has honored the warranty on this vehicle over the past five years and spent approximately \$120,000 to maintain this vehicle, and

WHEREAS the City of Watertown and American LaFrance agree that this vehicle will likely continue to have problems, and

WHEREAS to resolve all claims related to this vehicle, American LaFrance has offered to provide the City of Watertown with a new and unused 2004 American LaFrance Eagle custom fire cab-chassis with a 2007 stainless steel rescue body along with a trade-in on the City's current rescue vehicle, and

WHEREAS American LaFrance has also agreed to provide extended “policy warranty” coverage on the City's existing vehicle until the replacement vehicle is delivered, and

WHEREAS the City desires to settle all potential claims against American LaFrance, and further recognizes that, doing so, American LaFrance is, essentially, a sole source for a replacement vehicle,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes, in settlement of a claim from a sole source provider, the purchase of a new and unused 2004 American LaFrance Eagle custom fire cab-chassis with a 2007 stainless steel rescue body for \$237,435., and

BE IT FURTHER RESOLVED that said authorization is contingent on the adoption of a bond ordinance to support the financing of this vehicle, and

BE IT FURTHER RESOLVED that the City Manager Mary M Corriveau is hereby authorized and directed to execute any documents needed to purchase said vehicle.

**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.**

Prior to the vote on the foregoing resolution, Mayor Pro Tem Clough asked Chief Gaumont for his comments.

Chief Gaumont explained that after the problems with the current rescue vehicle, the City contacted American LaFrance to see what could be worked out with them. American LaFrance proposed a number of options. The one presented this evening is the best deal. This vehicle is a brand new 2004 vehicle with a 2004 chassis and cab. It will have a 2007 rescue body on the back at a 2004 price. The engine is larger and the transmission is heavier. It has a 2 year extended warranty.

Councilman LaBouf commended the City's negotiating team for the work they did on this issue.

## **ORDINANCES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

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 acquisition of a street sweeper for the Department of Public Works for construction and maintenance purposes, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$135,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$135,000 and that the plan for the financing thereof is by the issuance of the \$135,000 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 fifteen years, pursuant to subdivision twenty-eight 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 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.

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 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 summary 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 STEPHEN J. BRADLEY**

**LAI D OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, 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 combined sanitary sewer replacement between Chestnut and Holcomb Streets, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$114,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$114,000 and that the plan for the financing thereof is by the issuance of the \$114,000 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 four 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 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 in 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, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

Section 11. 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 its 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 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 12. 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 resolution 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 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, 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 14. This ordinance, which takes effect immediately, shall be published in summary 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 STEPHEN J. BRADLEY**

**LAI D OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, 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 sanitary sewer replacement from Butterfield to Barben Avenues, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$326,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$326,000 and that the plan for the financing thereof is by the issuance of the \$326,000 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 four 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 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 in 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, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

Section 11. 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 its 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 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 12. 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 resolution 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 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, 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 14. This ordinance, which takes effect immediately, shall be published in summary 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 STEPHEN J. BRADLEY**

**LAI D OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

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 purchase of a new fire rescue truck for use by the Fire Department, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$240,000 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 \$240,000 and that the plan for the financing thereof is by the issuance of the \$240,000 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 twenty years, pursuant to subdivision twenty-seven 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 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.

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 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 summary 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 STEPHEN J. BRADLEY**

**LAID OVER UNDER THE RULES**

**\*\* \*\* \* \* \*\***

**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**2007 SMALL CITY CITIES CDBG APPLICATION PUBLIC HEARINGS**

**MOTION WAS MADE BY COUNCILMAN LABOUF TO SCHEDULE PUBLIC HEARINGS ON THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR MONDAY, FEBRUARY 5, 2007 AT 7:45 P.M. AND FOR MONDAY, MARCH 5, 2007 AT 7:30 P.M.**

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

**NEW ASSESSMENTS**

Mayor Pro Tem Clough explained that he had asked Mr. Phelps, the City Assessor, to attend tonight's meeting to answer questions from the Council concerning the recent raise in assessments.

Mr. Phelps explained that under this program the trended properties increased about 17% and the revalued properties had various amounts of increases. He explained that the increase is due to an active, vibrant housing market.

Mayor Pro Tem Clough remarked that City Council can't do anything about this situation except for not voting to have the City in the State program.

Mr. Phelps explained that it is a laudable goal to keep uniformity throughout the City.

Mayor Pro Tem Clough asked why people in the townships don't complain.

Mr. Phelps explained that the people in the Town of LeRay do. He also explained that we hear about it in the City because we file the tentative rolls earlier than the townships. He also explained that the way the City does it, is the most honest method.

Councilman Smith referred to the notices that are sent out which are based on comparison of the current tax levy and tax rate.

Mr. Phelps explained that this is done under NYS law.

Councilman Smith remarked that this sometimes confuses people since we don't know the budget, the levy or the rate. He asked if Mr. Phelps had suggestions for better educating the public.

Mrs. Corriveau explained that community meetings were held last year.

Mr. Phelps also commented that the informal hearings being held now also help.

Councilman Bradley remarked that the program needs to be marketed better with clearer information being given out to the citizens.

Mrs. Corriveau commented that last year the levy was reduced. The key is what will happen to the levy.

Councilman Smith suggested having community meetings again this year.

Councilman LaBouf commented that it appears we are trying to make up for several years, with increased of 30% - 40%. He also asked why it was necessary to send last year's levy information instead of waiting for this year's information.

Mr. Phelps explained that they can't wait to send the information out because there is too short a time period once the levy is set. There would be no time for corrections or

meetings to be held. He also explained that the 100% is made a condition for receiving the aid per parcel from the State. He also advised that if the City didn't maintain the 100% level, the State would determine at what level the assessment were at and then would set the equalization rate. At that point, residents would be paying much higher rates for County and School taxes. If the State sets the equalization rate, they look at it as whole. They set the level at the whole regardless of commercial or residential properties. He commented that in that case the residential properties would pay much higher taxes. If the commercial properties were moving faster, which is not the case at this time, the residents would be happy. However, that is not the case.

Councilman LaBouf asked about the formula Mr. Phelps uses and if it is used throughout the State.

Mr. Phelps explained that analysis of sales and the implementation of general principals of valuation are used to determine assessments.

Councilman LaBouf asked if the letter could be made clearer for the citizens.

Mr. Phelps explained that this is a complicated subject and if they used more pages to make things clearer, it would only become more confusing.

Councilman LaBouf commented on the fact that people can't afford to fix up their homes in some cases.

Mrs. Corriveau commented that in the past year there have been a lot of investments in homes throughout the City.

Mayor Pro Tem Clough remarked that this program hurts people on fixed incomes. He stated that it is important for the City Council, as well as the County Legislature and the School Board, to make sure that they maintain the tax rate.

Councilman LaBouf asked if there was a way to make a gradual adjustment in the future.

Mr. Phelps questioned what he should do if property value actually increased 18% and he only raised the assessment 5% in one year, what would he do in the following year with the remaining 13%, especially if the property value increased again the second year.

Councilman Smith responded to Councilman LaBouf's query by saying that we have to be cautious when we look at alternatives.

Mrs. Corriveau advised that she owns property in the City and also in the Town of Philadelphia. In the City, she receives a notice. In the Town, she does not. The only thing she receives there is the tax bill. She commented that the City is doing the residents a benefit by letting them know, prior to receiving a tax bill.

Councilman Bradley commented that people in the City have an opportunity to come into the Assessment Department and discuss the property values. He explained that we tell them what to bring in for information. He asked when the new assessment numbers will be on line. This would make it much easier for the residents to access the figures.

Mr. Phelps remarked that the I.T. Dept. informed him that it would be on Wednesday or Thursday.

Councilman Bradley commented that someone contacted him concerning the problem of getting through to the office by phone. The individual referred to the fact that the taped message stated that the maximum number of calls had been reached.

Mrs. Corriveau explained that the recent grant funding will allow the City to put more information on the web site.

Mayor Pro Tem Clough asked about getting the word out about packets being available for assessment complaints.

Mr. Phelps responded that the department has a booklet on how to grieve assessments.

Councilman Bradley commented that someone contact him concerning the problem of getting through to the office by phone. The individual referred to the fact that the taped message stated that the maximum number of calls had been reached.

Mr. Phelps explained what the message was on the phone. He explained that they are contacting everyone who left messages and are meeting with everyone who is setting up appointments.

Councilman Smith asked if there were going to be community meetings this year.

Mr. Phelps explained that last year's meetings were held before the notices were sent out.

Mayor Pro Tem Clough remarked that he would like to see something done this year.

### **First Night Watertown**

Mayor Pro Tem Clough asked Mrs. Dutton to give Council information pertaining to the First Night Watertown event and the request for funding.

Mrs. Dutton explained that the event is mainly funded through sponsorships. She advised that about 1,500 people attended the event this year, somewhat down from previous years. However, she advised that First Night would like to open up more venues and have more performers for the event. In order to do this, the board is always looking for new funding sources.

Council members concurred to enter into a contract with First Night Watertown for the fiscal year beginning July 1, 2007.

**Teen Center**

Councilman Smith remarked that the Teen Center has never submitted what they need.

Mrs. Corriveau stated that there has not been an official request. She also advised that a public meeting will be held on Wednesday evening at the North Side Improvement League.

**Budget Packets**

Mrs. Corriveau presented Council members with their budget packets and asked that they be completed and returned to her by February 9<sup>th</sup>.

Mayor Pro Tem Clough remarked that it is important to look at holding the tax rate.

Mrs. Corriveau reminded Council that there will be requests for additional personnel.

**ADJOURNMENT**

**AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 8:40 P.M. UNTIL MONDAY, JANUARY 22, 2007 AT 7:00 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*  
City Clerk