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CITY CLERK'S OFFICE
WATERTOWN, NY

Charter of the City of Watertown, New York

Effective January 1, 2020

TABLE OF CONTENTS

ARTICLE I: PREAMBLE & DEFINITIONS 1

ARTICLE II: MAYOR & CITY COUNCIL 3

1. Terms & Qualifications 3
2. Powers & Duties 3
3. Additional Powers & Duties of the Mayor 6
4. Mayor Pro Tem 7
5. Removal From Office 7
6. Rules of Council 7
7. Compensation 7
8. Vacancy 8

ARTICLE III: CITY MANAGER 8

1. Appointment & Qualifications 8
2. Powers & Duties 8
3. Deputy City Manager 10
4. Removal 11
5. Vacancy 11

ARTICLE IV: CITY CLERK 11

1. Appointment & Qualifications 11
2. Powers & Duties 11
3. Oaths of Office 12
4. Deputy City Clerk 12
5. Vacancy 13

6. Removal 13

ARTICLE V: CITY JUDGE 13

ARTICLE VI: OFFICE OF PARKS AND RECREATION 13

ARTICLE VII: OFFICE OF PUBLIC WORKS 14

ARTICLE VIII: OFFICE OF ENGINEERING 15

ARTICLE IX: PLANNING DEPARTMENT 16

ARTICLE X: OFFICE OF PUBLIC SAFETY 16

1. THE COMMISSIONER OF PUBLIC SAFETY 16

A. Appointment & Qualifications 16

B. Powers & Duties 17

C. Vacancy 17

2. POLICE DEPARTMENT 18

3. FIRE DEPARTMENT 18

4. CODES DEPARTMENT 19

5. HEALTH OFFICER 19

6. PUBLIC SAFETY FACILITIES & EQUIPMENT 19

7. OTHER 20

ARTICLE XI: OFFICE OF COMPTROLLER 20

1. Powers & Duties 20

2. Deputy Comptroller 21

ARTICLE XII: PURCHASING AGENT 21

ARTICLE XIII: OFFICE OF ASSESSMENT 22

1. Local Improvements and Assessments 22

2. Assessment and Collection of Taxes 27

ARTICLE XIV: OFFICE OF WATER 39

1. Powers & Duties 39

2. Rates, Rents & Charges 39

3. New Construction & Improvements 39

ARTICLE XV: OFFICE OF ELECTRIC 40

1. Powers & Duties 40

2. Other 40

ARTICLE XVI: OFFICE OF INFORMATION TECHNOLOGY 41

ARTICLE XVII: MISCELLANEOUS 41

ARTICLE XVIII: SEVERABILITY 46

ARTICLE XIX: BOUNDARIES 46

ARTICLE I
PREAMBLE & DEFINITIONS

PREAMBLE

We the people of the City of Watertown, under the NYS Constitution, in order to secure the benefits of self-determination in municipal affairs and to provide for an honest and accountable Council-Manager form of government, do hereby repeal the current Charter and adopt this Charter, to become effective January 1, 2020, and confer upon the City the following powers, subject to the restrictions of the State of New York, and prescribe the following procedures and governmental structure in order to provide for a local government responsive to the will and values of the people.

DEFINITIONS

Terms defined, common word usage. Whenever used in this Charter, unless otherwise expressly stated or unless the context or subject matter otherwise requires:

- ADMINISTRATIVE CODE: The term "Administrative Code", "City Code" or "Code" shall mean the City Code as the same may be amended from time to time. The City Code may be divided into several parts. It contains City legislation of an administrative nature, namely, that dealing with the administration of government establishing or regulating municipal departments and affecting officers and employees of the municipal government and its departments.

- BOARD: Except as otherwise provided herein, shall mean a body of persons appointed or elected in the manner herein provided for the purpose of administering designated City functions or advising on matters of continuing City interest, or in assisting in the making of City governmental policy.

- CHARTER: The term "Charter" shall mean the Charter of the City of Watertown.

- CITY: The term "City" shall mean the City of Watertown.

- CITY COUNCIL: The term "City Council", or "Council", is the legislative body of the City consisting of the Mayor and four (4) Members.

- DEPUTY: A person whose immediate supervisor is a senior figure within a department, bureau, agency, or division and who is empowered to act as a substitute for their supervisor.

- EMPLOYEE: The term "employee" shall mean any person, except an officer, employed by the City or an agency thereof, but shall not include an independent contractor.

- FISCAL YEAR: The term "fiscal year" shall mean the period beginning with the first day of July and ending with the last day of June each year.

- LAW: The term "law" shall mean a state statute, this Charter, other local law, ordinance or rule.

- LOCAL LAW: The term "local law" shall mean a legislative act of the Council adopted pursuant to the New York State Municipal Home Rule Law, but shall not mean or include an ordinance, resolution or other similar act of the Council.

- OFFICER: The term "officer" shall include the elected positions of the Mayor and other members of the City Council. It shall also include the following appointed position:
  a. City Manager
  b. City Clerk
  c. Superintendent of Parks & Recreation
  d. Superintendent of Public Works
  e. City Engineer
  f. Planning & Community Development Director
  g. Commissioner of Public Safety
  h. Police Chief
  i. Director of Fire Department
  j. Comptroller
  k. Deputy City Comptroller
  l. Assessor
  m. Superintendent of Water
  n. Superintendent of Electric
  o. Constable.

- ORDINANCE: The term "ordinance" shall mean a legislative act which is permanent in nature unless specifically self-limiting, general in its application, adopted pursuant to this Charter and relating to property or any other subject of City concern not required to be enacted by local law.

- PERSON: The term "person" shall be held to include and be coextensive with the words "person," "company" and "corporation".

- POLITICAL YEAR: The term "political year" shall mean the period beginning with the first day of January and ending with the last day of December each year.

- QUORUM and MAJORITY: Whenever three (3) or more public officers are given any power or authority, or three (3) or more persons are charged with any public duty to be performed or exercised by them jointly as a board or similar body, a majority of the whole number of such persons or officers, gathered together at a meeting duly held at a time fixed by law, or by any by-law duly adopted by such board or

body, or at any duly adjourned meeting, or at any meeting duly held upon reasonable notice to all of them, shall constitute a quorum and not less than a majority of the whole number may perform and exercise such power, authority or duty. For the purpose of this provision, the words "whole number" shall be construed to mean the total number which the board, commission, body or other group of persons or officers would have were there no vacancies and were none of the persons or officers disqualified from acting.

- RESOLUTION: The term "resolution" shall mean a legislative act which is an expression of opinion on a matter of public policy or the approval of an administrative action not otherwise required to be authorized by local law or ordinance, which is adopted pursuant to a motion and in accordance with the rules of the Council.

ARTICLE II
MAYOR & CITY COUNCIL

1. TERMS & QUALIFICATIONS

A. The City Council shall be the governing body of the City. It shall consist of the Mayor and four (4) Council members elected at large in the City.

B. The members of the City Council shall be elected by the electors at large and each shall serve a four (4) year term.

C. The general election laws of the State, as the same may be amended from time-to time, shall apply to and govern all elections in the City.

D. Each member of the City Council shall be a qualified resident and elector of the City of Watertown at least 180 days prior to Election Day and shall have, and maintain, a principal residence in the City of Watertown during his or her term.

E. If any member of the City Council shall cease to be a resident of the City, such change in residency shall create an immediate vacancy in his or her office.

F. No member shall hold two (2) elected offices at the same time.

2. POWERS & DUTIES

All powers of the City as provided in the NYS Constitution, the Optional City Government Law, elsewhere in NY Law, and all the legislative powers of the City shall be and, hereby are, vested in the Council, except as otherwise provided by

law or this Charter and said powers may be exercised as provided by law, or resolution adopted by it.

In addition to the exercise by the Council of the powers granted to the City by the general and special laws of the state, the Council shall have power and is hereby imposed upon it the duty:

A. To enforce obedience to the laws passed by it by establishing fines or penalties for every violation thereof, not exceeding a fine or penalty of two hundred fifty dollars ($250) and/or a maximum of 15 days in jail for any one (1) offense. Within the limit above prescribed, it may establish a maximum and minimum fine or penalty for the violation of any law. In any law relating to a nuisance or to buildings within the City limits, the Council may provide that each day's continuance of the condition prohibited thereby, after notice, shall constitute a separate and distinct violation thereof and that the fine or penalty therein prescribed may be imposed for each violation.

B. To adopt the annual budget, to appropriate money and levy taxes. To control the finances and all the property real and personal belonging to the City, except as otherwise provided by law. It shall have power to determine the amount of expenditures each year to be made.

   i.. Budget Adoption. The City Council shall adopt the budget and the necessary process to its implementation no later than the first meeting in June.

   ii. Failure to Adopt Budget. If the City Council fails to timely adopt a budget, the most recent proposed budget submitted by the City Manager to the Council shall take effect.

C. To try any appointive or elective officer of the City, except the Mayor, upon written charges preferred and served by its direction upon the officer charged, together with a notice of the time and place for the hearing and trial, and it shall have the power to take evidence in relation to the charge and issue a subpoena under the hand of the Mayor or member of the City Council presiding at such trial with the same force and effect of a subpoena issued out of the Supreme Court. The Council shall by resolution entered upon the minutes after due hearing either acquit or convict the party charged according to the evidence; but no conviction shall be had except under the vote of a majority of all the members of the Council. Upon conviction, the party charged shall be either censured or removed from office as the Council may by resolution determine. The votes of the Council upon such resolution shall be by yeas and nays and entered upon the minutes.

D. To enter into a contract with an appointed City Manager, and appointed City Clerk, for a period of time which may, by reason of its duration, bind a future Council to its terms. However, in no event shall any Council enter into any one (1) contract with an appointed City Manager, or Clerk, for a period exceeding four (4) years.

E. To review the City Manager's contract and performance, and that of the City Clerk, by July 1 of each year.

F. The Council shall have power to establish and maintain what shall be known as "building lines," thereby defining, prescribing and regulating the distance or number of feet from the sidewalk(s) located upon either side of any street, public place or square in the City of Watertown, which any person(s), owning property abutting upon any such public street, place or square shall be permitted to erect or build any structure.

G. The Council shall have power to enact, amend or rescind all laws, as may be necessary to carry into effect any general power or discharge any duty conferred or imposed by this Charter or by any other provision of law, including to authorize the City Manager, or other designated City officer, to enter into contract(s) and execute deed(s).

H. No ordinance shall be passed by the Council on the same day upon which it is introduced except by unanimous consent.

   i. The Council shall have power to modify, rescind, amend or repeal any ordinance(s) adopted by it.

   ii. As soon as may be after its enactment, every ordinance shall be filed with the City Clerk. Such record shall include the signature of the Mayor, if necessary, and attested by the Clerk, and such record or copy thereof, shall be presumptive evidence of the passage of the ordinance. Proof of publication of such ordinance(s) in the official newspaper of the City, if necessary, shall be filed with the City Clerk, together with any other official electronic media as designated by the City Council which may include the City's official website.

I. The Council may, by law, subject to the provisions of the Optional City Government Law and subject to the provisions of this Charter and of the laws of the state, regulate the powers and duties of any City officer; and it shall have power to investigate all City officers and boards and shall have access to all records and papers kept by any City officer or board; and shall have power to compel the attendance of witnesses and the production of books, papers and other evidence at any meeting of the Council, and for that purpose may issue subpoenas signed by the Mayor.

J. All of the funds of the City are under the control of the Council, and no moneys shall be paid out of such funds by the City Comptroller except as approved by the City Manager in accordance with authorization from the Council.

K. Additional powers as specified at Article XIII (1) - Local Improvements and Assessments.

3. ADDITIONAL POWERS & DUTIES OF THE MAYOR

A. The Mayor shall have such powers and shall perform such duties as are conferred and imposed upon him or her respectively by the Optional City Government Law of 1914, the New York General City Law, the Public Officers Law, this Charter, and other applicable general and special laws of the state.

B. The Mayor shall be a voting member of the City Council and shall attend and preside at meetings of the Council, represent the City in intergovernmental relationships, appoint the members and officers of any committees formed, assign Council agenda items, and perform other duties specified by the Council. The Mayor shall be recognized as head of the City government for all public purposes but shall have no administrative duties, except as expressly delegated herein.

C. Upon the appointment of any officer by the Mayor, where applicable, the appointee shall forthwith file proof of appointment with the City Clerk.

D. As soon as may be after its enactment, every Bond Ordinance shall be signed by the Mayor, recorded and documented by the City Clerk.

E. The Mayor may appoint a Charter Commission any time, but shall appoint a commission at least every ten (10) years, after the January 1, 2020 effective date of this Charter, to review and recommend any changes to the Charter.

F. On or before June 1st of each year, the Mayor shall select attorn(ies) to serve as "in-house" Counsel, or may select attorn(ies) or a law firm to serve as outside Counsel, to perform and discharge the usual duties of a City Attorney or Corporation Counsel in cities of the third class with the consent of a majority of the total Council on an annual basis per such terms and conditions as may be agreed upon. Such person(s) shall be called the "City Attorney," but not be an officer of the City. The City Attorney shall have such duties as shall be prescribed by and pursuant to resolution adopted by the City Council. Duties shall also be performed by direction of the City Manager. The City Attorney shall be the official legal advisor to the Council, each of its members, and any board or officer of the City; shall prosecute and defend all actions and proceedings brought by or against the City or by or against any of its officers as such; shall represent the City in all proceedings and prosecution in the City Court for the violation of any law

of the City and shall be the legal advisor of the police in all matters pertaining to the Police Department. When, in this section or in any provision of the City Code, reference shall be made to the "Corporation Counsel," such term shall be deemed to refer to the City Attorney described in this section.

G. The Mayor, with the consent of a majority of the total Council , shall select such other attorn(ies) or law firm(s) to perform and discharge such legal duties as the Council deems proper and upon such terms as may be agreed upon at any time throughout the year.

4. MAYOR PRO TEM

A. The purpose of this provision is to allow for an interim Mayor between the time of the death, resignation or removal of the person who is Mayor until the vacancy is filled by the Council as provided by the Laws of New York. The Mayor Pro Tem shall have the same authority as Mayor.

B. The person who becomes Mayor Pro Tem shall be a Council member who has served the longest (service does not need to be concurrent) as a member of the City Council at the time the vacancy in the Mayor's office occurs.

C. City Council may increase the Mayor Pro Tem's compensation commensurate with the duties assumed, when the mayor is absent or unable to perform the duties of the office for an extended or frequent period(s) of time due to illness or disability, and where the Mayor Pro Tem performs the duties of Mayor on substantially a full time basis.

5. REMOVAL FROM OFFICE

The Governor of the State may remove the Mayor from office at any time upon presentation of charges against the Mayor and after opportunity for the Mayor to defend. All pertinent provisions of Article 13 of the NYS Constitution and NY Public Officers Law, as the same may be amended from time to time, shall apply to removal of the Mayor. All appointive, and other elective officers, except the Mayor, shall be removable by the Council on charges after hearing provided elsewhere in the Charter or otherwise provided by law.

6. RULES OF COUNCIL

The Council shall determine it's own rules and order of business and shall provide for keeping a record of its proceedings. This record shall be a public record. Voting, except on procedural motions and the receipt of reports and correspondence, shall be by roll call and the yeas, nayes and abstentions shall be noted in the record. The rules of Council shall be delineated by Code and may be amended from time to time by resolution.

7. COMPENSATION

The compensation for members of the City Council and Mayor shall be set at the current compensation rate as of the effective date of this Charter. Raises shall

occur annually beginning July 1st at a rate of increase commensurate with that of the lowest positive rate of increase adopted by, or applicable to, any bargaining unit in any given fiscal year.

8. VACANCY

The Mayor, subject to confirmation by the affirmative vote of a majority of the remaining members of the Council, shall use best efforts to appoint a qualified person to fill a vacancy on the City Council for the period of time and upon such requirements, as specified by Article 13 of the NYS Constitution and the NY Public Officers Law, as the same may be amended from time to time.

ARTICLE III
CITY MANAGER

1. APPOINTMENT & QUALIFICATIONS

A. The City Council by a majority vote of its total membership shall appoint a City Manager and fix the Manager's compensation.

B. SEE also, Article II (2) - Mayor and Council – Powers & Duties.

C. The City Manager need not be a resident of the City at the time of appointment, but must establish a primary residence inside the City within 90 days of appointment, and maintain the same while in office.

D. No Council member shall be appointed City Manager during his or her term in office or within one (1) year after such term expires.

2. POWERS & DUTIES

The City Manager shall be the chief executive officer of the City, responsible to the City Council for the management of all City affairs placed in the manager's charge by or under this Charter. The City Manager shall:

A. Be accountable and responsible for Office and Department operations. Shall manage all Office and Department heads subject to New York State law and policies, laws, rules and regulations adopted, and promulgated by the City Council.

B. All of the funds of the City are under the control of the Council, and no money shall be paid out of such funds by the City Comptroller except as approved by the City Manager in accordance with authorization from the Council.

C. Appoint, suspend, and/or remove all City employees and appointive administrative officers provided for, by, or under, this Charter, except as otherwise provided by law.

D. The City Manager shall appoint a person to serve as a Human Resource officer, as a management confidential employee.

E. Attend all City Council meetings. The City Manager may take part in discussion as directed by any member of the City Council, but shall have no vote.

F. Ensure that all official acts of the City Council, subject to enforcement by the City Manager or by officers subject to the Manager's direction and supervision, are faithfully executed.

G. In collaboration with the City Comptroller, prepare and submit the annual budget and capital program to the City Council no later than the second meeting in April. Implement the final budget approved by Council to achieve the goals of the City as designated by the City Council.

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Council may require. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, utility rates, and other fees and charges, and all proposed expenditures, including debt service, for the ensuing fiscal year. It shall specify in separate sections:

i. How each department's or program's expenditures comport with the City's goals and objectives, including the method of financing such expenditures; and

ii. A review of capital expenditures during the ensuing fiscal year detailed for each fund by organization unit when practical, and the proposed method of financing each such capital expenditure; and

iii. The anticipated income and expense, profit & loss, for the ensuing year for each utility and any department or program operated by the City which derives its operating revenues from fees or charges. Such budgets shall include all income and expenses including the estimated cost of expenses not paid directly by the department or program, such as property insurance, equipment depreciation, employee benefit expenses and support services provided by other departments or programs. The operating budget may include the number, amount and duration of delinquent customer accounts past due. The amount of general fund revenue budgeted for use by such

department shall be clearly identified. For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance, exclusive of reserves.

H. Submit to the City Council, and make available to the public, a complete report on the finances and administrative activities of the City as of the end of each fiscal year.

I. Make such other reports as the City Council may require concerning operations. Facilitate Council meetings with department heads. Any and all information generated by the City Manager and staff for any Council member must be shared equally with each member if the City Council.

J. Keep the City Council fully advised as to the financial condition and future needs of the City.

K. Make recommendations to the City Council concerning the affairs of the City and facilitate the work of the City Council in developing policy.

L. Provide staff support services for the City Council.

M. Assist the City Council to develop goals for the City and strategies to implement these goals.

N. Encourage and provide staff support for regional and intergovernmental cooperation as directed by the Mayor.

O. Promote partnerships among Council, staff, and citizens developing public policy and building a sense of community.

P. Perform such other duties as are specified in this Charter or may be required by the City Council.

Q. Shall act as the City's Freedom of Information Law Officer.

3. DEPUTY CITY MANAGER

The Deputy City Manager shall exercise the powers and perform the duties of City Manager during the manager's temporary absence due to vacation, illness, personal leave, family leave disability or the City Manager's removal from office. Should the absence be less than thirty (30) consecutive days, the Deputy City Manager shall refrain from making any personnel changes during this time without the advice and consent of a majority of the City Council. Beyond thirty (30) consecutive days, the Deputy City Manager shall assume the full powers and authority of the City Manager. The City Council may revoke such designation at any time and appoint another officer of the City to serve as City Manager.

4. **REMOVAL**
The City Council may remove the City Manager by a resolution approved by majority vote.

5. **VACANCY**
The City Council shall act promptly to fill a vacancy in the Office of City Manager.

ARTICLE IV
CITY CLERK

1. **APPOINTMENT & QUALIFICATIONS**
   A. The City Council by a majority vote shall appoint a City Clerk who shall have such powers and perform such duties as the Council may from time to time prescribe and fix the Clerk's compensation.

   B. SEE also, Article II (2) - Mayor and Council – Powers & Duties.

   C. The City Clerk need not be a resident of the City at the time of appointment, but must establish a primary residence inside the City within ninety (90) days of appointment, and maintain the same while in office.

2. **POWERS & DUTIES**
   A. Shall act as Clerk of the Council and shall keep the minutes of the meetings of the Council. Such proceedings shall be made available to the public in a timely fashion.

   B. Shall have custody and control of the record of City Council proceedings, laws, regulations, resolutions, contracts, agreements, deeds and other instruments of which the City is a party.

   C. Shall act as registrar of vital statistics of the City.

   D. Shall comply with NYS Law in regard to the publication of every ordinance, upon enactment, to be published in the official newspaper of the City once and shall publish a copy on the City's official website and be printed in suitable form for distribution.

   E. Shall file local laws as required by law and publish required notices and documents.

   F. Shall maintain the official Code of the City of Watertown.

G. Shall receive and file the minutes of the proceedings of City boards and commissions.

H. Shall keep an accurate record of all money received by him/her as Clerk and upon receipt thereof, pay the same over to the City Comptroller, take a receipt and file the same in his or her office.

I. Shall perform the duties of City Historian and shall be the custodian of all historical records and artifacts.

J. All releasable papers and records kept and filed in the office of the City Clerk shall, during office hours, be open to inspection by any person.

K. Maintain a log of notices of claim and legal process served upon the City, and forthwith transmit copies of such documents to the City Manager.

L. If the Comptroller shall be unable to attend at the time and place of sale, the City Clerk may conduct the sale pertaining to provisions set forth herein at Assessment and Collection of Taxes, with the same force and effect as though made by the Comptroller. See Article XIII(2)(DD).

M. Shall serve as the official custodian of the City seal.

3. OATHS OF OFFICE

A. The City Clerk shall receive and verify the oaths of office of all elected and appointed officials of the City.

B. No person shall occupy and perform the duties of the office to which appointed or elected prior to taking the oath of office. If a person shall fail to submit their oath to the City Clerk within twenty (20) working days of his or her election or appointment, that person shall be deemed to have declined the office and the office shall be deemed vacant.

C. The City Clerk and each Deputy City Clerk shall have the power to administer oaths and take affidavits and acknowledgements within the City, the same as Commissioners of Deeds: they shall also have power to administer any oath or to take any affidavit, in respect to any hearing, trial or matter pending before them, and to issue subpoenas and compel the attendance of witnesses and the production of papers and documents. Any false testimony upon any such hearing or inquiry is herby declared to be perjury and may be punished as provided by law for that crime.

4. DEPUTY CITY CLERK

The City Clerk shall have power to appoint as many Deputy Clerks as the Council may by resolution authorize; and at such compensation as the Council may

provide. Such Deputy Clerks shall perform such duties as the City Clerk may direct and shall hold their position(s) at the pleasure of the City Clerk.

5. **VACANCY**
The City Council shall act promptly to fill a vacancy in the Office of City Clerk.

6. **REMOVAL**
The City Council may remove the City Clerk by a Resolution approved by majority vote.

ARTICLE V
CITY JUDGE

The City shall have one (1) or more judges who shall be called City Judges and who shall be elected in the same general manner as other City Officials and who shall: possess and maintain such qualifications; possess such power(s) and authority; perform such duties; and receive such compensation as provided by the Laws of New York, the NYS Constitution, and the NYS Office of Court Administration, all as the same may be amended from time to time.

ARTICLE VI
OFFICE OF PARKS AND RECREATION

The Office of Parks and Recreation shall be directed by the Superintendent of Parks and Recreation. He or she shall be appointed by the City Manager. He or she shall serve under the immediate direction of the City Manager.

The Superintendent need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

The Superintendent shall have the supervisory control of the maintenance and operation of all parks, playgrounds, and recreational areas of the City. Fees and charges for services shall be established at least annually by the City Council through a budget resolution that adopts a City Fee Schedule. Said fee schedule shall be available to the public at the office of the Superintendent and at the office of the City Clerk.

ARTICLE VII
OFFICE OF PUBLIC WORKS

The Office of Public Works shall be directed by the Superintendent of Public Works. He or she shall be appointed by the City Manager. He or she shall serve under the immediate direction of the City Manager.

The Superintendent need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

The Office of Public Works shall control the construction, improvement, repair, maintenance and cleaning of the streets, highways, bridges, alleys, sewers, sidewalks, curbs, gutters, culverts, crosswalks, City Hall grounds, and all buildings and rooms owned or used by the City. The control and maintenance thereof shall be exercised by the City Manager under the City Council. See also, Local Improvements and Assessments.

The Council shall have power through the exercise thereof by the City Manager, to grade, pave, repave or otherwise improve any street or section of a street or part thereof, any public place or square and to fix and regulate the grade line of streets and sidewalks and to cause sidewalks and gutters to be made and curbs to be set, of such material as it may direct. It may also regulate the planting, trimming, rearing or removing of all trees in the streets, public parks, places and squares in the City.

The Superintendent shall be authorized to require the owners of property fronting upon any street, highway, alley or public place to construct, repair and keep in order sidewalks. The Superintendent may prescribe the dimensions of new sidewalks, as well as the material for sidewalk construction. If, within a reasonable period of time determined by the Superintendent, owners of property fail to install or repair sidewalks, the Office of Public Works may install or repair the same, and the cost shall be assessed and collected in the same manner as other local assessments. The Superintendent is further authorized to require sidewalks to be kept in a safe and passable condition free from any obstructions, including snow and ice. The failure of owners of property to comply after appropriate notice shall subject them to local assessment charges for any work done by Public Works to keep sidewalks open, safe and passable. The above not withstanding, the City may, at its own expense, implement a plan of sidewalk construction and renewal.

The Superintendent shall determine the size, dimensions, material and other specifications of any private, connecting lateral sewer connections feeding into the City's sewage system.

The Superintendent shall have power to make provision whereby all garbage and other refuse of the citizens shall be gathered and removed. It may require every occupant of any house, store, apartment or room to place garbage and other refuse where the same

may be readily gathered for removal under such reasonable rules and regulations as said Office may adopt.

The Superintendent shall have power, as authorized by the Council, to contract for or to equip and operate and maintain an electric generating facilit(ies) for lighting streets, highways, alleys, parks, public places, municipal buildings and for other municipal purposes.

The Superintendent shall have the authority and responsibility to administer, operate and maintain the City's Transportation services including Citibus and Paratransit.

The Superintendent shall employ the services of the City Engineer in all matters pertaining to said department requiring the services of a civil engineer or surveyor.

ARTICLE VIII
OFFICE OF ENGINEERING

The Office of Engineering shall be directed by the City Engineer. He or she shall be appointed by the City Manager. He or she shall serve under the immediate direction of the City Manager.

There shall be a City Engineer hired for his or her education, training, and experience and who shall be a professional engineer licensed by NYS at all times in office. The City Engineer shall supervise and provide office and field engineering services, plans and specifications; surveys and maps, designs and drafting work; and any other type of engineering services, under the direction of the City Manager and as requested by any department head, officer, commission or agency of City government. He or she may recommend the employment of such deputies, directors, assistants and other employees as may be needed for performance of his or her duties and may prescribe their duties. The City Engineer may employ consulting engineers when he or she deems it necessary for the proper performance of his or her duties, provided that the compensation for such consulting services has previously been approved by the City Council.

The Engineer need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

ARTICLE IX
PLANNING DEPARTMENT

The Planning Department shall have a Planning & Community Development Director appointed by the City Manager. The Director shall serve under the immediate direction of the City Manager.

The Director need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

The Planning Department is responsible for guiding development and managing future growth patterns within the City. It shall propose and implement programs, projects and laws that positively affect the development of the City as a community. Topics that fall under the purview of Planning include zoning, downtown revitalization, tree planting, historic preservation, housing programs and economic development.

Many of the plans, projects and programs within those categories involve writing grant applications and contract administration. The Planning Department also administers various grant programs pertaining to development and managing future growth of the City. Further, the Planning Department provides staff support to the Planning Board and Zoning Board of Appeals.

ARTICLE X
OFFICE OF PUBLIC SAFETY

The Office of Public Safety shall be directed by the Commissioner of Public Safety. He or she shall serve under the immediate direction of the City Manager.

1. THE COMMISSIONER OF PUBLIC SAFETY

A. APPOINTMENT & QUALIFICATIONS

i. The Commissioner shall be appointed by the City Manager with the advice and consent of the City Council. The Commissioner will also serve in the capacity of Deputy City Manager all as one (1) office.

ii. The Commissioner need not be a resident of the City at the time of appointment, but must establish a primary residence inside the City within 90 days of appointment, and maintain the same while in office.

B. POWERS & DUTIES

i. The Commissioner shall be primarily responsible for the protection of persons in the City and their property from crime, fire, hazard, disorder, and natural disasters. The Commissioner shall have, and exercise, the powers and duties conferred on that office by this Charter, and such other duties as the Council may prescribe from time to time.

ii. The Commissioner shall have responsibility for the following functions, boards and/or departments in City government and shall organize the same to ensure operations: Police Department, Fire Department, Codes Department, and Health Officer.

iii. The Commissioner shall, on or before the first regularly scheduled Council meeting of June each year, submit to the Council and make available to the public at the City Clerk's office, a written report on the accomplishments and operations of the Office of Public Safety and its several departments and functions for the previous year.

iv. The Commissioner will also serve as the Deputy City Manager, representing the City to management staff, elected officials, and outside agencies pursuant to, and in accordance with, Article III(3). He or she will proactively monitor and evaluate the efficiency and effectiveness of: service delivery methods and procedures; assess and monitor workload, administrative and support systems; internal reporting relationships; identify opportunities for improvement; and direct the implementation of changes with the City Manager.

v. He or she will participate in and contribute to the development and administration of the annual City budget, direct the forecast and funds needed for staffing, equipment, materials and supplies; direct and approve expenditures of assigned departments; and direct the preparation and implementation of budgetary adjustments as necessary.

vi. Acting as the Deputy City Manager, the Commissioner will perform the duties of City Manager, as assigned, during the City Manager's absence. He or she will then attend City Council meetings and represent the City Manager as needed while keeping the City Manager apprised of current activities and challenges. He or she will perform all work duties and activities in accordance with City policies and procedures.

C. VACANCY

In the event of a vacancy, the City Manager shall appoint a City Officer as the temporary Commissioner of Public Safety as soon as practicable with

the advice and consent of City Council until such time as a permanent replacement can be appointed.

2. POLICE DEPARTMENT

The Police Department of the City of Watertown shall be under the general control and management of the Commissioner of Public Safety. The Police Department preserves peace and good order; enforces the laws, and regulations, of the City, New York State and the United States; as applicable, and performs such other related duties as may be prescribed from time to time.

TRAINING

The Commissioner of Public Safety shall, with the assistance of the Chief of Police, provide appropriate training of all police personnel and shall prepare and submit plans and credentials necessary to secure, and maintain State accreditation of the Police Department.

CHIEF OF POLICE

The Chief of Police shall possess such education, training and certification(s) as may be required by NYS Law. He or she shall be appointed by the City Manager and shall have immediate direction and control of the Police Department, subject to the established policies, rules, regulations, and orders all as the same may be amended from time to time.

POLICE PERSONNEL

The Police Department shall include, in addition to the Chief of Police, such other ranks within the Department as the Commissioner of Public Safety may hereafter create with the advice and consent of the City Manager and approval of the Council.

POWERS & AUTHORITY

Police officers of the City of Watertown shall have all the powers, authority, and duties conferred on them by the laws of the City, the Code , the laws of the State of New York and the NYS Constitution .

OATH OF OFFICE

Police officers shall take and file with the City Clerk the Constitutional Oath of Office.

3. FIRE DEPARTMENT

The Fire Department of the City of Watertown shall be under the general control and management of the Commissioner of Public Safety. It shall be the duty of the Commissioner of Public Safety to ensure that the Fire Department has the resources to fight and control fires, enforce the relevant fire codes and regulations of the City, provide limited medical care and handling of hazardous materials, and perform other duties as prescribed, pursuant to Department job descriptions and Civil Service Law.

DIRECTOR OF THE FIRE DEPARTMENT

The Director, Chief or any Title or Rank that includes such duties, shall possess such education, training and certification(s) as may be required by NYS Law. He or she shall be appointed by the City Manager and shall have immediate direction and control of the Fire Department, subject to policies, rules, regulations, and orders established by the Commissioner of Public Safety. The Director of the Fire Department shall assist the Commissioner of Public Safety to provide for appropriate training of all Fire Department personnel and ensure that applicable provisions of the Fire Codes are implemented.

FIRE DEPARTMENT PERSONNEL

The Fire Department shall include, in addition to the Director, other ranks within the Department as the Commissioner of Public Safety may hereafter create with the advice and consent of the City Manager and approval of the Council.

4. CODES DEPARTMENT

The Codes Department, under the direction of the Commissioner of Public Safety, shall be responsible for the administration and enforcement of the:

Residential Code of New York State;
Building Code of New York State;
Plumbing Code of New York State;
Mechanical Code of New York State;
Fuel Gas Code of New York State;
Fire Code of New York State; and
Property Maintenance Code of New York State;

all as the same may be amended from time to time, as well as other applicable City Codes, rules and regulations and the laws of the State of New York relating to buildings, property, businesses and entities located within the City.

The City Manager shall appoint a Codes Supervisor and such staff as necessary to carry out the functions and responsibilities as required by this Charter.

5. HEALTH OFFICER

The City Council shall appoint a Health Officer, who shall be a physician duly licensed to practice under the laws of the State of New York. The Commissioner shall ensure that the Health Officer performs duties as may be required by the provisions of the laws of New York and the laws of the City.

6. PUBLIC SAFETY FACILITIES & EQUIPMENT

The Commissioner of Public Safety shall be responsible for management and care of the equipment and apparatus of the Police and Fire Departments and those of such other departments as may from time to time be vested in the Department of Public Safety by the Council.

7. OTHER

The Commissioner may lawfully delegate the above-cited powers, duties, and responsibilities. The Commissioner shall ensure that employees of the Department of Public Safety have appropriate skills, work experience, and education to perform professional-quality work. The Commissioner shall have immediate responsibility for administering and operating the Department of Public Safety and shall organize the Department to provide efficient, cost-effective services.

ARTICLE XI
OFFICE OF COMPTROLLER

The Office of Comptroller shall be directed by the City Comptroller who shall be appointed by the City Manager and serve under the immediate direction of the City Manager.

The Comptroller need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

1. POWERS & DUTIES

The City Comptroller shall:

A. Be the chief fiscal officer of the City responsible for all financial administration of the City.

B. Collect, receive, have custody of, deposit and disburse all fees, revenues, and other funds of the City or for which the City is responsible.

C. Review and pay all payrolls, approved claims, expenses and other authorized disbursements of the City.

D. Perform the duties of an "enforcing officer" under the Real Property Tax Law.

E. Conduct the sale of all bonds pursuant to the provisions of the Local Finance Law and keep a record of all indebtedness, bonded or otherwise, of the City.

F. Submit to the City Council a complete statement of the City finances as specified in the Code upon request.

G. Advise and assist the City Manager and Council in the preparation of the annual budget.

H. Act as the chief auditing and accounting officer of the City. Specifically, he or she shall:

i Maintain records of appropriations, encumbrances and expenditures and prescribe approved methods of accounting for all units of City government, unless otherwise required by the State Comptroller.

ii. Audit for approval of payment all lawful claims or charges against the City or against funds for which the City is responsible, in whole or in part, in the manner provided in the Code.

iii. Audit the financial records and accounts of all units of City government charged with duties relating to funds of the City or for which the City is responsible.

iv. Provide for budget controls and allocation of appropriated funds in efficient, economical and justifiable manners.

See Also, Article XIII (2) - Assessment and Collection of Taxes.

2. DEPUTY COMPTROLLER

There shall be a Deputy Comptroller. The Deputy shall, unless otherwise prescribed by law, possess the powers and perform the duties of the Comptroller during the absence, or inability to act, of the Comptroller, or during a vacancy in that office.

ARTICLE XII
PURCHASING AGENT

A purchasing agent for the City shall be appointed by the City Manager pursuant to the New York State Civil Service Law. He or she shall serve under the immediate direction of the City Manager.

POWERS & DUTIES

A. The Purchasing Agent shall directly contract for and purchase all materials, supplies and equipment, including printing, and contract for the procurement of all work and services required by the City Council, officers, boards, departments, commissions and agencies of the City, except were such power of purchase and procurement is otherwise required by NY General Municipal Law to be exercised directly by some other office or agency.

B Except as otherwise provided in this Charter, all purchase of materials and supplies and equipment and the procurement of all work and services for the City uses and purposes shall be on a competitive basis and orders thereof shall be issued to or contracts entered into with the lowest responsible bidder as required NY General Municipal Law and the City's procurement policies, as the same may be amended from time to time.

C Each contract for a public improvement shall be based upon an estimate of the whole costs thereof, including all expenses incidental thereto and connected therewith, which estimate shall be furnished to the purchasing agent by the proper officer, board, department, commission or agency having charge of such improvement.

D Provide adequate insurance and surety bond coverage to protect the City from all reasonable risks of loss or damage.

E. Certify the availability of funds for all requisitions, contracts, purchase orders and other documents by which the City incurs financial obligations or for the expenditure of funds for which the City is responsible.

F. Review, evaluate and recommend changes to the City's purchasing policy and procedures.

ARTICLE XIII
OFFICE OF ASSESSMENT

The term Assessor shall mean the person empowered by law or appointed or designated to perform and discharge the duties and functions of Assessors. The Assessor must meet the minimum qualification standards established by the New York State Board of Real Property Tax Services. The Assessor shall make the assessment roll(s) in the manner provided by the laws of New York.

The Assessor need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

1. LOCAL IMPROVEMENTS AND ASSESSMENTS

A. The term "local improvement" shall mean any improvement, work or benefit, whether done by the City under the direction of the Office of Public Works or by contract, the cost of which, or part thereof, by this Charter, or otherwise by law, is to be borne by the abutting property or the property benefited or its owner.

B. The Council, though the Office of Public Works or otherwise, shall have power to pave, repave, surface and resurface, macadamize and remacadamize, curb or recurb any street, section of a street, highway, square and public place and construct or rebuild sewers or provide for other local improvements, and it may determine that the entire cost of any such improvement shall be a general City charge or that the entire cost, or a portion, shall be raised by assessment upon the abutting property or owners; and a portion thereof by the City and what said portions shall be. Any such improvements shall include, if so determined by the Council, street intersections, curbs and gutters, relaying of sidewalks and the required grade, grading and spacing between the sidewalk and curb and such other work as may be incidental or essential to the completed improvement.

C. The Council may at any time designate any street, highway or public place or any part thereof as one to be paved, repaved, surfaced or resurfaced, macadamized or remacadamized or otherwise improved by curbing or within which a sewer shall be built or a sewer rebuilt, and it shall thereupon cause plans and specifications to be prepared for such proposed improvement and shall determine whether such improvement to be made wholly as a general City charge on wholly, or partly as a charge or expense upon the abutting properties. After such plans and specifications have been prepared and presented to the Council, it shall order a hearing thereon and shall cause to be published for at least three (3) times during two (2) successive weeks a notice thereof, in the official newspaper of the City. In the event that the Council shall be considering whether all or a portion of the cost of the proposed improvement shall be a charge or expense upon the abutting properties, the Council shall further require notice of the public hearing to be given to each abutting property owner which could be affected, by first-class mail, addressed to the owner at the address for mailing shown on the City's most recent assessment roll. Any person interested shall be entitled to be heard at such meeting, and after said hearing the Council may discontinue the matter of said improvement or it may determine to proceed therewith, and it shall then fix the percentage of the entire cost to be paid as a general City charge and the percentage to be paid by assessment upon the abutting properties or owner or it may determine that the entire cost be paid by the abutting properties or owner. The determination by the Council, whether the improvement to a street, highway or public place is a paving, repaving, surfacing or resurfacing, macadamizing or remacadamizing within the contemplation of this Charter, shall be conclusive.

D. Such improvement may be done by contract or by the Office of Public Works, as the Council shall prescribe. If it is ordered done by contract, the City Manager or the City Engineer, by direction of the City Manager, shall provide uniform terms and conditions for bidding, fix the security to be

given, advertise for sealed proposals, receive, open at the time fixed and tabulate such proposals and report them to the Council, with such recommendation as he/she may have to make. The Council shall designate the kind of improvement and the material to be used and, if a satisfactory proposal is received, may direct the execution of a contract for such improvement, in substantial accord with the plans and specifications for the particular kind of improvement designated.

E. Upon the completion of plans and specifications for said improvement, the Council shall determine, upon estimates furnished the whole cost thereof and the amount to be paid by the City, if any, and the amount to be borne by local assessment and shall thereupon by resolution direct the City Assessor to proceed to make the assessment for such local improvement and shall cause to be served upon the City Assessor a copy of such resolution certified by the Clerk, together with a statement of the portion of the expense of such improvement to be borne by local assessment upon the property benefited thereby. The Assessor shall, after such local assessment is ordered, proceed as soon as practicable to make an assessment roll of said local assessment, in which they shall set down, in separate columns and according to the best information obtainable by them, the names of all the owners or occupants of the lands assessed, the Assessor's subdivision thereof, if any, a brief description of the lands to be taxed to each person, giving the approximate area thereof, whether or not it is vacant land and, when practicable, also the street and street number of any building thereon; but if the land be vacant or the building thereon not numbered, then the name of the street or streets on which it fronts, together with the number of linear feet frontage of property upon the street, if any, and the amount of the expense of such local improvements assessed on each piece of property, apportioned as equitably as may be according to the benefit received.

F. The City Clerk shall publish said assessment roll in the official City newspaper at least once, not less than ten (10) days before presenting the said assessment roll to the Council at its next regular meeting or at a subsequent regular meeting, at which meeting any person interested may appeal to the Council, in writing by first class mail, for the correction of such assessment. If there be no appeal or if there be an appeal and the Council shall decide to dismiss it and if the Council be satisfied as to the regularity of the proceedings upon the assessment, it shall confirm the assessment roll. If there be an appeal which the Council decides to entertain, it shall, at the next regular meeting of the Council, hear such appeal and shall cause the appellant to be duly notified by first class mail. After such hearing the Council shall have power to correct such assessment and to confirm the same as corrected or to annul and set aside the same and direct a new assessment to be made in the manner hereinbefore provided, and the proceedings upon any new assessment shall be the same as provided herein

for the original assessment. When confirmed by the Council as herein provided, an assessment shall be final and conclusive on all parties interested.

G. As soon as the Council has confirmed an assessment for local improvements, a warrant shall be annexed to the assessment roll thereof under the hand of the City Manager and Seal of the City, addressed to the City Comptroller, commanding him/her to collect from the several persons named or the property described in the same assessment roll the several sums levied in said roll, and said roll, with a warrant so annexed, shall be delivered to the City Comptroller; the City Comptroller shall thereupon proceed to collect the several sums levied and assessed in said local assessment roll in the same manner, except as to notice and with the same fees as provided herein for the collection of the City taxes, and all the provisions of this Act relative to the collection of the City taxes and the sale of lands for the nonpayment thereof shall apply to the collection of any such assessment for local improvements, except as herein otherwise provided. Due notice of such assessment shall be published once in the official newspaper of the City and a statement thereof mailed to each abutting property owner, and the amount due shall be payable in thirty (30) days.

H. The Council may direct that a part of the cost of such improvement, which is a general City charge, shall be paid from any budget appropriation for street improvements. It may also provide that any abutting owner liable for assessment on account of such improvement be given an opportunity to pay his/her, its or their proper share of such cost after the confirmation of the assessment roll and thereby be relieved from subsequent assessment.

I. If bonds are issued to finance such improvement in whole or in part, after the issue and sale of such bonds, the Council shall ascertain the total amount of such bonds and interest until the last bond matures and the amount thereof to be paid (1) by the abutting property; excluding, however, any property which may have paid its proper part in advance and order that such amount be assessed as a local improvement upon such abutting property, according to linear foot frontage, as herein provided for local improvements and be paid in substantially equal installments corresponding to the duration of the bonds; (2) by the City, in case any part of the City's share of such entire cost has been included in such bond issue and shall direct that such share be paid in the same number of substantially equal installments, by including one (1) such installment in each year's tax budget thereafter until such issue is paid. Whenever any one (1) of said installments becomes due, the owner of the property assessed may pay any or all assessments remaining unpaid, with accrued interest thereon. Additions of interest shall be made to each due and unpaid installment at the rate of one per centum (1%) per month after such installment shall become due and payable.

J. Assessments for local improvements shall be made upon the real property adjoining or abutting the same or upon the property benefited as the case may be, including all real property otherwise exempt from taxation.

K. Installments of assessments for local improvements shall be billed with the City tax bill and shall be paid at the same time and in the same manner as the City tax. At the time each installment becomes due and payable, it shall become a lien upon the property upon or against which it is assessed, and if not paid at the time the next City tax becomes payable it, with all fees and additions, shall be added to such tax against such property and become a part thereof and its payment enforced by action in the City Court or in a court of record or by sale in the same manner as unpaid City taxes.

L. The share of the abutting property or the assessment against such property for any local improvement shall be determined according to the linear or foot frontage, or by such other equitable method as shall be determined by the City Council, and each property owner shall pay proportionately to the frontage of his/her or its property upon the street or in accordance with the Council's alternative equitable method. In the case of a pavement or repavement, surfacing or resurfacing or macadamizing or remacadamizing, the quantity thereof chargeable to each property shall be ascertained by measurements from the curbing or curbline in front of each said property to the center line of said street.

M. Before paving, repaving or macadamizing any street or portion thereof in which a sewer is constructed or a water or gas main is laid, the Council shall make, after notice and failure of the owner or owners of the property adjacent thereto and not having the pipe connections hereinafter designated so to do, pipe connections with said sewer, water or gas main, or either thereof, as the case requires, therefrom to a point two (2) feet beyond the sidewalk side of the curbing at such locations and of such size and dimensions as it may determine. The expense of making any such pipe connections shall be paid to the Comptroller of the City by the property owner, and may be sued for and recovered by an action at law in any court having jurisdiction of an action involving a like amount, in the name of the City of Watertown against the owner(s) of the property on account of which it is made. The cost of such connections shall not be added to the expense of said pavement for the purpose of assessment but shall nevertheless become and be a lien upon the property benefited and may be levied and collected in like manner as City taxes.

N. The word "expense" as used in connection with paving or macadamizing in this Charter shall be construed to include the expense of curbing, grading, necessary culverts and retaining walls, engineering and other expenses appertaining to paving or macadamizing whenever such expenses arise in

connection with the paving or macadamizing provided for in this Charter.

O. In case any local assessment shall prove insufficient to pay the expenses of the improvement for which it was made, the Council may direct the City Assessor to make a further assessment for the amount of the deficiency; such further assessment shall be founded on the first assessment roll and the like proceeding shall be had thereon as though it were an original assessment. If on any assessment too large an amount shall be raised, the excess shall be refunded ratably to the then owner of the abutting property so assessed.

2. ASSESSMENT AND COLLECTION OF TAXES

A. The taxable status date in the City of Watertown shall be deemed to be the December 1st immediately preceding the filing of the tentative roll. The valuation date in the City shall be the July 1st immediately preceding the filing of the tentative roll. The Assessor shall make and complete, on or before the 15th day of January in each year, the tentative assessment roll(s) for the City. The Assessor, on or before the 31st of March, shall make and complete the final assessment roll(s) of the City. It shall be the duty of the Assessor to make assessments for all local improvements in accordance with the provisions of this Charter. Said Assessor shall also keep his/her office in City Hall and shall keep the same open during business hours on all business days.

B. When the Assessor shall have completed his/her tentative assessment roll, he/she shall file it in his/her office and shall give notice by publication thereof in the official newspaper of the City once that: (1) such roll is completed and filed and that all persons interested may examine the same at the Assessor's office; (2) that on the second Tuesday of February next ensuing, the Board of Assessment Review will sit to hear complaints on the same.

C. Upon completion of the tentative assessment roll, the Assessor shall meet informally with property owners for a minimum of three (3) days, not less than ten (10) days prior to the second Tuesday of February. As a result of these meetings, the Assessor may file verified correction of errors to the tentative roll with the Board of Assessment Review, stipulate to an agreed upon assessment with the complainant per Real Property Tax Law Article 5, as the same may be amended from time to time or make recommendations to the Board of Assessment Review acting on a properly filed complaint.

D. The Assessor shall make no changes to a filed tentative roll except by the direction of the Board of Assessment Review thereafter.

E. At least a majority of the members of the Board of Assessment Review shall meet to hear complaints in relation to assessments on the second Tuesday

in February in each year. The hours of said hearing shall be for a period of at least four (4) hours, not necessarily continuous, between 9:00 a.m. – 10:00 p.m., but in no event less than two (2) hours after 6:00 p.m. in the evening. The Board of Assessment Review may hold as many adjourned hearings as necessary to hear all complaints. When said Board has finished its review, it shall forthwith certify its decisions and determinations, and file the same in the office of the Assessor. It shall be the duty of the Assessor to prepare the assessment roll(s) according to the decisions and determinations of the Board of Assessment Review.

F. Complainants appearing before the Board of Assessment Review shall be required to file a statement under oath specifying the respect in which the assessment complained of is excessive, unequal or unlawful; the statement must be made by the person assessed or whose property is assessed or by some person authorized to make such statement and who has knowledge of the facts stated therein. The Board of Assessment Review may administer oaths, take testimony and hear proofs in regard to any such complaint and the assessment to which it relates; it may require the person assessed or his agent or representative or any other person to appear before it and be examined concerning such complaint and to produce any papers relating to such assessment with respect to his property or his residence for the purpose of taxation. The Board of Assessment Review shall, after said examination, fix the value of the property of the complainant and for that purpose may diminish the assessment thereon. If any such person or his agent or representative shall willfully neglect or refuse to attend and be so examined or to answer any material question put to him, such person shall not be entitled to any reduction of his assessments. Minutes of the examination of every person examined by the Board of Assessment Review upon the hearing of any such complaint shall be taken and filed in the office of the City Clerk.

G. The Assessor shall immediately, upon the filing with him/her by the Board of Assessment Review of its decisions and determinations, proceed to prepare the final assessment roll for the ensuing year. He/she shall make such changes therein as may be directed by the Board of Assessment Review.

H. On or before the 31st day of March, the final assessment roll or a certified copy thereof, shall be filed in the office of the City Clerk. The Assessor shall cause a notice to be published once in the official newspaper, that such assessment roll has been finally completed and stating that it has been so filed and will be open to public inspection.

I. Any person(s) may, within thirty (30) days after the final completion and filing of the assessment roll and the publication of the notice thereof as required by the preceding section, challenge their assessment(s) as

governed by NY Real Property Law, Article 7, as the same may be amended from time to time.

J. The County Legislature shall equalize the assessment roll with those of the other towns of the County, as required by law, and shall, by resolution, adopted on or before the 15th day of December in each year, ascertain and direct the amount of tax to be levied, assessed and raised in the City of Watertown for County and other lawful purposes within the control of such County Legislature and shall, on or before said date, certify such resolution under the Seal of the County to the Assessor. The Council shall thereupon direct that the amount required by such resolution be levied and the said County tax extended on the assessment rolls for that year by the Assessor as herein provided, together with a sum to be fixed by the Council annually to meet partially the City's obligation to pay for property sold by the City Comptroller for delinquent County tax at the annual tax sale held by the City Comptroller pursuant to the Charter and to meet partially the expenses of the City in carrying out the assessment and tax collection functions for the County tax required of the City. Such amount shall be known as the County tax budget for the City of Watertown and, as levied, assessed and extended on the assessment rolls for the year, shall be raised by tax upon the real property liable to taxation in the City according to the valuations thereof as fixed in said rolls. Such amount or taxes when so levied, assessed and extended shall be known as the "County tax" and shall be due and payable on the 15th day of January in each year.

K. On or before the first day of May in each year, the trustees of the Roswell P. Flower Memorial Library, Municipal Civil Service Commission and Plumbing Board shall estimate in detail the expenses and the income of their respective departments for the next fiscal year, together with an estimate of the balance which may remain in any fund in their respective departments at the close of the fiscal year and shall certify such estimate to the Council. All other City departments and officials shall at the same time submit like estimates to the City Manager. The Council shall also make a detailed statement by items of all other expenses of the City as estimated by it for the next fiscal year. At the last regular or special meeting in May, the Council shall pass upon such estimates. At that meeting or at any meeting to which an adjournment may be had, it shall revise such estimates and determine the entire amount necessary to be raised to defray the expenses of the City for the ensuing fiscal year. Such estimates shall be known as the "City tax" budget. The several amounts therein named shall be levied, assessed and extended upon the assessment rolls for the ensuing fiscal year and raised by a tax upon the real property liable to taxation in the City according to the valuations thereof as fixed in such rolls at the time and in the manner herein provided. Such amount or taxes so levied, assessed and extended shall be known as the "City tax" and shall be due and payable on the fifth (5th) day of July in each year.

L. The rolls upon which such assessments are made, herein called and known as "assessment rolls," shall be prepared so as to conform so far as practicable with the general requirements of law. The Council may direct and prescribe how and in what manner the same shall be done and when completed.

M. When the Assessor shall have apportioned and extended any tax on such assessment roll, as directed, and completed the same, he/she shall forthwith present the same to the City Manager, and when approved by the City Manager, a warrant shall be annexed thereto signed by the City Manager and the City Clerk in substance commanding the City Comptroller or such officer as may be designated to receive, levy and collect the several sums in said assessment rolls specified as assessed and taxed against the persons or property therein described and named with such fee, percentage, penalty or interest or either as in this Act provided, in the manner provided by law for the collection and levying of County taxes by town collectors. The completed roll containing the City tax, apportioned and extended as aforesaid, shall be delivered to the Comptroller on or before the 20th day of June, or as soon thereafter as reasonably practicable in each year. The completed roll, containing the County tax so apportioned and extended, shall be delivered to the Comptroller on or before the first day of January in each year or as soon thereafter as reasonably practicable.

N. At any time after the completion of any assessment or tax roll, whether the same be for a general tax or local improvement, the assessment(s) and/or tax roll may be corrected as authorized by, and in accordance with, the provisions of NY Real Property Tax Law, as the same may be amended from time to time.

O. Every tax levied, assessed or extended upon any roll shall become delinquent, if not paid within one (1) month after the same becomes due and payable, and thereafter there shall be added to such tax a penalty of five per centum (5%) of the amount thereof, together with one per centum (1%) of such amount for the first month of delinquency or part thereof and thereafter with one-half of one per centum (1/2 of 1%) per month or part thereof, to be collected by the City Comptroller at the time such tax is paid. Such addition or penalty shall belong to the City.

P. Upon receiving the tax or assessment rolls for the City and County taxes and each and every one of them, the City Comptroller shall cause a notice to be published in the official and all the daily newspapers published in the City once a week for four (4) weeks, beginning respectively as follows; City tax beginning the fifth day of July; County tax beginning the 15th day of January. Such notice will state and shall be to the effect that the City Comptroller will attend at his/her office with said roll and warrant during

the month stated and that he/she will receive payment of such tax at his/her office on each business day of the month from 9:00 a.m. to 4:00 p.m. Such notice, when so published, shall be deemed to be a personal demand upon each and every person, corporation and association upon such roll for the payment of the tax as assessed. The Council may direct the City Comptroller or the Assessor to send to each person, association or corporation whose name appears upon any tax or assessment roll, an advance statement of the amount of such tax or assessment in such form as may be prescribed.

Q. The Council shall have the power to extend the time for the collection of any tax or assessment for local improvements, for such period as it may deem advisable, and to postpone or regulate the time for the collection of penalties or additions for delinquent taxes. It may also postpone and change the date when either the City tax or County tax shall become due and payable if in its judgment such postponement is desirable or warranted by reason of any unusual delay in the preparation of assessment rolls, budgets, extension of taxes or the giving of any notice to property owners directed by the Council, or by reason of the failure of the County Legislature to certify the amount of tax to be levied for County purposes at the time provided for by this Charter.

R. All and each of the taxes or assessments paid during the month of the publication of the City Comptroller's notice, as provided for by this Charter, shall be payable without penalty or interest; provided, however, that upon County taxes, the City Comptroller shall be entitled to receive and shall collect for the benefit of the City the same fees as are received by and paid to town collectors pursuant to the provisions of the Tax Law of the State of New York; said fees so collected by the City Comptroller shall belong to the City and shall be deposited by him in the general City fund. On May 1 of each year, the City Comptroller shall prepare a statement of all taxes outstanding and unpaid on the City and County tax rolls and combine and assemble the same to show the total outstanding against each piece of property; thereafter such statement shall be known as the "total tax" unpaid. Upon payment of any tax in such statement and before advertisement of sale as herein provided, the same addition shall be charged for collector's fees paid thereon and penalties and interest as if such tax were separate. During the first ten (10) days in the month of May each year, the City Comptroller shall mail to each delinquent taxpayer a notice in writing stating the taxes unpaid and the amounts thereof assessed and levied against said taxpayer and the fees, interest and penalties that are due thereon on the first day of May of that year, as the same are fixed by Paragraph O. of this Charter. Said written notice shall also contain the statement that, unless said tax, penalty, interest and fee is paid to the City Comptroller on or before the first day of the following June, the lands upon which the same were imposed will be sold for the payment of such tax,

penalty, interest or fee or the part remaining unpaid. The expenses of such sale shall be a charge upon such lands so sold.

S. The Comptroller shall give a receipt for each and all payments of City or County tax.

T. It shall be the duty of the City Comptroller to pay over to the County Treasurer, at the end of each week during the month in which said County taxes are collected, all the money he/she shall have then received for taxes for County purposes, and on the first day of March of each year, the City Comptroller, unless otherwise directed by the Council, shall pay over to the County Treasurer the balance of the County tax budget, and, thereafter, all County taxes remaining outstanding and uncollected with all fees, additions and penalties shall be and become the property of the City, and the City Comptroller shall not be required to make any return of unpaid taxes to the County Treasurer or to surrender the roll or warrant to him/her. Any such unpaid County taxes shall be enforced and collected in the manner provided for the collection of City taxes, and any and all sums thus collected shall be placed in the general City fund.

U. If any tax or assessment appearing upon the County tax roll, the money for which tax the City has paid or credited to the County Treasurer, is for any reason uncollectible because of error, illegality or other cause, a record of the amount of such uncollective taxes or assessments, so paid or credited by the City, shall be kept by the City Comptroller and reported each year to the Council. The Council may direct that such amount of uncollectible tax be added to the amount of the next County tax budget, when reported to it, and be levied, extended and collected with such budget amount; when collected, such amount shall be credited to the City and placed in the general City fund.

V. The assessment roll and warrant shall be delivered to the Comptroller who shall then be charged with the whole amount which the said roll and warrant delivered to him/her authorized him/her to collect; and whenever any payment for County taxes shall be made, as herein provided, by the City Comptroller to the County Treasurer, the Comptroller of the City shall stand charged with the same. The Council may thereupon order and authorize said Comptroller to credit himself/herself with the whole or any part of said tax or assessment unpaid, and the Comptroller shall be credited only with such amount as the Council shall so order. But no such settlement or any settlement had by the Council or by any City officer as to any tax or assessment shall be final or conclusive; and no bond or other security given by any Treasurer or Comptroller shall be invalidated by or canceled on any such settlement but shall remain in full force and be held for one (1) year thereafter by the City.

W. All taxes and assessments remaining unpaid for thirty (30) days after the last day upon which the same are payable may be sued for by the City and recovered in an action against any person liable therefor, but the judgment in such action in favor of the City shall not operate to release any lien of such taxes or assessments until satisfied. The owner of real property, or an interest therein, if his name is correctly entered on the roll, shall be personally liable for taxes levied therein. The owner of real property shall include persons regardless of where they reside or conduct business.

X. On or before the 15th day of April next after any tax shall have been imposed upon any real estate in said City, the Comptroller shall make and deliver to the Assessor a transcript of any and all such taxes which remain unpaid, and it shall be the duty of the Assessor, on or before the first day of May thereafter, to make and deliver to the Comptroller a statement containing a brief general description of the location, boundary and estimated quantity of each parcel of said lands, and in case any such lands shall have been erroneously assessed, then it shall be the duty of such officer to make and include in said statement a corrected assessment at the same valuation as before, and the Assessor shall also have power, and it shall be his/her duty, to insert in such revised roll any real estate in the City which may have been omitted in the general roll and assess said real estate in such corrected assessment roll at its value at the time the original assessment was made, as such value may be determined by him/her as provided by the NY Real Property Tax Law, as the same may be amended from time to time.

Y. The Council shall have all the powers in relation to the correction or otherwise of the City assessment rolls that County Legislature have or may have by statute in the case of town assessment rolls and town or County taxes, and such powers shall be exercised in the same manner as they are or may be exercised by the County Legislature.

Z. Whenever any tax, penalty, interest or fee or any part of either of them shall remain unpaid on the first day of June, the Comptroller shall proceed to advertise and sell the lands, upon which the same was imposed, for the payment of such tax, penalty, interest or fee or the part remaining unpaid, and the expense of such sale, as hereinafter prescribed, shall also be a charge upon such lands.

AA. The Comptroller shall, immediately after the said first day of June, cause to be published once in each week, for three (3) successive weeks, in the official newspaper published in the City, a list or statement of the parcels of land charged with any unpaid tax, penalty and interest and fee as may be shown by the total tax statement, describing each parcel according to the descriptions required by this Act, with a notice that each of the said parcels of land will, on a day to be specified in such notice, be sold at public auction

at a place in the City therein specified, to discharge the tax, penalty, interest or fee and the expenses of sale, which shall be due thereon at the time of the sale. In advertising on resident lots or plot of lots "owners unknown," to be sold for the nonpayment of taxes and assessments or water rents, the City Comptroller may advertise all the lots belonging to the same plot or purchase in one (1) parcel. The charge for publishing said notice shall be the printer's legal rate as fixed by statute for each piece or lot of land described in said notice. On the day and at the place stated in said notice, the Comptroller shall commence the sale of said parcels of land and shall continue the sale from day to day until all shall be disposed of.

BB. The said City tax and County tax shall from the time a warrant for the collection of each, respectively, is delivered to the City Comptroller, be and become a lien upon the lands, property or person upon which the same and each thereof is assessed and taxed. Each installment of an assessment for a local improvement shall likewise become a lien upon the lands thus assessed from the time when such assessment becomes due and payable.

CC. The purchasers on such sales shall pay the amounts of their respective bids to the Comptroller immediately after each parcel shall be struck off. In case a purchaser shall fail to pay the amount of his/her bid, as herein prescribed, the Comptroller shall forthwith offer the parcel for sale again and proceed as though it had not been struck off. Should there be no bid of the amount due on any lot or parcel of land to be sold, then the Comptroller shall bid in the same for the City, and the City is hereby authorized to acquire said parcels, and the Council shall have the care and control of all such parcels and may lease or sell and convey the same. As soon as practicable after the sale, the Comptroller shall prepare and execute in duplicate, as to each parcel sold, a certificate of such sale, describing the parcel purchased by a brief general description of the location, boundary and estimated quantity thereof and stating the fact of the sale, the name of the purchaser, the sum paid therefor, the amount due thereon at the time of the sale, that no interest shall be paid on the sum paid therefor in excess of the amount due at the time of the sale, the name of the person or persons against whom such tax was assessed and the name of the reputed owner thereof. One (1) of said duplicates shall be delivered to the purchaser or, in case the parcel was struck off to the City, then it shall be retained by the Comptroller. The Comptroller shall deliver the other duplicate certificate to the Clerk of the County of Jefferson, who shall file said certificate in his/her office and record the same in a book to be kept in said Clerk's office for that purpose and shall index the certificate in the name of the person to whom the parcel was assessed, the name of the reputed owner thereof and in the name of the purchaser, in the same book and manner as deeds are required by law to be indexed. The County Clerk shall be entitled to receive a fee of fifty cents ($0.50) for each certificate filed and recorded, which fee shall be paid by the Comptroller and shall be a part of the expenses of the sale of the parcel.

DD. If from any cause the Comptroller shall be unable to attend at the time and place of sale, the City Clerk may conduct the sale with the same force and effect as though made by the Comptroller.

EE. The owner of, or any person interested in or having a lien upon, any parcel or lot so sold may redeem the same from such sale at any time within two (2) years by paying to the Comptroller, for the use of the purchaser or his assigns or if the same shall have been redeemed by any person other than the owner thereof, then for the use of such person, the amount due at the time of sale, with interest thereon at the rate of twelve per centum (12%) per annum from the date of sale, together with any tax, assessment or water rate upon said parcel or any part thereof that the said purchaser or assigns or persons, before redeeming, shall have paid between the day of sale and the day of redemption, with interest at the rate of twelve per centum (12%) per annum upon such tax assessment or water rate, from the time of payment. No interest shall be paid by anyone on the sum paid to the City Comptroller for a tax certificate in excess of the amount due at the time of the sale plus the expenses of such sale.

FF. The proceeds of the sale of each parcel, other than those struck off to the City, shall be applied to the payment of the expenses of the sale as herein provided and to the extinguishment of the tax, penalty or interest for which it was sold, and if there shall be any residue, the Comptroller shall hold the same, without interest, until the owner of the premises at the time of such sale shall redeem the same from the sale as herein provided, and if so redeemed by said owner, the Comptroller shall thereupon pay to the purchaser of said premises at such sale the surplus, without interest, in excess of the amount due the City for taxes, penalty, interest and expense. And if there be any dispute or uncertainty as to such owner of the premises at the time of such sale, such owner shall be ascertained in the same manner and by the same proceedings as in case of surplus on foreclosure of a mortgage on real estate. In case of redemption by a party other than the owner, the Comptroller shall hold the surplus, without interest, until after the period of redemption shall have expired and then he shall pay such surplus, without interest, and the person or persons entitled thereto shall be ascertained in the same manner and by the same proceedings as in case of surplus on foreclosure of a mortgage on real estate.

GG. At least three (3) months before the expiration of the time for the final redemption of any parcel or lots so sold, the Comptroller shall commence the publication of a notice of redemption from such sales, which shall show the year when the sale took place, and the last day for the redemption of the lands not already redeemed by the owners, without other or further description, and such notice shall be published at least once a week for three (3) successive weeks in the official newspaper of said City. The

publication of such notice shall bar and preclude any and all persons, except the purchaser on such sale or his heirs or assigns or the person finally redeeming, from claiming any interest in or lien upon said lands or any part thereof, in case the said lands shall not be redeemed from such sale as herein provided.

HH. If any parcel or lot so sold shall not be redeemed as herein provided, the Comptroller, as soon as is reasonably practicable after the expiration of said two (2) years, may execute and deliver to the purchaser, his/her heirs or assigns or to the City or its assigns or to the person finally redeeming, as the case may be, a conveyance of the real estate so sold, which conveyance shall vest in the grantee an estate in fee, subject only to the liens, if any of unpaid taxes, assessments or water rates thereon. The Comptroller executing such conveyance shall be entitled to demand and receive from any grantee, except the City, fifty dollars ($50) for preparing every such conveyance, but all such purchases made for the City in any year shall be included in one (1) conveyance. The grantee shall promptly record the deed with the Jefferson County Clerk. Alternatively, as soon as is reasonably practicable after the expiration of said two (2) years, where the City is the holder of the certificate of sale, the Comptroller may instruct the County Clerk to cancel the certificate of sale by a proper entry at the foot of the record of such certificate in his/her office and sue for the full amount due on the real estate as determined by the last day for redemption in the name of the City, and recover in an action against any person(s) liable therefor. A judgment in such action in favor of the City shall not operate to release any lien of such amount due on the real estate until fully satisfied. The owner of real property, or an interest therein, if his/her name is correctly entered on the roll, shall be personally liable for taxes levied therein. The owner of real property shall include persons regardless of where they reside or conduct business.

II. Such conveyance shall be executed by the Comptroller, and the execution thereof shall be acknowledged before some officer authorized to take and certify acknowledgments of instruments for record in said County. Every tax deed given by the Comptroller shall be presumptive evidence that the proceeding and all proceedings therein and all proceedings prior hereto from and including the assessment of the real property affected and all notices required by law were regular and in accordance with all provisions of law relating thereto. After two (2) years from the date of the recording of such deed, the presumption shall be conclusive. No proceedings to set aside such deed may be maintained unless the proceeding is commenced and a Notice of Pendency of the proceeding is filed in the office of the Jefferson County Clerk prior to the time that the presumption becomes conclusive.

JJ. The grantor, the City or their assigns, as the case may be, shall be entitled to have and possess the granted lands from and after the execution of such

conveyance and may cause the occupants of such lands to be removed therefrom and the possession thereof delivered to them in the same manner and by the same proceedings and by and before the same officers as in the case of a tenant holding over after the expiration of his/her term without permission of his/her landlord.

KK. Whenever any grantee under any sale shall be unable to obtain possession of the lands conveyed to him by reason of any error or irregularity in the assessment of any person or property or in the levying of a tax or any proceedings for collection of any tax, the Council shall refund to the purchaser the money so paid with interest, the same to be audited and paid as other City charges.

LL. After the City shall have acquired the title to any lands sold for taxes, such lands shall be exempt from all taxes as provided by the NY Real Property Tax Law.

MM. Whenever any assessment, water rate or lien upon real estate under this Charter, except taxes, shall have remained unpaid in whole or in part for four (4) months from the date when the same became a lien, the Council may direct the Comptroller to sell the land upon which such lien exists, and the Comptroller shall thereupon make and deliver to the Assessor a statement thereof, and the Assessor shall make and deliver to the Comptroller a description of such lands as hereinbefore provided, and he/she shall forthwith proceed to advertise and sell said lands in the same manner as in case of unpaid taxes, and all the provisions of this Charter as to such sales shall apply.

NN. In case of the redemption of any lands sold for taxes, as herein provided, by the person who was the owner thereof at the time of the sale, the Comptroller shall give such owner a receipt for the amount paid by him/her to effect such redemption, and on the production thereof by such owner to him/her, the County Clerk shall cancel the certificate of sale by a proper entry at the foot of the record of such certificate in his/her office.

OO. Whenever any assessment for any local improvement shall have been imposed under the provision of this Charter, upon any real estate in the City, it shall be lawful, at any time within the period fixed for the payment of said assessment, for the owner(s) of said real estate, to file with the Comptroller a written application that the City shall assign and transfer to such person(s) as said owner(s), the assessment in question and the right of the City to recover of such owner(s) and from said real estate, the amount of said assessment and interest thereon in which application such owner(s) shall expressly waive all defenses to such assessment, which waiver shall be conclusive against such real estate. Upon the filing of such application and the payment to the City of the full amount of such assessment with interest

thereon due, the City Comptroller shall execute and deliver to said person(s) named by said owner(s), a proper instrument in writing, selling, assigning and transferring to such person(s) the assessment imposed upon the real estate in said application described and all the right of such City to recover from said owner(s) from or out of the said real estate the amount of said assessment and any interest thereon; and, further, transferring and assigning to said assignee(s) the lien of such City upon such real estate by reason of said assessment. The amount of such assessment shall, from the date of said transfer, bear interest at such lawful rate and be payable at such time as may be agreed upon between said owner(s) and said assignee(s), by an agreement or by successive agreements endorsed upon said assignment and transfer or upon any subsequent assignment thereof. After the execution of such written instrument of assignment or transfer, the lien of said assessment theretofore existing in favor of the City upon said real estate shall continue to exist in favor of such assignee(s) or his or their legal representatives or assigns, providing, however, that said lien shall terminate at the end of three (3) years after the date when said assessment or any installment thereof becomes due, unless an action for the foreclosure thereof shall be sooner brought and a notice of the pendency of said action filed in the Clerk's office of Jefferson County. The holder of such assignment or transfer shall, upon default in the payment of the amount of said assessment and interest, at the time agreed upon, have the right to collect the amount due and enforce his said lien by an action for the foreclosure thereof.

PP. There shall be kept by the City Comptroller in his/her office a book in which shall be kept a record of all assessments so assigned, containing a transcript of the assessment from the original assessment roll, the name of the person(s) who, as owner, made the application for the assignment, the date of the assignment and the name of the assignee(s). Such record shall be indexed in the name of the person(s) against whom the assessment was made and in the name of the person(s) making the application for the assignment. Upon making such assignment, the Comptroller shall mark upon the original assessment roll, opposite the assessment so assigned, a statement that such assessment has been assigned, the name of the assignee(s) and a reference to the record thereof in the aforesaid book. A note of any subsequent assignment, if any, by such assignee(s), shall be made by the Comptroller and a record thereof in said record book, and such assignment shall be filed with the Comptroller. On the filing with the Comptroller of a satisfaction piece, properly executed by the original assignee(s) or by his/her or their legal representatives or assigns showing the payment of said assessment and all interest thereon, he/she shall thereupon mark opposite said record in said book the words "satisfied of record."

ARTICLE XIV
OFFICE OF WATER

The Office of Water shall be directed by the Superintendent of Water. He or she shall be appointed by the City Manager. He or she shall serve under the immediate direction of the City Manager.

The Superintendent need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office.

1. POWERS & DUTIES

The City shall have, and may continue to exercise, the powers that it now exercises with waterworks, waste waterworks (sewer treatment plant), water powers, reservoirs, pipes, buildings, structures, dams, powerhouses, hydrants, and materials pertaining thereto or used in connection therewith, which may now belong to or may hereafter be acquired by the City.

2. RATES, RENTS & CHARGES

The Council shall determine and fix the rates and charges or amend the same, from time to time, and shall have the power to arrange and direct, by law that all delinquent water and sewer rates, rentals and charges may be added to the annual City tax on the property to or for which such water and sewer was furnished or service rendered.

The income from water and sewer rates, rents and charges and the proceeds from the sale or water or sewer bonds shall be kept separate and apart from other City funds and revenues and shall be used only for the upkeep, maintenance, extension and benefit of the distinct system (i.e. water revenue to be used for water and sewer revenue to be used for sewer).

3. NEW CONSTRUCTION & IMPROVEMENTS

The Council shall have the power to make all contracts relating to the construction or improvement of dams, waterworks, waste waterworks, sewer collection (sanitary, storm, and combined), water mains, reservoirs, conductors, generators, lines, buildings, structures, pump houses, etc.

If an improvement is not entirely for the benefit of the City at large, the Council shall fix the amount to be raised by special assessment upon the propert(ies) benefited and the amount, if any, to be borne by the City and direct such assessment by the Assessor as a local improvement according to benefits received.

ARTICLE XV
OFFICE OF ELECTRIC

The Office of Electric shall be directed by the Superintendent of Electric. He or she shall be appointed by the City Manager. He or she shall serve under the immediate direction of the City Manager.

The Superintendent need not be a City resident at the time of appointment, but must establish a primary residence inside the City limits within ninety (90) days of appointment, and maintain the same while in office

1. POWERS & DUTIES

The City shall have, and may continue to exercise, the powers that it now exercises pursuant to the generation of electricity and to use it for lighting the streets and public places and lighting and heating the public buildings of the City and of the County within the City, to sell and dispose of it for industrial purposes and to sell, furnish, transmit and deliver it.

The City, if it be so determined by resolution of the Council adopted and approved in the manner hereinafter provided in this section, also may establish a system(s) for supplying electrical energy to the City and directly to its inhabitants for light, heat, and power by any approved method and maintain and operate the system so established. Such a system may be established only pursuant to a resolution of the Council adopted by four-fifths (4/5) of all its members. The resolution shall fix the maximum cost of establishing the system and initiating its operation and may specify the method(s) authorized to be employed for furnishing the service and/or whether by purchase only or by either condemnation or purchase and/or an authorization of other acquisitions and of construction and improvement work, either new or as additions to or extensions of an established system.

The City may erect poles and lines and excavate for and lay conduits within the City and in the streets and public places thereof and may maintain the same so located, acquired by the City.

The City may sell and deliver electricity for resale and distribution by the purchaser for use and consumption within, or beyond the City.

2. OTHER

The City need not apply for nor obtain from the Public Service Commission a certificate of authority for establishing, maintaining or operating the system or engaging in the activities provided for in this section. All of the provisions of Article 4 of the Public Service Law, as the same may be amended from time to time, applicable to a municipal corporation which manufactures or provides and which sells and/or distributes electricity, shall apply to the City.

ARTICLE XVI
OFFICE OF INFORMATION TECHNOLOGY

The Office of Information Technology shall have a Director appointed by the City Manager and who shall serve under the immediate direction of the City Manager.

The Information Technology Department is responsible for providing vision, leadership, support, guidance, expertise and solutions for all areas of technology throughout the City, including but not limited to, telecommunications and Geographic Information Systems. It shall propose and implement programs, projects, and policies to support advancing technology in all City operations as well as provide residents with accurate and up to date access to information and services through the use of technology.

ARTICLE XVII
MISCELLANEOUS

1. The Mayor, City Manager and City Clerk shall constitute the Board of Audit and the Mayor shall be the Chairperson thereof. Every pecuniary claim or demand of one hundred dollars ($100.) or more arising upon contract against the City shall in the first instance be filed with the City Clerk and shall contain the items of the claims and be sworn to by the claimant or his duly authorized agent. All such claims, if disputed, and all claims for injuries or damage resulting from the alleged negligence of the City or any of its officers, shall be referred to the Board of Audit. The Board of Audit shall examine into such disputed claim(s) for damage resulting from the alleged negligence as speedily as practicable, and said Board shall have power to allow or disallow said claims and in case the claim(s) be allowed to direct payment of the same. The Board of Audit shall have power to investigate and audit the accounts of every officer and board of the City, shall have access to books and accounts kept by any official or board of the City and may compel the attendance of witnesses and the production of papers before it by subpoena, issued over the signature of the Mayor and the Seal of the City, attested by the City Clerk. Noncompliance with such subpoena shall be subject to such penalty as the Council may prescribe. Each member of said Board of Audit may administer oaths to witnesses, and intentional false swearing as to any material fact by any witness under examination by the Board of Audit shall be perjury. No disputed bill or claim for injuries or damages resulting from alleged negligence shall be paid or allowed before the Board of Audit shall have taken action thereupon, and no action shall be brought thereon until forty (40) days after the presentation thereof to the City Clerk.

2. No civil action shall be maintained against the City for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed, unless, prior to the occurrence resulting in such damages or injury, written notice of the defective, unsafe, dangerous, obstructed condition of said street, highway, bridge, culvert, sidewalk, or crosswalk was actually given to the Office of Public Works, and unless there was a failure or neglect within a reasonable time after the giving of such written notice to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk or street, unless written notice thereof relating to the particular place was actually given to the Office of Public Works and there was a failure or neglect to cause such snow or ice to be removed or the place otherwise made reasonably safe within a reasonable time after the receipt of such notice.

3. The City shall not be liable in a civil action for damages or injuries to person or property, or invasion of personal or property rights of any name or nature whatsoever, whether casual or continuing, arising at law or in equity, alleged to have been caused or sustained in whole or in part by or because of any omission of duty, wrongful act, fault, neglect, misfeasance or negligence on the part of the City or any of its agents, officers, or employees, unless a Notice of Claim shall have been made and served in compliance with § 50-e of the General Municipal Law, as the same may be amended from time to time, or unless an action shall be commenced thereon within one (1) year after the happening of the event upon which the claim is based; but no action shall be commenced to recover upon or enforce any such claim against the City until the expiration of three (3) months after the service of such notice. Nothing herein contained, however, shall be held to revive any claim or cause of action now barred by any existing requirement of statute of limitations nor to waive any existing limitation now applicable to any claim or cause of action against the City.

4. Every officer named in this Charter, who has a certain salary fixed by the Charter or for which provision is made for its being so fixed, shall receive the same as full compensation for any and all services rendered by him to the City or any department thereof. It shall be a misdemeanor for any City officer to ask or demand or receive for his own use or for the use of another to his benefit or advantage any sum(s), or thing(s) whatsoever as extra compensation or reward for said services. All fees collected or received by any such officer from any source arising out of or connected with his office shall be promptly paid over to the City Comptroller for the use of the City. The City Council and every department and board of said City are hereby forbidden to grant any extra compensation to any salaried officer, and it shall be a misdemeanor to grant or attempt to grant the same or for the City Comptroller to pay the same if granted. Nothing in this section, however, shall be deemed to prohibit the City Council, and any board or department of the City with the consent and approval of the City Council expressly given by resolution in each

case, from reimbursing an officer or employee receiving a fixed salary for the use of his or her automobile in the actual performance and discharge of his or her official duties.

5. Accounts, claims and demands against said City shall be presented to the City Council or the department incurring the same for payment at least as often as quarterly, on days to be appointed by the Council or department, and when presented shall be audited and paid without unreasonable delay; and such accounts, claims and demands of every name and description, rising or accruing or which shall be created during any fiscal year in said City shall be presented for settlement and payment on or before the third Tuesday in December in said year, and shall be audited and provision made for the payment of all claims allowed from the taxes and income of said year before the first day of January following, and no interest or costs shall be recovered against the City in any suit brought to recover any such account, claim or demand which has not been presented as aforesaid, provided that said Council shall cause a notice to be published in the official newspapers in said City once in each week for three (3) weeks immediately preceding said third Tuesday in December that said accounts, claim and demands are required to be presented as aforesaid.

6. The annual financial report of the City Clerk and of the various boards and departments of said City shall, in addition to the statement of receipts and expenditures of the various sum of money subject to the control of said City Council or of either of said boards or departments, also contain a full and itemized statement of all known claims and demands against said City Council or the City or either of said department, outstanding and unpaid, whether such claims is liquidated or unliquidated, duly verified by the oath of the City Clerk for claims against the City or the City Council, and by other Officers.

7. No member of the City Council or other officer or employee of the City shall act as agent or attorney for any person, in relation to any matter to be affected by the action of the City Council or any board, department or officer of the City. A violation of this provision shall be cause for removal by the Mayor. It shall be a misdemeanor to violate any of the provisions of this section.

8. Any person in the possession of any real estate in the City under and by virtue of a contract for the purchase thereof may, in the discretion of the City Council, be deemed and held as the owner thereof for all the purposes of this Charter.

9. It shall be understood that all pronouns in this Charter are generic in character and do not refer to one sex as contrasted with another. Nothing in this Charter shall be construed to prevent or discourage full and equal participation in the governance of the City by all citizens.

10. The Constable(s) of the City shall perform such duties as are by law prescribed for Constables in the state and shall be entitled to the same fees therefor. Constables

shall not as such be compelled to serve within the City any summons, warrant or other process issued by the City Court for the execution of the laws of the state for the prevention of crime and punishment for criminal offenses or of the police laws or regulations of the state or of the City or of any proceeding collateral to or connected with the execution of such general laws or police laws or regulations, nor shall the County of Jefferson or any of the towns therein or the City be liable to pay any such Constables any fees for services under such summons, warrant or process.

11. The creation of new offices(s) and position(s), and the appointment of person(s) to fill the same, shall occur as soon as reasonably practicable, but not later than December 31, 2020.

12. The residency requirements pertaining to persons appointed to the offices of: City Manager; City Clerk; Superintendent of Parks and Recreation; Superintendent of Public Works; City Engineer; Planning & Community Development Director; City Comptroller; Assessor; Superintendent of Water; or Superintendent of Electric shall not apply to individuals currently holding such office as of this Charter's effective date of January 1, 2020, unless residency requirements were otherwise agreed upon by Contract before the effective date of this Charter. The ninety (90) day window to establish a primary residence may be extended by majority vote of Council in particular circumstances for good cause shown by the Officer up to a maximum of one hundred eighty (180) days total.

13. Upon the effective date of this Charter, all laws and parts of laws relating to or affecting the City are repealed and superseded to the extent that they are inconsistent with the provisions of this Charter. All other laws of the City, and parts thereof, in effect on January 1, 2020, shall remain in effect to the extent that they are not inconsistent with any provisions of this Charter and/or are necessary to give full force and effect hereto.

14. Offices, Boards, Commissions, Bureaus, Agencies and positions of employment of the City shall continue until abolished, modified or superseded by action of the Council subject to provisions of this Charter.

15. The continuous service in the employment of the City of all employees shall not be affected by the adoption of this Charter.

16. Unless specifically stated in this Charter, nothing herein contained shall affect or impair the rights or privileges of officers or employees of the City when this Charter shall take effect or any provision of law in force at the time when this Charter shall take effect and which is not inconsistent with the provisions of this Charter, in relation to personnel, appointment, rank, grades, tenure of office, promotion, removal, pension and retirement rights or privileges of officers or employees of the City.

17. Disposition of real estate. Notwithstanding the provisions of § 23 of the General City Law or of any other statute of the State of New York, except as hereinafter mentioned, the Council of the City is hereby authorized:

(a) Disposition of real estate. The City Council may, by resolution adopted by a three-fourths (3/4) vote of all members of the Council, sell, convey, exchange, grant or release any City real estate belonging to or under the control of the City, apply such real property for a period not to exceed ninety-nine (99) years, at public or private sale, and grant rights or interests in, over, under and across any real property, in which the City has any right, title or interest, for such consideration and upon such terms and conditions as the City Council may deem proper; and with respect to the sale of surplus real property, such terms and conditions may include purchase money mortgages, installment contract sales and any other means of selling and financing.

This section shall not, however, apply to the sale or lease of water, light or power, nor shall it in any way affect the provisions as to water, light and power as the same appear in the Charter.

(b) Disposition of franchises.

(1) Franchises acquired at tax sale. To sell or lease a franchise belonging to or under the control of the City, which franchise is not needed for a public purpose, at a negotiated price of sale without need of advertising same or it may sell or lease such franchise at public auction to the highest bidder, upon such terms and conditions and under proper regulations as to security which the Council shall require by ordinance.

(2) Other acquired franchises. To sell or lease a franchise acquired by it in any other manner, including purchase, devise or gift at public auction, to the highest bidder, upon such terms and conditions and under proper regulations as to security which the Council shall require by ordinance.

(3) Minimum upset bids for disposition of franchise. All bids for the sale of franchises described in (1) and (2) of this section at public auction shall be subject to a minimum upset bid equal to the fair value of said franchise as fixed by the City Manager.

18. This Charter shall be liberally construed to achieve its objectives and purposes.

ARTICLE XVIII
SEVERABILITY

If any provision(s) of this Charter shall be held invalid by a Court of competent jurisdiction, the other provision(s) of the Charter shall not be affected and shall be enforceable to the maximum extent permitted by law. If the application of the Charter, or any of its provision(s), to any person or circumstance is held invalid, the application of the Charter or its provision(s) to other person(s) or circumstance(s) shall not be affected.

ARTICLE XIX
BOUNDARIES

In the County of Jefferson, included within the boundaries shall be a City by the name of "Watertown," and the citizens of this state, from time to time inhabitants within the said boundaries, shall be a corporation by the name of the "City of Watertown" and as such in that name may sue and be sued, complain and defend in any court, make and use a common Seal and alter it at pleasure and may receive by gift, grant, devise, bequest or purchase and hold and convey such real or personal estate as the purposes of the corporation may require. All the real estate or interest in real estate and the personal property now owned or possessed by or held in the name of the City of Watertown are hereby vested in the City of Watertown, with power to hold or convey the same as the purposes of said corporation may require. The said corporation shall also have the powers and privileges conferred by the statutes of this state upon cities of its class as well as those conferred by this Charter.

The territory within the following boundaries shall constitute the City of Watertown:

BEGINNING at a point on the southerly bank of the Black River on the prolongation of the centerline of Hunt Street (formerly called the Cold Creek crossroad), said point formerly described as being 49.50 feet from the water's edge of the Black River, and said point now located about 40 feet southerly from the southerly bank of the Black River at high water mark;

THENCE from said point of beginning, S13°27'49"W, along the prolongation of the centerline of Hunt Street, a distance of 37.52 feet to a City boundary monument found in the centerline of the present macadam surface of Hunt Street, and 15.5 feet southerly from the centerline of the present macadam surface of Huntington Street;

THENCE continuing S13°27'49"W, along the centerline of Hunt Street, a distance of 748.57 feet to a City boundary monument found marking an angle point in the said centerline,

said monument being located on the westerly edge of the present macadam surface of Hunt street;

THENCE S10°48'43"E, along the centerline of Hunt Street, a distance of 306.53 feet to a City boundary monument found marking an angle point in the said centerline, said monument being located on the easterly edge of the present macadam surface of Hunt Street;

THENCE S13°49'11"W, along the centerline of Hunt Street, a distance of 1886.29 feet to a City boundary monument with brass disc marked "City Bndry Mon 1997", found; said monument being located 7.5 feet easterly from the centerline of the present macadam surface of Hunt Street, and 32.5 feet northerly from the centerline of the present macadam surface of State Street;

THENCE continuing S13°49'11"W, a distance of 33.18 feet to the intersection of the centerline of Hunt Street with the centerline of State Street;

THENCE S69°38'11"E, along the centerline of State Street, a distance of 113.41 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found at the intersection of the said centerline with the centerline of Gifford Street, said monument being located in the centerline of the present macadam surface of State Street, and 25 feet westerly from the centerline of the present macadam surface of Gifford Street;

THENCE S04°05'49"W, along the centerline of Gifford Street, a distance of 1116.22 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found and being located 0.8 feet westerly from the centerline of the present macadam surface of Gifford Street, and 48 feet southerly from the centerline of the present surface of Olmsted Drive;

THENCE S04°08'22"E, along the centerline of Gifford Street as it previously existed, a distance of 410.09 feet to a corner of the original City boundary as described in Section Two of Title One of Chapter Seven Hundred and Fourteen of the laws of Eighteen Hundred and Sixty Nine, said corner being marked by a P-K nail found 17.3 feet easterly from the centerline of the present macadam surface of Gifford Street, and 2.8 feet westerly from the face of curb on the east side of Gifford Street;

THENCE S65°53'28"W, along the original City boundary, a distance of 18.55 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found in the centerline of the present surface of Gifford Street;

THENCE continuing S65°53'28"W, an additional distance of 26.36 feet to a point on the westerly margin of Gifford Street as it existed in 1946, said point found on a gabion wall (1997), said point also being located N65°3'28"E, a distance of 26.36 feet from the same concrete monument with brass disc marked "City Bndry Mon 1997", mentioned in the last course;

THENCE from said point on the gabion wall, S06°26'13"E, along the westerly margin of Gifford Street, as it existed in 1946, a distance of 621.87 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found on the easterly boundary of the 148 acre parcel of land conveyed to the City of Watertown, New York by Catherine Boyer et al by Deed dated June 24, 1946 and recorded in the Jefferson County Clerk's Office on December 3, 1946 in Book 471 of Deeds at page 362, said monument being located 24.5 feet westerly from the centerline of the present macadam surface of Gifford Street;

THENCE S18°32'47"W, along the easterly boundary of the said 148 acre parcel, a distance of 856.74 feet to a concrete monument with brass disc marked "City Bndry Mon 1997", said monument found marking the southeasterly corner of said 148 acre parcel, said monument being located 6 feet northerly from the northerly end of a macadam driveway on the northerly side of Crane Lane, said driveway being located about 390 feet westerly from the center of Gifford Street;

THENCE N79°51'54"W, along the southerly boundary of the said 148 acre parcel, a distance of 355.04 feet to a concrete monument with brass disc marked "City Bndry Mon 1997", said monument being found at the northeasterly intersection of two ATV trails;

THENCE continuing N79°51'54"W, along the said southerly boundary, a distance of 21.00 feet to a 2" steel fence post found in concrete marking an angle point in the said boundary;

THENCE S54°31'54"W, along the southeasterly boundary of the said 148 acre parcel, a distance of 731.30 feet to a concrete monument marked DPP found marking an angle point in the said southeasterly boundary, said monument being located southeasterly about 120 feet from the south end of the men's white tee on the 10th hole of the Watertown Golf Course;

THENCE S42°57'32"W, along the said southeasterly boundary, a distance of 659.74 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found in the remains of an old barbed wire fence line and stone row, marking the southeast corner of the said 148 acre parcel, said monument being located southerly about 230 feet from the center of the 7th green of the Watertown Golf Course;

THENCE N73°40'29"W, along the southerly boundary of the said 148 acre parcel, a distance of 1253.51 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found marking the southwest corner of the said 148 acre parcel, said monument being located about 50 feet easterly from the 6th green on the Watertown Golf Course;

THENCE N03°06'46"E, along the west boundary of the said 148 acre parcel, a distance of 14.00 feet to a concrete monument found marked DPP, said monument also being easterly of the 6th green on the Watertown Golf Course;

THENCE continuing N03°06'46"E, along the said west boundary, a distance of 659.74 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found on the

original City boundary, said monument being located about 50 feet southeasterly from the 16th green on the Watertown Golf Course;

THENCE S65°53'28"W, along the original City boundary, a distance of 2344.60 feet to a stone monument found on the easterly edge of Gotham Street, said monument being located 22 feet southerly from the centerline of the present macadam surface of Gotham Street, and about 1600 feet southeasterly from the entrance to the City of Watertown Thompson Park;

THENCE continuing S65°53'28"W, along the original City boundary, a distance of 4331.29 feet to a concrete monument with brass disc marked "CITY BNDRY MON 2011" set at the most northeasterly corner of the Samaritan Medical Annexation of 2011;

THENCE S00°33'57"E along the new (2011) City boundary to a concrete monument with brass disc marked "CITY BNDRY MON 2011" set at the most southeasterly corner of the Samaritan Medical Annexation of 2011;

THENCE S89°26'03"W along the new (2011) City boundary, a distance of 676.79 feet to a concrete monument with brass disc marked "CITY BNDRY MON 2011" set at the most southwesterly corner of the Samaritan Medical Annexation of 2011; said monument also on the original City boundary;

THENCE S65°53'28"W, along the original City boundary, a distance of 887.45 feet to a City boundary monument found on the westerly edge of the sidewalk on the easterly side of Washington Street, said monument being located about 29 feet easterly from the centerline of the present macadam surface of Washington Street;

THENCE continuing S65°53'28"W, a distance of 2.72 feet to a point;

THENCE N57°25'30"W, a distance of 4389.11 feet to a point on a City boundary monument found 11.5 feet northerly from the centerline of the present macadam surface of Holcomb Street, said point being located 0.08 feet southwesterly from the center of the said monument, and said monument being located about 2100 feet southwesterly from the center of Barben Avenue;

THENCE continuing N57°25'30"W, a distance of 1465.11 feet to a point on a City boundary monument found 22 feet south from the centerline of the present macadam surface of Ives Street, at House No. 1409, said point being located 0.02 feet northeasterly from the center of the said monument;

THENCE continuing N57°25'30"W, a distance of 2794.45 feet to a City boundary monument found 6 feet southerly from the centerline of the present macadam surface of Massey Street, and about 50 feet westerly from Conrail Drive;

THENCE continuing N57°25'30"W, a distance of 1981.74 feet to a point in a swamp about 250 feet easterly from the Interstate Route 81 right-of-way;

THENCE N03°38'29"E, a distance of 60.00 feet to a found concrete monument with brass disc marked "City Bndry Mon 1997" found in a thorn apple thicket 124 feet easterly from a point in the easterly right-of-way fence of Interstate Route 81, and said point in the right-of-way fence being located southerly a distance of 165 feet from a sign that reads" Lodging Exit 45", and said monument being located S13°09'23"E, a distance of 512.99 feet from a concrete monument with brass disc marked "City Ref. Mon 1997", said reference monument being located 14.5 feet easterly from the easterly edge of the easterly shoulder of Interstate Route 81 opposite mile marker "152", said reference monument also being located 316 feet northerly from the aforementioned "Lodging Exit 45" sign;

THENCE continuing N03°38'29"E, a distance of 3966.43 feet to a City boundary monument found on the southerly edge of Arsenal Street at the Interstate Route 81 Exit 45 northbound exit ramp, said monument being located 8.5 feet easterly from the centerline of the present macadam surface of the said off ramp, and 31 feet southerly from the centerline of the present surface of Arsenal Street;

THENCE N12°34'29"E, a distance of 144.36 feet to a point in the easterly highway limits of Interstate Route 81 in the division line between the City of Watertown to the east and the Town of Watertown to the west, said point also being located a direct tie of N15°18'19"W, a distance of 6.06 feet from a ½" iron pipe found at the intersection of the easterly highway limits of Interstate Route 81 and the northerly street margin of Arsenal Street; said point marking the southwest corner of lands annexed to the City of Watertown by Local Law No. 5 of 2005; (VISION DEVELOPMENT)

THENCE N15°18'19"W, along said highway limits a distance of 273.93 feet to a concrete highway monument found;

THENCE N00°03'08"W, along said highway limits passing through an iron pipe found at 9.75 feet and continuing a total distance of 580.64 feet to a concrete highway monument found;

THENCE in a generally northeasterly direction along said highway limits and along a curve to the right at a radius of 6850.0 feet, passing through an iron pipe found at 1338.92 feet, and continuing a total distance of 1810.96 feet to a point, said point being situate a direct tie of N07°35'11"E, and a direct tie distance of 1805.69 feet from the last mentioned concrete highway monument;

THENCE S82°22'08"E, a distance of 413.58 feet to a point in the division line between the City of Watertown to the east and the Town of Watertown to the west; said point marking the northeast corner of lands annexed to the City of Watertown by Local Law No. 5 of 2005; (VISION DEVELOPMENT)

THENCE N12°34'29"E, along the existing division line between the City of Watertown to the east and the Town of Watertown to the west, a distance of 842.30 feet to a point; said

point marking the southeast corner of lands annexed to the City of Watertown by Local Law No. 1 of 1998; (TOPED DEVELOPMENT)

THENCE N67°05'36"W, along the division line between TOPED DEVELOPMENT on the north and SHERWOOD MEDICAL COMPANY on the south, a distance of 309.75 feet to a concrete highway monument found in the easterly highway limits of Interstate Route 81;

THENCE in a generally northeasterly direction along said highway limits and along a curve to the right at a radius of 6850.0 feet, a distance of 580.17 feet to a concrete highway monument found, said monument being found a direct tie of N25°24'04"E and a direct tie distance of 580.00 feet from the last mentioned highway monument;

THENCE N53°14'19"E, along said highway limits, a distance of 58.85 feet to an iron pipe found;

THENCE S71°48'41"E, along the division line between TOPED DEVELOPMENT on the south and CRACKER BARREL RESTAURANT on the north, a distance of 138.28 feet to a point in the division line between the City of Watertown to the east and the Town of Watertown to the west; said point marking the northeast corner of lands annexed to the City of Watertown by Local Law No. 1 of 1998; (TOPED DEVELOPMENT)

THENCE N12°34'29"E, along the division line between the City of Watertown to the east and the Town of Watertown to the west, a distance of 484.29 feet to a concrete monument with brass disc marked "City Bndry Mon 1997" found on the southerly side of Coffeen Street, 12 feet from the south edge of the shoulder of Coffeen Street, and about 100 feet westerly from the Interstate Route 81 Exit 46 northbound exit ramp;

THENCE N68°35'50"E along the division line between the City of Watertown on the southeast and the Town of Watertown on the northwest, a distance of 687.15 feet to a point in the southeasterly highway margin of Interstate Route 81; said point marking the southwesterly corner of lands annexed to the City of Watertown by Local Law No. 1 of 2005; (81 FRONT ST. DEVELOPMENT)

THENCE N15°44'27"E along the southeasterly highway margin of Interstate Route 81, a distance of 110.75 feet to an iron pipe found;

THENCE N17°04'39"W along the southeasterly highway margin of Interstate Route 81, a distance of 421.59 feet to an iron pipe found;

THENCE in a generally northeasterly direction along said highway margin and along a curve to the right at a radius of 6850.0 feet, passing through a concrete highway monument at a distance of 660.60 feet, (said monument being located 1 foot easterly from the highway right-of-way fence line and about 500 feet southerly from mile marker "154"), and continuing a total distance of 1731.81 feet to a concrete highway monument found, said monument being found a direct tie of N47°30'19"E, and a direct tie distance

of 1727.20 feet from the last mentioned iron pipe; said monument also being located 1 foot westerly of the highway right-of-way fence line at the "Exit 47 3/4 Mile" sign;

THENCE N54°46'11"E, along the southeast margin of Interstate Route 81, a distance of 944.34 feet to a concrete highway monument found on the southeasterly margin of Interstate Route 81, said monument being located 4 feet southerly from the end of the said highway fence line, and about 46 feet southerly from the southerly bank of the Black River at high water mark;

THENCE continuing N54°46'11"E, along the southeasterly margin of Interstate Route 81, a distance of 30.30 feet to a concrete monument with brass disc marked "City Bndry Mon 1997", said monument being located about 16 feet southerly from the southerly bank of the Black River at high water mark;

THENCE continuing N54°46'11"E, along the southeast margin of Interstate Route 81, a distance of 145.37 feet to a point in the center of the Black River;

THENCE in a generally southeasterly direction, upriver along the centerline thread of the Black River, a distance of about 1490 feet to a point on the original City boundary, said point being located a direct tie of S37°23'21"E, and a direct tie distance of 1454.14 feet from the last mentioned point;

THENCE N68°35'50"E, along the original City boundary, a distance of 475.73 feet to a point in the southbound lane of New York State Route 12E, (Main St. W), said point being located S21°24'10"E, a distance of 2.30 feet from a found City boundary monument, said monument being located about 1600 feet south from Interstate Route 81;

THENCE continuing N68°35'50"E, along the original City boundary, a distance of 3177.40 feet to an 8" square stone monument found at the westerly edge of the present macadam surface of Bradley Street (1997), said stone monument also found about 185 feet westerly from the centerline of railroad tracks crossing Bradley Street;

THENCE S67°52'26"E, along the division line between the City of Watertown on the south, and the Town of Pamelia on the north, a distance of 3110.86 feet to a point in LeRay Street, said point being located S22°07'34"W, a distance of 0.79 feet from a found City boundary monument, said monument being located near the intersection of Damon Drive, and 33 feet northerly of the "City of Watertown" sign;

THENCE continuing S67°52'26"E, along the division line between the City of Watertown on the south and the Town of Pamelia on the north, a distance of 339.23 feet to a 5/8" rebar in concrete found in the easterly street margin of Mill Street, the highway limits of U.S. Route 11 and the boundary line between the City of Watertown on the south and the Town of Pamelia on the north; said rebar marking the southwesterly corner of lands annexed to the City of Watertown by Local Law No. 13 of 2005; (BROOKLINE DEVELOPMENT)

THENCE S86°56'30"E, a distance of 37.00 feet to an iron pipe found in the easterly highway limits of U.S. Route 11;

THENCE in a generally northeasterly direction, along the easterly highway margin of U.S. Route 11 and along a curve to the right at a radius of 3494.4 feet, a distance of 73.34 feet to a ½" iron pipe with cap found, said iron pipe being situate a direct tie of N05°36'23"E, and a direct tie distance of 73.34 feet from the last mentioned pipe;

THENCE S85°03'36"E, a distance of 150.00 feet to a ½ iron pipe with cap found;

THENCE N04°56'26"E, a distance of 200.00 feet to an iron pipe found;

THENCE S85°03'38"E, a distance of 267.88 feet to a point;

THENCE N10°17'34"E, a distance of 142.13 feet to a point;

THENCE N87°07'54"E, a distance of 191.51 feet to a point;

THENCE N72°00'04"E, a distance of 61.25 feet to a point;

THENCE S80°47'50"E, a distance of 824.27 feet to a point;

THENCE N87°48'16"E a distance of 31.48 feet to a point;

THENCE in a generally southeasterly direction, 40 feet westerly thereof and parallel to the westerly margin of Plaza Drive as the margin curves to the left at a radius of 789.20 feet, a distance of 275.30 feet to a point, said point being situate a direct tie of S12°11'20"E, and a direct tie distance of 273.91 feet from the last mentioned point;

THENCE S03°00'18"W, passing through a ½" iron pipe with cap found at 92.61 feet and continuing a total distance of 182.57 feet to a ½" iron pipe with cap found;

THENCE S86°58'11"E, a distance of 173.39 feet to an iron pipe with cap found in the westerly margin of Plaza Drive;

THENCE in a generally southeasterly direction, along the westerly margin of Plaza Drive as it curves to the left at a radius of 749.20 feet, a distance of 86.38 feet to a ½" iron pipe with cap found in the westerly street margin of Plaza Drive, said iron pipe being situate a direct tie of S44°05'40"E, and a direct tie distance of 86.33 feet from the last mentioned pipe;

THENCE S05°19'31"W, a distance of 498.20 feet to a ½" iron pipe with cap found in the boundary line between the City of Watertown on the south and the Town of Pamelia on the north; said pipe also marking the southeasterly corner of lands annexed to the City of Watertown by Local Law No. 13 of 2005; (BROOKLINE DEVELOPMENT)

THENCE S67°52'26"E, a distance of 3852.12 feet to a City boundary monument found in the centerline of the present macadam surface of Pearl Street; said monument situated about 870 feet easterly of Fassett Street;

THENCE continuing S67°52'26"E, along the boundary line between the City of Watertown on the south and the Town of Pamelia on the north, passing though a City boundary reference monument found at a distance of 2368.88 feet, and continuing a total distance of 2482.04 feet to a point, said point being the westerly corner of "Parcel B", lands annexed to the City of Watertown by Local Law No. 2 of 1998, and amended by Local Law No. 1 of 1999;

THENCE N56°08'28"E, a distance of 447.57 feet to a City boundary monument found at the northerly corner of "Parcel B";

THENCE S06°40'46"E, a distance of 423.38 feet to a point in the boundary line between the City of Watertown on the south and the Town of Pamelia on the north; said point being the southerly corner of "Parcel B";

THENCE S67°52'26"E, passing through a City boundary reference monument found at 114.48 feet and continuing a total distance of 618.82 feet to a City boundary monument found with brass disc marked "City Bndry Mon 1997", said monument being located on the southerly side of gravel stock piles of "Benchmark Industries" (1997); said monument also located about 39 feet northerly from the center of an old abandoned railroad bed; said monument also located about 350 feet northerly from the centerline of Water Street, directly behind the I.B.E.W. Local Union 910;

THENCE S05°37'26"W, along the boundary line between the City of Watertown on the west and the Town of Pamelia on the east, a distance of 1624.82 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the westerly street margin of the (old) Eastern Boulevard (66' wide R.O.W.), said monument being the northerly corner of "Parcel C", land annexed to the City of Watertown by Local Law No. 1 of 1999;

THENCE continuing along the boundary line between the City of Watertown on the west and the Town of Pamelia on the east, in a generally southwesterly direction, along the westerly margin of Eastern Boulevard and along a curve to the right at a radius of 604.00 feet, a distance of 146.35 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the westerly street margin of Eastern Boulevard (66' wide R.O.W.), said monument being situate a direct tie of S05°37'26"W, and a direct tie distance of 145.99 feet from the last mentioned point, said monument being the southerly corner of "Parcel C";

THENCE continuing S05°37'26"W, along the boundary line between the City of Watertown on the west and the Town of Pamelia on the east, a distance of 488.97 feet to a point, said point being located N05°37'26"E along the old City boundary, a distance of 48.88 feet from a City boundary monument also known as gps monument number 140, said point

being the most northwesterly corner of "Parcel A", lands annexed to the City of Watertown by Local Law No. 2 of 1998, and amended by Local Law No. 1 of 1999;

THENCE along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest in a generally northeasterly direction, along the southerly highway limits of N.Y.S. Route 3 and along a curve to the left at a radius of 1994.86 feet, a distance of 154.12 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument being situate a direct tie of N36°59'42"E, and a direct tie distance of 154.08 feet from the last mentioned point, said monument being a corner of "Parcel A";

THENCE N32°14'20"E, along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest, a distance of 421.39 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument being a corner of "Parcel A";

THENCE N29°51'28"E, along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest, a distance of 466.11 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument marking a corner of "Parcel A", said monument also marking a corner of a parcel of land conveyed by Florence L. Salsbury to Jefferson County Society for the Prevention of Cruelty to Animals, Inc., recorded in the Jefferson County Clerk's Office on December 18, 1957 in Liber 655 of deeds at Page 303;

THENCE N76°18'27"E, along the boundary line between the City of Watertown on the south and the Town of Pamelia on the north, a distance of 637.83 feet to a concrete monument found, said monument marking a corner of "Parcel A", said monument also marking a corner of the parcel of land mentioned in the last course;

THENCE N06°23'15"W, along the boundary line between the City of Watertown on the east and the Town of Pamelia on the west, a distance of 769.16 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument marking a corner of "Parcel A", said monument also marking a corner of a parcel of land mentioned in the last course;

THENCE along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest in a generally northeasterly direction, along the southerly highway limits of N.Y.S. Route 3 and along a curve to the right at a radius of 1855.49 feet, a distance of 751.06 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument being situate a direct tie of N46°31'54"E, and a direct tie distance of 745.95 feet from the last mentioned monument, said monument marking a corner of "Parcel A";

THENCE N47°39'33"E, along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest in a generally northeasterly direction, a distance of 178.00 feet to a City boundary monument found with brass disc

marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument marking a corner of "Parcel A";

THENCE N60°28'18"E, along the boundary line between the City of Watertown on the southeast and the Town of Pamelia on the northwest in a generally northeasterly direction, a distance of 1149.12 feet to a City boundary monument found with brass disc marked "CB PAM 1998" in the southerly highway limits of N.Y.S. Route 3, said monument marking a corner of "Parcel A";

THENCE in a generally northeasterly direction along the southerly highway limits of New York State Route 3, and said boundary line, along a curve to the right at a radius of 3893.34 feet, a distance of 495.23 feet to a City boundary monument found with brass disc marked "CB PAM 1998", said monument being situate a direct tie of N64°06'57"E, and a direct tie distance of 494.90 feet from the last mentioned monument, said monument marking a corner of "Parcel A";

THENCE S14°01'00"E, along the division line between the Town of Pamelia to the east and the City of Watertown to the west, a distance of 157.29 feet to a point, said point marking a corner of "Parcel A";

THENCE N69°29'00"E, along the division line between the Town of Pamelia to the north and the City of Watertown to the south, a distance of 99.00 feet to a point, said point marking a corner of "Parcel A";

THENCE S14°01'00"E, along the division line between the Town of Pamelia to the east and the City of Watertown to the west, a distance of 52.80 feet to a ½" iron pipe with cap found, said iron pipe marking a corner of "Parcel A";

THENCE N67°59'00"E, along the division line between the Town of Pamelia to the north and the City of Watertown to the south, passing through a ¾" iron pipe found at 235.34 feet and continuing a total distance of 440.22 feet to a point, said point marking a corner of "Parcel A";

THENCE N82°44'00"E, along said division line, a distance of 145.70 feet to a City boundary monument found with brass disc marked "CB PAM 1998", said monument being in the division line between the Town of Pamelia to the northwest, and the Town of LeRay to the east, and the City of Watertown to the southwest, said monument marking the most northeasterly corner of "Parcel A";

THENCE S05°48'46"E, along the division line between the Town of LeRay to the east and the City of Watertown to the west, a distance of 195.81 feet to a point in the centerline thread of the Black River, said point marking a corner of "Parcel A";

THENCE in a generally southeasterly, southerly, southwesterly, westerly, and northwesterly direction, downriver, along the centerline thread of the Black River and the division line between the Town of LeRay to the northeast, the City of Watertown to the

west and the Town of Watertown to the southeast, to a point, said point being in the division line between the Town of Watertown and the City of Watertown to the west, being situate a direct tie of S26°27'41"W, and a direct tie distance of 2371.56 feet from the last mentioned point, said point marking a corner of "Parcel A";

THENCE S00°15'34"E, a distance of 195.19 feet to a ½" iron pipe found; said iron pipe being situate 21 feet southerly from the southerly bank of the Black River at high water mark;

THENCE continuing S00°15'34"E, a distance of 102.23 feet to a ½" iron pipe found;

THENCE S80°41'27"W, a distance of 227.04 feet to a ½" iron pipe found;

THENCE S38°59'26"W, a distance of 159.00 feet to a point;

THENCE N64°45'34"W, a distance of 25.00 feet to a point;

THENCE S40°08'46"W, a distance of 530.64 feet to a ½" iron pipe found;

THENCE S28°01'50"E, a distance of 206.89 feet to a ½" iron pipe found;

THENCE S70°47'00"W, a distance of 88.70 feet to a ½" iron pipe found;

THENCE S64°16'42"W, a distance of 137.28 feet to a ½" iron pipe found;

THENCE N30°05'57"W, a distance of 16.50 feet to a ½" iron pipe found;

THENCE S60°56'32"W, a distance of 62.50 feet to a ½" iron pipe found;

THENCE S28°10'32"E, a distance of 7.19 feet to a ½" iron pipe found;

THENCE S61°49'33"W, a distance of 84.55 feet to a ½" iron pipe found;

THENCE S26°10'25"E, a distance of 23.36 feet to a point;

THENCE S60°15'28"W, distance of 231.90 feet to a point;

THENCE S26°52'37"E, a distance of 95.25 feet to a ½" iron pipe found in the northerly assumed margin of Ridge Road (Huntington Street);

THENCE in a generally southwesterly direction, along the northerly assumed margin of Ridge Road (Huntington Street), a distance of 1351.7 feet to a ½" iron pipe found; said iron pipe
situate a direct tie of S59°11'04"W, and a direct tie distance of 1348.74 feet;

THENCE N16°56'50"W, a distance of 66.70 to a ½" iron pipe found;

THENCE continuing N16°56'50"W, a distance of 29.98 feet to a point on the shore of the Black River at high water mark;

THENCE in a generally southwesterly direction along the shoreline of the Black River as it winds and turns, a distance of 66.70 feet to a point on the shoreline at high water mark, said point being located a direct tie of S76°20'59"W, and a direct tie distance of 66.36 feet from the last mentioned point;

THENCE S16°55'50"E, a distance of 30.05 feet to a ½" iron pipe found;

THENCE continuing S16°55'50"E, a distance of 68.84 feet to a ½" iron pipe found in the northerly assumed margin of Ridge Road (Huntington Street);

THENCE in a generally northeasterly direction along the northerly assumed margin of Ridge Road (Huntington Street), a distance of 180.60 feet to a point in the centerline of Cold Creek, said point being located a direct tie of S88°30'09"W, and a direct tie distance of 178.06 feet from the last mentioned point;

THENCE in a generally northeasterly direction along the center of Cold Creek, a distance of 100.2 feet to a point in the shoreline of the Black River at high water mark, said point being located a direct tie of N17°22'36"E, and a direct tie distance of 98.13 feet from the last mentioned point;

THENCE in a generally northwesterly direction along the shoreline of the Black River at high water mark, as it winds and turns, a distance of about 570 feet to a point on the "original" boundary of the City of Watertown as previously described, and said point being located N63°55'44"W, and a direct tie distance of 552.76 feet from the last mentioned point;

THENCE S05°37'26"W, a distance of 40.00 feet to the point and place of beginning.
CONTAINING about 261,843,080.40 square feet (6,011.09 acres) of land.