

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
April 2, 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 Amendment No. 59 to the Management and Management Confidential Pay Plan
- 2 - Approving Agreement for Use of Buildings and Grounds, Watertown City School District
- 3 - Approving Lease Agreement Between the City of Watertown and the Greater Watertown Red and Black, Inc.
- 4 - Authorizing the City Manager to Enter Into and Execute the Project Agreement for a \$500,000 Grant Through the New York State Department of State for the Completion of a Local Waterfront Revitalization Program
- 5 - Approving the 2006-2009 Contract Settlement Agreement and Authorizing the Amendment of the Collective Bargaining Agreement and Self-Funded Health Insurance Plan Between the City of Watertown and the Watertown Professional Firefighters' Association, Local 191
- 6 - Local Law No. 6 of 2007 Amending Chapter 120 of the Watertown City Code
- 7 - 7:30 p.m. – Public Hearing on Local Laws No. 2 through 5 of 2007, City Violation Penalty Revisions
- 8 - Tabled – Resolution Approving Pay Rates for Watertown Housing Authority Management Employees
- 9 - Police Department Vehicle
- 10 - 425 Court Street Update

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 March 19, 2007 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman Smith and carried with all voting in favor thereof.

COMMUNICATIONS

From CAPC requesting a City appropriation of \$50,000 for the 2007-2008 fiscal year.

ABOVE PLACED ON FILE

The following claims against the City were received:

1. From Ira Thomas for personal injuries sustained when he fell in front of 131 and 141 East Hills.
2. From Judy Gardner for damage to her vehicle when she struck a pothole on W. Main St.
3. From John Sharlow for damage to his vehicle when he struck a pothole on Arsenal Street.

ABOVE CLAIMS REFERRED TO THE BOARD OF AUDIT

A petition for Small Claims Assessment Review has been received from Paul and Lucy Majo, 1311 Loomus Dr.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Wayne Zimmer, Katherine Street, addressed the chair concerning the walkway near Eastern Boulevard. He asked who was going to maintain it and suggested that the monies being used for this could be better used to maintain the streets.

Bob Thornton, 201 Sterling Street, addressed the chair concerning the fact that two individuals are missing from that area. He referred to a white van being in the area and the fact that the bus stop should be moved.

Councilman Clough asked Mrs. Corriveau to contact the school district.

PROCLAMATION

Mayor Graham interrupted the regular course of business to present a proclamation to Mrs. Sanford on behalf of the Watertown Morning Musicales 100th Anniversary.

PUBLIC HEARING

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE

**NOTICE OF PUBLIC HEARING TO CONSIDER LOCAL LAWS NOS.2-5, 2007,
CITY MUNICIPAL CODE VIOLATION PENALTY REVISIONS.**

MAYOR GRAHAM DECLARED THE HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

R E S O L U T I O N S

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 59 to the Management and Management Confidential Pay Plan, effective April 2, 2007, as follows:

Librarian III \$49,000

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

Prior to the vote on the foregoing resolution, Councilman Clough asked about the salary for the previous employee in that position.

Mrs. Wheeler, Library Director, explained that this position has been vacant for over a year and the proposed salary is definitely not too high. The individual that was in the position was making \$50,955 after 11 years of employment. However, the new individual is a qualified librarian and is very experienced.

Councilman Smith asked if this individual would receive the \$1,000 raise after one year of service as some others have in the past.

Mrs. Corriveau explained that this was not part of the negotiations with the individual.

Questions came up as to whether or not this individual would receive an automatic raise in July.

Mrs. Corriveau explained that no one gets an automatic raise in July.

Councilman Smith asked about the Council making a probationary period for this position.

Mrs. Corriveau responded that she is not sure that the City should put more stipulations on people as there are probationary periods established by Civil Service.

Mayor Graham remarked that this can be addressed when the resolution for pay raises come before Council in July.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown desires to run a Summer Recreation Program within the City of Watertown, and

WHEREAS the Watertown City School District is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and the Watertown City School District, and

WHEREAS the City deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and the Watertown City School District, a copy of which is attached and made a part of this resolution, and

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

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City is a municipal corporation organized under the laws of the State of New York and, as such, owns a facility known as the Alex T. Duffy Fairgrounds within the City of Watertown, and the Fairgrounds are a community recreational facility, and

WHEREAS the City desires to promote future recreational activities at the Fairgrounds for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that public purpose, the City desires to contract for the use, operations, management and maintenance of the Fairgrounds multi-purpose field and all football-related activities, and

WHEREAS the Greater Watertown Red and Black, Inc. owns and operates a football team as a member and franchise of the Empire Football League, and

WHEREAS Greater Watertown Red and Black, Inc. desires to have its team, Red and Black, play football games within the confines of the Fairgrounds,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Lease Agreement between the City of Watertown and the Greater Watertown Red and Black, Inc., and

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

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 State, Division of Coastal Resources, has announced that the City of Watertown has been awarded a \$500,000 grant under Title 11 of the Environmental Protection Fund to complete a Local Waterfront Revitalization Program for the Black River within the City, and

WHEREAS the City Council desires to revitalize the waterfront along the Black River and improve the connection between Downtown and the Riverfront, and

WHEREAS the City must enter into a Project Agreement with the New York State Department of State for this project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Agreement with New York State Department of State, a copy of which is attached and made a part of this resolution, and

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

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to this project.

SECONDED BY COUNCILMAN PETER L. CLOUGH

Prior to the vote on the foregoing resolution, Councilman Smith expressed his concern with the last paragraph of the resolution. He commented that would allow the City Manager to make final decisions without Council input.

Mrs. Corriveau responded that staff has been cognizant of Council wanting to have input into designs. That is why designs have come before Council for review. She asked if, in addition to designs, Council wants extensions to come back before them.

Mayor Graham remarked that he doesn't feel that the final paragraph is even needed as it is implied.

Councilman Bradley remarked that he understands Councilman Smith's concerns because there may be something that staff doesn't feel is important, but Council does.

Councilman Clough remarked that change orders are approved after the fact quite often. He commented that if it is something major, he would think that the City Manager would come to the Council. He remarked that he doesn't feel there is a need to change the resolution.

Mayor Graham commented that he did agree that the term "all further matters" was quite broad.

Attorney Slye explained that the wording is a particular provision for NYS auditing to show that Mrs. Corriveau has the authority to sign.

Councilman Smith asked if that type of wording could be put in the resolution.

MOTION WAS MADE BY COUNCILMAN SMITH TO AMEND THE LAST PARAGRAPH TO READ "BE IT FURTHER RESOLVED THAT NEW YORK STATE IS ENTITLED TO RELY UPON THE SIGNATURE OF THE CITY MANAGER IN ALL MATTERS RELATING TO THE ADMINISTRATION OF THE CONTRACT."*Motion also included changing the wording of the resolution heading to read "Mayor".

MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THERE OF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING YEA

Following the vote on the resolution as amended, Mrs. Hoffman, Downtown Development Specialist, addressed the chair updating the Council on the status of the project.

INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY

WHEREAS the 2003-2006 Collective Bargaining Agreement between the City of Watertown and the Watertown Professional Firefighters' Association, Local 191, expired on June 30, 2006, and

WHEREAS negotiations have been concluded on a successor Agreement, and

WHEREAS the Watertown Professional Firefighters' Association, Local 191 has met and voted to approve this Agreement,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Collective Bargaining Agreement between the City of Watertown and the Watertown Professional Firefighters' Association, Local 191, a copy of which is attached and made a part of this resolution, and

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

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

NO MOTION WAS MADE BY COUNCILMAN TO TAKE FROM THE TABLE THE RESOLUTION "APPROVING PAY RATES FOR WATERTOWN HOUSING AUTHORITY MANAGEMENT EMPLOYEES". Introduced on; tabled; appears in its entirety on page 58 of the 2007 Minutes Book).

LOCAL LAWS

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the New York Municipal Home Rule Law permits the adoption of local laws by a city in furtherance of the health, safety and welfare of the residents of the City, and,

WHEREAS the City previously adopted Local Law No. 2 of 2005 to adopt Chapter 120 in order to effectively administer and enforce the Fire Code of New York State; the Property Maintenance Code of New York State; the Residential Code of New York State; the Building Code of New York State; the Plumbing Code of New York State; the Mechanical Code of New York State; and the Fuel Gas Code of New York State, and

WHEREAS the State has adopted new and additional requirements pertaining to the administration and enforcement of these various State Codes,

NOW, THEREFORE, be it enacted by the City Council of the City of Watertown, New York as follows:

Section 5. Liability. (B) Shall be amended as follows:

B. Any suit instituted against any supervisor, officer or employee because of an act performed by that supervisor, officer or employee in the lawful discharge of duties under the provisions of any of the Codes shall be defended by the City as permitted by New York Public Officers Law §18, as amended.

Section 6. Inspections. Shall be amended as follows:

The Code Enforcement Supervisor and his or her deputies (Code personnel) shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspection shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Enforcement Supervisor is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the City Manager.

Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Supervisor or by an inspector authorized by the Code Enforcement Supervisor. The permit holder shall notify the Code Enforcement Supervisor when any element of work described hereafter by this section is ready for inspection.

The following elements of the construction process shall be inspected where applicable:

- (A) Work site prior to the issuance of a building permit;
- (B) Footing and foundation;
- (C) Preparation for concrete slab;
- (D) Framing;
- (E) Building systems, including underground and rough in;
- (F) Fire resistant construction;
- (G) Fire resistant penetrations;
- (H) Solid fuel burning heating appliances, chimneys, flues or gas vents;
- (I) Energy code compliance; and
- (J) A final inspection after all work authorized by the building permit has been completed.

After inspection the work or a portion thereof shall be noted as satisfactory as completed, or the permit holder shall be notified as to where the work fails to comply with the uniform code or energy code. Work not in compliance with any applicable provision of the uniform code and energy code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the uniform code and the energy code, reinspected, and found satisfactory as completed.

Section 11. Classification of Permits. Shall be amended with the addition of:

G. Operating Permit. This type of permit shall be required for conducting the activities or using the categories of buildings specified at Section 13.1. Such permit will be issued by Code personnel, provided that all conditions are met as hereafter set forth in this Chapter.

Section 12. Building Permits. (C)(1) shall be deleted in its entirety and replaced with:

C. Plans required.

- (1) Each application for a building permit shall be accompanied by at least two sets of plans and specifications, including a plot plan drawn to scale identifying the street address, tax map number and showing the location and
- (2) size of all proposed new construction and all existing structures on the site and/or adjacent sites, the occupancy classification of any affected building or structures, the nature and character of the work to be performed and the materials to be incorporated, distance from lot lines, the relationship of structures to adjoining structures, widths and grades of adjoining streets, walks and alleys and, where required by Code personnel, details of structural, mechanical and electrical work, including computations, stress diagrams and other essential technical data.

A new Section 13.1 shall be added:

Section 13.1. Operating Permit.

(A.) Operating permits shall be required for conducting the activities or using the categories of buildings listed below:

- (1) Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Table 2703.1.1 (1), 2703.1.1 (2), 2703.1.1 (3) or 2703.1.1 (4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19NYCRR Section 1225.1;

- (2) Hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a by product, fruit and crop ripening, and waste handling;
- (3) Use of pyrotechnic devices in assembly occupancies;
- (4) Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and
- (5) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the City Council of the City of Watertown.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision A. shall be required to obtain an Operating Permit prior to commencing such activity or operation.

- (B) Applications for Operating Permit. An application for Operating Permit shall be in writing on a form provided by or otherwise acceptable to Code personnel. Such application shall include such information as Code personnel deems sufficient to permit a determination by Code personnel that quantities, materials, and activities conform to the requirements of the Uniform Code. If Code personnel determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to Code personnel, at the expense of the applicant.
- (C) Inspections. The Code Enforcement Supervisor or an inspector authorized by the Code Enforcement Supervisor shall inspect the subject premises prior to the issuance of an Operating Permit.
- (D) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (A.) of this section is to be conducted at a location, Code personnel may require a separate Operating Permit for each such activity, or Code personnel may, in his or her discretion, issue a single Operating Permit to apply to all such activities.
- (E) Duration of Operating Permits. Operating Permits shall remain in effect until re-issued, renewed, revoked, or suspended.
- (F) Revocation or Suspension of Operating Permits. If Code personnel determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(G) Fee. The fee specified in, or determined in accordance with, the provisions set forth in Section 14 of this Local Law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for re-issue or renewal of an Operating Permit.

Section 14 (B). shall be amended to include the following title

B. For Maintenance, Operating and Repair Permits:

A new Section 22.1 shall be added:

Section 22.1. Notification Regarding Fire or Explosion.

The chief of any fire department providing fire fighting services for a property within the City of Watertown shall promptly notify the Code Enforcement Supervisor of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

Section 32. Retention of Records. Shall be amended to include the following language additional language:

The Code Enforcement Supervisor shall annually submit to the Secretary of State, a report of the activities of the City of Watertown relative to the administration and enforcement of the Code. The Code Enforcement Supervisor shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials the City is required to maintain including excerpts, summaries, tabulations, statistics and other information and accounts of the activities of the City in connection with the administration and enforcement of the Code.

Section 37. Abatement of Violation. Shall be amended to include the following additional language:

The actual cost of restraining, correcting, or abating such condition (minimum charge of one (1) hour labor and one (1) hour equipment) plus materials, plus \$150.00 for inspection, correction, restraining, or abatement costs sustained in connection therewith shall be certified to the City Comptroller by the Department of Public Works and/or its designee and shall thereafter become and be a lien upon the property whereon such condition exists or is located and shall be added to and become a part of the tax next to be assessed and levied upon such lot and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes.

New Sections 38- 41 shall be added as follows:

Section 38. Emergency work or demolition.

A. In case there shall be, in the opinion of the Code Enforcement Supervisor, actual and immediate danger of the falling of a building or structure so as to endanger public safety, life or property or actual or immediate menace to health or public welfare as a result of the conditions present in or about a building or structure, such person shall cause the necessary work or demolition and removal to be done to render such building or structure safe.

B. When emergency work or demolition and removal is to be performed under this section, the Code Enforcement Supervisor shall cause the owner thereof to be served personally or by registered mail, return receipt requested, and, if served by registered mail, shall post on the premises a notice to comply containing a description of the premises, a statement of the facts in which the structure is unsafe or dangerous and orders and directions to correct the conditions which constitute an emergency within a specified period not to exceed three (3) days from actual or constructive receipt of the notice.

C. In the event that the emergency does not permit any delay, the City and/or its designee shall correct or demolish and remove the building or structure and the notice shall state that the city has corrected or demolished and removed the emergency condition.

D. In each case, the notice shall state that the corrective and/or demolition and removal costs of the emergency will be assessed against the owner's property pursuant to the provisions of this chapter.

Section 39. Demolition.

Pursuant to the authority and powers granted in the Municipal Home Rule Law, particularly §10 thereof, General Municipal Law §78-b, and General City Law, §20 (35), the following procedures may be followed:

A. Upon the making of a written report by the Code Enforcement Supervisor that the building or structure is unsafe or dangerous to the public, the Code Enforcement Supervisor shall serve a notice upon the owner and all other persons having an interest in such property or structure, either personally or by registered mail, addressed to their last known addresses as shown by the records of the City Assessor and/or in the office of the County Clerk, containing a description of the premises, a statement of the particulars in which the building or structure is unsafe or dangerous and an order of the Code Enforcement Supervisor requiring the same to be repaired or demolished and removed and, if such service is made by registered mail, the posting of such notice on the premises.

B. Such owner so served shall commence the repair or demolition and removal of such building or structure within thirty (30) days after service of such notice.

C. A hearing shall be scheduled by and held before the City Engineer at a time and place specified in the notice to repair or demolish and remove, not sooner than two (2) weeks nor later than the date given to commence repair or demolition and removal.

D. At the hearing, the owner, the City and any other interested parties may present witnesses and any other proof relating to the matters, and all parties may appear in person or with their attorneys.

E. At the conclusion of the hearing, the City Engineer shall make a determination, in writing, and a copy of the same shall be served either personally or by registered mail on all parties who appear therein.

F. The determination shall state whether the original report is sustained, modified or reversed. If reversed, no further proceeding shall be had.

G. If the original report is sustained, in whole or in part, the City Engineer shall also include an order directing the owner to proceed in accordance therewith and shall further specify that unless the work is commenced within ten (10) days after service and completed within a reasonable time thereafter, which the City Engineer shall designate, the penalties hereinafter provided shall be invoked.

H. The notice from the City Engineer, under Subsection A of this section, shall be filed in the office of the Jefferson County Clerk, in the same manner as the notice of pendency, pursuant to Article 65 of the Civil Practice Law and Rules. Such a notice so filed shall be effective for a period of one (1) year from the date of filing. However, said notice may be vacated upon the order of a Judge or Justice of a court of record or upon the consent of the City Attorney.

Section 40. Removal or Repair by City; Recovery of Costs.

A. Upon notification that the owner of the unsafe building or structure has failed or refused to repair or demolish and remove the unsafe building or structure within the time specified in the final order, the City Engineer shall report the same to the City Manager. The City Manager may direct that the City shall cause the repair or demolition and removal of the unsafe building. The City, in its discretion, may undertake to do the authorized work with its own personnel or hire a private contractor to complete said work. After the work has been completed, the City Engineer shall file with the City Comptroller a verified statement of all of the direct costs of the same, together with a charge of two thousand dollars (\$2,000.), in addition thereto, as reimbursement to the City for administering, supervising and handling said work. Said administrative surcharge of two thousand dollars (\$2,000.) shall be added to the direct cost, whether City personnel or a private contractor was used to do the subject work.

B. Upon receipt of the verified statement, the City Comptroller shall direct that the amount thereof, including the charges added thereto, shall constitute a lien against the premises and direct that the same shall be added to the next assessment roll of general City taxes and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as the general City tax and as a part thereof. In addition thereto, interest shall run thereon from the date of filing the verified statement to the date of actual payment at one percent (1%) per month.

C. Notwithstanding any provision herein to the contrary, the City may, at its election, institute suit against the owner of the premises for the direct costs, together with a charge of two thousand dollars (\$2,000.), in addition thereto, as compensation to the City for administering, supervising and handling said work and enter judgment thereon against the owner personally for the aforesaid amount. The imposition and collection of any fine or penalty hereinafter prescribed shall not bar the right of the City to collect the costs of the demolition and removal or repair of any unsafe building or structure as herein prescribed.

Section 41. Transfer of Title.

The transfer of title by the owner of premises upon which an unsafe building or structure is located shall be no defense to any proceedings under this chapter.

This Local Law shall become effective upon filing with the Department of State as authorized by the Municipal Home Rule Law.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF

MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING LOCAL LAW FOR MONDAY, APRIL 16, 2007.

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

LOCAL LAW NO. 2 OF 2007 WAS PRESENTED TO COUNCIL (Introduced on March 2, 2007; public hearing held this evening; appears in its entirety on page 67 of the 2007 Minutes Book).

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

LOCAL LAW NO. 3 OF 2007 WAS PRESENTED TO COUNCIL (Introduced on March 2, 2007; public hearing held this evening; appears in its entirety on page 69 of the 2007 Minutes Book).

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

LOCAL LAW NO. 4 OF 2007 WAS PRESENTED TO COUNCIL (Introduced on March 2, 2007; public hearing held this evening; appears in its entirety on page 70 of the 2007 Minutes Book).

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

LOCAL LAW NO. 5 OF 2007 WAS PRESENTED TO COUNCIL (Introduced on March 2, 2007; public hearing held this evening; appears in its entirety on page 71 of the 2007 Minutes Book).

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

Prior to the votes on the foregoing local laws, Mayor Graham remarked that these laws limit the individuals' rights in the court system. He commented that while he agrees that everyone gets frustrated over code violations, he is hesitant to curtail people's rights under the law.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Police Department Vehicle

Mrs. Corriveau referred to her memo concerning the need for purchasing an unmarked patrol car to replace the one that has been identified as needing in excess of \$3,200 in repairs and having a book value of only \$1,525.

Chief Goss explained that the vehicle would be smaller than a Crown Vic and would probably be either a Focus or an Impala depending on what fits into the state contract.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO AUTHORIZE THE PURCHASE OF AN UNMARKED PATROL CAR UNDER STATE CONTRACT.

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

RULES WAIVED BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

425 Court Street Update

Discussion was held relative to this property.

Mayor Graham expressed his concern that the City needs to have a plan for green space and landscaping for that property. He remarked that he would hope Council considers allocating funds for the landscaping costs.

Councilman Clough commented that some parking spaces on that site would also add to the value of the abutting property.

It was the consensus of the Council to demolish the property.

Avery Property

Councilman Smith asked about the status of this property.

Attorney Slye explained that the City does not own the property.

Mrs. Corriveau advised that it is on the list for discussion with the environmental engineers.

Ten Eyck Street Property

Councilman Bradley referred to the fact that Neighbors of Watertown have backed out of the proposal for this site. He asked if the City would now ask for RFPs.

Mrs. Corriveau responded that she only knows what she read in the paper concerning Neighbors withdrawing their proposal.

Mayor Graham commented that it is unfortunate that DANC lost interest in the infill program.

Mrs. Corriveau remarked that the City could always ask for RFPs, as Councilman Bradley suggested.

Mayor Graham remarked that he feels there are a limited number of contractors who would even respond to that.

Councilman Bradley responded that there are not a limited number of contractors. He remarked that there are a lot of contractors who would love to build and sell a house. He also commented that aesthetics can be part of the RFP.

Mayor Graham remarked that he never understood the objection to the Neighbors' proposal.

Councilman Clough remarked that if the RFP process doesn't work, it can always be put in the auction.

Mrs. Corriveau advised that she would have to talk with staff about the time frame.

Sex Offender Notifications

Councilman Clough advised that he has received several calls from residents wanting to know their rights concerning being notified that sex offenders are moving into their neighborhood.

Chief Goss explained that there are numerous DCJS websites that show where the sex offenders are living in the City. Under the law, the Police Department notifies schools and day care centers. However, they do not notify residents.

Mrs. Corriveau referred to the new PBA website which also has a map of city indicating where the sex offenders are living.

Chief Goss explained that the Warrant Services Officer maintains files on the Level 3 sex offenders and does make spot checks at their homes.

Streetscape

Councilman LaBouf asked about the status of this project.

Mrs. Corriveau and Mr. Hauk advised Council of the status and the upcoming work being done on Public Square and State Street. State Street should be completed this construction season, with seeding done next spring. Once the information is returned from the utilities, the City will have a better idea of a time frame for Public Square.

Mayor Graham asked about the status of the fountain and commented that it looks like sin.

Mr. Hauk explained that work will be done on the sidewalks over the vaults and on the center island area.

Mayor Graham asked if the contractor has the resources to get the work done as they seem to be keeping "bankers' hours".

Mr. Hauk explained that last year they couldn't get the work done because of the utility companies. However, now they can subcontract some of the work.

Clock

Mayor Graham commented that the clock has the wrong time on all sides of it and when a person drives into downtown, it makes it look like we can't get anything right.

Mrs. Corriveau explained that the project for repair of the clock is included in the capital budget that will be presented to Council this evening. She also advised that the cost estimate for repair is \$160,000.

Mayor Graham remarked that he is not sure that the City should wait for the budget.

Mrs. Corriveau advised that staff is looking into getting some grant funding to pay for it.

Mayor Graham responded that the Public Square project is frustrating and we have to get these things moving. He stated that we shouldn't be doing studies or applying for grants. We need to get the clock fixed immediately. He commented that he would ask Council to authorize the money to fix it.

Councilman LaBouf responded that it has been an issue of frustration and he does agree that it needs to be fixed.

Councilman Clough remarked that while he also agrees that it needs to be fixed, if there are grant funds out there, the City should use them. He also commented that the roads in the City need the \$160,000 more.

Mayor Graham stated that we all talk about a walkable community, speed bumps and LWRP as well as covered walkways to make our City look better. However, the clock still doesn't work. He commented that the City dropped the ball. The clock is not working and there is no plan in place other than a lengthy bid process.

Councilman LaBouf remarked that the frustration is shared with the staff as well. He stated that the clock is an old piece of equipment. The City Electric Department did all they could do to nurse it along. They did not drop the ball.

Mayor Graham remarked that we all dropped the ball.

Mrs. Corriveau explained that this issue was reviewed last year and staff did make the plans which are in place. These plans will be coming before Council this evening in the budget.

Councilman LaBouf remarked that there is time to look into the issue.

Mayor Graham asked if Council would consider having an RFP prepared and putting it out to bid.

Councilman Clough remarked that he wanted to see the budget first.

Mrs. Corriveau advised that she has asked Mr. White to look into grants for this project.

Mr. White addressed the chair explaining that there are many grants in NYS for churches and buildings on the Historic Register.

Mayor Graham reiterated his suggestion for an RFP.

Mrs. Corriveau remarked that it may be an RFQ.

Mayor Graham responded that he didn't care whether it was an RFP or an RFQ, he would like to have in done concurrently while applying for grants.

Councilman Clough remarked that he feels Council is jumping the gun on this as the budget hasn't come out yet.

MOTION WAS MADE BY MAYOR GRAHAM INSTRUCTING THE CITY MANAGER TO PREPARE AN RFP OR AN RFQ CONCERNING REPAIRS TO THE TOWN CLOCK.

MOTION WAS SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING YEA, EXCEPT COUNCILMAN CLOUGH VOTING NAY.

RULES WAIVED BY MOTION OF MAYOR GRAHAM, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF EXCEPT COUNCILMAN CLOUGH VOTING NAY.

Pot Holes

Councilman LaBouf asked if the filling of the pot holes had begun yet.

Mrs. Corriveau stated that filling has been going on since the weather broke.

Tree Plantings

Councilman LaBouf asked about the status of this.

Mrs. Corriveau explained that there will be a Rotary tree planting day and other trees planted by DPW. This is being coordinated through Mr. Lumbis.

Mrs. Hoffman advised that the Rotary tree planting will be on May 5th.

Thompson Park Zoo

Mayor Graham commented that discussions are being held but he feels that the elected officials have been left out of them.

Councilman Bradley explained that they are in contact with elected officials as he has spoken with members of the board. He also advised that the new director has served on the AZA education committee for several years and Councilman Bradley feels that the zoo is now back on the right track.

Compliments to Library Director

Councilman LaBouf commended Mrs. Wheeler and staff for the changes that have occurred at the library.

Mrs. Wheeler remarked that she appreciated his comments and outlined the status of Phase 2.

BUDGET

Mrs. Corriveau presented the 2007-2008 proposed budget. She outlined the many projects and changes that have been made throughout the City over the past year. She discussed the fact that she has not proposed increases in either the water or sewer fund rates. She advised that the proposed budget calls for a tax rate decrease of 27.31%

ADJOURNMENT

AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 8:48 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton

City Clerk