

**COUNCIL WORK SESSION
CITY OF WATERTOWN
March 12, 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**

Self Funded Health Insurance Annual Update

Mary Beth Lopez, POMCO, addressed the chair outlining the usage comparison of the plan from May 2006 through June 2007.

Councilman Smith asked if POMCO monitors the inpatient versus outpatient usage as it relates to allowing patients to stay in the hospital for what should be an outpatient procedure.

Ms. Lopez explained that POMCO has instituted an outpatient department within the last six months to review outpatient claims.

Watertown Teen Center

Debbie Cavallario, Board Chair, addressed the chair thanking the Council and Mrs. Corriveau for all of the help and support. At this time, the center has enough money to operate on a monthly basis until July. Mrs. Cavallario asked the Council to lobby state representatives for grant funding that the center has applied for.

Councilman Clough asked that a letter of support be sent to Senator Wright, Assemblyman Aubertine and Governor Spitzer.

Mayor Graham asked the City Manager to draft a letter that would be sent to the appropriate individuals.

Water and Sewer Rate Development

City Comptroller James Mills and Water Superintendent Gary Pilon addressed the chair concerning the recent seminar they attended sponsored by the American Water Works Assoc. Their presentation included developing rate structures that are fair, equitable and

defendable as well as methods that can be employed to recover the cost of service with rates that will allow the utility to operate effectively and continue to maintain and upgrade its infrastructure. In addition, they discussed the preparation of a cost of service analysis to classify and allocate costs to respective customer classes and establishing system development charges by evaluating the costs of growth and evaluating methods to recover those costs.

Mr. Pilon advised that an in-depth study had been conducted in 1927. An analysis with modifications was adopted in 1967. He stated that it is time to do the analysis again.

Councilman Clough asked about the recent DANC study.

Mrs. Corriveau explained that DANC and the City did a capacity study, not a study of rates. The capacity study was based on the proposed development at that time.

Councilman Clough remarked that it is time to consider doing another analysis as it has been 40 years.

Councilman LaBouf concurred.

Mayor Graham remarked that the current tier structure elongates the differences between users each time an increase is done.

Mr. Pilon advised that the case could be that the current system is fair and equitable. An analysis would determine this.

Councilman Bradley remarked that he had suggested attending the seminar and feels that this is a way to make the rate system fair for everyone.

Councilman Smith commented that there has to be a premise going into the analysis process. That premise should be that there must be a benefit to those living in the City and the outside user rate has to be higher than the rate inside the City.

Mr. Mills responded that the seminar did go over some cases dealing with outside versus inside user rates. He advised that he had made initial contacts with a couple of firms that do these analyses. The fees for both water and sewer could range from \$30,000 up to \$85,000. The process would be done in six months.

Mrs. Corriveau remarked that if Council wishes, funds could be allocated in the upcoming budget to cover the cost of this.

Councilman Clough asked about the possibility of using grant funds.

Mrs. Corriveau advised that staff will look into this. There may also be the possibility of using funds under the AIM program.

Councilman Smith asked if the City could charge a one time fee to pay for the study.

Mayor Graham commented that it is public money and we should stop trying to mask it as anything else.

Councilman LaBouf asked about the increase in usage as a result of development as well as Fort Drum.

Mrs. Corriveau remarked that an extra fee may not have to be used every year. She also advised that water consumption has dropped considerably. Fort Drum is a temporary increase which is most likely to end within months.

Council concurred to move ahead with the study.

GASB 45

City Comptroller James Mills addressed the chair reviewing the Governmental Accounting Standards Board Statement No. 45. He explained that the purpose of the statement is to establish standards for the measurement, recognition and display of the other post-employment benefits expense and related liabilities in the financial statements and note disclosures. These costs need to be associated with the timeframe in which they are earned and not when the benefits are provided or paid.

Code Enforcement Penalty Revisions

Attorney James Burrows addressed the chair explaining that this request by Mr. McWayne is being done to stream line the process as there can be a large amount of time before the charging of a violation and the disposition of the case. The changes would involve removing the possibility of jail time and the restructuring of the fines associated with each section.

Mayor Graham remarked that while he understands doing away with the jail time, he is concerned with this limiting the due process options. He remarked that this doesn't seem right to him because the judge might be the only recourse a person would have.

Councilman LaBouf remarked that it makes sense to streamline as it expedites the process.

Mrs. Corriveau explained that these revisions are in the area of compliance for rubbish and trash.

Mr. McWayne remarked that Codes is only looking for compliance in these cases.

Council concurred to have the proper paperwork drawn up. However, Mayor Graham stated that there are unintended consequences to everything.

Mrs. Corriveau responded that due process will still exist.

Changes to Chapter 120 of the City Code

Attorney Burrows advised that the Department of State implemented new regulations for all municipalities to follow. The new sections will replace other sections of the existing code.

Councilman Smith asked about inspections and how the City could help contractors out by not holding up the project.

Mr. McWayne explained that they will come in on Saturday, if needed. In addition, photos can be taken by the contractor for Code review.

Council concurred to have the proper paperwork drawn up.

Requests for Water/Sewer Service

Mrs. Corriveau advised that preliminary discussions have been held with the Town of Hounsfield and the Town of Pamela. Hounsfield is requesting authorization to construct a permanent emergency interconnect between the Town of Hounsfield Water District No. 2 and the Town of Watertown Water District No.1. The interconnect would be located on NYS Rt. 3 at the Town of Hounsfield/Town of Watertown town line. Based on the agreement with the Town of Watertown, the sale of water to the Town of Hounsfield through this interconnect, would actually be a sale of water between the City and Hounsfield. Hounsfield is requesting this emergency interconnect. Mrs. Corriveau explained that the second request is that Brookline Development is asking for an allocation of 20,000 gallons a day sanitary sewer service to support the development of the area north of the property that Brookline recently annexed into the City of Watertown. All expenses associated with the construction of the mains to service this area, would be paid by the District. Mrs. Corriveau advised that staff would like to move forward with this.

Council concurred.

Gaffney Drive

Mayor Graham asked what the process is relative to taking this over.

Attorney Slye explained that a public hearing must be scheduled. After the findings are made that it is in the public's interest to take Gaffney Drive, Council votes on a resolution agreeing to the findings. An appraisal of the property must be done and a written offer of no less than a 100% of the appraised value must be submitted by the City. A petition for an order to acquire the property must be made and will be granted. At that point, the City will receive title.

Discussion was held relative to the pump station, which is not owned by the same individuals.

Mrs. Corriveau explained that the owners have invested money in it over the past years.

Mayor Graham asked about the City constructing its own pump station.

Mrs. Corriveau explained that it would cost about \$300,000 to do that. She also stated that she would like to speak with Mr. Sligar prior to any decision on the pump station.

Mayor Graham asked that the necessary paperwork be drafted concerning Gaffney Drive. He also asked for an assessment of the pump station from Mr. Sligar.

Councilman Clough asked about Western Boulevard being extended to come up by Home Depot.

Mrs. Corriveau remarked that this was looked into and topographical issues prohibited it.

Time Warner Franchise Agreement

Mayor Graham expressed his concern with the fact that Time Warner was granted an extension on the agreement with the City until September 2007 through the Public Service Commission.

Attorney Slye advised that the state said the terms of the existing agreement should be extended. He also reminded Council that staff approached Council months ago about this agreement and Council wanted cameras, live feeds, etc. added to the agreement. All of this takes time. He stated that staff has aggressively pursued the negotiations of the contract as the Council dictated.

Smith Street

Councilman Smith asked that a letter be sent to the property owner of Monro Muffler concerning the complaints that the neighbors still have.

Mrs. Corriveau advised that she had contacted the owner previously, but will do so again.

Sales Tax

Councilman LaBouf asked if there was support on the Council for drafting a resolution to send to the County Legislature supporting the repeal of the clothing sales tax.

Mayor Graham responded that this Council and the staff have worked very hard to reach an agreement with the County and feels that the Council did their part at that time.

Upcoming Visit

Mrs. Corriveau reminded Council that representatives from NYS Dept. of State, Division of Coastal Resources, the National Oceanic and Atmospheric Association and Office of Coastal Resource Management will be in Watertown to discuss the City's progress on the LWRP and riverfront projects. The date will be April 11, 2007 at 9:00 a.m.

Executive Session

MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING.

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

Council moved into Executive Session at 9:30 p.m.

City Clerk was excused.

Donna M. Dutton

City Clerk