

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
June 4, 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 Agreement for Public Benefit Services Between The City of Watertown and the Community Action Planning Council of Jefferson County, Inc.
- 2 - Authorizing the Economic Development Services Agreement Between the City of Watertown and the Empire Zone Administrative Board
- 3 - Approving Agreement Between the City of Watertown and The Thompson Park Conservancy
- 4 - Approving the 2007 Summer Youth Employment Program Agreement
- 5 - Approving Agreement for Paratransit Services, Guilfoyle Ambulance Service
- 6 - Approving Bid for Police Officers' Uniforms – Starr Uniform Company
- 7 - Accepting Bid for Ready Mix Concrete, Watertown Concrete, Inc.
- 8 - Accepting Bid for Ferric Chloride, Wastewater Treatment Plant, Kemiron Companies, Inc.
- 9 - Accepting Bid for Chemicals, Water Filtration Plant, Slack Chemical, Inc.
- 10 - Accepting Bid for Chemicals, Water Filtration Plant, AMREX Chemical Co.
- 11 - Accepting Bid for Chemicals, Water Filtration Plant, Kemiron Companies, Inc.
- 12 - Accepting Bid for Iroquois Avenue Sewer Improvement Project
- 13 - Authorizing the Issuance of \$100,000 Bonds of the City Of Watertown, Jefferson County, New York, to Pay Additional Costs of Recreational Improvements to the Black River Shoreline at the Route 3 Wave, In and For Said City
- 14 - 7:15 p.m. – Public Hearing – Approving the Special Use Permit Request Submitted by Gary Beasley, on Behalf of Neighbors of Watertown, to Allow 10 Dwelling Units in an Existing Structure Located at 190 Stone Street, Parcel No. 10-01-305
- 15 - Laid Over Under the Rules – Approving the Special Use Permit Request Submitted by Gary Beasley, on Behalf of Neighbors of Watertown, to Allow 10 Dwelling Units in an Existing Structure Located at 190 Stone Street, Parcel No. 10-01-305
- 16- 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 May 21, 2007 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

**COMMUNICATIONS**

From Deborah Cavallario, Watertown Teen Center Board President, concerning the reasons that CAPC was not going to merge with the center.

**ABOVE PLACED ON FILE**

Claim against the City was received from William Malbouf for damages to his vehicle when he struck a pothole at the intersection of Starbuck Avenue and Pearl Street.

**ABOVE REFERRED TO THE BOARD OF AUDIT**

**PRIVILEGE OF THE FLOOR**

**Wayne Zimmer**, Katherine Street, addressed the chair concerning the fact that he saw a Citibus blocking the intersection of Newell and Mill Streets this past week. He also asked about the zoning for the West Main Street parcel that the City recently sold. He stated that if it is residential, a parking lot can not be put on it.

Mr. Mix responded that it was either commercial or neighborhood business.

**PUBLIC HEARING**

**AT 7:15 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING “APPROVING THE SPECIAL USE PERMIT REQUEST SUBMITTED BY GARY BEASLEY, ON BEHALF OF NEIGHBORS OF WATERTOWN, TO ALLOW 10 DWELLING UNITS IN AN EXISTING STRUCTURE LOCATED AT 190 STONE STREET, PARCEL NO. 10-01-305.**

**MAYOR GRAHAM DECLARED THE HEARING OPEN.**

Mr. Beasley answered questions posed by the Council. He explained that the completion date will be around June or July of 2008. He explained that this all depends on when the funding is approved. He also advised that they will be working through the winter on the

project.

**MAYOR GRAHAM DECLARED THE HEARING CLOSED AT 7:16 P.M.**

**RESOLUTIONS**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the Community Action Planning Council of Jefferson County (CAPC) was incorporated and designated in 1967 as the official anti-poverty agency for Jefferson County, and

WHEREAS since that time, CAPC has received funds from local governments as the local share required to leverage State and Federal program service dollars, and

WHEREAS the services provided by the CAPC promotes a public purpose, and

WHEREAS the services promote the education, charity, health, safety and welfare of the citizens of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Public Benefit Services between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc., a copy of which is attached and made a part of this resolution, and

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

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS New York State has designated a portion of the Town of Watertown and the City of Watertown as an Empire Zone, and

WHEREAS the Empire Zone Administrative Board has been named by the City Council of the City of Watertown, pursuant to the legislative requirements of the Empire Zone Program, to oversee Zone activities, and

WHEREAS the City of Watertown is committed to funding a portion of the local match required to receive administrative funds from New York State,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the Agreement for Economic Development Services between the Empire Zone Administrative Board and the City of Watertown is hereby approved, a copy of said Agreement is attached and made a part of this resolution, and

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

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

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the “Thompson Park Zoo” by lease dated December 1997, and

WHEREAS since that time, the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to be used to improve the leased premises as detailed in the attached Agreement,

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

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

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

Prior to the vote on the foregoing resolution, Mayor Graham asked whatever happened after discussions with the Conservancy following their request for signage funding.

Mrs. Corriveau responded that staff has had discussions with them concerning the lease which will be coming before Council. Planning staff would help with doing better signage in the City for directions to the zoo as well as within the park itself.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the Jefferson County Department of Employment and Training has allocated to the City of Watertown eleven (11) funded training positions under the

Summer Youth Employment and Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby authorizes the City's participation in the 2007 Summer Youth Employment and Training Program, and

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

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

Prior to the vote on the foregoing resolution, Councilman Clough asked about the seasonal employees.

Mrs. Corriveau explained that the resolution is for summer help paid for through the County. She stated that the City is having problems filling the City positions for seasonal employees. The market has gotten tighter.

Council members asked if these positions had been advertised. Councilman Bradley suggested using Newzjunky as a way of reaching the age group that would be applying for the positions. Councilman LaBouf suggested that guidance offices be contacted.

Mrs. Corriveau advised Council that life guards in the state parks start at \$13.00 an hour. The City pays between \$7.25 and \$7.75.

Councilman Clough suggested that the need for seasonal employees would be a good article for the Times to do.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City Purchasing Department has advertised and received sealed proposals from qualified contractors to operate the City's Paratransit Program, and

WHEREAS request for proposals were issued to seven (7) prospective agencies, with only one firm submitting a proposal, and

WHEREAS on Tuesday, May 22, 2007, at 11:00 a.m., the proposal received was publicly opened and read, and

WHEREAS Purchasing Agent Robert Cleaver and Transit Supervisor Kathy Webster have reviewed the proposal submitted and are recommending that the City Council accept the two-year Lump Sum proposal submitted by Guilfoyle Ambulance Service, and

WHEREAS the term of the Agreement commences on July 1, 2007 and continues until June 30, 2009, with the ability to extend the contract for an additional three (3) year term on a year to year basis, with an annual increase not to exceed 6% per year,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the two-year Lump Sum proposal submitted by Guilfoyle Ambulance Service in the amount of \$140,140.00 for Paratransit Services, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Paratransit Services, a copy of which is attached and made a part of this resolution, and

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

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

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City Purchasing Agent has advertised and received sealed bids for the purchase of new and unused police uniforms, on an as needed basis, as specified by the Police Department for the period July 1, 2007 – June 30, 2009, and

WHEREAS invitations to bid were issued to ten (10) prospective bidders with five (5) bids submitted to the Purchasing Department, and

WHEREAS on Thursday, May 17, 2007, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received and is recommending that the City Council accept the bid submitted by Starr Uniform Company, Scranton, PA, in the amount of \$1,991.73,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Starr Uniform Company, Scranton, PA, in the amount of \$1,991.73 for Police Officers' uniforms, on an as needed basis.

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready Mix Concrete for use by all City Departments during Fiscal Years 2007-2008, and

WHEREAS invitations to bid were issued to four (4) prospective bidders, with three (3) bids received, and

WHEREAS on Thursday, May 24, 2007, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS Robert J. Cleaver, Purchasing Agent, reviewed the bids received and after conferring with Eugene Hayes, Superintendent of Public Works, it is his recommendation that the City Council accept the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed below:

4000 lb. Coarse	\$81.00/cubic yard
4000 lb. Fine Mix	\$81.00/cubic yard
5000 lb. Fine Mix	\$84.00/cubic yard

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Watertown Concrete, Inc., Watertown, New York, as detailed above, for the purchase of crushed gravelstone for use by all City Departments.

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of FERRIC CHLORIDE for use at the City's Wastewater Treatment Plant, for the City's 2007-2009 annual requirements, and

WHEREAS invitations to bid were issued to three (3) prospective bidders with three (3) bids being received, and

WHEREAS on Tuesday, May 22, 2007, at 11:30 a.m., in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Michael J. Sligar, Chief Plant Operator, and he is recommending that the City Council accept the bid from Kemiron Companies, Inc., Lawrence, Kansas, as detailed below:

FERRIC CHLORIDE	\$349.73/dry ton delivered for the 2007-2009
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Fiscal Years

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Kemiron Companies, Inc., 3211 Clinton Pky C. #1, Lawrence, Kansas, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of FERRIC CHLORIDE for use at the City’s Wastewater Treatment Plant.

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

Prior to the vote on the foregoing resolution, Councilman Smith questioned what parts were incomplete with the bids submitted by Thatcher Co.

Mr. Pilon explained that they failed to submit material safety data sheets for each of the products and they failed to submit 2 year pricing for the Hydrofluosilicic Acid as required.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Filtration Plant, for the City’s 2007-2009 fiscal years’ requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to eleven (11) prospective bidders, with a total of nineteen (19) bids being received, and

WHEREAS on Tuesday, May 22, 2007, at 11:15 a.m., in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary Pilon, Water Superintendent, and Brian Gaffney, Chief Water Plant Operator, and it is his recommendation that the City Council accept the bids from Slack Chemical, Inc., Carthage, New York, as detailed below:

Liquid Aluminum Sulfate	\$ 285.94/dry ton
Liquid Chlorine	638.97/cyl ton
Cyl deposit	750.00/cyl
Liquid Sodium Silicate	231.59/ton
Activated Carbon	1,798.00/dry ton
Hydrofluosilicic Acid	548.39/ton

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Slack Chemical, Inc., Carthage, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the

purchases of liquid aluminum sulfate, liquid chlorine, cyl deposit, liquid sodium silicate, activated carbon and hydrofluosilicic acid for use at the City's Water Filtration Plant.

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

Prior to the vote on the foregoing resolution, Councilman LaBouf asked why Slack hadn't been awarded the bids for the other chemicals.

Mrs. Corriveau explained that they hadn't bid on them.

Mr. Pilon advised that Slack doesn't handle all the chemicals that bids went out for.

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Filtration Plant, for the City's 2007-2009 fiscal years' requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to eleven (11) prospective bidders, with a total of nineteen (19) bids being received, and

WHEREAS on Tuesday, May 22, 2007, at 11:15 a.m., in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary Pilon, Water Superintendent, and Brian Gaffney, Chief Water Plant Operator, and it is his recommendation that the City Council accept the bid from AMREX Chemical Co., Binghamton, New York, as detailed below:

Crystal Copper Sulfate	\$4,000.00/ton
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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by AMREX Chemical Co., 117 E. Frederick Street, Binghamton, New York 13902, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Crystal Copper Sulfate, for use at the City's Water Filtration Plant.

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

**INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Filtration Plant, for the City's 2007-2009 fiscal years' requirements, on an as needed basis, and

WHEREAS invitations to bid were issued to eleven (11) prospective bidders, with

a total of nineteen (19) bids being received, and

WHEREAS on Tuesday, May 22, 2007, at 11:15 a.m., in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with Gary Pilon, Water Superintendent, and Brian Gaffney, Chief Water Treatment Plant Operator, and it is his recommendation that the City Council accept the bid from Kemiron Companies, Inc., Lawrence, KS, as detailed below:

Polyaluminum Chloride	\$348.00/dry ton
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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Kemiron Companies, Inc., 3211 Clinton Pky Ct. #1, Lawrence, KS, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of polyaluminum chloride, for use at the City's Water Filtration Plant.

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

**INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the labor and material to install storm and sanitary pipe with new laterals on Iroquois Avenue and Cosgrove Street, per our specifications, and

WHEREAS invitations to bid were issued to seven (7) prospective bidders, with four (4) bids being received, and

WHEREAS on Wednesday, May 23, 2007, at 11 a.m., the bids received were publicly opened and read in the City Council Chambers, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bid evaluation of Passero Associates, and he concurs with their recommendation that the City Council accept the bid submitted by Bat-Con, Inc., Marcellus, New York, in the amount of \$518,793.00, the lowest qualifying bidder meeting City specifications, for the labor and material to install storm and sanitary pipe with new laterals on Iroquois Avenue and Cosgrove Street,

NOW THEREFORE BE IT RESOLVED that the City Council accepts the bid submitted by Bat-Con, Inc., Marcellus, New York, in the amount of \$518,793.00, for labor and material to install storm and sanitary pipe with new laterals on Iroquois Avenue and Cosgrove Street, and

BE IT FURTHER RESOLVED that the acceptance of this bid is contingent on City Council approval of bonding to support this construction project.

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

Prior to the vote on the foregoing resolution, Councilman Smith referred to the memo and asked if Bat-Con's high pricing issue had been resolved.

Mr. Hauk explained that the Engineering Department had received an email this past week from Passero indicating that they had been in contact with Mr. Crysler of Bat-Con, Inc. and were satisfied with the bid. They explained that the top soil bid was based on the fact that they would be 6" thickness and it was a sq. ft. price. The sewer work pricing was based on the fact that there may have to be two trenches for this work.

**THE RESOLUTION "APPROVING THE SPECIAL USE PERMIT REQUEST SUBMITTED BY GARY BEASLEY, ON BEHALF OF NEIGHBORS OF WATERTOWN, TO ALLOW 10 DWELLING UNITS IN AN EXISTING STRUCTURE LOCATED AT 190 STONE STREET, PARCEL NO. 10-01-305 WAS PRESENTED TO COUNCIL** (Introduced on May 21, 2007; public hearing held this evening; appears in its entirety on pg 133 of the 2007 Minutes Book).

Prior to the vote on the foregoing resolution, Councilman LaBouf remarked that this is an admiral venture.

Mayor Graham commented that he is pleased that this is being done in conjunction with doing the rest of the corner.

Councilman LaBouf asked if there were other facilities around the country which this project will mirror.

Mr. Beasley explained that this is a HUD Continuum Care facility in partnership with other human service agencies in the area. It is permanent housing, not transitional or shelter.

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

**ORDINANCES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, by bond ordinance dated September 18, 2006, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$180,000

bonds of said City to pay the cost of the design and construction of recreational improvements to the Black River shoreline at the Route 3 Wave, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, it is now desired to authorize the issuance of \$100,000 bonds of said City to finance additional costs of said specific object or purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For paying additional costs of the design and construction of recreational improvements to the Black River shoreline at the Route 3 Wave, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued an additional \$100,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$280,000 and that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$180,000 bonds of said City authorized to be issued pursuant to bond ordinance dated September 18, 2006 (Ordinance No. 1); and
- (b) by the issuance of the additional \$100,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State and/or Federal aid or any other revenue received by said City for such specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law.

Section 4 Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

- (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

**UNANIMOUS CONSENT WAS MOVED BY COUNCILMAN LABOUE, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

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**COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

**First Council Meeting in July**

**MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE THE FIRST COUNCIL MEETING IN JULY TO MONDAY, JULY 9<sup>TH</sup> AT 7:00 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING YEA**

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

**Adopt-A-Plot Program**

Councilman Bradley asked what in-kind services the City was offering for this project and if the City was going to be supplying mulch.

Mrs. Corriveau and Mrs. Dutton explained that the only in-kind service would be the removal of brush. Participants have to bring all of their own gardening tools, plants, mulch and water.

### **Public Square**

Councilman Clough remarked about the progress being made on Public Square.

Mr. Hauk explained that Syracuse Utility is the primary contractor for Verizon and they are doing the work on the utilities in the Square.

### **W. Lynde Street House**

Councilman Clough asked about the status of this.

Mrs. Corriveau explained that the property will be taken over by the City this month. However, Attorney Slye needs to find out from Attorney Burrows what the City needs to do with the contents of the house before it is demolished.

Attorney Slye explained that if we know the contents belong to someone else, the City just can't take them.

### **Contract with City Clerk**

Councilman Clough referred to the fact that there are other cities in the country that do have contracts with their City Clerk. He explained that this is something that this Council wants to look at.

Councilman Smith remarked that it is something that we should do as well as having an annual review of the clerk. He stated that other employees have their unions and the City Manager has some safeguards in her contract as well.

Mayor Graham commented that he feels the appraisal should be done. However, when a contract is prescribed, it has a time line for a term and therefore, there are some issues to weigh in on.

Councilman Bradley questioned why we wouldn't want these types of options.

Councilman Smith remarked that the contract could make for murky waters. However, the contract protects both parties.

Attorney Slye explained that this Council can not bind future Council. He also explained that the longest contract that this Council could have with the City Clerk is until 12/31/07. Then the future Council could have a two year contract beginning January 2008. He explained that the change in the City Charter would require a local law subject to referendum and would have to be on this November's ballot.

Mayor Graham also remarked that he feels that the review and compensation should be independent of other City employees.

Mrs. Corriveau remarked that if Council decides to enter into a contract, she would suggest that they do so with a change in the charter.

Council asked that Attorney Slye draw up the necessary paperwork.

### **CSX**

Councilman LaBouf announced that CSX has agreed that there are deficiencies with the overpass and is starting work on August 1<sup>st</sup>.

Mrs. Corriveau advised that she has been in touch with CSX for the past three weeks. Mr. White has taken photos and forwarded them to CSX and they will be here on August 1<sup>st</sup>.

### **Downtown Construction**

Councilman LaBouf stated that he has received a number of complaints from business owners concerning communication regarding the construction schedule downtown. He remarked that business owners informed him that Mrs. Hoffman had told them that they would be told when construction would be taking place in front of their businesses. This has not happened.

Mrs. Corriveau explained that she had spoken with the business owner who he is referring to and a ramp was built so that access could be gained to the business. She stated that this should have been done before. However, it wasn't. She also advised that she apologized to the business owner. Mrs. Corriveau commented that people are still able to park downtown.

Councilman Bradley responded that while you can park downtown, it takes 25 minutes to get to the parking space.

Mayor Graham remarked that we do the best that we can. He suggested that if businesses are distressed, perhaps they could receive loans through agencies such as the Watertown Trust.

Mrs. Corriveau remarked that new businesses are opening up even through this construction.

Councilman Bradley responded that these businesses are taking the place of ones which have closed.

Councilman LaBouf remarked that the City has a Downtown Development Specialist and the focus of that position should be downtown.

Councilman Bradley remarked that a lot of the businesses have never seen the Downtown Development Specialist as she has never made contact with them.

Mrs. Corriveau advised Council that Mr. Lumbis is responsible for the downtown project and Mrs. Hoffman will not be back to work soon due to a broken ankle.

### **Town Clock Update**

Councilman Smith asked what the status of this was.

Mrs. Corriveau explained that they are close to resolving issues with one party and still need to resolve issues with another.

Councilman Clough asked which parties she was talking about.

Mrs. Corriveau explained that they are still waiting to hear from the church.

Councilman LaBouf remarked that they had been in contact with their insurance carrier and they have indicated that as long as Mr. Dean is covered under Knowlton's there is no problem.

Attorney Slye stated that he needs to see the church's policy, policy number and declaration page and that he also wants to speak with the insurance representative. Attorney Slye also stated that the City must be listed as an additional insured.

Mayor Graham remarked that this is still a need for a lease agreement.

Councilman Clough asked when all of this will be resolved.

Attorney Slye remarked that he thought it was going to be resolved overnight three weeks ago.

### **Smith Street-Monroe Muffler**

Councilman Smith asked about the status of this as a result of calls he has received pertaining to noise.

Mrs. Corriveau explained that from the City's prospective, it is not really a City issue but rather an issue between the property owners and the business owners.

Councilman Smith remarked that there is a provision in the City Code concerning noise levels.

Attorney Slye explained that in the case of this business, the City put operational constraints on it through its site plan resolution and they are unworkable.

Councilman Smith remarked if the problem was smoke, we would take action. He asked what the standard they are held to was. He also discussed the neighbors' complaints regarding the salt pile.

Attorney Slye explained that the testing done by the City for the salt pile issue was to determine if this was a public or private nuisance. Council determined that it was a private nuisance. The question is "does it involve a significant number of people?"

Mayor Graham remarked that he hadn't received any complaints.

Councilman Smith remarked that we could urge moderation and we could enforce what was agreed to. He asked what would be a reasonable amount of noise in a residential neighborhood.

Councilman Bradley remarked, that while he understood what Councilman Smith was saying, the argument would be that it is located on Arsenal Street.

Mayor Graham responded that, in retrospect, perhaps the City shouldn't have allowed a building to be built sideways on a lot.

Councilman Smith asked Mrs. Dutton to pull all Planning Board minutes and City Council minutes, as well as reports and a copy of the resolution pertaining to this issue.

Councilman Clough asked that Mrs. Corriveau contact them to see what could be done.

### **Van Duzee Street Sewers**

Mayor Graham asked which part of this street is served and which part is not.

Mr. Pilon explained that crossing the bridge to the north, the only property served is the old warehouse. The rest of the property from the bridge to W. Main has no sanitary sewers.

### **State Commission on Local Government Review**

Mayor Graham asked for areas that could be looked at for this review. Chairman Burto has requested the City to submit suggestions pertaining to this. Areas that were suggested included fire service, water districts, highway departments and court systems. Mayor Graham mentioned school districts but also the fact that this would never happen.

Mrs. Corriveau remarked that the focus should be on the structure of the layers of local governments.

### **Verizon Agreement**

Mayor Graham asked about the status of an agreement.

Mrs. Corriveau explained that this is being worked on, but is not completed yet.

**Public Presentation on Assessment**

Mrs. Corriveau advised that a program will be held on Thursday, June 7 at 6:30 at JCC concerning Assessment, Revaluation and Property Taxes.

**Work Sessions**

There are no work sessions currently planned for next week or for the months of July and August.

**Youth Activities Report**

Mayor Graham asked about the status of this report.

Mrs. Corriveau explained that it will be presented to Council in the near future.

**ADJOURNMENT**

**AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 8:20 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*  
City Clerk