

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
October 15, 2007  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

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

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving the "Zoning Enforcement" Workshop on October 17, 2007 as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 2 - Supplemental Appropriation No. 2 for Various Accounts
- 3 - Approving the Contract for Professional Services with Municipal & Financial Services Group for a Comprehensive Water and Sewer Rate and Fee Study
- 4 - Monthly Financial Report

**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 1, 2007 was dispensed with and accepted as written by motion of Councilman, seconded by Councilman and carried with all voting in favor thereof.

**COMMUNICATIONS**

A petition containing approximately 13 signatures was received asking for a four-way stop at the intersection of Franklin, Winslow and William Streets.

**ABOVE PLACED ON FILE**

1. A claim against the City was received from Verizon for damage to buried cable when the City Water Dept. was doing backhoe work in the area of the corner of Sterling & Franklin Streets.

2. An appeal for a previous claim was received from Robert Wormwood.

### **ABOVE REFERRED TO THE BOARD OF AUDIT**

#### **PRIVILEGE OF THE FLOOR**

**Keith Young**, 612 Bronson Street, addressed the chair concerning the fact that his house was taken by the City for tax sale. He explained that he had contacted his mortgage company and they had assured him that they would take care of the taxes. However, they decided not to. In addition, Mr. Young explained that he did not open a letter from Mr. Mills concerning this situation. After a police officer was sent to his home, Mr. Young did contact Mr. Mills. Mr. Young explained that he had been forced to retire due to illness, but now is back to work. He asked that he be allowed to pay the back taxes or to be given 45 days to move.

Discussion was held relative to the procedure used by the City to evict after the property has been taken for tax sale. Questions were raised concerning the water bills and if the City would shut off the water due to non-payment in an effort to evict.

Mrs. Corriveau explained that there will be a number of properties that will be shut off for non-payment next week. However, the City doesn't use this method as a means of eviction for property that they own.

Councilman Bradley asked if there had been other issues with the property prior to this.

Mr. Mills reviewed the history of the tax payments on the property since 1996 and indicated that there had been a routine schedule of redeeming from tax sales since 1996.

Mayor Graham advised that there is nothing for Council to consider as nothing has been offered for a private sale. He also commented that he would hope that the City would tighten up this policy in getting these properties vacated when the City takes ownership.

Councilman LaBouf asked what options were available for private sale.

Councilman Smith remarked that if the Council were to perform a private sale and sell it back, it would be the same thing that happened with the laundromat property on Coffeen Street when this was done and as a result, the mortgage was forgiven.

Attorney Slye commented that the mortgage was cut off by virtue of the City tax sale.

Councilman Clough remarked that no one likes to see a government entity take over a property that someone is living in. However, the facts show that this property has a history behind it.

Mayor Graham commented that the day the City takes title is the day that we should have

started the procedure for shutting the water off.

After discussion concerning the water bill, Council concurred to let Mr. Young pay the water bill and the water will remain on during the time that Mr. Young is vacating the property.

Mayor Graham advised Mr. Young to speak with Mr. Mills concerning the forthcoming procedures.

**Wayne Zimmer**, Katherine Street, addressed the chair expressing his concern with the fact that motorized scooters and wheelchairs are being ridden on the roadways.

**Martin Lamon**, Ward Street, addressed the chair concerning the Moot property and stated that there doesn't seem to be much going on there. He stated that Codes opens the house in the morning and Mr. Moot goes in. He asked when Dr. Kasulke was going to go the property. He stated that they had spoken with Dr. Kasulke's wife and he was just waiting for a call from the City.

Mayor Graham advised that he had spoken with Attorney Burrows and the court order did allow that Mr. Moot should have unfettered access during the day.

Attorney Slye explained that the judge wanted to give him the ability to go into his own home. This was not what the City went after in the order. However, it does lock him out of his own home after 5 p.m.

Mr. Lamon questioned why the judge changed it and never told them.

Attorney Slye advised Mr. Lamon that the judge didn't have to tell him.

Mr. Lamon responded that Mr. Moot was there all weekend and is still bringing stuff to the door so he can take it inside when he is let in.

Chris Strobert, Ward Street, addressed the chair and read from a letter of October 5<sup>th</sup>, from Attorney Burrows. She explained that it indicated that either a contractor or a contractor and Mr. Moot would have access to the house, not Mr. Moot alone. She commented that if he is allowed access to his home, he will continue this whole cycle again.

Attorney Slye explained that he didn't have a copy of the court order with him this evening.

Mrs. Strobert explained that she had spoken with a contractor and he believes that there are violations inside and suggested that he wouldn't work in there without wearing a mask.

Councilman LaBouf advised that since Mrs. Corriveau was out of town last week, he

contacted Mr. McWayne to find out the process for getting Dr. Kasulke into the house. Mr. McWayne advised him that Mr. Moot had to grant permission.

Mrs. Corrivau responded that she has been informed by Mr. McWayne that Mr. Moot has engaged a plumber and the beam design has been completed by an engineer. However, Mr. Moot refuses to allow Dr. Kasulke in his home.

Councilman LaBouf asked about seeking a court order.

Mayor Graham also advised that he had been told by a Codes Inspector that there were no open cans in the kitchen as he had been told before.

Mrs. Strobert stated that they have seen no progress being made. Mr. Moot is still collecting trash and is still bringing it to his home. She stated that the neighbors deserve to see some results.

Mayor Graham remarked that he agrees. However, when Dr. Kasulke visited the house on Columbia Street, he deemed it not to be public health risk beyond the walls of the house.

Councilman LaBouf responded that the Columbia Street property owner granted permission for Dr. Kasulke to go on the property. In this case, Mr. Moot refuses and it is totally different.

Mr. Lamon commented that he doesn't want Mr. Moot banished, but they don't want him sneaking around the corner and staring at them. He also commented that they don't want all of the stuff in Mr. Moot's backyard floating by when it rains.

Mayor Graham commented that if the court order is not being enforced to the maximum, it should be.

Mrs. Strobert remarked that Mr. Moot was cited for his sidewalk, as were some of the neighbors. The neighbors made the necessary repairs, but Mr. Moot did nothing. She questioned why the City couldn't go in and fix them.

Councilman LaBouf requested that the City obtain a court order for Dr. Kasulke to go onto the property. He also requested that the City Engineer look at the property to render the decision as to its stability.

Mrs. Corriveau asked if that was the consensus of the Council.

Mayor Graham explained that you have to establish means to get a court order. He stated that while he is in favor of a literal interpretation of the court order and while he doesn't believe any significant work is going on, he is not sure that it is up to Council to vote to seek the order. He stated that this is what staff should do.

Councilman LaBouf commented that he agrees with the literal interpretation of the court order.

Councilman Clough remarked that while it is true that the City has been on the property cleaning it up on two other occasions, this is the first time that the City has actually stepped up through the court to make sure that the violations are addressed. He asked what the time frame would be for repairs.

Mrs. Corriveau will get the information for Council.

Councilman Clough asked if the Health Officer or Mr. Boxberger had been asked to be involved at any point.

Mrs. Corriveau explained that Mr. McWayne was at the property. However Dr. Kasulke and Mr. Boxberger were not contacted.

Councilman Clough asked about the legality of Mr. Moot bringing things into his home.

Attorney Slye said that he can bring things into the house.

Councilman LaBouf asked if anything on the property would be deemed as a health hazard.

Attorney Slye advised Council that all of the City Codes people are Deputy Health Officers and if they felt the need to call Dr. Kasulke, they would have. He also advised that Mr. Moot has certain rights under the US Constitution. Consequently, he has the right to refuse Dr. Kasulke being permitted on his property.

Mayor Graham remarked that the issue here is making sure that access to the property is only for making repairs.

Mrs. Corriveau explained that the City Engineer had already been on the property. The result of which was that Mr. Moot was directed to hire an engineer to determine what needed to be done.

Councilman LaBouf asked if the City could come up with a time table for the repairs.

Attorney Slye stated that they could not. If Mr. Moot doesn't want to fix up the property, he doesn't have to. However, he would not be able to live there.

Councilman Smith commented that if the neighbors want this deemed to be a public health hazard, they will have to be able to substantiate any unexplained or increased health problems in the neighborhood. This is similar to the salt pile issue, when the City had testing done in the surrounding areas to determine if it was a public nuisance.

**Scott Gates**, 157 Dorsey Street, addressed the chair concerning the need to find a non-

profit group willing to let him use their insurance umbrella for the planned fundraising event at the fairgrounds. He explained that without the insurance, the event will not happen.

**Charles Holland**, 679 LeRay Street, addressed the chair concerning the sidewalk notices sent out to property owners on the street. He explained that they had asked to be put in the sidewalk program.

Councilman LaBouf remarked that the sidewalk program in the City is not fair. Some people get new sidewalks at no expense to them while others are in the special assessment program and still others aren't.

Mrs. Corriveau explained that the Engineering Department is looking at what streets will be in the program to be done in the spring of 2009, because of what is still outstanding to be done. She explained if Council adds the street to the program, it still will not change the fact that the property owners will need to make the necessary repairs for these citations. She explained that Council could put them in the program for 2008-09, but the work won't be done until 2009.

Councilman Clough responded that they had cut back before so that we could make sure that the work could be done.

Mrs. Corriveau explained that while this was true, it is not going to happen. A number of property owners that had planned on doing their own, then decided that they wanted the City to do the work. She also commented that Councilman LaBouf is correct in that there is disparity in the sidewalk program. Federal projects require putting in sidewalks at no expense to the property owner and the City's sidewalk repairs are complaint driven.

Mr. Holland advised that the complaint was at 672 LeRay Street, yet Mrs. Meunier cited the whole neighborhood. He explained that he spoke with Mr. McWayne and was told that if the neighborhood was put in the special assessment program, he would make special provisions for repairs until the program comes to the area.

Councilman Smith asked if Council could receive an updated report of outstanding work including how many linear feet are left to be done.

Councilman Clough remarked that a complaint driven system can be a two edged sword. When some neighbors are cited and others aren't, then people complain as well. He suggested that Mr. Holland and Mr. McWayne might be able to come to an agreement on repairs until the area is put into the program.

Mrs. Corriveau advised that to put the area into the program will take time and will involve notifying property owners and holding a public hearing.

**MOTION WAS MADE BY COUNCILMAN LABOUF TO INCLUDE THE AREA AFFECTED BY THE SIDEWALK NOTICES ON LERAY STREET TO BE**

**INCLUDED IN THE 2008 SIDEWALK PROGRAM FOR THE CITY OF WATERTOWN.**

**MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF, EXCEPT COUNCILMAN BRADLEY VOTING NAY.**

**Bart Bonner**, City business owner, addressed the chair explaining that work is progress on the garage. He also presented a donation from his wife of old photos of Watertown. Mrs. Dutton accepted them on behalf of the City Historian's Office.

**Howard Sprague**, 1409 Ives Street, addressed the chair commenting that years ago he contacted the City about taking over the sidewalks. He remarked that the City should take all of them over and put in all new ones and just add it to the tax rate.

**Wayne Zimmer**, Katherine Street, addressed the chair and asked if he would be reimbursed for all the sidewalks he has put in. He also commented that the City hasn't taken care of their own sidewalks.

**Ed Cox**, 102 Franklin Street, addressed the chair inviting everyone to attend the Farmer's Market in the Arcade on Wednesday from 9-3.

**RESOLUTIONS**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the new training requirement, and

WHEREAS the Fort Drum Regional Liaison Organization, in collaboration with the Jefferson, Lewis and St Lawrence County Planning Departments, the NYS Tug Hill Commission, and the Center for Community Studies at JCC is sponsoring a "Zoning Enforcement" Workshop on October 17, 2007 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the "Zoning Enforcement" Workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$662,275 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2006-07 for the reasons shown:

<u>GENERAL FUND</u>					<u>Increase</u>	<u>Reason</u>
A	1010	430	LEGISLATIVE BOARD	Contracted Services	\$ 100	Under appropriated
A	1010	450	LEGISLATIVE BOARD	Miscellaneous	\$ 400	Under appropriated
A	1010	810	LEGISLATIVE BOARD	NYS Retirement	\$ 750	Under appropriated
A	1230	460	MUNICIPAL EXECUTIVE	Materials and Supplies	\$ 100	Under appropriated
A	1230	465	MUNICIPAL EXECUTIVE	Equipment < \$5,000	\$ 2,600	No original appropriation
A	1230	810	MUNICIPAL EXECUTIVE	NYS Retirement	\$ 15,000	Under appropriated
A	1315	850	COMPROLLER	Health Insurance	\$ 100	Under appropriated
A	1345	120	PURCHASING	Clerical	\$ 100	Under appropriated
A	1345	810	PURCHASING	NYS Retirement	\$ 425	Under appropriated
A	1345	830	PURCHASING	Social Security	\$ 100	Under appropriated
A	1355	140	ASSESSMENT	Temporary	\$ 250	No original appropriation
A	1355	440	ASSESSMENT	Fees, Non-employee	\$ 2,900	Under appropriated
A	1364	430	PROPERTY ACQUIRED	Contracted Services	\$ 42,400	Reclass Court St. demo
A	1364	460	PROPERTY ACQUIRED	Materials and Supplies	\$ 900	Under appropriated
A	1410	110	CLERK	Salaries	\$ 100	Under appropriated
A	1410	140	CLERK	Temporary	\$ 600	No original appropriation
A	1410	810	CLERK	NYS Retirement	\$ 600	Under appropriated
A	1420	440	LAW	Fees, Non-employee	\$ 25,900	Accounting timing issue
A	1430	170	CIVIL SERVICE	Out of Code	\$ 150	Under appropriated
A	1430	440	CIVIL SERVICE	Fees, Non-employee	\$ 400	Under appropriated
A	1430	450	CIVIL SERVICE	Miscellaneous	\$ 750	Under appropriated
A	1430	810	CIVIL SERVICE	NYS Retirement	\$ 125	Under appropriated
A	1490	110	PUBLIC WORKS ADMIN.	Salaries	\$ 100	Under appropriated
A	1490	140	PUBLIC WORKS ADMIN.	Temporary	\$ 275	Under appropriated
A	1490	150	PUBLIC WORKS ADMIN.	Overtime	\$ 100	No original appropriation
A	1490	430	PUBLIC WORKS ADMIN.	Contracted Services	\$ 700	Under appropriated
A	1490	455	PUBLIC WORKS ADMIN.	Vehicle Expense	\$ 225	Under appropriated
A	1490	465	PUBLIC WORKS ADMIN.	Equipment < \$5,000	\$ 100	Under appropriated
A	1490	810	PUBLIC WORKS ADMIN.	NYS Retirement	\$ 2,500	Under appropriated
A	1490	830	PUBLIC WORKS ADMIN.	Social Security	\$ 100	Under appropriated
A	1620	410	MUNICIPAL BUILDINGS	Utilities	\$ 3,100	Under appropriated
A	1640	120	CENTRAL GARAGE	Clerical	\$ 100	Under appropriated
A	1640	130	CENTRAL GARAGE	Wages	\$ 675	Under appropriated
A	1640	140	CENTRAL GARAGE	Temporary	\$ 250	No original appropriation
A	1640	150	CENTRAL GARAGE	Overtime	\$ 350	Under appropriated

A	1640	460	CENTRAL GARAGE	Materials and Supplies	\$ 8,300	Under appropriated
A	1670	460	CENTRAL PRINTING & MAILING	Materials and Supplies	\$ 850	Under appropriated
A	1680	130	INFORMATION TECHNOLOGY	Wages	\$ 100	Under appropriated
A	1680	450	INFORMATION TECHNOLOGY	Miscellaneous	\$ 1,325	Under appropriated
A	1680	460	INFORMATION TECHNOLOGY	Materials and Supplies	\$ 400	Under appropriated
A	1940	245	LAND	Land	\$ 14,000	No original appropriation
A	3120	410	POLICE	Utilities	\$ 2,100	Under appropriated
A	3120	430	POLICE	Contracted Services	\$ 19,000	Under appropriated
A	3120	450	POLICE	Miscellaneous	\$ 3,000	Under appropriated
A	3120	455	POLICE	Vehicle Expense	\$ 8,300	Under appropriated
A	3120	460	POLICE	Materials and Supplies	\$ 2,300	Under appropriated
A	3120	465	POLICE	Equipment < \$5,000	\$ 100	Under appropriated
A	3120	840	POLICE	Workers' Compensation	\$ 1,600	Under appropriated
A	3410	110	FIRE	Salaries	\$ 400	Under appropriated
A	3410	120	FIRE	Clerical	\$ 100	Under appropriated
A	3410	130	FIRE	Wages	\$ 1,125	Under appropriated
A	3410	150	FIRE	Overtime	\$ 16,150	Under appropriated
A	3410	155	FIRE	Holiday Pay	\$ 15,025	Under appropriated
A	3410	410	FIRE	Utilities	\$ 1,800	Under appropriated
A	3410	455	FIRE	Vehicle Expense	\$ 10,900	Under appropriated
A	3410	460	FIRE	Materials and Supplies	\$ 9,650	Under appropriated
A	3410	465	FIRE	Equipment < \$5,000	\$ 1,500	Under appropriated
A	3410	840	FIRE	Workers' Compensation	\$ 4,900	Under appropriated
A	3620	110	BUREAU OF CODE ENFORCEMENT	Salaries	\$ 100	Under appropriated
A	3620	170	BUREAU OF CODE ENFORCEMENT	Out of Code	\$ 275	No original appropriation
A	5010	170	MUNICIPAL MAINTENANCE	Out of Code	\$ 225	No original appropriation
A	5010	410	MUNICIPAL MAINTENANCE	Utilities	\$ 200	Under appropriated
A	5010	440	MUNICIPAL MAINTENANCE	Fees, Non-employee	\$ 325	Under appropriated
A	5010	455	MUNICIPAL MAINTENANCE	Vehicle Expense	\$ 5,100	Under appropriated
A	5010	810	MUNICIPAL MAINTENANCE	NYS Retirement	\$ 4,150	Under appropriated
A	5010	840	MUNICIPAL MAINTENANCE	Workers' Compensation	\$ 5,225	Under appropriated
A	5110	140	MAINTENANCE OF ROADS	Temporary	\$ 1,100	Under appropriated
A	5110	440	MAINTENANCE OF ROADS	Fees, Non-employee	\$ 300	Under appropriated
A	5110	455	MAINTENANCE OF ROADS	Vehicle Expense	\$ 3,000	Under appropriated
A	5110	810	MAINTENANCE OF ROADS	NYS Retirement	\$ 6,650	Under appropriated
A	5110	840	MAINTENANCE OF ROADS	Workers' Compensation	\$ 2,500	Under appropriated
A	5142	410	SNOW REMOVAL	Utilities	\$ 150	Under appropriated
A	5142	430	SNOW REMOVAL	Contracted Services	\$ 27,000	Under appropriated
A	5142	455	SNOW REMOVAL	Vehicle Expense	\$ 5,600	Under appropriated
A	5142	460	SNOW REMOVAL	Materials and Supplies	\$ 2,600	Under appropriated
A	5184	410	HYDROELECTRIC PRODUCTION	Utilities	\$ 200	Under appropriated

A	5184	430	HYDROELECTRIC PRODUCTION	Contracted Services	\$ 4,450	Under appropriated
A	5186	130	TRAFFIC CONTROL AND LIGHTING	Wages	\$ 100	Under appropriated
A	5186	140	TRAFFIC CONTROL AND LIGHTING	Temporary	\$ 425	Under appropriated
A	5186	150	TRAFFIC CONTROL AND LIGHTING	Overtime	\$ 850	Under appropriated
A	5186	455	TRAFFIC CONTROL AND LIGHTING	Vehicle Expense	\$ 1,200	Under appropriated
A	5186	460	TRAFFIC CONTROL AND LIGHTING	Materials and Supplies	\$ 6,850	Under appropriated
A	5186	810	TRAFFIC CONTROL AND LIGHTING	NYS Retirement	\$ 900	Under appropriated
A	5186	830	TRAFFIC CONTROL AND LIGHTING	Social Security	\$ 100	Under appropriated
A	5630	140	BUS	Temporary	\$ 1,000	Under appropriated
A	5630	440	BUS	Fees, Non-employee	\$ 400	Under appropriated
A	5630	455	BUS	Vehicle Expense	\$ 3,850	Under appropriated
A	5630	840	BUS	Workers' Compensation	\$ 29,500	Under appropriated
A	5630	850	BUS	Health Insurance	\$ 3,800	Under appropriated
A	5650	410	CITY PARKING FACILITIES	Utilities	\$ 450	Under appropriated
A	7020	460	RECREATION ADMINISTRATION	Materials and Supplies	\$ 4,400	Under appropriated
A	7020	810	RECREATION ADMINISTRATION	NYS Retirement	\$ 3,450	Under appropriated
A	7110	140	THOMPSON PARK	Temporary	\$ 1,950	Under appropriated
A	7110	170	THOMPSON PARK	Out of Code	\$ 750	No original appropriation
A	7110	410	THOMPSON PARK	Utilities	\$ 1,800	Under appropriated
A	7110	430	THOMPSON PARK	Contracted Services	\$ 400	Under appropriated
A	7110	440	THOMPSON PARK	Fees, Non-employee	\$ 300	Under appropriated
A	7110	460	THOMPSON PARK	Materials and Supplies	\$ 1,700	Under appropriated
A	7140	150	PLAYGROUNDS	Overtime	\$ 100	No original appropriation
A	7140	440	PLAYGROUNDS	Fees, Non-employee	\$ 250	Under appropriated
A	7141	170	FAIRGROUNDS	Out of Code	\$ 100	No original appropriation
A	7141	410	FAIRGROUNDS	Utilities	\$ 1,350	Under appropriated
A	7141	430	FAIRGROUNDS	Contracted Services	\$ 100	Under appropriated
A	7141	455	FAIRGROUNDS	Vehicle Expense	\$ 1,000	Under appropriated
A	7141	460	FAIRGROUNDS	Materials and Supplies	\$ 7,350	Related to Reserve Fund
A	7143	170	ATHLETIC PROGRAMS	Out of Code	\$ 100	No original appropriation
A	7143	410	ATHLETIC PROGRAMS	Utilities	\$ 400	Under appropriated
A	7143	440	ATHLETIC PROGRAMS	Fees, Non-employee	\$ 1,300	Under appropriated
A	7143	455	ATHLETIC PROGRAMS	Vehicle Expense	\$ 2,700	Under appropriated
A	7143	465	ATHLETIC PROGRAMS	Equipment < \$5,000	\$ 300	Under appropriated
A	7143	810	ATHLETIC PROGRAMS	NYS Retirement	\$ 100	No original appropriation
A	7180	150	SWIMMING POOLS - OUTDOOR	Overtime	\$ 300	Under appropriated
A	7180	410	SWIMMING POOLS - OUTDOOR	Utilities	\$ 900	Under appropriated
A	7180	440	SWIMMING POOLS - OUTDOOR	Fees, Non-employee	\$ 600	Under appropriated
A	7180	460	SWIMMING POOLS - OUTDOOR	Materials and Supplies	\$ 300	Under appropriated
A	7180	810	SWIMMING POOLS - OUTDOOR	NYS Retirement	\$ 100	Under appropriated
A	7180	840	SWIMMING POOLS - OUTDOOR	Workers' Compensation	\$ 400	No original appropriation

A	7265	455	ICE ARENA	Vehicle Expense	\$ 350	Under appropriated
A	7265	465	ICE ARENA	Equipment < \$5,000	\$ 700	Under appropriated
A	7265	810	ICE ARENA	NYS Retirement	\$ 1,100	Under appropriated
A	8010	430	ZONING	Contracted Services	\$ 100	Under appropriated
A	8020	140	PLANNING	Temporary	\$ 750	No original appropriation
A	8020	830	PLANNING	Social Security	\$ 100	No original appropriation
A	8140	140	PUBLIC WORKS - STORM SEWER	Temporary	\$ 100	Under appropriated
A	8140	455	PUBLIC WORKS - STORM SEWER	Vehicle Expense	\$ 1,350	Under appropriated
A	8140	465	PUBLIC WORKS - STORM SEWER	Equipment < \$5,000	\$ 3,100	No original appropriation
A	8160	140	REFUSE AND RECYCLE	Temporary	\$ 100	No original appropriation
A	8160	150	REFUSE AND RECYCLE	Overtime	\$ 1,250	Under appropriated
A	8160	170	REFUSE AND RECYCLE	Out of Code	\$ 825	No original appropriation
A	8160	430	REFUSE AND RECYCLE	Contracted Services	\$ 17,000	Under appropriated
A	8160	840	REFUSE AND RECYCLE	Workers' Compensation	\$ 9,000	Under appropriated
A	8160	850	REFUSE AND RECYCLE	Health Insurance	\$ 100	Under appropriated
A	9070	800	OTHER EXPENSES	Compensated Absences	\$ 20,400	Under appropriated
A	9710	600	OTHER EXPENSES	Serial Bonds - Principal	\$ 25,000	Under appropriated
A	9710	700	OTHER EXPENSES	Serial Bonds - Interest	\$ 10,500	Under appropriated
A	9780	700	OTHER EXPENSES	Loan - Interest	\$ 450	Under appropriated
A	9950	900	OTHER EXPENSES	Capital Fund Transfer	<u>\$ 15,000</u>	Under appropriated
					<u>\$484,600</u>	
					<u>Decrease</u>	
A	1362	430	TAX ADVERTISING	Contracted Services	\$ (4,100)	
A	1990	450	CONTINGENCY	Miscellaneous	\$(14,000)	
A	3120	130	POLICE	Wages	\$ (8,575)	
A	3120	150	POLICE	Overtime	\$ (4,175)	
A	3120	185	POLICE	On-call Pay	\$(10,000)	
A	3120	820	POLICE	Police Retirement System	\$(29,250)	
A	3120	850	POLICE	Health Insurance	\$(10,200)	
A	3410	250	FIRE	Other Equipment	\$ (8,115)	
A	3410	430	FIRE	Contracted Services	\$(14,500)	
A	3410	820	FIRE	Fire Retirement System	\$(38,675)	
A	3410	850	FIRE	Health Insurance	\$(17,950)	
A	3620	430	BUREAU OF CODE ENFORCEMENT	Contracted Services	\$(88,060)	
A	5010	450	MUNICIPAL MAINTENANCE	Miscellaneous	\$ (5,225)	
A	5010	850	MUNICIPAL MAINTENANCE	Health Insurance	\$ (6,200)	
A	5110	460	MAINTENANCE OF ROADS	Materials and Supplies	\$(15,500)	
A	5142	450	SNOW REMOVAL	Miscellaneous	\$ (7,400)	
A	5142	810	SNOW REMOVAL	NYS Retirement	\$ (4,650)	
A	5186	430	TRAFFIC CONTROL AND LIGHTING	Contracted Services	\$ (4,300)	

A	5186	850	TRAFFIC CONTROL AND LIGHTING	Health Insurance	\$ (7,650)
A	5630	430	BUS	Contracted Services	\$ (5,225)
A	5630	450	BUS	Miscellaneous	\$ (3,450)
A	5630	810	BUS	NYS Retirement	\$(27,325)
A	5630	830	BUS	Social Security	\$ (4,850)
A	5650	430	CITY PARKING FACILITIES	Contracted Services	\$ (7,600)
A	7140	140	PLAYGROUNDS	Temporary	\$ (3,000)
A	7140	430	PLAYGROUNDS	Contracted Services	\$ (3,300)
A	7140	460	PLAYGROUNDS	Materials and Supplies	\$(11,500)
A	7141	465	FAIRGROUNDS	Equipment < \$5,000	\$ (4,150)
A	7180	140	SWIMMING POOLS	Temporary	\$ (4,250)
A	7265	150	ICE ARENA	Overtime	\$ (2,000)
A	7265	460	ICE ARENA	Materials and Supplies	\$ (3,800)
A	7265	850	ICE ARENA	Health Insurance	\$(11,850)
A	8140	250	STORM SEWER	Other Equipment	\$ (4,175)
A	8140	430	STORM SEWER	Contracted Services	\$(12,150)
A	8140	810	STORM SEWER	NYS Retirement	\$ (4,450)
A	8140	830	STORM SEWER	Social Security	\$ (3,800)
A	8140	850	STORM SEWER	Health Insurance	\$(25,650)
A	8160	130	REFUSE AND RECYCLE	Wages	\$ (9,800)
A	8160	810	REFUSE AND RECYCLE	NYS Retirement	\$ (6,200)
A	8160	830	REFUSE AND RECYCLE	Social Security	\$ (3,850)
A	9050	800	OTHER EXPENSES	Unemployment Insurance	\$ (4,200)
A	9060	850	OTHER EXPENSES	Health Insurance - Retirees	<u>\$(19,500)</u>
					<u>\$(484,600)</u>

**WATER FUND**

				<u>Increase</u>	<u>Reason</u>	
F	8310	130	WATER ADMINISTRATION	Wages	\$ 100	Under appropriated
F	8310	810	WATER ADMINISTRATION	NYS Retirement	\$ 3,400	Under appropriated
F	8340	460	TRANSMISSION & DISTRIBUTION	Materials and Supplies	\$ 4,700	Under appropriated
F	8340	830	TRANSMISSION & DISTRIBUTION	Social Security	\$ 200	Under appropriated
F	9070	800	OTHER EXPENSES	Compensated Absences	<u>\$ 600</u>	Under appropriated
					<u>\$ 9,000</u>	
				<u>Decrease</u>		
F	8340	465	TRANSMISSION & DISTRIBUTION	Equipment < \$5,000	<u>\$ (9,000)</u>	
					<u>\$ (9,000)</u>	

**SEWER FUND**

					<u>Increase</u>	<u>Reason</u>
G	8120	150	SANITARY SEWER	Overtime	\$ 200	Under appropriated
G	8120	430	SANITARY SEWER	Contracted Services	\$ 500	Under appropriated
G	8120	455	SANITARY SEWER	Vehicle Expense	\$ 6,900	Under appropriated
G	8130	150	SEWAGE TREATMENT & DISPOSAL	Overtime	\$ 1,500	Under appropriated
G	8130	430	SEWAGE TREATMENT & DISPOSAL	Contracted Services	\$ 29,850	Under appropriated
G	8130	440	SEWAGE TREATMENT & DISPOSAL	Fees, Non-employee	\$ 2,300	Under appropriated
G	8130	455	SEWAGE TREATMENT & DISPOSAL	Vehicle Expense	\$ 550	Under appropriated
G	8130	460	SEWAGE TREATMENT & DISPOSAL	Materials and Supplies	\$ 46,350	Under appropriated
G	8130	810	SEWAGE TREATMENT & DISPOSAL	NYS Retirement	\$ 2,750	Under appropriated
G	8130	830	SEWAGE TREATMENT & DISPOSAL	Social Security	\$ 225	Under appropriated
G	9780	700	OTHER EXPENSES	Loan - Interest	\$ 100	Under appropriated
G	9950	900	OTHER EXPENSES	Transfer to Capital Fund	\$ 36,850	Incinerator installation
					<u>\$ 128,075</u>	

					<u>Decrease</u>	
G	8110	150	SEWER ADMINISTRATION	Overtime	\$ (500)	
G	8110	410	SEWER ADMINISTRATION	Utilities	\$ (750)	
G	8110	430	SEWER ADMINISTRATION	Contracted Services	\$ (1,350)	
G	8110	450	SEWER ADMINISTRATION	Miscellaneous	\$ (300)	
G	8110	455	SEWER ADMINISTRATION	Vehicle Expense	\$ (600)	
G	8110	460	SEWER ADMINISTRATION	Materials and Supplies	\$ (1,850)	
G	8120	110	SANITARY SEWER	Salaries	\$ (300)	
G	8120	130	SANITARY SEWER	Wages	\$ (4,225)	
G	8120	250	SANITARY SEWER	Other Equipment	\$ (6,000)	
G	8120	450	SANITARY SEWER	Miscellaneous	\$ (1,500)	
G	8120	460	SANITARY SEWER	Materials and Supplies	\$ (8,700)	
G	8120	465	SANITARY SEWER	Equipment < \$5,000	\$ (3,800)	
G	8120	810	SANITARY SEWER	NYS Retirement	\$ (5,750)	
G	8120	830	SANITARY SEWER	Social Security	\$ (5,300)	
G	8120	850	SANITARY SEWER	Health Insurance	\$ (9,000)	
G	8130	110	SEWAGE TREATMENT & DISPOSAL	Salaries	\$ (600)	
G	8130	130	SEWAGE TREATMENT & DISPOSAL	Wages	\$ (3,500)	
G	8130	250	SEWAGE TREATMENT & DISPOSAL	Other Equipment	\$ (8,650)	
G	8130	410	SEWAGE TREATMENT & DISPOSAL	Utilities	\$ (41,350)	
G	8130	450	SEWAGE TREATMENT & DISPOSAL	Miscellaneous	\$ (450)	
G	8130	465	SEWAGE TREATMENT & DISPOSAL	Equipment < \$5,000	\$ (20,300)	
G	8130	840	SEWAGE TREATMENT & DISPOSAL	Workers' Compensation	\$ (2,700)	
G	9040	800	OTHER EXPENSES	Worker's Compensation	\$ (600)	
					<u>\$(128,075)</u>	

**LIBRARY FUND**

					<u>Increase</u>	<u>Reason</u>
L	7410	120	LIBRARY	Clerical	\$ 100	Under appropriated
L	7410	210	LIBRARY	Furniture and Furnishings	\$ 9,850	Stairwell flooring
L	7410	810	LIBRARY	NYS Retirement	\$ 1,100	Under appropriated
L	9780	700	OTHER EXPENSES	Loan - Interest	\$ 300	Under appropriated

L	9950	900	OTHER EXPENSES	Transfer to Capital	<u>\$ 3,800</u>	Under appropriated
					<u>\$ 15,150</u>	

					<u>Decrease</u>	
L	7410	850	LIBRARY	Health Insurance	<u>\$ (15,150)</u>	
					<u>\$ (15,150)</u>	

**SELF-FUNDED HEALTH INSURANCE**

					<u>Increase</u>	<u>Reason</u>
MS	1710	430	SELF-FUNDED HEALTH INSURANCE	Administration	\$ 15,800	Under appropriated
MS	1711	830	SELF-FUNDED HEALTH INSURANCE	Social Security	\$ 1,650	Under appropriated
MS	1711	850	SELF-FUNDED HEALTH INSURANCE	Health Insurance	\$ 500	Under appropriated
MS	9060	430	SELF-FUNDED HEALTH INSURANCE	Claims	<u>\$ 7,500</u>	Under appropriated
					<u>\$ 25,450</u>	

					<u>Decrease</u>	
MS	1711	110	SELF-FUNDED HEALTH INSURANCE	Administration Salaries	\$ (5,600)	
MS	1722	430	SELF-FUNDED HEALTH INSURANCE	Stop Loss Insurance	<u>\$ (19,850)</u>	
					<u>\$ (25,450)</u>	

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

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS the City owns and operates a Water Treatment Plant and a Wastewater Treatment Plant and has established various user rates and fees, and

WHEREAS the City desires a comprehensive water and sewer rate and fee study from which fair and equitable water and sewer rates and fees can be developed, and

WHEREAS the City desires a software model that can be updated by City staff to determine future rate adjustments that are based on an equitable distribution of costs, and

WHEREAS the City's 2007-08 Water and Sewer Fund operating budgets collectively appropriated \$70,000 to perform such a study, and

WHEREAS the City issued RFPs to finance and engineering firms for the performance of the comprehensive water and sewer rate and fee study, and

WHEREAS responses were received from six firms and City Comptroller James Mills and Superintendent of Water Gary Pilon are recommending that the Council approve the attached Agreement for Professional Services with Municipal & Financial Services Group, for a not to exceed amount of \$50,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Contract for Professional Services with Municipal & Financial

Services Group for a comprehensive water and sewer rate and fee study, 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 the contract on behalf of the City Council.

**SECONDED BY COUNCILMAN STEPHEN J. BRADLEY**

Prior to the vote on the foregoing resolution, Councilman Clough remarked that he couldn't understand why City staff can not determine the fees.

Mayor Graham commented that Supervisor Bartlett was here earlier this evening, but has since left and he would like to have input from him concerning this. Mayor Graham also commented that he is not interested in an elaborate thing that would include linear pipes and costs of chemicals. He stated that he favors a monolithic water rates system whether inside or outside of the city boundaries. He stated that a uniform flat rate is what we should be working toward.

Councilman Smith remarked that he agreed in part. However, people who live outside are getting the same services but have far less costs as far as taxes are concerned and he doesn't feel this is fair.

Mayor Graham responded that it is his concern that this study will produce a voluminous document.

Councilman Bradley explained that the goal is to have a cost of service analysis whereby we find out the cost of service for the City, the town and for all the users.

Councilman Smith remarked that Council made it clear that they wanted to do away with the step system and still agree with that goal.

Mayor Graham remarked that if we are to become "Greater Watertown", he would hope that we could move in a different direction of who pays what inside and outside the boundaries.

Councilman LaBouf advised that in November of 2006 he had advised restraint and the fact that we need to be cautious as we move forward. He stated that he has hesitation in the figure for the contract that is before Council. He stated that he has concerns with what we will receive.

Mrs. Corriveau explained that this will be a complete analysis of cost for services and City staff will be involved in providing the information that will allow them to put the proposal together for the City. It will be in Excel and can be updated by the City.

Mayor Graham remarked that he would be willing to wait to vote on this resolution as he would like more feedback.

Councilman Bradley remarked that he would also like feedback. However, this resolution doesn't affect the rates and by voting on it now, it would get the process started.

Councilman LaBouf commented that it sounds like the city already has the information and we will just give it to this company.

Mr. Mills advised Council that it is not as simple as that. A lot of depth goes into the study. Customer class demands and costs per customer class as well as who is driving the costs will be considered in the study. The study will boil down to cost per unit.

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND DEFEATED WITH COUNCILMAN BRADLEY AND COUNCILMAN SMITH VOTING YEA AND COUNCILMAN CLOUGH, COUNCILMAN LABOUF AND MAYOR GRAHAM VOTING NAY.**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Michael Lundy of LUNCO Corporation has made an application for site plan approval on behalf of Watertown Local Development Corporation, for the construction of a 20,000 sq. ft. structure to be located at the northeast corner of Bellew Avenue South and Rail Drive, also known as Lot 8 of City Center Industrial Park, Parcel No. 9-43-101.200, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on September 18, 2007 and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That information pertaining to stormwater handling and utilities is submitted to the City Engineer for review and approval.
2. That additional landscaping is added to the revised site plan in the area in front of the building along Bellew Avenue South based upon the Planning Board's Landscaping and Buffer Zone Guidelines.
3. That the site plan is revised to show that the proposed parking lot is screened with additional landscaping to meet the requirements of the deed covenants.
4. That a photometric plan is submitted to the City Engineer for his approval.

5. That the above conditions be met prior to the site plan being sent to the City Council for its review and approval, and,

WHEREAS the Jefferson County Planning Board reviewed the request at its September 25, 2007 meeting and adopted a motion stating that the proposal has no County-wide or intermunicipal issues and is of local concern only, and

WHEREAS the applicant submitted a revised site plan on October 15, 2007, and

WHEREAS the revised site plan addresses most of the Planning Board issues, but not all, so staff is recommending that the following conditions be attached to site plan approval:

1. The Building Permit will not be issued until an engineering report outlining the proposed sanitary sewer flows for the project is submitted and approved by the Engineering Department.
2. That additional landscaping is added to the revised site plan in the area in front of the building along Bellew Avenue South based upon the Planning Board's Landscaping and Buffer Zone Guidelines, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form responding to each of the questions 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 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 site plan approval is hereby granted to Michael Lundy of LUNCO Corporation, on behalf of Watertown Local Development Corporation, for the construction of a 20,000 sq. ft. building to be located at the northeast corner of Bellew Avenue South and Rail Drive, also known as Lot 8 of City Center Industrial Park, Parcel No. 9-43-101.200, as shown on the revised site plan submitted to the City Engineer on October 15, 2007 with the conditions recommended by Staff.

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

**RULES WAIVED BY COUNCILMAN LABOUF, SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

\*\* \*\* \*

**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**Petition Concerning Four-Way Stop Sign**

Councilman Clough asked that the Police Dept. look into the request for the four-way stop at the intersection of Franklin, Winslow and Williams Street.

**Mullin/Holcomb Intersection**

Councilman LaBouf asked about this report.

Mrs. Corriveau advised that she has not received the report yet. However, the traffic counts have been done and changes have been made to the parking in that area.

**Slow Child At Play Signs**

Councilman LaBouf remarked that there is a “Slow Child at Play” sign on California Avenue that is blocked from view by a City tree grown up around it. He also explained that the signpost is twisted and bent. He stated that he checked around the City and a lot of the signs including stop signs are being blocked because of trees. He also remarked that he has concerns about speeding on the residential streets.

Mrs. Corriveau remarked that if residents have concerns about speeding on their street, they can contact the City Manager’s office and monitors will go out to check the speeds. She also explained that the children at play signs are non-conforming signs under NYS V&T and these signs would be taken down and not replaced. She also explained that the only place you might see these signs now would be in industrial areas where you would not expect to have children playing there.

Councilman LaBouf remarked that this doesn’t make sense to him.

Councilman Smith responded that it does make sense due to the fact that you expect to see children in residential areas.

**Water Rates**

Councilman Smith remarked that Council had made it very clear at the last budget time and would expect that the water rate schedule would be changed at this budget cycle.

Mayor Graham remarked that the problem with changing this is as soon as we attempt to do so; they say that we are penalizing business. He remarked that he is not against reconsidering the resolution regarding this after Council has received more input.

### **Cosgrove Street Status**

Councilman Smith asked about this.

Mrs. Corriveau explained that all the laterals and utility work is done in the street. She doesn't know about the paving. She also explained that no complaints had been received during the recent rains. However, the ground was so dry previous to the rain that it may not have been enough to cause any problem anyway.

### **State Street**

Mayor Graham asked about the final coat and the fact that they seem to be chiseling down the street.

Mrs. Corriveau explained that they are lowering the utilities for the winter. The final coat will go on in the spring. Next week, the lower end of State Street will be paved.

### **Clock**

Mayor Graham remarked that one face of the clock has stopped rotating due to gear problems. Mr. Dean has spoken with him about it. He explained that it will require continued work. Mayor Graham asked about the contract time frame with Knowlton's and suggested that an agreement to do regular maintenances work on the clock needs to be considered. He would like to have that dialogue prior to the contract expiring.

### **Polk Street**

Councilman Clough remarked that one day he drove on to Polk Street from Factory Street and there were one-way signs placed along the street. The next day the signs were removed. He asked if they were City signs or due to the construction.

Mrs. Corriveau commented that they may have been due to construction and she will check on it.

### **Bus Tour/Work Session**

The tour of City facilities will begin at 5:30 p.m. on Monday, October 22, 2007. Following the tour, the Council will come back to City Hall for a meeting.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 9:17 P.M. UNTIL MONDAY, OCTOBER 22, 2007 AT 7:00 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*  
City Clerk