

**CITY OF WATERTOWN, NEW YORK
AGENDA**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, September 16, 2013, at 7:00 p.m. in the City Council Chambers, 245 Washington Street, Watertown, New York.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF MINUTES

COMMUNICATIONS

PRESENTATIONS

1. Service Awards for Employees
2. Health Insurance Annual Review by Pomco - Christina Lanigan
3. Health Insurance Annual Review by ProAct - Kimberly Johnson

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Authorizing the Sale of Surplus Vehicles and Equipment
- Resolution No. 2 - Accepting Bid for Unarmed Security Guard, Flower Memorial Library
- Resolution No. 3 - Accepting Bid for Filter Press Feed Pump for the Waste Water Treatment Plant
- Resolution No. 4 - Accepting Bid for the Purchase of Discharge Pipes and Hoses for the Water Department Dredge Unit
- Resolution No. 5 - Accepting Bid for the Purchase of a Valve Maintenance Trailer for the City Water Department
- Resolution No. 6 - Approving Professional Services Agreement Between the City of Watertown and Public Sector HR Consultants, LLC

- Resolution No. 7 - Approving a Special Use Permit Request To Operate An Auto Sales Lot In A Neighborhood Business District At 816 Coffeen St, Parcel 8-21-306
- Resolution No. 8 - Amending The Approved Site Plan To Enlarge And Relocate The Drive-Through Window For The Proposed Express Mart At 1268 Arsenal Street, Parcel 8-53-102.100
- Resolution No. 9 - Approving Bus Shelter Easement Between the City of Watertown and 81 Land Co., LLC
- Resolution No. 10 - Approving Change Order No. 1 to Agreement, Thompson Park Zoo Pavilion Project

ORDINANCES

- Ordinance No. 1 - Amending PDD #3 to Allow Construction Of A Community Building At Maple Court Apartments, 591 Weldon Drive, Parcel 14-49-102

LOCAL LAW

PUBLIC HEARING

- 7:30 p.m. - 2012 CDBG Small Cities Program Public Hearing

OLD BUSINESS

- Tabled - Amending City Municipal Code § A320-4
- Tabled - Approving Agreement for Services for Vision and Dental City Employee Plan, Relph Benefit Services

STAFF REPORTS

NEW BUSINESS

EXECUTIVE SESSION

To Discuss the Employment History of a Particular Individual.

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
OCTOBER 7, 2013.**

September 3, 2013

To: The Honorable Mayor and City Council
From: Sharon Addison, City Manager
Subject: Authorizing the Sale of Surplus Vehicles and Equipment

City of Watertown has surplus vehicles and equipment from the Public Works and Water Departments. As the vehicles and equipment on the attached list are either no longer useful or beyond repair, staff is recommending that these items be sold through the Auctions International website.

As stated in the attached report of Purchasing Manager Pastuf, there are two vehicles on the list that cannot be sold with a title as they are no longer “road worthy,” and they will be disposed of as scrap through a local dismantler.

A resolution is attached for City Council consideration.

RESOLUTION

Page 1 of 1

Authorizing the Sale of Surplus
Vehicles and Equipment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown has accumulated surplus vehicles and equipment from the Public Works and Water Departments, the listing of which is attached and made a part of this resolution, and

and WHEREAS these items may have some value best determined by on-line auction,

WHEREAS two vehicles on the list may only have scrap value,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by on-line auction, of surplus vehicles and equipment from the Public Works and Water Departments, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

Seconded by

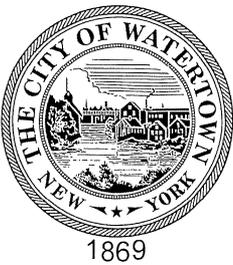
SURPLUS VEHICLES/EQUIPMENT

The following vehicles/items are surplus to the City's needs. These pieces are located at the Department of Public Works on Newell St., Water Distribution on Huntington St. and the Arena.

DESCRIPTION	VIN
1997 Ford F350 4x4 pickup w/ Fisher plow and utility body (2-7A)	1FTHF36H1VEB45767
1997 Ford F350 4x2 six person crew cab pickup (3-13A)	1FTJW35H3VED03237
1997 Ford F350 4x4 pickup w/Fisher Plow (2-30)	1FTHF36H5VED03236
1997 Chevrolet S10 4x4 ext. cab pickup (1-47)	1GCCT19XXV8177948
1979 Champion 715 Motor grader w/ snow wing(1-72)	03552
2000 Chevrolet S10 ext. cab pickup; involved in MVA, damaged frame (1-35)	1GCDT19W3Y8261349
Two (2) Fisher Plow blades	
Sander control valves (5)	
Obsolete parts (floor mats, lights, filters, etc.)	
Ford pickup tail gate (2)	
Ford pickup rear bumpers (2)	
Power take off units for Allison Transmission (2)	
6.5' Bed liner for 2000 Chevrolet S10 pickup	
John Deere 755 tractor w/cab/mower/snow blower—bad engine, Water Dept.	
Floor model pipe vise	
5' side mount sickle bar mower	
SMITHCO Sand Star field groomer—P&R	
5KW 120/240v generator w/leads--WWTP	
Two (2) 3hp 3 phase centrifugal pumps--WWTP	
Bench top 15' drill press	
Old cast iron grills (5)	
6" Gorman-Rupp trash pump (1-142)	618302
Arbor press	
Linde 225 wire feed MIG welder—needs feed roll motor	
(2) Sam4s SPS-530 Flat keyboard / touch screen cash register with 6 meg expansion, credit card reader and Metrologic Honeywell Model MS-9520 scanner	
(1) Optimus Portable Data Collector	

The following vehicles must be disposed of through a licensed dismantler/scrap yard. They cannot be re-sold as retail vehicles. The frames are deteriorated and will not pass NYS inspection.

DESCRIPTION	VIN
1999 Ford Escort—meter reader	1FAFP10PXXW224589
1999 Ford Escort—meter reader	1FAFP10P8XW224588



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Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Surplus Sale of Vehicles and Equipment
DATE: 9/11/2013

The Purchasing Department is requesting City Council's permission to auction surplus vehicles and equipment from Public Works, the Water Department and Parks and Recreation through the Auctions International on-line website. The Departments have determined that the vehicles and equipment on the attached list are either no longer useful or beyond repair and therefore no longer of value to the City. This request is for the City Council to authorize the Purchasing Department to accept the highest offer at time of sale provided the offer meets or exceeds the estimated scrap value.

There are two vehicles on the list that cannot be sold with a title as they are no longer "road worthy". It is requested that we be allowed to dispose of them as scrap through a local dismantler. The Public Works Department will obtain quotes to ensure that we maximize the scrap value.

Thank you for your consideration in this matter.

Copy: Jim Mills, City Comptroller
Eugene Hayes, Superintendent of Public Works
Erin Gardner, Superintendent of Parks and Recreation

Enclosures

September 11, 2013

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Confidential Assistant to the City Manager

Subject: Accepting Bid for Unarmed Security Services at the
Flower Memorial Library

Attached for Council's review and consideration is a resolution accepting the low bid for unarmed security services at the Flower Memorial Library. Bid specifications were requested by 13 security service firms, with five bids received and publically read by the Purchasing Department. As the attached memo from Purchasing Manager Pastuf indicates, staff is recommending City Council accept the low bid from Denog Protective Security Services, Inc, in the amount of \$15.35 per hour.

Staff will be available at the meeting to answer any questions Council may have regarding this legislation.

RESOLUTION

Page 1 of 1

Accepting Bid for Unarmed Security Services, Flower Memorial Library

Introduced by

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

WHEREAS the City Purchasing Department has advertised and received sealed bids for unarmed security services at the Flower Memorial Library, per City specifications, and

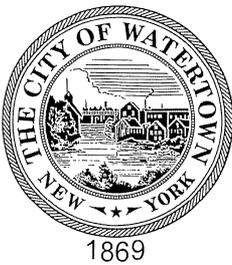
WHEREAS funding for unarmed security service is included in the 2013-2014 Adopted Library Fund Budget, and

WHEREAS bid specifications were requested by thirteen (13) security service firms, with five (5) bids received and publicly opened and read in the City Purchasing Department on August 29, 2013 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf and Library Director Barbara Wheeler reviewed the bids received, and it is their recommendation that the City Council accept the bid submitted by Denog Protective Security Services, Inc. as the lowest responsive bidder in the amount of \$15.35 per hour;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Denog Protective Security Services, Inc. for unarmed security services at the Flower Memorial Library.

Seconded by



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Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Bid 2013-14 – Unarmed Security for the FML – Bid Recommendation
DATE: 9/10/2013

The City's Purchasing Department advertised in the Watertown Daily Times on August 2, 2013 calling for sealed bids for Unarmed Security for the Flower Memorial Library as per City specifications. Bid Specifications were requested by thirteen (13) security service firms. Five (5) sealed bids were submitted to the Purchasing Department. The sealed bids were publically opened and read on Thursday, August 29, 2013 at 11:00 am, local time. The bid tally is provided below.

Description	Command Security Corporation	Denog Protective Security Services, Inc.	ICU Security & Private Investigations	Jess Security Services, Inc.	U.S. Security Associates, Inc.
	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate
Unarmed Security Services	\$23.60	\$15.35	\$30.62	\$19.83	\$21.74

The basis for award for this sealed bid is an hourly rate for the required services. As per the New York State Department of Labor, this service is considered a Public Work Building Service that requires the payment of prevailing wages to the employees hired to provide security. The prevailing wage rate for security services is \$13.59 per hour plus supplemental benefits of \$1.72 per hour worked totaling \$15.31 per hour.

The bids were reviewed by Library Director Barbara Wheeler and the Purchasing Department to ensure that the bid meets the required specifications. The Purchasing Department requested and checked references for the lowest bid received, Denog Protective Security Services, Inc. The references provided relayed a positive experience with the security provider. It is recommended that we accept the bid proposal from Denog Protective Security Services, Inc. for the hourly rate of \$15.35 per hour.

If there are any questions concerning this recommendation, please contact me at your convenience.

September 11, 2013

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Confidential Assistant to the City Manager

Subject: Accepting Bid for the Purchase of a Filter Press Feed Pump for the City Waste Water Treatment Plant

Attached for Council's review and consideration is a resolution accepting the low bid for the purchase of one filter press feed pump for use at the City Waste Water Treatment Plant. Bid specifications were requested by two vendors, with one bid received and publically read by the Purchasing Department. As the attached memo from Purchasing Manager Pastuf indicates, staff is recommending City Council accept the bid from Universal Filtration & Pumping, Inc. in the amount of \$114,225. While this was the only bid received, it should be noted that this pump is a unique product manufactured in England and distributed by only one vendor in the United States.

Staff will be available at the meeting to answer any questions Council may have regarding this legislation.

RESOLUTION

Page 1 of 1

Accepting Bid for Filter Press
Feed Pump for the Waste Water
Treatment Plant

Introduced by

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one (1) filter press feed pump for the City of Watertown Waste Water Treatment Plant, per City specifications, and

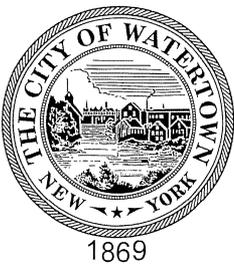
WHEREAS funding for one (1) filter press feed pump is included in the 2013-2014 Adopted Sewer Fund Budget, and

WHEREAS bid specifications were requested by two (2) vendors, with one (1) bid received and publicly opened and read in the City Purchasing Department on September 4, 2013 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf and staff from the Waste Water Treatment Plant reviewed the bid received, and it is their recommendation that the City Council accept the bid submitted by Universal Filtration & Pumping, Inc. as the lowest responsive bidder in the amount of \$114,225;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Universal Filtration & Pumping, Inc. for the purchase of one (1) filter press feed pump for the City of Watertown Waste Water Treatment Plant.

Seconded by



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Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Bid 2013-16 – Filter Press Feed Pump for WWTP
DATE: 9/10/2013

The City's Purchasing Department advertised in the Watertown Daily Times on August 9, 2013 calling for sealed bids for one (1) Filter Press Feed Pump as per City specifications. The pump is for use at the Waste Water Treatment Plant. Bid Specifications were requested by two (2) vendors. One (1) sealed bid was submitted to the Purchasing Department. The sealed bid was publically opened and read on Wednesday, September 4, 2013 at 11:00 am, local time. The bid tally is provided below.

	Description	Qty.	Universal Filtration & Pumping, Inc.	
			Unit Price	Total Price
1	Filter Press Feed Pump	1	\$112,500.00	\$112,500.00
2	Additional Hoses	2	\$437.50	\$875.00
3	Split pump for ease of installation	1	\$850.00	\$850.00
	Total			\$114,225.00

Universal Filtration and Pumping, Inc. submitted the only sealed bid. This pump is a unique product manufactured in England. It is distributed by only one distributor in the United States. The bidder noted one exception to their bid; excluding equipment off-loading and placement within the Waste Water Treatment Plant.

The bids were reviewed by the Waste Water Treatment Plant and the Purchasing Department to ensure that the bid meets the required specifications. The department is agreeable with the exclusion as the equipment will have to be manipulated through several twists and turns to position it within the plant and the department is more comfortable completing the installation. It is recommended that we accept the bid proposal from Universal Filtration and Pumping, Inc. for \$112,500.00 with the additional hoses and split pump for a bid total of \$114,225.00.

If there are any questions concerning this recommendation, please contact me at your convenience.

September 11, 2013

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Confidential Assistant to the City Manager

Subject: Accepting Bid for the Purchase of Discharge Pipes and Hoses
for the City Water Department Dredge Unit

Attached for Council's review and consideration is a resolution accepting the low bid for the purchase of discharge pipes and hoses for the City Water Department dredge unit. Bid specifications were requested by six vendors, with one bid received and publically read by the Purchasing Department. As the attached memo from Purchasing Manager Pastuf indicates, staff is recommending City Council accept the bid from VMI, Inc. in the amount of \$36,690.

Staff will be available at the meeting to answer any questions Council may have regarding this legislation.

RESOLUTION

Page 1 of 1

Accepting Bid for the Purchase of Discharge Pipes and Hoses for the Water Department Dredge Unit

Introduced by

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of discharge pipes and hoses for the dredge unit recently purchased by the City Water Department, per City specifications, and

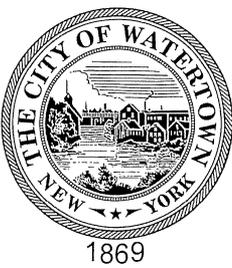
WHEREAS funding for said purchase is included in the 2013-2014 Adopted Water Fund Budget, and

WHEREAS bid specifications were requested by six (6) vendors, with one (1) bid received and publicly opened and read in the City Purchasing Department on September 11, 2013 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf and Water Department staff reviewed the bid received, and it is their recommendation that the City Council accept the bid submitted by VMI, Inc. as the lowest responsive bidder in the amount of \$36,690;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by VMI, Inc. for the purchase of discharge pipes and hoses for the Water Department dredge unit.

Seconded by



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Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Bid 2013-19 – Discharge Pipes and Hoses – Bid Recommendation
DATE: 9/11/2013

The City's Purchasing Department advertised in the Watertown Daily Times on August 30, 2013 calling for sealed bids for Discharge Pipes and Hoses for dredge recently purchased by the Water Department. This bid includes straight pipe and flexible hose as well as floatation devices to keep the pipe and hoses above the water line during the dredging process.

Bid Specifications were sent to six (6) vendors. One (1) sealed bid was submitted to the Purchasing Department. The sealed bids were publically opened and read on Wednesday, September 11, 2013 at 11:00 am, local time. The bid tally is provided below.

Description	VMI, Inc.
	Total Price
Discharge Hoses and Pipes	\$36,690.00

The bids were reviewed by the Water Department and the Purchasing Department to ensure that they meet the required specifications. It is recommended that we accept the bid proposal from VMI, Inc. for a bid total of \$36,690.00 as the lowest responsive responsible bid.

If there are any questions concerning this recommendation, please contact me at your convenience.

September 11, 2013

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Confidential Assistant to the City Manager

Subject: Accepting Bid for the Purchase of a Trailer Mounted Power Vacuum Unit
For the City Water Department

Attached for Council's review and consideration is a resolution accepting the low bid for the purchase of trailer mounted power vacuum unit for use by the City Water Department. Bid specifications were sent to two (2) vendors, with three (3) bids received and publically read by the Purchasing Department. As the attached memo from Purchasing Manager Pastuf indicates, staff is recommending City Council accept the bid from E.H. Wachs, Co. in the amount of \$38,330. While E.H. Wachs, Co. was not the low bidder, the other two bids submitted did not include several items required in the specification, and have been rejected as unresponsive.

Staff will be available at the meeting to answer any questions Council may have regarding this legislation.

RESOLUTION

Page 1 of 1

Accepting Bid for the Purchase of
A Trailer Mounted Power Vacuum
Unit for the City Water Department

Introduced by

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one (1) trailer mounted power vacuum unit for use by the City Water Department, per City specifications, and

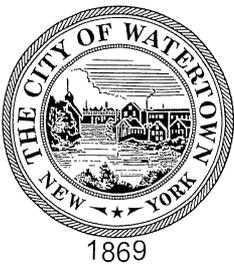
WHEREAS funding for said purchase is included in the 2013-2014 Adopted Water Fund Budget, and

WHEREAS bid specifications were sent to two (2) vendors, with three (3) bid received and publicly opened and read in the City Purchasing Department on September 11, 2013 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf and Water Department staff reviewed the bid received, and it is their recommendation that the City Council accept the bid submitted by E.H. Wachs, Co. as the lowest responsive bidder in the amount of \$38,330;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by E.H. Wachs, Co. for the purchase of one (1) trailer mounted power vacuum unit for use by the City Water Department.

Seconded by



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Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Bid 2013-19 – Trailer Mounted Power Vacuum Unit – Bid Recommendation
DATE: 9/12/2013

The City's Purchasing Department advertised in the Watertown Daily Times on August 15, 2013 calling for sealed bids for a Trailer Mounted Power Vacuum Unit for the Water Department. This bid includes a trailer with all of the necessary tools and equipment to work in the field on water valves and other projects.

Bid Specifications were sent to two (2) vendors. Three (3) sealed bids were submitted to the Purchasing Department. One vendor, Joe Johnson Equipment, Inc. submitted two sealed bids. The sealed bids were publically opened and read on Wednesday, September 11, 2013 at 11:00 am, local time. The bid tally is provided below.

Description	E.H. Wachs, Co.	Joe Johnson Equipment, Inc.	Joe Johnson Equipment, Inc.
Trailer Mounted Power Vacuum Unit	\$38,330.00	\$37,386.00	\$37,036.00

The bids were reviewed by the Water Department and the Purchasing Department to ensure that they met the required specifications. Although the two bids from Joe Johnson Equipment, Inc. were lower than the bid from E.H. Wachs, Joe Johnson Equipment's bids failed to supply several items required for the trailer. Some of the items that were not included were: an aluminum locking job box, service lighting for roadside safety, a hydraulic hose reel and a water heater. If the City were to purchase these missing items outright to complete the trailer, the cost would exceed the difference in the bids. It is recommended that we deem the two bids from Joe Johnson as unresponsive and accept the bid from E.H. Wachs, Co. for \$38,330.00 as the lowest responsive responsible bid.

If there are any questions concerning this recommendation, please contact me at your convenience.

September 11, 2013

To: The Honorable Mayor and City Council
From: Sharon Addison, City Manager
Subject: Human Resource Professional Services Agreement

In an effort to further promote centralized and consistent development, management and administration of human resources, including compliance and training policies, I recommend that Council approve the attached Professional Services Agreement with Public Sector HR Consultants, LLC (PSHRC) to develop an employee handbook and supporting policies for the City of Watertown. This initiative would provide City employees, for the first time, with a document that defines conduct, benefits, policies, compensation, etc. Management and collective bargaining employees have been asking for such a document during my tenure.

The scope of the agreement will provide the City with an electronic and hardcopy of an employee handbook as well as the supporting policies. In order to develop the handbook, PSHRC will meet, on site, with management and designated personnel to review employee benefits, personnel policies, collective bargaining agreements, procedures and established practices. PSHRC is responsible for providing updates when requested by the City or when a compliance change occurs, at no additional costs, for a period of one year after completion of the handbook.

Staff proposes that the associated consulting costs, \$6,500 plus travel, be funded by A1230, the City Manager's Office Budget.

Staff will be available at the meeting to answer any questions Council Members may have regarding this agreement.

September 16, 2013

RESOLUTION

Page 1 of 1

Approving Professional Services Agreement
Between the City of Watertown and
Public Sector HR Consultants, LLC

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown seeks to develop an Employee Handbook and supporting policies for the City’s workforce, and

WHEREAS the City Manager has proposed utilizing the professional services of a private Human Resources consulting group to assist the City with creating an Employee Handbook, and

WHEREAS the City Manager and staff reviewed the proposal and it is their recommendation that the Council of the City of Watertown approve the Professional Services Agreement with Public Sector HR Consultants, LLC in the amount of \$6,500.00 plus related travel costs;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Professional Services Agreement between Public Sector HR Consultants, LLC and the City of Watertown, a copy of which is attached hereto and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

Seconded by



CITY OF WATERTOWN
Professional Services Agreement
EMPLOYEE HANDBOOK

PARTIES TO AGREEMENT

This Professional Services Agreement is made by and between the City of Watertown, herein referred to as the “Client”, and Public Sector HR Consultants LLC (PSHRC), with principal offices located at 14 Knollwood Drive, Glenville, NY, 12302.

PSHRC provides a comprehensive human resource management consulting service. PSHRC does not represent that it is in the practice of law, but provides administrative and consulting services to effectively manage the Client’s human resource management needs. In the event the Client requests that its legal counsel participates in any aspect of PSHRC’s human resource management, PSHRC will consult with the Client’s legal counsel as directed. The Client understands and agrees that PSHRC’s role is limited to an advisory capacity only and that the application and implementation of the information and services provided by PSHRC, and any employment actions pursued as a result of advice furnished by PSHRC, are solely the responsibility of the Client. Furthermore, Client understands that neither PSHRC nor any other party can determine with certainty how an appropriate government agency or other trier of fact may apply the law with regard to a specific factual situation. As a result of such, Client acknowledges that PSHRC shall not be responsible to Client as a result of a determination made by a government agency and/or other trier of fact absent gross negligence or willful misconduct of PSHRC, in which case damages shall be limited to consideration paid to PSHRC.

Scope of Services – Employee Handbook

Public Sector HR Consultants LLC (PSHRC) will develop and assist the Client with the implementation of an **Employee Handbook** for the City of Watertown. The specific professional services to be provided by PSHRC will include:

1. Review current employee benefits, collective bargaining agreements, personnel policies, procedures and established practices.
2. Interview designated City personnel to review current policies and procedures and established past practices, and to ascertain the need for additions and modifications to current policies, procedures and practices.
3. Provide executive draft of Employee Handbook for review by appropriate City representatives. This draft will include an introduction, table of contents, welcome message, personnel policies and procedures, compliance policies, work rules, operational hours, employee classifications, benefits, safety policies and other subjects as requested by the City.
4. Provide the client with an electronic copy and a hard copy of the finalized Employee Handbook. Bulk printing of the Employee Handbook is not included in this proposal.
5. Provide updates when requested by the City or when a compliance change occurs, at no additional cost, for a period of one year from the signing of the Employee Handbook Agreement.

Fee for Services

- **Employee Handbook** – The fee for the development of the Employee Handbook is \$6,500.
- **Travel Expenses** – The City of Watertown agrees to reimburse PSHRC for all travel expenses (limited to mileage and tolls) directly related to providing services detailed in this agreement. The mileage rate that will be charged shall be the IRS mileage rate in effect at the time of travel.

Terms of Payment

Forty percent (40%) (\$2,600) billable upon execution of this agreement; forty percent (40%) (\$2,600) billable upon delivery of the initial draft of the Employee Handbook; twenty percent (20%) (\$1,300) billable thirty days following delivery of the initial draft of the Employee Handbook. Travel expenses will be billed as they occur. Invoices are due upon receipt.

IN WITNESS WHEREOF, the parties have executed this Professional Services Agreement through their respective representatives.

City of Watertown

Public Sector HR Consultants LLC

Signature: _____

Signature: Ronni M. Travers

Date: _____

Date: 9/10/13

By: _____

By: Ronni M. Travers, SPHR

Title: _____

Title: President

Res No. 7

September 11, 2013

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Special Use Permit Request To Operate An Auto Sales Lot In A
Neighborhood Business District At 816 Coffeen St, Parcel 8-21-306

Scott Gerni has submitted the above subject Special Use Permit request. The property was recently the subject of a zone change from Residence B to Neighborhood Business District, for the purpose of allowing Mr. Gerni to open a real estate office at this location.

The Planning Board reviewed the request at its September 3, 2013 meeting, at which the Board voted 4-1 against a motion recommending that Council approve the Special Use Permit.

Attached are the report prepared for the Planning Board and an excerpt from its minutes.

The resolution prepared for City Council consideration approves the Special Use Permit with the condition that no more than three vehicles shall be offered for sale at one time.

A public hearing is required before City Council may vote on the resolution. It is recommended that a public hearing be scheduled for 7:30 pm on Monday, October 7, 2013.

RESOLUTION

Page 1 of 1

Approving A Special Use Permit Request To Operate An Auto Sales Lot In A Neighborhood Business District At 816 Coffeen St, Parcel 8-21-306

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS Scott Gerni has made an application for a Special Use Permit to operate an auto sales lot in a Neighborhood Business District at 816 Coffeen Street, parcel 8-21-306, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on September 3, 2013, and voted 4-1 against recommending that the City Council of the City of Watertown approve the request as submitted, subject to the following condition:

1. No more than 3 vehicles shall be offered for sale at one time.

And,

WHEREAS a public hearing was held on the proposed Special Use Permit on October 7, 2013, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part II and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow auto sales at 816 Coffeen St is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that a Special Use Permit is hereby granted to Scott Gerni to allow operation of an auto sales lot in a Neighborhood Business District at 816 Coffeen Street, parcel 8-21-306, subject to the condition that no more than 3 vehicles shall be offered for sale at one time.

Seconded by



MEMORANDUM

CITY OF WATERTOWN – PLANNING OFFICE

245 Washington Street, Suite 304, Watertown, New York 13601

Phone: 315-785-7730 – Fax: 315-782-9014

TO: Planning Board Members

FROM: Kenneth A. Mix, Planning and Community Development Coordinator 

SUBJECT: Special Use Permit Approval – 816 Coffeen St

DATE: August 27, 2013

Request: Special Use Permit request to operate an auto sales lot in a Neighborhood Business District at 816 Coffeen St, parcel 8-21-306

Applicant: Scott Gerni

Proposed Use: Sales lot for up to three used vehicles

Property Owner: Jennifer Parrish

Submitted:

8 ½" x 11" Copy of Parcel Map: Yes

A Sketch of the Site to Scale: No scale

Completed Part I of an
Environmental Assessment Form: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

Comments: The applicant proposes to sell used vehicles at the subject location. Not more than three vehicles would be present for sale on the lot at any given time.

This property was recently changed from Residence B to Neighborhood Business District for the purpose of establishing a real estate office. At the time of the change, the surrounding property owners were supportive.

Other auto-oriented businesses are not abundant in the vicinity. There is a large car wash at 1020 Coffeen St, roughly 0.3 miles to the northwest, also located in NBD. An auto body shop is located at 595 Coffeen St, 0.3 miles to the southeast, split between NBD and Heavy Industrial.

Summary:

1. Not more than 3 vehicles shall be offered for sale at once.

cc: City Council Members
Robert J. Slye, City Attorney

Justin Wood, Civil Engineer II
Scott Gerni, 451 W. 4th St, Fulton 13065



CITY OF WATERTOWN, NEW YORK

Special Use Permit Application

I. Applicant Information

Name: Scott Berni

Mailing Address: 451 W 4th St
Fulton NY 13069
Phone: 315-778-7355

II. Property Information

Address: 816 Coffeen St Watertown NY 13601

Tax Parcel #: 8-21-306

Property Owner (if not applicant): Jennifer Parrish

If applicant is not owner, does applicant have a signed purchase agreement Yes No

Zoning District: neighborhood Business

Attachments Required:

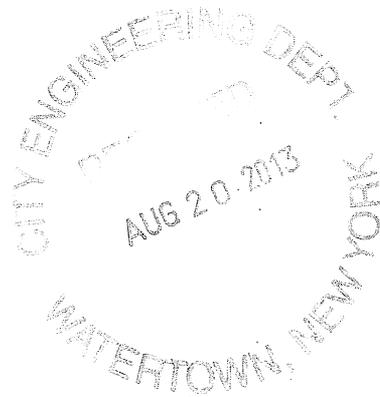
- 8 1/2" x 11" parcel map with tax parcel involved in request outlined with a thick black line
- A sketch of the site drawn to an engineering scale (e.g. 1"=20', 1"=30')
- Completed Part I of an Environmental Assessment Form (SEQR)

III. Request Information

Proposed Use: used car Dealership

Explain Proposal:

would like to be able to sell used cars.
Not looking to have more than 3 cars on the
lot at a time.



Use additional 8 1/2" x 11" sheets as needed.

I certify that the information provided above is true to the best of my knowledge.

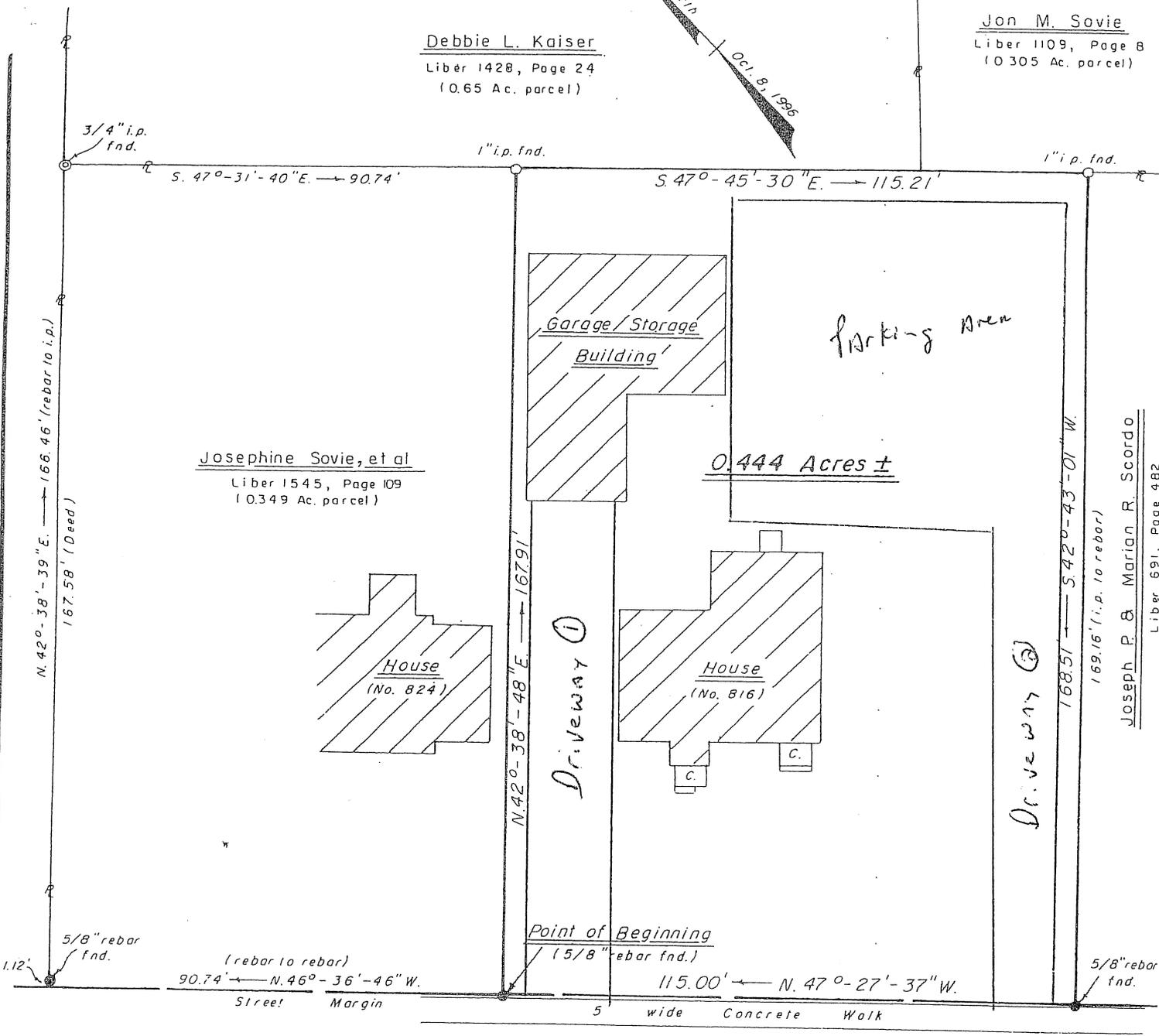
Signature: Scott Berni

Date: 8/20/13

Debbie L. Kaiser
 Liber 1428, Page 24
 (0.65 Ac. parcel)

Jon M. Savie
 Liber 1109, Page 8
 (0.305 Ac. parcel)

10/11
 Oct. 8, 1986



Josephine Savie, et al
 Liber 1545, Page 109
 (0.349 Ac. parcel)

0.444 Acres ±

Joseph P. & Marian R. Scordo
 Liber 691, Page 482

Coffeen Street

Deed ref. -
 Joseph J. & Rose Pangallo to Joseph J. & Rose Pangallo Trust, deed date - July 20, 1989, date rec'd. - Aug. 2, 1989, Liber 1184, Page 127.

NOTES -
 R denotes property line.
 I. p. denotes Iron pipe.
 --- denotes line not drawn to scale.
 ABSTRACT REF. - NONE PROVIDED.

Drive way ① has space for 2 cars
 Drive way ② has space for 11 cars

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
 Copies from the original of this survey map not marked with an original of the land surveyor's inked seal or his embossed seal shall not be considered to be a valid true copy.

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Scott Berni</i>	2. PROJECT NAME
--	-----------------

3. PROJECT LOCATION:
Municipality *City of Watertown* County *Jefferson*

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
*816 Coffeen St Watertown NY
Between Vanduzee St And Fair St*

5. IS PROPOSED ACTION:
 New Expansion Modification/alteration
AUG 20 2013

6. DESCRIBE PROJECT BRIEFLY:
would like to open a used car dealership

7. AMOUNT OF LAND AFFECTED: *20' x 30' of parking lot*
Initially _____ acres Ultimately _____ acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
 Yes No If no, describe briefly
I need a Special use permit

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
 Residential Industrial Commercial Agriculture Park/Forest/Open Space Other
Describe:
neighborhood business

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
 Yes No If yes, list agency(s) and permit/approvals

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
 Yes No If yes, list agency(s) and permit/approvals

12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
 Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Scott Berni Date: _____
Signature: *Scott Berni*

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

Yes No

If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If NO, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

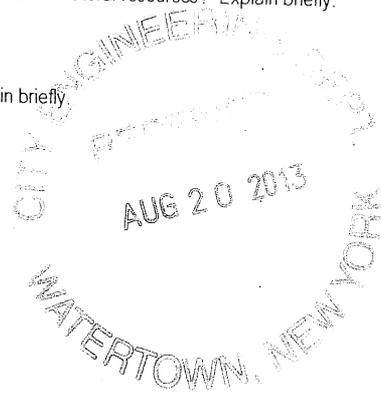
C3. Vegetation or fauna, fish shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:



D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

Excerpt from 9/3/13 Planning Board Meeting Minutes

SPECIAL USE PERMIT – AUTO SALES

816 COFFEEN ST – PARCEL 8-21-306

The Planning Board then considered a request by Scott Gerni to operate an auto sales lot in a Neighborhood Business District at 816 Coffeen St, parcel 8-21-306.

Mr. Gerni approached the board to explain his request. He said that his proposal is not as bad as it sounded on the news. He would not be showing cars up front, he just wants to dabble in auto sales, and would have at most 3 vehicles with dealer plates, one of which he would be driving on a regular basis. It would not be a typical car lot.

Mr. Katzman asked if the appropriate permits had been acquired from the State.

Mr. Gerni replied that he needs to secure an approved lot before he can apply to the State.

Mrs. Freda asked if there would be three cars plus one to drive, or just three.

Mr. Gerni replied that there would be just three. He noted that sales would be conducted by appointment only.

Mrs. Fields noted that this is also the location of Mr. Gerni's real estate office, and traffic could be a concern.

Mr. Katzman agreed that it would increase the number of cars typically in the parking lot.

Mrs. Fields asked how long Mr. Gerni had been planning this project.

Mr. Gerni said that he had been thinking about it for about ten years, but he did not have this location in mind at the time of its recent zone change (from Residence B to Neighborhood Business, approved by Council on December 3, 2012).

Mr. Katzman asked Patrick Scordo, in the audience, for his input.

Mr. Scordo noted that he is a relative of the owner of 808 Coffeen Street. He said that he was initially opposed to this request but he was in attendance to ask a few questions regarding hours of operation, number of vehicles, lighting, and landscaping. Some of his questions had already been covered.

Mr. Gerni responded that no new landscaping or lighting would be installed. He was not intending to make any changes to the property, just park a few extra cars in the back.

Mrs. Freda noted that the property had been changed from Residence B to Neighborhood Business. She asked if this was the lowest level commercial district. Mr. Nichols replied that Limited Business is more restrictive.

Mrs. Freda asked why Limited Business was not used here. Mr. Nichols noted that there is no nearby land zoned under that district, so it could have been considered spot zoning. The area to the west was already Neighborhood Business, so the change was an expansion of an existing district.

Mrs. Freda noted that the real estate office is located in the garage, and asked Mr. Gerni if the house was occupied.

Mr. Gerni replied that the house is a 2-family rental.

Mrs. Fields said she is concerned about additional traffic in the area, noting that Coffeen Street is already congested. She thinks the existing sign for the real estate office looks out of place, and would not like to see the situation made worse with additional signage. She does not want the area to become more commercialized than it already is. She does not believe the site has enough space for the number of cars proposed.

Mr. Gerni noted that he has parking for 11 vehicles.

Mr. Katzman said that he also would not like to see auto sales here at this time. Depending on how the area develops, it could be an appropriate use in five years time, if Coffeen Street looks more like Arsenal at that time. Right now it is not appropriate.

Mrs. Freda noted that a letter in opposition to the request was received from Jon and Gail Sovie of 824 Coffeen Street. The letter is attached and made part of these minutes.

Mr. Katzman asked if repairs would occur at this location.

Mr. Gerni said that they would not; it would require a separate license.

Mr. Coburn noted that the Special Use Permit is specific to a single use as well.

Mrs. Gervera asked if the State required signage. Mr. Gerni replied that a single one foot square sign would have to be installed, probably on the outside wall of the garage.

Mr. Katzman said he thinks the sign is more like 3' x 3' in size.

Mrs. Freda asked Mr. Gerni to clarify the exact size and location of the sign before the City Council public hearing.

Mrs. Gervera noted that auto sales are more of a hard retail operation, whereas the real estate business is more similar to a professional office.

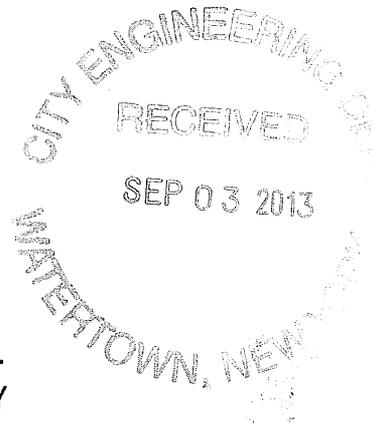
Mrs. Freda noted that it would be difficult for the City to enforce a limit on the number of cars for sale.

Mr. Katzman then moved to recommend approval of the request submitted by Scott Gerni to operate an auto sales lot in a Neighborhood Business District at 816 Coffeen St, parcel 8-21-306, subject to the following condition:

1. No more than 3 vehicles shall be offered for sale at one time.

Mrs. Fields seconded the motion. Mrs. Fields, Mrs. Freda, Mrs. Gervera, and Mr. Katzman voted in opposition. Mr. Coburn voted in favor. The motion was defeated by a vote of 4-1.

Mr. Coburn noted that he believes the operation is small enough that it would not have a negative impact on the neighborhood.



Jon M. Sovie
Gail M. Sovie
824 Coffeen St.
Watertown, NY
September 2, 2013

City Council Members:

We are totally opposed to the request for plans to have a used car sales lot at 816 Coffeen St. We do not believe it would add value to the neighborhood. We certainly are not at all opposed to businesses in the neighborhood, but only concerned that this type of venue would not be an aesthetic fit to a residential/family business neighborhood. There are many families still residing within the neighborhood.

We are questioning how many vehicles would be allowed for sale on the property at a time. Where will the vehicles be stored? Will there be any structural change to the property? Will the area have fencing and what type of landscaping will be utilized? We are also concerned whether there will be any mechanical repairs performed on the property and what type of effect that will have on the environment. If repairs were allowed to be performed, where on the property would that take place?

We hope that the members of the council take our questions into consideration when researching this request from the property owner at 816 Coffeen St.

Thank you and respectfully submitted by,

Jon M. Sovie

Gail M. Sovie

Res No. 8

September 11, 2013

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Amending The Approved Site Plan To Enlarge And Relocate The Drive-Through Window For The Proposed Express Mart At 1268 Arsenal Street, Parcel 8-53-102.100

A request has been submitted by Wendy Ferrie of Carmina Wood Morris for the above subject site plan amendment. The original site plan was approved by Council on January 20, 2009.

The City Planning Board reviewed the request on September 3, 2013 and voted to recommend that City Council approve the site plan subject to three conditions, which have since been satisfied. A copy of the revised plan is in each Council Member's agenda package.

Attached are copies of the report on the request prepared for the Planning Board and an excerpt from their meeting minutes.

The City Council must respond to the questions in Part 2 of the Short Environmental Assessment Form before it may vote on the resolution. The resolution prepared for City Council consideration states that the project will not have a significant negative impact on the environment, and approves the amended site plan submitted to the City Engineering Department on September 10, 2013, subject to the conditions recommended by the Planning Board.

RESOLUTION

Page 1 of 2

Amending The Approved Site Plan To Enlarge And Relocate The Drive-Through Window For The Proposed Express Mart At 1268 Arsenal Street, Parcel 8-53-102.100

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS Wendy Ferrie of Carmina Wood Morris has submitted a request to amend the approved site plan to enlarge and relocate the drive-through window for the proposed Express Mart at 1268 Arsenal Street, parcel 8-53-102.100, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on September 3, 2013, and voted to recommend that the City Council of the City of Watertown approve the amendment to the site plan with the following conditions:

1. The applicant shall adjust the drive-through layout so that the bypass lane is not obstructed by queuing vehicles.
2. The applicant shall provide a stop sign at the 4-way intersection to the north of the project site.
3. The applicant shall provide 2 sets of full-size revised plans to the Engineering Department, printed at their noted scale, with all of the graphical changes listed in the Staff Memorandum of August 28, 2013.

And

WHEREAS the applicant submitted revised plans satisfying the above conditions on September 10, 2013, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

RESOLUTION

Page 2 of 2

Amending The Approved Site Plan To Enlarge And Relocate The Drive-Through Window For The Proposed Express Mart At 1268 Arsenal Street, Parcel 8-53-102.100

- Council Member BURNS, Roxanne M.
- Council Member BUTLER, Joseph M. Jr.
- Council Member MACALUSO, Teresa R.
- Council Member SMITH, Jeffrey M.
- Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the approved site plan for the Express Mart at 1268 Arsenal Street, parcel 8-53-102.100, is hereby amended to enlarge and relocate the drive-through window, as depicted on the plans submitted to the City Engineer on September 10, 2013.

Seconded by



MEMORANDUM

CITY OF WATERTOWN PLANNING OFFICE

245 WASHINGTON STREET, ROOM 304

WATERTOWN, NEW YORK 13601

PHONE: 315-785-7730 – FAX: 315-782-9014

TO: Planning Board Members

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Site Plan Amendment – 1268 Arsenal St *KAM*

DATE: August 28, 2013

Request: Site Plan Amendment to enlarge and relocate the drive-through window for the proposed Express Mart at 1268 Arsenal St, parcel 8-53-102.100

Applicant: Wendy Ferrie, RA, Carmina Wood Morris PC

Proposed Use: Gas station and convenience store

Property Owner: REROB LLC

Submitted:

Property Survey: Yes	Preliminary Architectural Drawings: Yes
Site Plan: Yes	Preliminary Site Engineering Plans: Yes
Vehicle and Pedestrian Circulation Plan: Yes	Construction Time Schedule: Yes
Landscaping and Grading Plan: Yes	Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted Action	County Review Required: No
------------------------	----------------------------

Zoning Information:

District: Commercial	Maximum Lot Coverage: None
Setback Requirements: 20' Fr, 5' Sd, 25' Rr	Buffer Zone Required: None

Project Overview: The site plan for this project was originally approved in January of 2009. The applicant is now proposing an amendment to increase the size of the building in the area near the drive-through window. The site layout and grading would stay largely the same, except for the small reduction in green space noted in the applicant's letter, and altered vehicle circulation in the vicinity of the drive-through.

Parking: The parking count remains sufficient for the proposed building area. The relocation of the drive-through creates a traffic conflict, where the one-way exit lane on the west side of the lot cannot be traversed when cars are lined up at the drive through. The driveway path and radius, and the curb location, should be adjusted to provide sufficient width for the bypass lane.

The intersection to the north of the project is a 4-way stop. A stop sign must be provided.

General: The applicant must resubmit at least 2 full sized plan sets which are printed to the noted scale.

The owner must obtain the following permits: Sanitary Sewer Permit, Water Supply Permit, and Building Permit from the City, as well as a NYSDOT Highway Work Permit (copy all correspondence to the City).

The applicant must make the following graphical changes, listed by sheet number:

C-001:

- Remove the stop bar and directional arrows on the drive through.
- Adjust sawcut line leader to meet the proposed line.
- Adjust "Existing asphalt, concrete, and curb to remain" leader.

C-100:

- Reverse the directional arrows on the NYS Route 3 signs near Arsenal St to correctly show east and west.

C-300:

- Remove hatching of storm structure labels.

C-400:

- Turn off grading spot elevations and contour lines.

C-500:

- Turn off utility labels.
- Differentiate between existing and proposed landscaping. Some of the trees shown along Western Blvd have already been installed by NYSDOT.

C-700:

- Revise vehicle movements to reflect anticipated movements. The WB-50 is currently shown crossing a curb and traveling the wrong direction through the bypass lane.

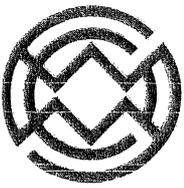
Construction Details:

- Revise Striping Detail At Handicap Parking on C-900 to correct mirrored handicap symbol.
- Revise Water Service Connection Detail on C-902 to call for "Buffalo Style Curb Box" without stationary rod.

Summary:

1. The applicant shall adjust the drive-through layout so that the bypass lane is not obstructed by queuing vehicles.
2. The applicant shall provide a stop sign at the 4-way intersection to the north of the project site.
3. The applicant shall provide 2 sets of full-size revised plans to the Engineering Department, printed at their noted scale, with the all of the graphical changes listed above.

cc: Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Wendy Ferrie, 487 Main St, Suite 600, Buffalo NY 14203



Carmina • Wood • Morris^{PC}

487 Main Street Suite 600 Buffalo, New York 14203 P: 716.842.3165 F: 716.842.0263 W: cwm-ae.com

August 19, 2013

Mr. Kurt Hauk
City Engineer
City of Watertown
245 Washington Street, Room 305
Watertown, New York 13601

Re: Express mart #339 1268 Arsenal Street, Corner of Arsenal St. & Western Blvd.
CWM Job 07.060 - New Construction
Site Plan Amendment

Dear Mr. Hauk,

On behalf of REROB IIc we are submitting the following information for Site Plan Amendment:

- 16 copies of the revised site engineering plans (3 full size sets, 12 half size sets)
- 16 copies of the Engineering Report (Same as previously Approved)
- 16 copies of the Stormwater Management and Pollution Prevention Plan (Same as previously Approved)

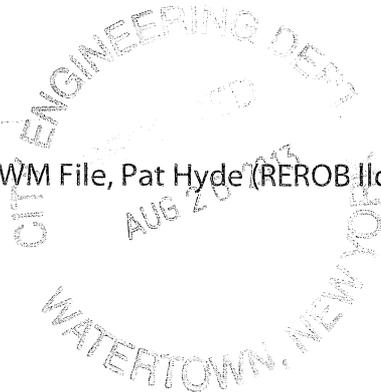
The building footprint has increased slightly and the path of travel around the building has altered slightly to accommodate the relocated Drive Thru window. The building materials have also changed from CMU and Aluminum Panel with a flat roof to Brick and Stone with a Gabled Roof. The site has essentially remained the same with a negligible reduction in green space of 1,224 sf or 1.7% of the total site.

If you should have any questions please contact me at 842-3165 x117.

Sincerely,
Carmina Wood Morris, P.C.

Wendy J. Ferrie RA | Project Manager

CC.: CWM File, Pat Hyde (REROB IIc)



Architect: Carmina Wood Morris, P.C. 487 Main Street, Suite 600, Buffalo, NY 14203

Excerpt from 9/3/13 Planning Board Meeting Minutes

**SITE PLAN AMENDMENT – EXPRESS MART
1268 ARSENAL ST – 8-53-102.100**

The Board then considered a request submitted by Wendy Ferrie to amend the approved site plan to enlarge and relocate the drive-through window for the proposed Express Mart at 1268 Arsenal Street, parcel 8-53-102.100.

Paul Curtin of Shulman Curtin & Grundner, PC, and Patrick Hyde, Express Mart Facilities Manager, were in attendance to represent the applicant.

Mr. Curtin approached the Board to explain the project. He noted that a plan for the upgrade was originally approved in 2009, but now that they were ready to proceed with construction, some changes are necessary. In order to accommodate serving frozen drinks from the drive-through, the building area was being expanded. The driveway and parking layout would also be altered. The new building's design has been altered, most notable to have a peak roof rather than a flat roof.

Mr. Katzman asked if the store would be similar to the location in Mattydale.

Mr. Curtin said that it would, and that the Fayetteville location is also similar.

Mrs. Freda asked if the 2009 plan had a drive-through.

Mr. Curtin answered that it did, along the back of the building. The new location would be on the side.

Mr. Wood noted that incoming traffic from the commercial development to the north would be a likely source of conflict where the drive-through and exit lane overlap.

Mr. Curtin said that the architect is working on a solution. The building might be shifted or rotated slightly. The new plans would be submitted as soon as possible, maybe by the end of the week.

Mrs. Fields asked if the lighting would be altered. Mr. Curtin said that there would be no more lighting than previously approved.

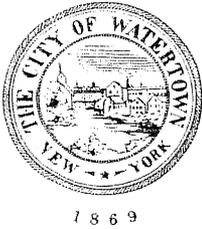
There was some discussion on whether the application should be tabled pending the updated plans. Mr. Wood said that the review should be simple and quick, but if the changes are major, staff would bring it back to the Planning Board.

Mr. Katzman then moved to recommend that City Council approve the site plan amendment request submitted by Wendy Ferrie to enlarge and relocate the drive-through window for the proposed Express Mart at 1268 Arsenal Street, parcel 8-53-102.100, subject to the following conditions:

1. The applicant shall adjust the drive-through layout so that the bypass lane is not obstructed by queuing vehicles.

2. The applicant shall provide a stop sign at the 4-way intersection to the north of the project site.
3. The applicant shall provide 2 sets of full-size revised plans to the Engineering Department, printed at their noted scale, with all of the graphical changes listed in the Staff Memorandum of August 28, 2013.

Mrs. Fields seconded, all voted in favor.



**CITY OF WATERTOWN
SITE PLAN APPLICATION
AND
SHORT ENVIRONMENTAL
ASSESSMENT FORM, PART 1**

** Provide responses for all sections. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Failure to submit required information by the submittal deadline will result in **not** making the agenda for the upcoming Planning Board meeting.

PROPERTY LOCATION

Proposed Project Name: Express Mart #339
Tax Parcel Number: 8-0053-102.100
Property Address: 1268 ARSENAL Street
Existing Zoning Classification: C

OWNER OF PROPERTY

Name: REROB LLC (Pat Hyde)
Address: 6567 KINNE Rd
DEWITT NY 13214
Telephone Number: (315) 446-0125 x115
Fax Number: (315) 446-1355

APPLICANT

Name: CARMINA WOOD MOREIS P.C. (WENDY FERREIE RA)
Address: 487 Main Street
BUFFALO, NY 14203
Telephone Number: (716) 842-3165
Fax Number: (716) 842-0263
Email Address: WFERREIE@CWM-AE.COM

ENGINEER/ARCHITECT/SURVEYOR

Name: SAME AS Applicant
Address: _____

Telephone Number: _____
Fax Number: _____
Email Address: _____

PROJECT DESCRIPTION

Describe project and proposed use briefly:

THE CONSTRUCTION OF A 6,287 SF EXPRESS MART
CONVENIENCE STORE BUILDING WHICH INCLUDES A
DRIVE THRU RESTAURANT AND A 1,840 SF DETACHED
AUTOMATIC CAR WASH BUILDING SITUATED ON A 1.38 +/-
ACRE PARCEL WHICH IS ZONED C - COMMERCIAL.

Is proposed Action:

- New Expansion Modification/Alteration

Amount of Land Affected:

Initially: 1.3 Acres Ultimately: 1.3 Acres

Will proposed action comply with existing zoning or other existing land use restrictions?

- Yes No If no, describe briefly

What is present land use in vicinity of project?

- Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe: _____

Does project involve a permit approval, or funding, now or ultimately from any other Governmental Agency (Federal, State or Local)?

- Yes No If yes, list agency(s) and permit/approval(s)

SITE PLAN APPROVAL

Does any aspect of the project have a currently valid permit or approval?

- Yes No If yes, list agency(s) and permit/approval(s)

As a result of proposed project, will existing permit/approval require modification?

Yes No

Proposed number of housing units (if applicable): NA

Proposed building area: 1st Floor 6,283 Sq. Ft.
2nd Floor NA Sq. Ft.
3rd Floor NA Sq. Ft.
Total 6,283 Sq. Ft.

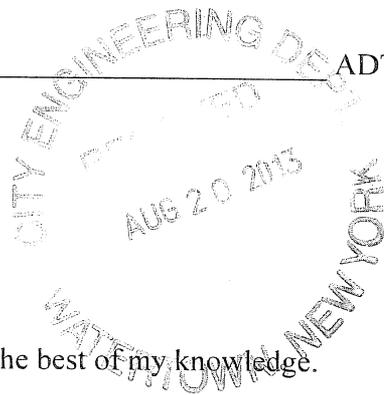
Area of building to be used for the boiler room, heat facilities, utility facilities and storage: 2,900.96 Sq. Ft.

Number of parking spaces proposed: 23

Construction Schedule: Fall 2013 - Spring 2014

Hours of Operation: 24 Hours

Volume of traffic to be generated: _____ ADT



SIGNATURE

I certify that the information provided above is true to the best of my knowledge.

Applicant (please print) WENDY FERRIE RA

Applicant Signature [Handwritten Signature] Date: 8/19/2013

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency

Date

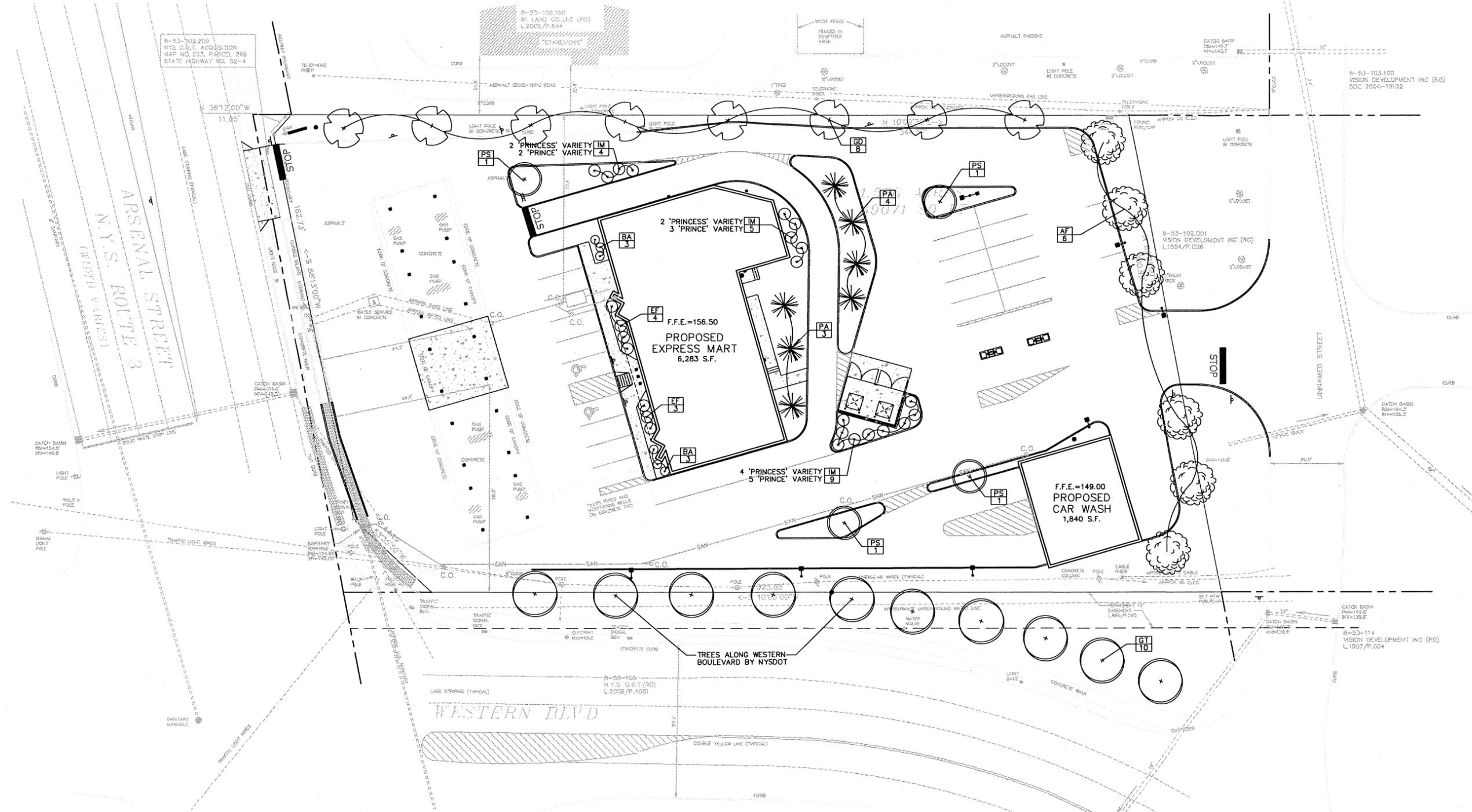
Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

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 All rights reserved. Reuse of these documents without the expressed written permission of Carmina Wood Morris PC is prohibited. WARNING: It is violation of article 145 sections 700N and 701 of the New York State Education Law for any person, unless acting under the direction of a registered architect, licensed engineer or land surveyor to alter this drawing. If altered such R.A., P.E. or L.L.S. shall affix his or her seal, signature, the date, the notation "altered by" and a specific description of the alteration.



PLANTING SCHEDULE

TYPE	KEY	BOTANICAL NAME	COMMON NAME	QUANT.	CAL.	SIZE	ROOT
TREES	AF	ACER FREEMANII 'AUTUMN BLAZE'	AUTUMN BLAZE HYBRID MAPLE	6	2"	-	B & B
TREES	GT	GLEDITSIA TRIACANTHOS INERMIS	THORNLESS HONEYLOCUST	10	2"	-	B & B
TREES	GD	GYMNOCLADUS DIOICUS	KENTUCKY COFFEETREE	8	2"	-	B & B
TREES	PS	PRUNUS SARGENTII	SARGENT CHERRY	4	2"	-	B & B
TREES	PA	PICEA ABIES	NORWAY SPRUCE	7	8"	-	B & B
SHRUBS & PERENNIALS	IM	ILEX X MESERVEAE 'PRINCESS & PRINCE'	BLUE HOLLY	18	-	24"	CAN
SHRUBS & PERENNIALS	EF	EUONYMUS FORTUNEI 'MOONSHADOW'	WINTERCREEPER EUONYMUS	7	-	3 GAL.	B & B
SHRUBS & PERENNIALS	BA	BERBERIS THUNBERGI 'ATROPURPUREA'	RED BARBERRY	6	-	3 GAL.	B & B

PLANTING NOTES

- BEFORE CONSTRUCTION STRIP ALL TOPSOIL AND PLACE IN SEPARATE PILE. DO NOT MIX WITH SUB-SOIL. THIS SOIL TO BE USED AS PART OF TOPSOIL MIX FOR PLANTING BEDS.
- MULCH ALL ISLANDS AND LANDSCAPE AREAS BEDS SHOWN NOT TO BE SEEDED WITH DOUBLE GROUND SHREDDED BROWN HARDWOOD BARK MULCH.
- ALL DISTURBED UNSURFACED AREAS SHALL RECEIVE FOUR INCHES OF TOPSOIL, SEED, AND MULCH AND SHALL BE WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
- CONTRACTOR SHALL PROVIDE HARDY TREES SUITABLE FOR USE IN THE SOIL AND CLIMATE CONDITIONS OF THE PROJECT AND PROVIDE THE OWNER WITH A BONDED WRITTEN ONE-YEAR MAINTENANCE/WARRANTY AGREEMENT PER THE SPECIFICATIONS.
- TREES SHALL BE BALLED AND BURLAPPED.
- SHRUBS SHALL BE SURROUNDED WITH BLACK BARK MULCH.
- CONTRACTOR SHALL TAKE ALL REASONABLE MEASURES TO PROTECT EXISTING TREES WHICH ARE TO BE PRESERVED FROM ALL POSSIBLE TYPES OF ROOT, TRUNK AND LIMB DAMAGE; INCLUDING BUT NOT LIMITED TO, RETAINING WALLS WHICH PREVENT FILLING ON TOP OF ROOTS.
- CONTRACTOR SHALL PROTECT AND MAINTAIN AS MANY TREES ON THE SITE AS FAR AS PRACTICAL.

SEED SCHEDULE "A" (LAWN AREAS)

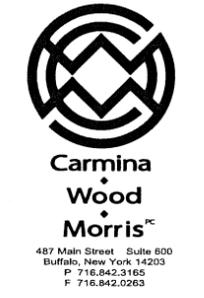
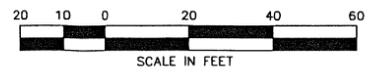
4-5 LBS/1,000 S.F.
 65% FINE FESCUS (RELIANT OR BIJART)
 20% PERENNIAL RYEGRASS (ALL-STAR OR DASHER II)
 15% KENTUCKY BLUEGRASS BLEND
 (USE AT LEAST 3 CULTIVARS)

SEED SCHEDULE "B" (SLOPES GREATER THAN 5:1)

0.8 LBS/1,000 S.F.
 25% INCULCATED EMPIRE BIRDSFOOT TREFOIL
 60% PERENNIAL RYEGRASS
 15% REDTOP

LANDSCAPE LEGEND

- PROPOSED TREES
- PROPOSED SHRUBS
- EXISTING TREE TO REMAIN



REVISIONS:

No.	Description	Date
1	rev. per planning & resubmit	09/06/2013

PROJECT NAME:
 New Construction
Express Mart # 339
 1268 Arsenal Street
 Watertown, New York 13601

Issued for Construction: xx.xx.xx
 Municipality Submission:
 Drawn by: J. Whaley
 Scale: 1"=20'

DRAWING NAME:
 Landscape
 Plan

DRAWING NO.
C-500
 Project no.: 07.060

September 11, 2013

To: The Honorable Mayor and City Council
From: Elliott B. Nelson, Confidential Assistant to the City Manager
Subject: Approving Bus Shelter Easement with 81 Land Co., LLC

Attached for the review of City Council is a Bus Shelter Easement Agreement between the City of Watertown and 81 Land Co., LLC. This easement will allow for the construction of a bus shelter near Western Boulevard. While easement agreements do not generally require Council approval, this easement differs from the City's standard easement language. As the attached memo from City Engineer Hauk indicates, this Easement Agreement would allow the property owner to extinguish the easement, and require the City to relocate the shelter within one year of notification.

Staff will be available at the Council meeting to answer any questions regarding this legislation.

RESOLUTION

Page 1 of 1

Approving Bus Shelter Easement Between
the City of Watertown and 81 Land Co., LLC

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown desires to construct bus shelters at various locations throughout the City, and

WHEREAS the City of Watertown has negotiated an easement for the placement of a bus shelter near Western Boulevard, and

WHEREAS the City Attorney has reviewed the negotiated easements, and

WHEREAS the easement document contains language that allows the property owner the ability to extinguish the easement, requiring the City to relocate the shelter within one year of notification;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Bus Shelter Easement between the City and 81 Land Co., LLC, attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that upon execution of said easement, it shall be filed with the Office of the Jefferson County Clerk.

Seconded by

BUS SHELTER EASEMENT GRANT

BY AND BETWEEN 81 LAND CO., LLC AND THE CITY OF WATERTOWN

WATERTOWN CITY CENTER

P.N.8-53-108.100

THIS INDENTURE, made the _____ day of _____, 2013, between **81 LAND CO., LLC** of Watertown, New York, party of the first part, hereinafter designated the Grantor, and **THE CITY OF WATERTOWN**, a municipal corporation of the State of New York, having an office at 245 Washington Street, Watertown, New York 13601, party of the second part, hereinafter designated the Grantee:

WITNESSETH, that the Grantor, in consideration of ONE DOLLAR (\$1.00) lawful money of the United States, the receipt of which is hereby acknowledged, and other good and valuable consideration, paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns, an Easement to be exercised in, on, over, under, through, and across the hereinafter described property for the purpose of constructing, installing, replacing, operating, maintaining, cleaning, and repairing, a Bus Shelter and appurtenances of whatever type or material, so as to enable the operation of said Bus Shelter on said property, including any appurtenant line or lines to be hereafter placed upon, under, or through said property, as the Grantee may now or shall from time to time hereafter deem necessary. Said property is described in the attached Schedule A.

The rights under this Easement Grant may be terminated by the Grantor or its assigns by written notification received by the City. In that event, the City shall have one year from receipt of the notification to remove the Bus Shelter and appurtenances.

The Grantee shall, after the completion of initial construction and/or any other work required to be done in connection with the granting or other exercise of rights under this Easement, etc. restore the surface of, the surrounding ground to substantially its former condition except for such trees or shrubs as have to be cut or removed in connection with the work of installing the Bus Shelter and its appurtenances. For the term of this Easement, Grantee shall be responsible for maintaining the shelter structure (walls, columns, roof, bench, and pad) and the Grantor shall be responsible for cleaning and trash and debris removal.

Reserving, however, to the Grantor of the above described property and its successors in interest, the right and privilege of also using such property, along with the rights of the grantee and the public; provided the exercise of such right and privilege does not interfere or is not likely to interfere with or prevent the free and unrestricted use and exercise of the Permanent Easement and rights hereinabove described.

It is the intention of the parties hereto that the rights and privileges granted by this Easement shall be exercised with reference to the construction, maintenance and operation of a Bus Shelter and appurtenances as they are to be installed and as they are to be located on the "record" drawings to be filed in the Jefferson County Clerk's Office.

For the term of this Easement, the Grantee shall defend and indemnify Grantor in connection

with any claim for injury or property damage to third persons arising from Grantee's use and operation of the Bus Shelter and appurtenances.

TO HAVE AND TO HOLD the rights hereby granted unto the Grantee, its successors, and assigns forever; and the said Grantor hereby covenant as follows:

FIRST: That the Grantee shall quietly enjoy the rights hereby granted.

SECOND: That the Grantor, its successors and/or assigns will forever **WARRANT** the title to the rights hereby granted.

IN WITNESS WHEREOF, the Grantor has hereunto caused these premises to be signed by its duly authorized representatives the day and year first above written.

Grantor(s)

STATE OF NEW YORK)

ss:

COUNTY OF JEFFERSON)

On the _____ day of _____, 2013, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

**SCHEDULE A
BUS SHELTER EASEMENT
CITY OF WATERTOWN TAX P.N. 8-53-108.100
LANDS OF 81 LAND CO., LLC
WATERTOWN CITY CENTER**

A 17.00' X 19.50' BUS SHELTER EASEMENT situate in City of Watertown, County of Jefferson, State of New York, and being further described as follows:

BEGINNING at a mag nail set in asphalt; said mag nail being situate N 06°39'44" E, a distance of 43.87 feet from the most southwesterly corner of P.N. 8-53-114.100 (N/F VISION DEVELOPMENT, LLC), said mag nail marking the most southerly corner of the BUS SHELTER EASEMENT herein described;

THENCE N 56°41'40" W, a distance of 19.50 feet to a 1/2" capped iron rebar set, said rebar marking the most westerly corner of the BUS SHELTER EASEMENT herein described ;

THENCE N 33°18'20" E, a distance of 17.00 feet to a mag nail set in a concrete sidewalk, said mag nail set situate +/- 5.7 feet from face of curb, said mag nail marking the most northerly corner of the BUS SHELTER EASEMENT herein described;

THENCE S 56°41'40" E, running 17.00 feet northeasterly thereof and parallel to the first course, a distance of 19.50 feet to a mag nail set in a concrete sidewalk, said mag nail set N 67°07'56" W on a line perpendicular to the westerly property line of P.N. 8-53-114.100, a distance of 9.2 feet, said mag nail marking the most easterly corner of the BUS SHELTER EASEMENT herein described;

THENCE S 33°18'20" W, running 19.50 feet southeasterly thereof and parallel to the second course, a distance of 17.00 feet to the point and place of BEGINNING.

CONTAINING 331.5 Square Feet of land more or less.

INTENDING to describe any and all portions of lands owned by 81 LAND CO., LLC, (P.N. 8-53-108.100); that fall within a 17.00' X 19.50' BUS SHELTER EASEMENT.

ALSO INTENDING TO INCLUDE for the right of ingress, egress, regress and accessibility, together and along with the rights of the Grantor, the right of passage on all defined, travelled roadways of P.N. 8-53-114.100 owned by N/F VISION DEVELOPMENT, INC., that lie southeasterly thereof, immediately adjacent to and between this BUS SHELTER EASEMENT and the westerly margin of Western Boulevard.

AS SURVEYED by STORINO GEOMATICS, Land Surveying Services & Consulting, PLLC, on 5/13/2013 and 5/28/2013, and shown on a plat titled "SURVEY PLAT OF A BUS SHELTER EASEMENT ACQUISITION, P.N. 8-53-108.100, LANDS OF 81 LAND CO., LLC", dated 5/28/2013, a

copy of which is part of this instrument.

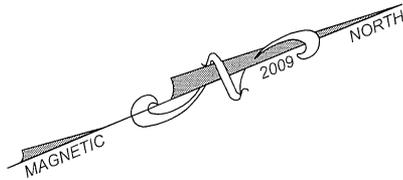
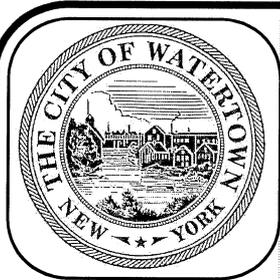
The bearings used in this description are based on magnetic north as observed on November 23, 2009.

All 1/2" capped iron rebars read "STORINO, PLS 50035".

The parcel numbers referred to herein are those shown upon the Assessment maps of said city that are on file in the City Engineer's office, Room 305, Municipal Building, 245 Washington Street.

It being the intent of the City of Watertown, to accomplish delineation of a 17.00' X 19.50' BUS SHELTER EASEMENT; thus enabling creation of a permanent and perpetual BUS SHELTER EASEMENT.

INTENDING TO DESCRIBE AND GRANT, as part of a permanent and perpetual 17.00' X 19.50' BUS SHELTER EASEMENT; all rights as hereinbefore described, the Grantor may have in all portions of P.N. 8-53-108.100 that may be included and fall within the above described BUS SHELTER EASEMENT; to the party of the second part, known as the City of Watertown.



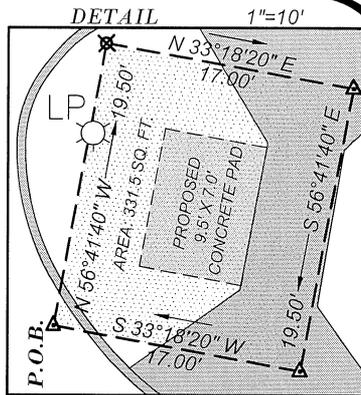
P.N. 8-53-108.100
VISION DEVELOPMENT, INC.
TO
81 LAND CO., LLC
INST. NO. 2006-644
RECORDED 1/12/2006

ASPHALT DRIVE

POINT OF BEGINNING

BUS SHELTER EASEMENT (SEE DETAIL)

PARKING



ASPHALT DRIVE

(PER MAP REF. 1) 189.32'

ASPHALT DRIVE

S 67°07'54" E
(PER MAP RE. 1) 132.59'

TO WESTERN BOULEVARD

P.N. 8-53-114.100
N/F VISION DEVELOPMENT, INC.
LIBER 1507, PAGE 4
RECORDED 4/30/1996

LEGEND:

- ASSUMED PROPERTY LINE EASEMENT
- MAG NAIL SET
- 1/2" CAPPED IRON REBAR SET

I HEREBY CERTIFY TO THE CITY OF WATERTOWN AND 81 LAND CO., LLC, THAT THIS PLAT WAS MADE FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, BOTH ARE CORRECT.

THOMAS MICHAEL STORINO P.L.S. NO. 50035

DATED: _____

MAP REFERENCES:

1. "SURVEY MAP OF THE LAND OF - 81 LAND CO., LLC", FILE NO. 2004-121S.06, BY GYMO ARCHITECTURE, ENGINEERING & LAND SURVEYING P.C., DATED FEBRUARY 7, 2007.
2. TAX MAP DISTRICT 8, MAP 53, CITY OF WATERTOWN, LAST REVISED DECEMBER 31, 2007.

NOTES:

1. A FULL SURVEY OF P.N. 8-53-108.100 WAS NOT PERFORMED.
2. BEARINGS BASED ON MAGNETIC NORTH AS OBSERVED NOVEMBER 23, 2009.
3. SURVEY DATES: 5/13/2013, AND 5/28/2013.
4. THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF AN UPDATED ABSTRACT OF TITLE. SURVEYOR HAS MADE NO INVESTIGATION NOR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT ABSTRACT TITLE SEARCH MAY DISCLOSE.
5. NO UNDERGROUND FACILITIES, STRUCTURES OR UTILITIES ARE SHOWN ON THIS MAP. PRIOR TO CONSTRUCTION CONTACT UNDERGROUND UTILITIES CALL CENTER OF NEW YORK FOR LOCATIONS OF ALL UNDERGROUND UTILITIES. (1-800-245-2828)
6. CAPS ON ALL 1/2" CAPPED IRON REBARS SET READ: STORINO PLS 50035

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STORINO GEOMATICS
LAND SURVEYING SERVICES & CONSULTING, PLLC
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS SURVEY MAP NOT MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL AND ORIGINAL SIGNATURE IN RED INK SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.

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THE SEAL, SIGNATURE, AND CERTIFICATION ARE HEREBY REVOKED AND OTHERWISE VOID ON ALL UNAUTHORIZED COPIES.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PARTY FOR WHOM THE SURVEY IS PREPARED, AND IF REQUESTED ON THEIR BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREIN AND TO THE SUCCESSORS (BY MERGER OR OPERATION OF LAW) TO THE LENDING INSTITUTION AND THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

CERTIFICATION VALID AS OF FINAL SURVEY DATE.

**SURVEY PLAT OF A BUS SHELTER EASEMENT ACQUISITION
P.N. 8-53-108.100, LANDS OF 81 LAND CO., LLC**

WATERTOWN CITY CENTER
CITY OF WATERTOWN

COUNTY OF JEFFERSON
STATE OF NEW YORK

DATE: 5/28/2013
SCALE: 1"=20'
DRAWN BY: AMS
CHECKED BY: AMS/TMS
FILE NO.: 13-012-COW
DWG NO.: 1 OF 1

THOMAS MICHAEL STORINO
P.L.S. NO. 50035



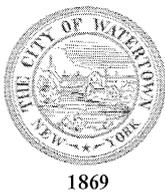
STORINO GEOMATICS

LAND SURVEYING SERVICES & CONSULTING, PLLC

PROFESSIONAL LAND SURVEYORS

179 GONGER AVENUE
WATERTOWN, NY 13601-2318

TEL FAX: (315) 788-0287
WWW.STORINOGEMATICS.COM



CITY OF WATERTOWN
ENGINEERING DEPARTMENT
MEMORANDUM

DATE: 11 September 2013

TO: Sharon Addison, City Manager

FROM: Kurt Hauk, City Engineer

SUBJECT: Bus Shelter Easement: 81 Land Company LLC.

Enclosed is a copy of the survey map and easement language for the proposed bus shelter installation near Western Boulevard.

This represents the final language negotiated between the property owner and staff. The City Attorney has also reviewed the language.

The granting of easements to the City normally would not require Council approval. The language for this easement differs from our standard easement language in that it allows the property owner the ability to extinguish the easement and would require the City to relocate the shelter within one year of that notification.

Should Council approve the easement, it will be executed and filed with the County Clerk's Office and DPW will begin construction of the shelter.

Cc Gene Hayes, Superintendent of Public Works

September 11, 2013

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Confidential Assistant to the City Manager

Subject: NYS Zoo Pavilion Change Order No. 1

Enclosed for Council review is a copy of Change Order No. 1 for the Zoo Pavilion Project at Thompson Park. The total amount of the change order is \$1,839.48, bringing the total cost of the project to \$256,741.85. As the attached memo from City Engineer Hauk indicates, this change order covers two tons of additional asphalt, additional pressure-treated blocking, and an additional pull box and cover. This change order will close out the project.

Staff will be available at the meeting to answer any questions City Council may have on this change order.

RESOLUTION

Page 1 of 1

Approving Change Order No. 1 to Agreement,
Thompson Park Zoo Pavilion Project

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

Introduced by

WHEREAS the City Council of the City of Watertown authorized the expenditure of \$254,902.37 for the construction of a pavilion at the NYS Zoo at Thompson Park, and

WHEREAS City Engineer Kurt W. Hauk has submitted the Change Order No. 1 to that contract for consideration by the City Council, and

WHEREAS Change Order No. 1 results in an additional charge of \$1,839.48, bringing the total contract amount to \$256,741.85,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 for the construction of a pavilion at the NYS Zoo at Thompson Park in the amount of \$1,839.48, a copy of which is attached hereto and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Change Order documents on behalf of the City of Watertown.

Seconded by

Change Order

No. 1

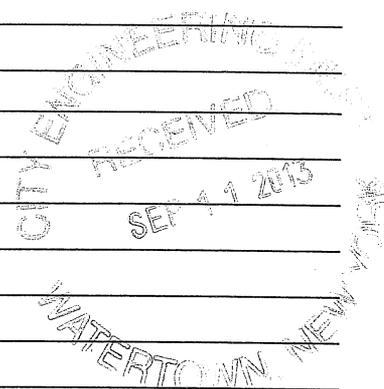
Date of Issuance: September 4, 2013 Effective Date: September 16, 2013

Project: Thompson Park Zoo Pavilion	Owner: City of Watertown, NY	Owner's Contract No.: N/A
Contract: Thompson Park Zoo Pavilion	Date of Contract: March 21, 2013	
Contractor: D.E.W. Builders, Inc.	Engineer's Project No.: N/A	

The Contract Documents are modified as follows upon execution of this Change Order:

Description: \$811.56 for an additional 2 Tons of Asphalt at the Unit Price, \$835.80 for an electrical pull box and \$192.12 for additional blocking.

Attachments: (List documents supporting change): See attached.



CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$254,902.37

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

\$ _____

Contract Price prior to this Change Order:

\$254,902.37

Increase of this Change Order:

\$1,839.48

Contract Price incorporating this Change Order:

\$256,741.85

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: _____
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: [Signature]
Contractor (Authorized Signature)

Date: _____

Date: _____

Date: 9-6-13

Approved by Funding Agency (if applicable): _____

Date: _____

CHANGE ORDER

September 5, 2013

Thomas M. Maurer, CE 1
Department of Engineering
Rm. 305, City Hall
245 Washington Street
Watertown, NY 13601

RE: Thompson Park Pavilion

Item 1

Extra Pressure Treated Blocking:

Materials: \$117.12

Labor: \$75.00

Total: \$192.12

Item 2

Concrete Pull Box and Cover:

Materials: \$610.80

Labor: \$225.00

Total: \$835.80

If you have any other questions...please let me know.

Thanks.



Jeff Greene

Estimating/Purchasing

D.E.W. Builders/Widrick Construction

jgreene@widrickconstruction.com



CITY OF WATERTOWN
ENGINEERING DEPARTMENT
MEMORANDUM

DATE: 11 September 2013

TO: Sharon Addison, City Manager

FROM: Kurt Hauk, City Engineer

SUBJECT: Zoo Pavilion Change Order #1

Enclosed is a copy of Change Order #1 for the Zoo Pavilion Project. The total change order amount is for \$1,839.48. This will bring the final contract amount to \$256,741.85 from the original contract amount of \$254,902.37.

The items of work included 2 tons of additional asphalt, additional pressure treated blocking, and an additional pull box and cover.

This will close out the project.

Please prepare a resolution for City Council consideration.

Ord No. 1

September 11, 2013

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning & Community Development Coordinator

Subject: Amending PDD #3 To Allow Construction Of A Community Building At Maple Court Apartments, 591 Weldon Drive, Parcel 14-49-102

Charlie Allen of Evergreen Partners has submitted to above subject zone change request.

The Planning Board reviewed the request at its September 3, 2013 meeting and passed a motion recommending that the City Council approve the amendment subject to two conditions, which have since been satisfied. A copy of the revised plan is in each Council Member's agenda package.

Attached are the report on the zone change request prepared for the Planning Board and an excerpt from the minutes.

The ordinance prepared for City Council consideration approves the amendment as submitted to the Engineering Department on September 9, 2013. The Council must hold a public hearing on the ordinance before it may vote. It is recommended that a public hearing be scheduled for 7:30 pm on Monday, October 7, 2013. A SEQRA resolution will also be presented for City Council consideration at that meeting.

ORDINANCE

Page 1 of 1

Amending PDD #3 To Allow Construction Of A Community Building At Maple Court Apartments, 591 Weldon Drive, Parcel 14-49-102

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

Introduced by

BE IT ORDAINED where Charlie Allen of Evergreen Partners has submitted a request to amend Planned Development District #3 to allow construction of a community building at Maple Court Apartments, 591 Weldon Drive, parcel 14-49-102, and

WHEREAS the Planning Board of the City of Watertown considered the request at its meeting held on September 3, 2013, and adopted a motion recommending that the City Council approve the amendment with two conditions that have since been met, and

WHEREAS a public hearing was held on the proposed amendment on October 7, 2013, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested amendment,

NOW THEREFORE BE IT ORDAINED that Planned Development District #3, located at 591 Weldon Drive, parcel 14-49-102, known as Maple Court Apartments, is hereby amended to allow the construction of a community building, as depicted on the district plan submitted to the Engineering Department on September 9, 2013, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by



MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE
245 WASHINGTON STREET, ROOM 304, WATERTOWN, NY 13601
PHONE: 315-785-7730 – FAX: 315-782-9014

TO: Planning Board Members

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Zone Change – Maple Court Apts. PDD #3

DATE: August 28, 2013

Request: Amending PDD #3 to allow construction of a community building at Maple Court Apartments, 591 Weldon Drive, parcel 14-49-102

Applicant: Charlie Allen, Evergreen Partners

Owner: Maple Court Apts

SEQRA: Unlisted

County review: Not required

Comments: The applicant intends to acquire Maple Court Apartments and complete renovations on the property. As part of the renovation project, a community building of roughly 4,000 square feet would be built in the courtyard of the complex.

Code requires that all buildings within the PDD be at least 20' apart. Building coverage is limited to 40%. The plan submitted meets the coverage requirement, but the footprint may have to be shifted slightly to meet the setback requirements. The proposed building is only 19' from the apartments to the north, and 11' from the shed to the southeast. The applicant should submit revised drawings showing the required setbacks. Further, the street names on the supplied district site plan are incorrect, and should be corrected.

Prior to construction, the applicant will also have to apply for Site Plan Approval.

Summary:

1. The applicant shall shift the proposed building to meet the district setback requirements, and submit a revised district plan to the Engineering Department.
2. The applicant shall correct the labels of Kieff Drive, Jewell Drive, and Weldon Drive on the district plan.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Charlie Allen, 29 N. Main St, Suite A, Ipswich, MA 01938



August 21, 2013

Honorable Mayor and City Council
C/O City Engineer's Office
245 Washington St, Room 305
Watertown, New York 13601

RE: 540 Kieff Drive, Maple Court Apartments - Request to Amend PDD #3

Dear Honorable Mayor and City Council;

Maple Court Apartments contains ninety-two units serving low income seniors and families. The property was built more than forty years ago and is in need of renovation. While the property has been fairly well maintained, many major systems are now fully forty years old and are at the end of their useful life. Evergreen Partners intends to acquire, comprehensively renovate the property and keep it affordable. The rehabilitation work will include all new windows and exterior doors, HVAC systems, and flooring as well as kitchen and bathroom fixtures and appliances. We will also construct a new building on the interior of the site that will contain a community room, management offices, computer learning center and accessible laundry room.

The City Council previously provided a letter indicating their support for the transaction. Evergreen's plans have not changed. However, we were not successful in obtaining an allocation of Tax Credits from DHCR in the prior funding round. We intend to submit another application for funding on October 10th. In order that we can demonstrate a readiness to proceed when an allocation of Tax Credits is received, we are initiating the request for a zoning change now.

A new community building is proposed. It will be a single story building of approximately 4,000 sq. ft. The current building coverage on the lot is 22%. It will be 24% after the proposed new building is constructed. We are requesting a change to the existing Planned Development District zoning in order to accommodate this change to the site. The future use of the property

will remain affordable housing, and no change to the number of apartments is proposed. The new community building is the only material change to the existing site plan, and triggers the need to amend the PDD.

Please don't hesitate to call me at 978-356-8455 if you have questions or need additional information.

Sincerely,

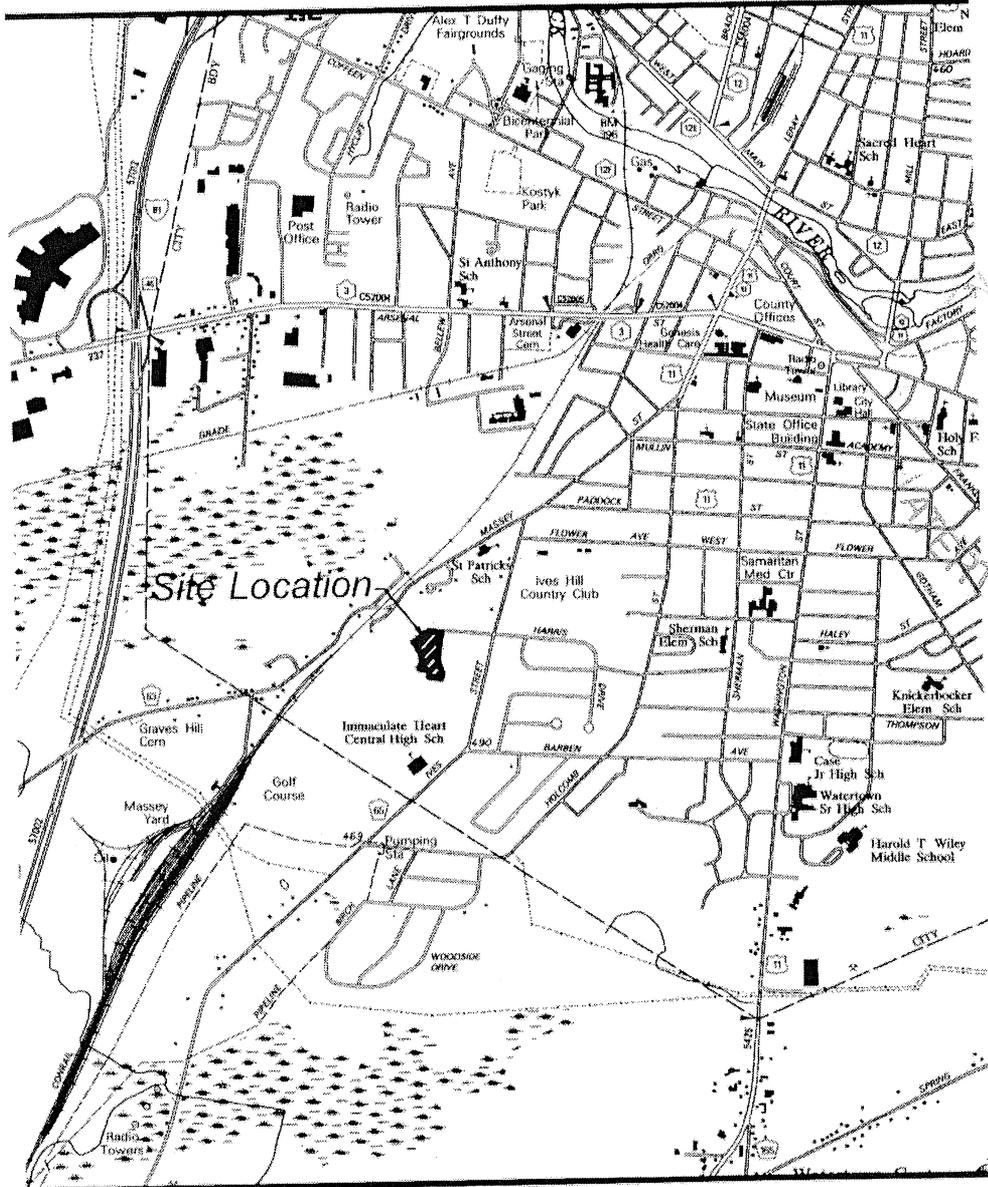


Charlie Allen

Enclosures;

1. Site Plan
2. Proposed building elevations
3. Metes and Bounds
4. Tax Map
5. SEQR Form
6. Application Fee - \$100





ENGINEERING DEPT.
 AUG 23 2013
 WATERTOWN, NEW YORK

NYS DOT Quadrangle
 Watertown, New York



ENGINEERING
 AUG 23 2013
 WATERTOWN, NEW YORK

NO DEVIATION FROM THE CONTRACT PLANS AND SPECIFICATIONS CAN BE MADE UNTIL A REQUEST FOR CONSTRUCTION CHANGE. HUD FORM 92437 HAS BEEN SUBMITTED AND APPROVED.

Arch	
Owner	
Confr	
Band	

tat
 the architectural team

The Architectural Team, Inc.
 50 Commandant's Way at Admirals Hill
 Chelsea MA 02150
 T 617.889.1422
 F 617.884.4329
 www.architecturalteam.com
 ©2008 The Architectural Team, Inc.

Consultant:

Revision:

Architect of Record:

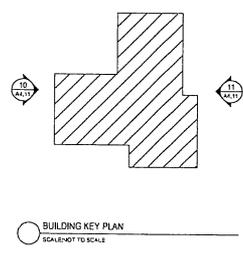
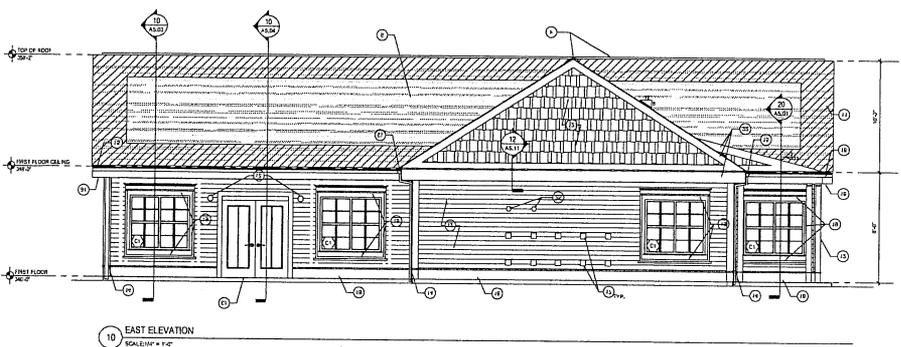
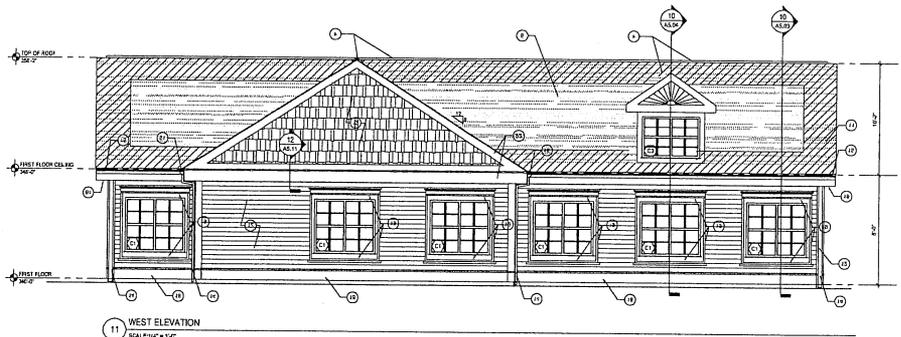
XXX
 NOT FOR CONSTRUCTION
 Drawn:
 Checked:
 Scale:
 Key Plan:

Project Name:
MAPLE COURT APARTMENTS

540 Kieff Drive,
 Watertown, NY.

Sheet Name:

Project Number:
 12181
 Issue Date:
 Dec. 2012
 Sheet Number:



Thursday, August 22, 2013 8:51:18 AM
 P:\1181 - Maple Court\Maple Court\Primary\Process - Community Building\12.181_Community Building Elevations.rvt

CITY ENGINEERING DEPT.
AUG 23 2013
WATERTOWN, NEW YORK

NO DEVIATION FROM THE CONTRACT PLANS AND SPECIFICATIONS CAN BE MADE UNTIL A REQUEST FOR CONSTRUCTION CHANGE, HUD FORM 92437 HAS BEEN SUBMITTED AND APPROVED.

Arch	
Owner	
Confr	
Band	

tat |
the architectural team

The Architectural Team, Inc.
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Chelsea, MA 02150
T 617.889.4402
F 617.884.4329
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©2008 The Architectural Team, Inc.

Consultant:

Revision:

Architect of Record:

XXX
NOT FOR CONSTRUCTION

Drawn:

Checked:

Scale:

Key Plan:

Project Name:

MAPLE COURT APARTMENTS

540 Kleff Drive,
Watertown, NY.

Sheet Name:

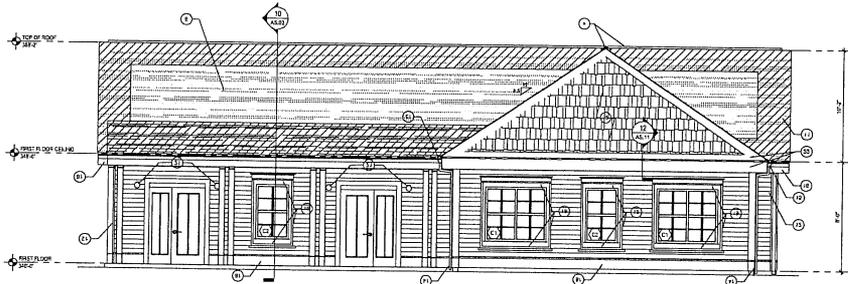
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12181

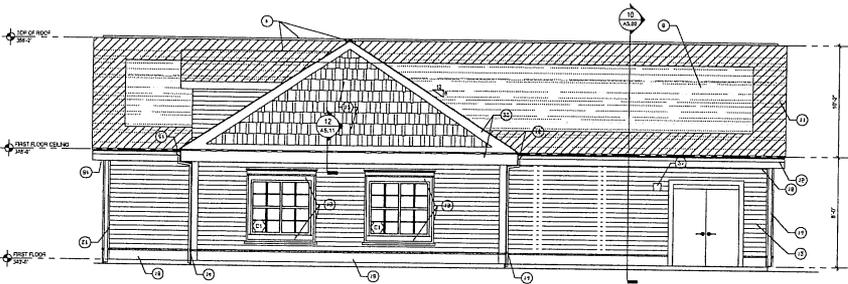
Issue Date:

Dec. 2012

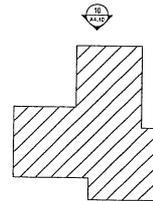
Sheet Number:



11 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



10 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING KEY PLAN
SCALE: 1/8" = 1'-0"

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART 1 – PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Maple Green LP	2. PROJECT NAME Maple Court Apartments
3. PROJECT LOCATION: Municipality Watertown County Jefferson	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 540 Kieff Drive, Watertown, NY	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Existing 92 unit affordable rental property will be renovated. The property will remain 92 units and will remain affordable. A new community building of @4,000 sq. ft will be added to the site.	
7. AMOUNT OF LAND AFFECTED: Initially 4.020 acres Ultimately 4.020 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Multifamily condominium and rental properties are adjacent to the site.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals NYS DHCR Housing Trust Funds, LIHTC	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals permitted & built 1970	
12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Maple Green LP	Date: 08/20/2013
Signature: 	

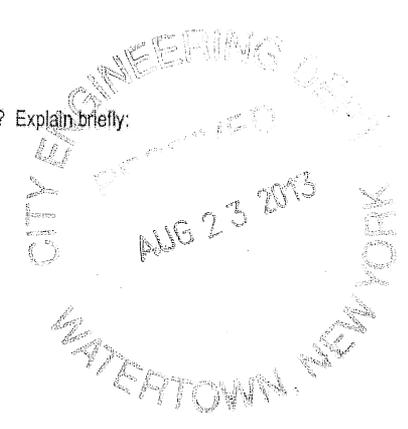
If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If NO, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
- C2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
- C3. Vegetation or fauna, fish shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
- C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.



D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

Excerpt from 9/3/13 Planning Board Meeting Minutes

ZONE CHANGE – PDD #3 591 WELDON DR – PARCEL 14-49-102

The Board then considered a request by Charlie Allen of Evergreen Partners to amend Planned Development District #3 to allow the construction of a community building at Maple Court Apartments, 591 Weldon Drive, parcel 14-49-102.

Nicholas Bouquet was in attendance to represent the applicant. He approached the Board to explain the request. He noted that Evergreen is a developer of affordable housing and has completed similar renovation projects in the past. They are currently in the process of applying for financing, and securing the zone change will help in the process. Currently the apartment complex has no community building, and the administrative offices are in the basement of one of the buildings. The new community building would have offices, a computer center, laundry facilities, and an area for general use by the tenants.

Mr. Katzman asked if the reduction in green space would affect the availability of play areas for children. Mr. Bouquet said that the property manager has said that the courtyard area is not used by children. New play areas will be added elsewhere as part of the renovation. He showed the board some photos of another recent project, and architect's renderings of the proposed renovations (on file in the City Engineer's office).

Mrs. Fields asked if landscaping and lighting would be altered. Mr. Bouquet said that there would be changes, and more information would be provided in the future.

Mr. Katzman asked if the sewer and water services could handle the additional load. Mr. Bouquet said the consulting architects thought there would be no problem.

Mr. Katzman then moved to recommend approval of the request submitted by Charlie Allen of Evergreen Partners to amend Planned Development District #3 to allow the construction of a community building at Maple Court Apartments, 591 Weldon Drive, parcel 14-49-102, with the following conditions:

1. The applicant shall shift the building to meet the district setback requirements, and submit a revised district plan to the City Engineer.
2. The applicant shall correct the labels of Kieff Drive, Jewell Drive, and Weldon Drive on the revised district plan.

Mr. Coburn seconded, all voted in favor.

Public Hearing – 7:30 p.m.

September 10, 2013

To: The Honorable Mayor and City Council
From: Kenneth A. Mix, Planning and Community Development Coordinator
Subject: 2012 CDBG Small Cities Program Public Hearing

A public hearing for the Community Development Block Grant Small Cities program has been scheduled for Monday, September 16, 2013 at 7:30 p.m.

The purpose of this public hearing is to hear comments on the City's approved 2012 program and to discuss the range of activities that can be considered for funding in Program Year 2013. Attached is a copy of the information that will be handed out at the public hearing.

CITY OF WATERTOWN
Community Development Program

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Watertown has been active in the Community Development Block Grant Program for more than 30 years. Applications have been submitted every year since the program was created in 1978. Twenty-six of them have been successful, generating more than \$12 Million of federal grant funding to support local community development activities in the city, as follows:

1979,1980,1981	3-Year Comprehensive Program	\$1,550,000
1982	Single Purpose Public Facilities Improvements	\$478,588
1983 Jobs Bill	Single Purpose Economic Development	\$150,500
1983/1984	Comprehensive Program	\$1,000,000
1985	Comprehensive Program	\$600,000
1986	Single Purpose Housing Rehabilitation	\$400,000
1987	Comprehensive Program	\$600,000
1988	Comprehensive Program	\$600,000
1989	Single Purpose Housing Rehabilitation	\$400,000
1990	Single Purpose Public Facilities Improvements	\$400,000
1991	Single Purpose Home Ownership	\$400,000
1994	Single Purpose Home Ownership	\$400,000
1995	Single Purpose Home Ownership	\$400,000
1996	Single Purpose Economic Development	\$600,000
1999	Single Purpose Housing Rehabilitation	\$400,000
2000	Single Purpose Housing Rehabilitation	\$400,000
2002	Comprehensive Program (Emerson Place Redevelopment)	\$750,000
2003	Public Facilities Related to the Emerson Place Redevelopment	\$170,500
2004	Single Purpose Housing Rehabilitation	\$400,000
2005	Single Purpose Home Ownership	\$400,000
2006	Single Purpose Housing Rehabilitation	\$200,000
2007	Comprehensive Program (Franklin Building Redevelopment)	\$650,000
2008	Rental Rehabilitation & Downtown Apartments	\$400,000
2009	Rental Rehabilitation & Downtown Apartments	\$400,000
2011	Rental Rehabilitation & Downtown Apartments	\$400,000
2012	Rental Rehabilitation & Downtown Apartments	\$400,000

Most of this funding has been used to support housing rehabilitation, home ownership and other neighborhood revitalization projects; and traditionally those activities were focused in target areas that were designated for each program. That approach focused the available resources in limited areas in order to maximize the impact of the public investment and encourage property owners to invest in additional improvements with their own resources. Lately, these programs have been administered on a city-wide basis in order to make those resources available to the properties where that assistance is needed most.

Economic development activities have been included in several comprehensive programs and supported by the Jobs Bill funding that was received in 1983. A single purpose grant was also received in 1996 to support loans for two local businesses that created new employment opportunities in Watertown.

CDBG funding has also been used to support private redevelopment projects that create new housing and employment opportunities for lower income people in the city. Grants were received in 2002 and 2003 to support the Emerson Place Redevelopment off State Street; and the grant that was received in 2007 was used to support redevelopment of the Franklin Building on Public Square.

CITY OF WATERTOWN
Community Development Program
2012

DOWNTOWN RENTAL APARTMENTS

The program that has been approved for 2012 funding will continue the rental rehabilitation program to support rehabilitation of existing substandard housing in Watertown and promote creation of new apartments on the upper floors of commercial buildings in the downtown area. Rehabilitation activities will be encouraged throughout the city; but preference will be given to projects that are located in the downtown area and projects that will add to the supply of affordable rental housing to offset the pressure on the local housing market that is being experienced as a result of the latest expansion at Fort Drum.

All housing units that are created or rehabilitated under this program must be occupied by households that qualify as low or moderate income; and apartment rents must be limited during a five or ten year regulatory period to make sure those housing units remain affordable to the lower income households who will be occupying them while the expansion at Fort Drum is in progress.

CDBG Funding:

For housing rehabilitation activities, CDBG funds will be available in the form of grants and low interest loans to cover 100% of the cost of eligible improvements. Those funds will be available throughout the city, but preference will be given to projects that are located in the downtown area.

For projects that create new apartments on the upper floors of commercial buildings, CDBG funds will be available in the form of grants and low interest loans that will be combined with HOME funding that will be available through Neighbors of Watertown.

CDBG loans will be repaid over ten year terms and those proceeds will be kept in a revolving loan fund that will be available for future investment in Watertown. Grants will not be repaid as long as the applicant retains ownership of the property and complies with all requirements of the program during a ten year regulatory period.

HOME Funding:

HOME funds will be available through Neighbors of Watertown to support housing rehabilitation activities throughout the city. That financing will be structured as deferred payment loans that will not be repaid as long as the property owner complies with sale and rent restrictions during a five or ten year regulatory period (depending on the amount of HOME funds used for each housing unit).

New York Main Street Funding:

Additional funding will be sought under the New York Main Street (NYMS) Program to help pay for the new apartments and to cover the cost of facade improvements and other work that cannot be financed with CDBG or HOME funding. NYMS funding is now available to municipalities as well as non-profits and grants can now include funds for administration and program delivery expenses.

CITY OF WATERTOWN

COMMUNITY DEVELOPMENT PROGRAM

HOUSEHOLD INCOME LIMITS FOR CDBG AND HOME FINANCING ELIGIBILITY Applicable to non-metropolitan areas in New York State

(Effective December 11, 2012)

Family Size	80% of Median (Eligible)	50% of Median (Priority)
1 Person	\$33,450	\$20,900
2 Person	\$38,200	\$23,900
3 Person	\$43,000	\$26,900
4 Person	\$47,750	\$29,850
5 Person	\$51,600	\$32,250
6 Person	\$55,400	\$34,650
7 Person	\$59,250	\$37,050
8 Person	\$63,050	\$39,450

Income limits for households larger than eight persons are determined by adding \$3,800 (80% of Median) or \$2,350 (50% of Median) for each additional person in the household. These figures are adjusted annually to match the income limits established by the U.S. Department of Housing and Urban Development for the Section 8 Rental Assistance Program.

Source: HUD NOTICE PDR-2013-02 dated December 11, 2012
From: Carol J. Galante
Acting Federal Housing Commissioner
Re: Fiscal Year 2013 Income Limits
for Public Housing and Section 8 Programs

CITY OF WATERTOWN

COMMUNITY DEVELOPMENT PROGRAM

RENT LIMITS FOR APARTMENTS WITH CDBG OR HOME ASSISTANCE
Applicable to Jefferson County in New York State

(Effective October 1, 2012)

<u>Unit Size</u>	<u>Fair Market Rent</u>
0 Bedroom	\$700 / month
1 Bedroom	\$806 / month
2 Bedroom	\$1,048 / month
3 Bedroom	\$1,332 / month
4 Bedroom	\$1,504 / month

The Rent Limits listed above are 100% of the Fair Market Rents (FMR) established by the U.S. Department of Housing and Urban Development for the Section 8 Housing Choice Voucher Program. They apply to gross rents, including shelter rent and the cost of utilities (except telephone) that are paid by the tenant in qualified apartments. These figures are adjusted annually based on Census data updated by random digit dialing (RDD) telephone surveys and set at the 40th percentile of standard quality rental housing in Jefferson County in the State of New York.

For apartments with more than 4 bedrooms, the Rent Limits are calculated by adding 15% to the 4 bedroom Rent Limit for each extra bedroom.

Source: Federal Register, Volume 77, Number 194, October 5, 2012

Tabled

September 11, 2013

To: The Honorable Mayor and City Council
From: Elliott B. Nelson, Confidential Assistant to the City Manager
Subject: Vending Fees

The attached ordinance was tabled by City Council at the Regular Meeting on August 19. At that time, Council indicated a desire to discuss this proposed legislation at a Work Session. City Council discussed the merits of the attached ordinance at their Work Session of September 9, and at that time expressed a willingness to support the legislation.

Staff will be available at the meeting to answer any additional questions Council may have regarding this ordinance.

ORDINANCE

Page 1 of 1

Amending City Municipal Code
§ A320-4

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

Introduced by

Council Member Teresa R. Macaluso

BE IT ORDAINED that Section A320-4, Schedule of Fees, of the City Code of the City of Watertown is hereby amended by adding the following paragraph:

§ A320-4. Schedule of fees.

C. Miscellaneous Parks and Recreation Fees: Various Parks and Recreation fees shall be established and enforced as follows. Nothing in this section shall prohibit the City from entering into an agreement for the use of the Municipal Arena, at rates other than the rates described below. However, any such agreement shall require the approval of the City Council.

(22) Event promoters of concerts or performances shall be charged a fee of \$250, per vendor, per day for the right to allow concessions at their event. All other user groups shall be charged \$50 per vendor, per day for the right to allow concessions at their event. This provision applies to the following locations: Thompson Park, Marble Fields, Kostyk Fields, and North Side Athletic Fields.

Seconded by Council Member Joseph M. Butler Jr.

Tabled

September 11, 2013

To: The Honorable Mayor and City Council
From: Sharon Addison, City Manager
Subject: City Employee Vision and Dental Insurance Plan

The attached resolution was included in the September 3 agenda. At that time, City Council elected to table the resolution because of their desire for more information on the matter.

On May 20, 2013 City Council approved the Vision and Dental Plan for City Employees, with premiums at no cost to the City, through the Guardian Network and administered by Relph Benefit Advisors effective April 1, 2013.

Relph Benefit Advisors will provide benefit relief services and assist with our Employer obligations under the Employee Retirement Income Security Act by offering COBRA benefits to City employees. Providing for CORBA services is a federal requirement for any plan document.

Attached for Council consideration is a resolution approving the Agreement for Services with Relph Benefit Advisors. Under the term of this Agreement, the City of Watertown will pay Relph Benefit Services an annual flat fee of \$250 as well as \$25 per COBRA occurrence.

RESOLUTION

Page 1 of 1

Approving Agreement for Services for Vision and Dental City Employee Plan, Relph Benefit Advisors

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

Council Member Teresa R. Macaluso

WHEREAS the City of Watertown approved on May 20, 2013 to allow its employees to participate in a vision and dental insurance policy as an Employee Welfare Benefits Plan within the meaning of the ERISA, which benefit is available to all City employees, and

WHEREAS in order to comply with the Employee Retirement Income Security Act, Relph Benefit Advisors will administer the COBRA plan on our behalf,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Services with Relph Benefit Advisors, attached hereto and made part of this resolution, and

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

Seconded by Council Member Joseph M. Butler Jr.

Agreement for Services

Agreement made this _____ day of _____, 2013, between City of Watertown, hereinafter referred to as "Employer," and Relph Benefit Advisors, including its affiliate Flexible Benefits System, Inc., hereinafter collectively referred to as "RBA".

Whereas, Employer is the Plan Sponsor for purposes of the Employee Retirement Income Security Act responsible for the administration of its employee benefit program; and

Whereas, Employer wants to retain RBA to provide administrative benefit relief services and to assist with Employer obligations; and

Now, therefore, in consideration of the promises and of the mutual covenants and agreements contained herein, the Employer and RBA agree as follows:

1. RBA agrees to offer administrative services relief to Employer, which may include administration of all applicable health insurance plans, COBRA services, Flexible Spending Accounts (FSA), Health Reimbursement Arrangements (HRA) and wellness programs. Attached Exhibit "A" will reflect the actual services to be provided as requested by Employer. RBA however shall not be responsible for the consequences of any action taken or omitted by the Employer as Plan Sponsor or Plan Administrator in connection with the administration of the Plan.
2. As designated on Exhibit "A", RBA agrees to make available COBRA services, FSA – cafeteria compensation plan, a HRA plan, all in accordance with Internal Revenue Code §125, §105(h) and all other applicable sections.
3. Employer designates and appoints RBA to perform the functions and duties necessary to prepare, implement and operate within the direction and scope and on behalf of Employer.
4. Employer agrees to provide employee/plan information to RBA in a format compatible and acceptable to RBA. Employer agrees that RBA will rely on the information provided by Employer in the performance of their duties under this Agreement.
5. RBA shall have the right to retain outside services, when deemed appropriate and economically feasible.
6. Employer agrees to provide all data as requested and to make necessary payroll deductions and assist RBA in implementing and operating its employee benefits program.
7. Employer has named RBA as Agent of Record for services as designated on Exhibit "A" and will utilize RBA as their agents or brokers in providing fringe benefits to employees for all benefit plans designated, now in place, introduced or elected in the future, while this contract is in place, which may include some or all of the following services:
 - Medical
 - Dental
 - Vision
 - Life
 - Accidental Death & Dismemberment
 - NYS Disability
 - Short Term Disability
 - Long Term Disability
 - Voluntary Benefit Plans
 - Employee Assistance Program (EAP)
 - COBRA
 - Flexible Spending Account(s)
 - Health Reimbursement Arrangement(s)
 - Administrative Services
 - Wellness Program
8. Employer agrees to keep all RBA documents confidential and to treat them as proprietary and agrees to restrict the use and agrees not to disclose details of the plan design(s) and/or supplemental documents to other parties unless Employer has received written permission from RBA or except where authorized or required by law. This section shall survive the termination of this Agreement.
9. Employer agrees to pay RBA an administrative fee for service based on the most current attached Exhibit "A", which may be updated annually or from time to time with 30 days prior written notice. Employer shall be billed and payment due 30 days from date billed.

General Terms:

10. **Term.** The term of this Agreement shall be for the following period: April 1, 2013 through December 31, 2014.
11. **Termination.** This Agreement may be terminated upon any of the following:
 - a. Expiration of this Agreement
 - b. Written mutual agreement of parties to terminate
 - c. Written notice to Employer or RBA should either party materially fail to comply with the terms of this Agreement
 - d. Sixty (60) days written notice by either party to the other to terminate with or without cause (however, in the event of early termination by the Employer a \$500 fee shall apply to offset the administrative set-up costs as well as a transfer of record fee of \$1.00 per record or a minimum fee of \$300 whichever is greater)
 - e. Failure of Employer to pay service fee to RBA as agreed
 - f. Failure of Employer to keep adequate funding requirements as explained herein
12. **Independent Advice.** Employer understands that RBA is not giving Employer any legal, tax or financial advice concerning any of the matters relating to this Agreement. Employer acknowledges that it has had the opportunity to consult with its independent legal, tax and financial advisors and is not relying on RBA for any such advice and is not expecting RBA to provide any such advice to an account holder.
13. **Governing Law/Venue.** This Agreement shall be governed in all respects by the laws of the State of New York. Venue shall be in Monroe County, New York.
14. **Notice.** Employer authorizes RBA to accept directions and/or data transmitted to RBA through facsimile, electronic/data transmissions, U.S. Mail or other means (FedEx, UPS, etc.) by authorized representatives, including duly appointed third parties, of Employer. Employer acknowledges its responsibility for the accuracy and completeness of any communication and is solely responsible for any adverse consequences that may result from errors or inaccuracies caused by the quality of such transmissions. RBA may fully rely on any communication with no obligation to review it or verify its accuracy.
15. **Independent Relationship.** It is expressly acknowledged by the parties hereto that this Agreement is not intended to create nor shall it be deemed or construed to create any relationship between Employer and RBA other than that of independent entities contracting with each other solely for the purpose of effecting the provisions herein. Neither party, nor any of their respective officers, directors, or employees shall be construed to be the agent, employee, or representative of the other, except as specifically provided herein.
16. **Confidentiality.** For the purposes of this Agreement, the term "Confidential Information" means non-public information about the disclosing Party's business or activities that is proprietary and confidential, which shall include, without limitation, all business, financial, technical and other information of a Party marked or designated "confidential" or by its nature or the circumstances surrounding its disclosure should reasonably be regarded as confidential. Confidential Information includes written or other tangible information but will not include information that (a) is in or enters the public domain without breach of this Agreement; (b) the receiving Party lawfully receives from a third party without restriction on disclosure and without breach of a nondisclosure obligation; (c) the receiving Party can establish that it developed independently. The terms and conditions of this Agreement will be deemed to be the Confidential Information of each Party and will not be disclosed without the prior written consent of the other Party. All Personally Identifiable Information collected through the RBA process will be deemed to be the Confidential Information of Employer. Each Party agrees (a) that it will not disclose to any third party or use any Confidential Information disclosed to it by the other except as expressly permitted in this Agreement; and (b) that it will take all reasonable measures to maintain the confidentiality of all Confidential Information of the other Party in its possession or control, which in no event will be less than the measures it uses to maintain the confidentiality of its own information of similar importance.
17. **Indemnity.** RBA agrees to and shall indemnify, defend and hold Employer, its subsidiaries and affiliates, and their respective directors, officers, agents and employees harmless from and against any and all claims, costs, damages, demands, lawsuits, liabilities and expenses (including reasonable attorney's fees, including the allocable expense of in-house counsel and interest), and for any and all injuries or damages to persons (including death) or to property, arising out of, resulting from, or in any way connected with the acts or omissions of RBA, its agents or employees, under this Agreement.

Employer agrees to and shall indemnify, defend and hold RBA, its subsidiaries and affiliates, and their respective directors, officers, agents and employees harmless from and against any and all claims, costs, damages, demands, lawsuits, liabilities and expenses (including reasonable attorney's fees, including the allocable expense of in-house counsel and interest), and for any and all injuries or damages to persons (including death) or to property, arising out of, resulting from, or in any way connected with the acts or omissions of Employer, including failure to follow the advice of RBA, its agents or employees, under this Agreement.
18. **Limitation of Liability.** To the extent permitted by applicable law neither party will be liable to the other party or any third party for any special, indirect, consequential or punitive damages or costs arising out of or related to this Agreement.

City of Watertown — Exhibit "A"

Effective Date: April 1, 2013

Pricing to be paid by Employer: \$250 annual setup fee, plus \$25 per COBRA occurrence

The following additional items may also apply:

- Minimum monthly billing fee or \$.00
- Employers who opt not to use the auto-pay feature may be charged an additional fee of \$10 per month (\$120 annually)
- Late fee of 2% on charges not paid within 30-days

If Employer does not pay any fee due RBA prior to the first day of the month following the month in which RBA bill is rendered, RBA will notify Employer ten (10) days prior to the suspension of services. **In the event RBA suspends its services because of failure to pay the service fee, RBA shall have no liability or responsibility for any claims, taxes, penalties, fees, fines or liabilities incurred by Employer or the employees of the Employer as a result of such suspension.** During any suspension of services, Employer is obligated to pay the base fee until this Agreement is terminated.

Basic services provided by RBA

- MyRelphHealth advisor wellness program
- 24/7 internet account access
- Customer care center
- Spreadsheet or online enrollment
- Online forms

Additional services as designated:

Benefit Plans

- Medical
- Dental
- Vision
- Life
- Accidental Death & Dismemberment
- NYS Disability
- Short Term Disability
- Long Term Disability
- Voluntary Benefits
- Employee Assistance Program (EAP)

Cobra Administration

Flexible Spending Account(s)

- Section 125 FSA Administration
- Employee account balance tracking
- Claims processing
- Employee claims reimbursement checks
- Employer monthly reports
- Plan maintenance and support
- Plan end of year reports
- Compliance tracking
- 5500 form completion
- Summary Plan Description (for applicable plans)

Health Reimbursement Arrangement(s)

- Section 105 HRA Administration
- Employee account balance tracking
- Claims processing
- Employee claims reimbursement checks
- Employer monthly reports
- Plan maintenance and support
- Plan end of year reports
- Compliance tracking
- 5500 form completion
- Summary Plan Description (for applicable plans)

1PointPlus

- Employee enrollment services
- Employee annual group meetings and/or individual onsite enrollment meetings
- Employee enrollment materials
- Employee educational services/material
- Employee elections and processing ongoing enrollments
- Employee – Adds, Changes and Terminations with notification to carriers
- Availability of employee benefit statements
- Employer group insurance bill adjudication
- Plan maintenance and support
- Plan end of year reports
- Compliance tracking
- 5500 form completion
- Summary Plan Description (for applicable plans)

1Point

- Employee enrollment services
- Employee annual group meetings and/or individual onsite enrollment meetings
- Employee enrollment materials
- Employee educational services/material
- 5500 form completion*
- Summary Plan Description (for applicable plans)*

Administrative services for Self-Funded plans (i.e. Vision)

Non-discrimination testing (only if requested)

Dependent Audit/Affidavit*

Debit Cards**

*Additional charges may apply

**Important debit card information: Your account will need to have a minimum funding amount on reserve with the bank of record (currently BanCorp) of (3% daily or 5% weekly) for the debit card option. Your Account Manager will notify you of the actual minimum funding amount required for your group set-up. This amount will roll forward each plan year and may require additional funding called a "true-up".

1PointPlus is our premier benefit package which includes all of the services mentioned above. If you have questions about the 1PointPlus package, any of the services mentioned above, or if you would like to upgrade your services, please contact your Relph Benefit Advisor Account Executive at 1.800.836.0026.